

Application Number: DM/2020/01517

Proposal: To convert an equity share of one of the affordable units to a financial contribution

Address: Swan Meadow, Monmouth Road, Abergavenny, NP7 5HF

Applicant: See Agent Details

Plans: Location Plan

RECOMMENDATION: APPROVED SUBJECT TO S106 AGREEMENT

Case Officer: Ms Kate Bingham

Date Valid: 19.10.2020

This application is presented to Planning Committee due to the original decision being made by Planning Committee; Monmouthshire County Council Housing Department is also the applicant

1.0 APPLICATION DETAILS

1.1 In June 2014 planning permission DC/2013/00304 was approved by Members of the Planning Committee for the construction of 38 no. retirement apartments. That approval was subject to a section106 agreement for a financial contribution requiring that two of the units were "golden share" apartments where either an elderly person or persons nominated by the Council as being unable to meet their housing need on the open market is offered the property. "Elderly Person" is defined as being over 60 and/or a spouse of such person over 55. One of the units has been sold as such with the Council authorising the sale at the market value less a 30% discount. The owner, having received a 30% discount, is required to covenant to comply with the re-sale procedure. However, Monmouthshire County Council's Housing Department has tried to sell the second property to a "Designated Person" but have had no success. Therefore it is proposed to amend the S106 legal agreement to provide a financial contribution to be used for the provision of affordable housing elsewhere in the locality. The current market value is £229,950 making the 30% share worth £68,985.

1.2 Proposal Description

The original consent was granted for the demolition of the existing building and relocation of a sewer in order to develop the site for 38no. McCarthy and Stone retirement apartments. These are centrally managed on site and are only available to persons over the age of 60 (or in the case of a couple, where one of the occupants is over the age of 60 years and the other is over the age of 55 years). The apartments are self-contained but linked by heated corridors from a secure entrance. There are also communal facilities in the form of a laundry, refuse room, guest suite and residents' lounge and kitchen.

2.0 RELEVANT PLANNING HISTORY (if any)

Reference Number	Description	Decision	Decision Date
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DM/2020/01517	To convert an equity share of one of the affordable units to a financial contribution.	Pending Determination	
DC/2016/01424	Non material changes to the store/communal areas to provide one bedroom apartment within the ground floor of the main building.	Approved	30.12.2016
DC/2015/00417	Conditions: 08 Materials and 23 Highways. Reference number DC/2013/00304.	Acceptable	28.10.2015
DC/2009/00081	Erection of twin monoliths as a landmark tribute	Approved	25.03.2009
DC/2014/01017	Discharge of conditions 3 (photographic survey) and 4 (written scheme of archaeological work) from Conservation Area Consent DC/2013/00303.	Acceptable	14.10.2014
DC/2015/00315	Discharge of conditions 15 (site investigation and remediation works) , 16 (site contamination), 22 (car parking scheme), 23 (pedestrian routes for access) and 26 (site contamination) of planning permission DC/2013/00304.	Acceptable	14.01.2016
DC/2015/01360	Removal of condition 11, 12 and 13 relating to planning application DC/2013/00304.	Approved	13.11.2015
DC/2013/00304	Redevelopment of the site to form 38 retirement apartments for older persons including communal facilities, car parking and associated landscaping (Revised scheme)	Approved	12.06.2014
DC/2015/01124	Discharge of conditions on previous application reference DC/2013/00304, conditions 6 (Details of the proposed windows, external doors, eaves (including corbel details, verges, cills, canopies, Juliet balconies, louvered ventilation panels, and boundary railings & gates and balconies), 7 (details of the proposed dormers, portico, and of the timber clad mid section) and 21 (drainage details).	Acceptable	09.03.2016

DC/2013/00303	Demolition and removal of all structures on site and redevelopment of the site to form 38 retirement apartments for older persons including communal facilities, car parking and associated landscaping (Revised Scheme)	Approved	03.06.2014
DC/2008/00537	To site an obelisk depicting subjects associated with Lord and Lady Llanover.		

3.0 LOCAL DEVELOPMENT PLAN POLICIES

Strategic Policies

S4 LDP Affordable Housing Provision

4.0 NATIONAL PLANNING POLICY

Planning Policy Wales (PPW) Edition 10

The primary objective of PPW is to ensure that the planning system contributes towards the delivery of sustainable development and improves the social, economic, environmental and cultural well-being as required by the Planning (Wales) Act 2015, the Well-being of Future Generations (Wales) Act 2015 and other key legislation. A well-functioning planning system is fundamental for sustainable development and achieving sustainable places.

The planning system should create sustainable places which are attractive, sociable, accessible, active, secure, welcoming, healthy and friendly. Development proposals should create the conditions to bring people together, making them want to live, work and play in areas with a sense of place and well-being, creating prosperity for all.

5.0 REPRESENTATIONS

5.1 Consultation Replies

Abergavenny Town Council - Recommend approval.

5.2 Neighbour Notification

One general comment received:

The address given is Swan Meadow but the map implies that the property referred to is Riverside Court.

The application says there is no need for "this type of affordable housing" but it is unclear what type is being referred to.

6.0 EVALUATION

The only consideration in this case is the amendment of the planning obligation for an equity share of one of the apartments to be changed to a financial contribution made for Affordable Housing in the local area. MCC Housing Department has marketed the property for sale as an affordable home (30% under market value) but have been unsuccessful in identifying a suitable purchaser. The financial contribution in lieu of the equity share will allow Housing to support the provision of affordable housing for which there is a documented need.

Given that there has been a sustained effort over several years to sell the unit without success, it is considered that the amendment to a financial contribution of £68,985 is acceptable and will still help with the provision of affordable housing in the local area in accordance with LDP Policy S4.

6.1 Well-Being of Future Generations (Wales) Act 2015

6.1.1 The duty to improve the economic, social, environmental and cultural well-being of Wales has been considered, in accordance with the sustainable development principle, under section 3 of the Well-Being of Future Generations (Wales) Act 2015 (the WBFG Act). In reaching this recommendation, the ways of working set out at section 5 of the WBFG Act have been taken into account and it is considered that this recommendation is in accordance with the sustainable development principle through its contribution towards one or more of the Welsh Ministers' well-being objectives set out in section 8 of the WBFG Act.

6.2 Conclusion

The amendment to the section 106 agreement to change from an equity share of a dwelling for a suitable person in need to a financial contribution of £68,985 is considered to be acceptable. The amendment will be made via a Deed of Variation to the original section 106 agreement.

7.0 RECOMMENDATION: APPROVE

Deed of Variation to Section 106 agreement

Financial contribution of £68,985 to be paid towards the provision of affordable housing in the local area.

Conditions:

Not applicable.