Development Control – Delegated Officer Report

Application Number: ADC/0059/08 **Recommendation – APPROVE**

Site: **Land between No's 74 and 76 Shadwells Road, Lancing**

Proposal: **Remove condition 13 of permission ADC/0650/07 (deleting requirement for affordable housing provision in perpetuity)**

The Application

The application is solely to remove condition 13 which states:-

> "13. The 6 affordable, rented housing units hereby permitted shall be used only for the purposes of providing rented housing accommodation for households in need of affordable housing as identified by the Council or in the case of New Build Homebuy by agreement with the Council and whatever Zone Agent or subsequent arrangements are in force at any time to manage occupation of such properties. These arrangements shall be governed by the nomination agreement between the Council and the registered social landlord managing the affordable units."

The applicants state that the condition runs contrary to the statutory Right to Acquire provisions for their tenants and would prohibit the development from proceeding as they would be unable to obtain funds from a lender. They point out that sufficient safeguards exist through the Nomination Agreement with the Council which contains all the necessary legal exclusions.

Consultations and Representations

Executive Head of Health, Housing & Community Safety: Confirms that the removal of the condition is necessary.

Lancing Parish Council: No comments received.

Third Parties: No comments of relevance to the subject matter of the application have been received (NB. the residents of No.74 re-iterate their original objections to the development but these were considered by the committee at that time).

Relevant Planning Policies and Guidance

Adopted West Sussex Structure Plan 2001-2016 (WSCC 2005) (saved policies): NE3

Adopted Adur District Local Plan 1993-2006 (ADC 1996) (saved policies): AH2-3
'Interim Supplementary Planning Guidance for Affordable Housing' (ADC 2004)
PPS3 'Housing' (DCLG 2006)

Planning Assessment

The priority to be given to securing the provision of more affordable housing is emphasised by central Government in PPS3 'Housing'. The Adur Housing Needs Survey has identified the high degree of need and this is reflected in planning policies for housing provision. The Adur Housing Needs Survey update states that Adur needs 394 affordable homes per annum whereas an average of only about 40 have been achieved in recent years. There are 1,149 households on the Council's Housing Register of which 692 are families with children and 120 are in temporary accommodation.

The Southern Housing Group had been successful in a bid to the Housing Corporation for Social Housing Grant to erect 6 dwellings for rent at Prince Charles Close, Southwick. However, the results of an electro-magnetic radiation survey (due to power lines being in close proximity) although inconclusive, caused the Council to adopt a precautionary approach and not pursue that development.

On account of the likelihood of the funding being lost to this Council's area, a suitable substitute scheme was required which could be completed prior to March 2008. As a result, the principle of the development of this site at Shadwells Road site for rented affordable housing (which is the subject of this current planning application) was agreed by the Council's Housing and Central Services Committee on 3 October 2006. This site had already been identified for potential development in the Council's Urban Housing potential Study. Planning permission ADC/0650/07 was subsequently granted on 6 December 2007.

The applicants state that the condition runs contrary to the statutory Right to Acquire provisions for their tenants and would prohibit the development from proceeding as they would be unable to obtain funds from a lender. They point out that sufficient safeguards exist through the Nomination Agreement with the Council which contains all the necessary legal exclusions. This is accepted by the Council's Head of Housing and, in view of the need not to risk losing the funding for this essential housing development, it is considered that permission should be granted.

Recommendation

APPROVE for the reason:-

The proposed development is necessary to help meet the local need for affordable housing and it is considered that sufficient safeguards exist to ensure that the development is provided as affordable housing. The

application would consequently not conflict with the relevant policies of the Adur District Local Plan (AH2-3), the West Sussex Structure Plan (NE3 and PPS3.

Subject to: -

1. C1Ci (Standard time limit)
2. The other conditions of the permission ADC/0650/07 shall continue to apply to the development.

R. For the avoidance of doubt and to comply with policies AH2-3 of the Adur District Local Plan and DEV1 and DEV4-5 of the West Sussex Structure Plan.

Case Officer.....

Date.....