

05/2006/022

REDLAND HOUSING ASSOCIATION

**ERECTION OF FOUR DWELLINGS WITH ASSOCIATED PARKING AND ACCESS AND REMOVAL OF CONDITION 14 (WHICH RELATES THE PERMISSION TO A NAMED HOUSING ASSOCIATION) FROM PLANNING PERMISSION REF. 05/2005/011, ON LAND ADJACENT TO 18 NORTHFIELDS, BISHOPS HULL**

320968/124351

REMOVAL OF ONEROUS CONDITIONS

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## **PROPOSAL**

The development is for 4 dwellings with access road and associated parking on land adjacent to No 19 Northfields. Permission was granted at Committee on 20<sup>th</sup> April, 2005 for this development. One of the conditions made the development personal to Redland Housing Association. Thus should the housing association change its name/amalgamate with another Housing Association or otherwise change its name, the applicants would be in breach of the condition. The current application proposes to remove this condition and enter into a Section 106 agreement to have the permission related to a Registered Social Landlord.

## **CONSULTATIONS AND REPRESENTATIONS**

HOUSING OFFICER supports.

1 LETTER OF OBJECTION has been received raising the following issues:-loss of light to existing dwelling on Wellington New road; and noise from the new dwellings.

OBJECTION FROM WARD COUNCILLOR until the legal issues are corrected regarding the illegal transfer of land from a Council Tenant's Secured Tenancy I would suggest the Council are not in a position to approve the application.

## **POLICY CONTEXT**

Taunton Deane Local Plan Policies S1 General requirements, H9 Affordable Housing. There is a need to provide affordable type of housing on suitable sites. The previous application (05/2005/011) met the relevant policies.

## **ASSESSMENT**

The site is within the developed area, and the details were acceptable to Committee as a housing site. The scope and detail of the housing development is not at issue and not subject to change. The issue is the naming of a particular Housing Association on the decision certificate. It is considered acceptable to delete this condition as the legal agreement will result in the assurance that the dwellings will be available as affordable dwellings in perpetuity.

## **RECOMMENDATION**

Permission be GRANTED subject to a condition that the applicants enter into a Section 106 Agreement to ensure the site is owned by a Registered Social Landlord. Note re all conditions on 05/2005/011 still apply, apart from Condition 14.

**REASON(S) FOR RECOMMENDATION:-** The site is within the settlement limits of Taunton Deane Local Plan and is in accordance with Policies S1 and H9, and the removal of the previous condition 14 and replacement by an appropriately worded Section 106 Agreement to tie the dwellings to a registered social landlord is acceptable.

**In preparing this report the Planning Officer has considered fully the implications and requirements of the Human Rights Act 1998.**

**CONTACT OFFICER: 356460 MS K MARLOW (MON/TUES ONLY)**

NOTES: