

REFERENCE NO: CR/2018/0891/FUL

LOCATION: [EDF BUILDING, RUSSELL WAY, THREE BRIDGES, CRAWLEY](#)
WARD: Three Bridges
PROPOSAL: ERECTION OF 3 STOREY SIDE EXTENSION COMPRISING 12 X TWO BEDROOM FLATS (AMENDED DESCRIPTION & AMENDED PLANS RECEIVED)

TARGET DECISION DATE: 20 May 2019

CASE OFFICER: Ms D. Angelopoulou

APPLICANTS NAME: C/O DPA London LTD
AGENTS NAME: Mr Domenico Padalino

Purpose:-

A report on planning application CR/2018/0891/FUL on the EDF Building site was considered at the Planning Committee meeting on 24 September 2019. The application seeks planning permission for a three storey extension to the existing building to form twelve flats.

The current report sets out to update Planning Committee on the affordable housing proposals relating to this proposed extension to the EDF Building and to seek agreement to a variation to the Committee resolution in relation to the Section 106 agreement.

Background:-

The site to which this report relates is the EDF Building site on Russell Way. The original EDF building was the subject of a prior approval scheme (CR/2018/0015/PA3) for the conversion of the former office to residential comprising 42 flats, which has been implemented and is now occupied.

On 24 September 2019, Planning Committee considered a report on a subsequent separate planning application (CR/2018/0891/FUL) for the erection of a three storey side extension comprising 12 x two-bedroom flats.

The Committee resolved to grant planning permission subject to the completion of a Section 106 agreement and to a number of planning conditions. The resolution was in line with the recommendation presented to Planning Committee.

In relation to the Section 106 agreement, the agreed committee resolution was to secure

- “On site 4 Affordable Rented 2-bedroom Units;
- The tree mitigation (£15,400) infrastructure contributions; and
- Open space (£6,945) infrastructure contributions.”

Significant work on the Section 106 agreement has subsequently taken place and the document is nearing completion.

An issue has arisen in relation to the proposed affordable housing provision, which officers wish to make Planning Committee aware of and to address through this report.

The applicant had previously agreed to provide four Affordable Rented 2-bedroom units on site in accordance with the Policy H4 of the Crawley Borough Local Plan 2015-2030 and the Affordable Housing SPD. As part of this process the applicant has approached five Registered Providers (RPs) from the

Council's list of preferred RPs. Unfortunately, none of these RPs are interested in taking on the affordable units due to the number of units being too small. The applicant has provided supporting evidence of their attempts to attract an RP through email correspondence. One RP commented that they were normally looking for schemes of 20 affordable units or more and another that they were focussed on whole scheme developments.

The timing is unfortunate as it has affected the completion of the Section 106 agreement. The applicant has, however, offered to provide payment in lieu of on-site affordable housing provision.

Proposed changes

Given the lack of interest from the RPs for the on-site units, officers consider it necessary to update the Planning Committee and to seek agreement to a variation to the previous recommendation. The Local Plan Policy H4 requires 40% affordable housing from all residential developments, but it also states that: *'payments in lieu will only be accepted in exceptional circumstances where it can be demonstrated that there are robust planning reasons for doing so and provided that the contribution is of equivalent financial value.'*

Officers acknowledge that it is difficult to secure an RP for only four units within this building. Given the evidence demonstrating that the applicant has approached five RPs and the current market uncertainty, officers consider these to be exceptional circumstances and accept that payment in lieu is appropriate.

The Council's Housing Enabling and Development Manager was consulted. He commented that, if the proposed scheme were a Private Rented Sector (PRS) scheme, there would be no need for an RP and the units could be Discounted Market Rent within the PRS scheme. However, if the scheme is for market sale, he states that Discounted Market Sale units are a low priority at the moment, as there is good availability, and that the Council can make better use of the commuted sum for identified schemes to help address specific housing needs.

The applicant has subsequently confirmed that the proposal is for market housing, not a PRS scheme. As a result, the applicants and officers agree that the Section 106 agreement should now seek to secure a commuted payment in lieu of the previously proposed on-site affordable housing provision. In accordance with the Council's Affordable Housing Calculator, for this scheme of 12 units with 920sqm total floor space, the affordable housing contribution should be £322,000. The applicants have accepted this and agreed this is to be paid in two stages, with 50% at commencement and 50% on completion.

Officers therefore recommend a variation to the previous recommendation to allow financial contributions in lieu of on-site affordable housing provision. The amended recommendation is set out below, with the proposed amendment to the earlier resolution shown underlined.

Recommendation

That the Planning Committee resolves to:

PERMIT subject to the conclusion of the Section 106 agreement to secure:

- An off-site affordable housing contribution of £322,000;
- The tree mitigation (£15,400) infrastructure contributions; and
- Open space (£6,945) infrastructure contributions.

And also subject to the conditions set out in the committee report of 24 September 2019.

Background Documents

- [Committee report](#) dated 24 September 2019 for planning application CR/2018/0891/FUL