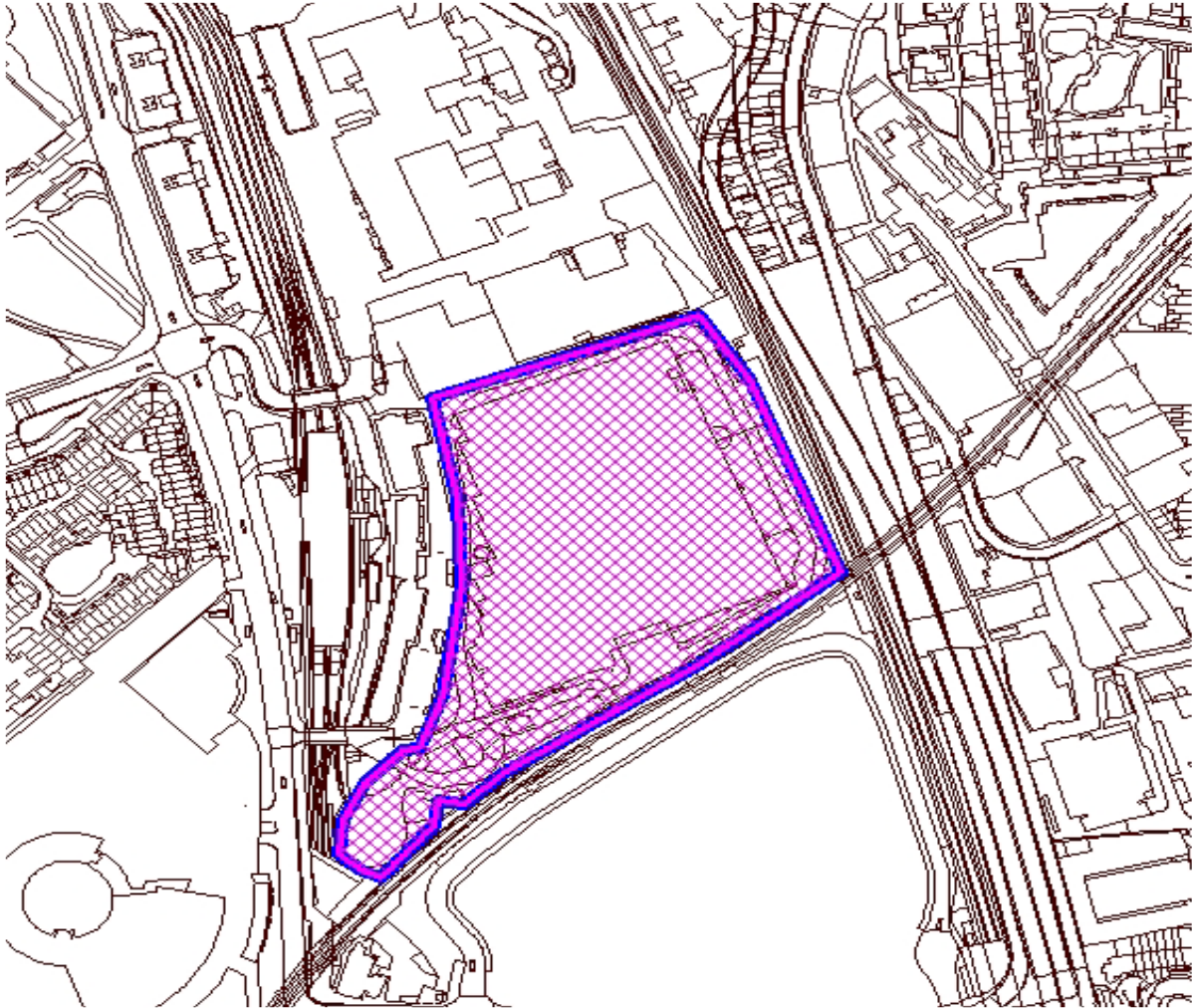


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**Ward:** College Park And Old Oak

**Site Address:**

M&S White City Site 54 Wood Lane London W12 7RQ



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**For identification purposes only - do not scale.**

**Reg. No:**  
2020/02905/VAPO

**Case Officer:**  
Mr Neil Button

**Date Valid:**  
02.11.2020

**Conservation Area:**  
Wood Lane Conservation Area - Number 42

**Committee Date:**  
08.12.2020

**Applicant:**

Lara Waugh  
54, Wood Lane London W12 7RQ

**Description:**

Variation of the Section 106 Agreement attached to planning permission ref: 2017/04377/VAR dated 25 June 2018.  
Drg Nos:

**Application Type:**

Vary or Discharge Planning Obligation

**Officer Recommendation:**

- 1) That the Chief Planning Officer be authorised to grant permission upon the completion of a satisfactory legal agreement.
- 2) That the Chief Planning Officer, after consultation with the Director of Law and the Chair of the Planning and Development Control Committee be authorised to make any minor changes to the proposed Heads of Terms of the legal agreement and any such changes shall be within their discretion.

Reasons for allowing Varying Planning Obligation:

- 1) Housing: It is considered that the proposed development (as revised), would allow for the affordable residential units to be delivered across all affordable housing tenures and at affordability levels that will ensure the housing is available to a full range of household incomes at a local and London level. It is considered that the proposed housing would assist the regeneration of White City Regeneration Area thereby achieving the Council's strategic objectives. The proposal is therefore supported and considered to be in accordance with the NPPF, London Plan Policies 3.3, 3.4, 3.5, 3.8, 3.9 and 8.2 of the London Plan and Policies HO1, HO3, HO5, and Strategic Policy WCRA and WCRA1 of the Local Plan 2018.
- 2) Planning Obligations: Planning obligations to offset the impact of the development have been secured under the extant consent. It is considered that the Affordable Housing Commuted Sum would be necessary, proportionate, reasonable, fair and linked to the development. It is considered that the S106 contribution is justified under the tests set out in CIL Regulation 122 and Regulation 123, for major developments. The proposed development is therefore considered to adequately mitigate external impacts and is considered to be acceptable in accordance with Policy 8.2 of the London Plan and Strategic Policy WCRA (White City Regeneration Area) of the Local Plan 2018.

### **Justification for Approving the Application:**

- 1) Housing: It is considered that the proposed development (as revised), would allow for the affordable residential units to be delivered across all affordable housing tenures and at affordability levels that will ensure the housing is available to a full range of household incomes at a local and London level. It is considered that the proposed housing would assist the regeneration of White City Regeneration Area thereby achieving the Council's strategic objectives. The proposal is therefore supported and considered to be in accordance with the NPPF, London Plan Policies 3.3, 3.4, 3.5, 3.8, 3.9 and 8.2 of the London Plan and Policies HO1, HO3, HO5, and Strategic Policy WCRA and WCRA1 of the Local Plan 2018.
  
- 2) Planning Obligations: Planning obligations to offset the impact of the development have been secured under the extant consent. It is considered that the Affordable Housing Commuted Sum would be necessary, proportionate, reasonable, fair and linked to the development. It is considered that the S106 contribution is justified under the tests set out in CIL Regulation 122 and Regulation 123, for major developments. The proposed development is therefore considered to adequately mitigate external impacts and is considered to be acceptable in accordance with Policy 8.2 of the London Plan and Strategic Policy WCRA (White City Regeneration Area) of the Local Plan 2018.

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### **LOCAL GOVERNMENT ACT 2000 LIST OF BACKGROUND PAPERS**

#### **All Background Papers held by Andrew Marshall (Ext: 4841):**

Application form received: 30th October 2020  
Drawing Nos: see above

**Policy documents:** National Planning Policy Framework (NPPF) 2019  
The London Plan 2016  
LBHF - Local Plan 2018  
LBHF – Planning Guidance Supplementary Planning Document  
2018

#### **Consultation Comments:**

**Comments from:**

**Dated:**

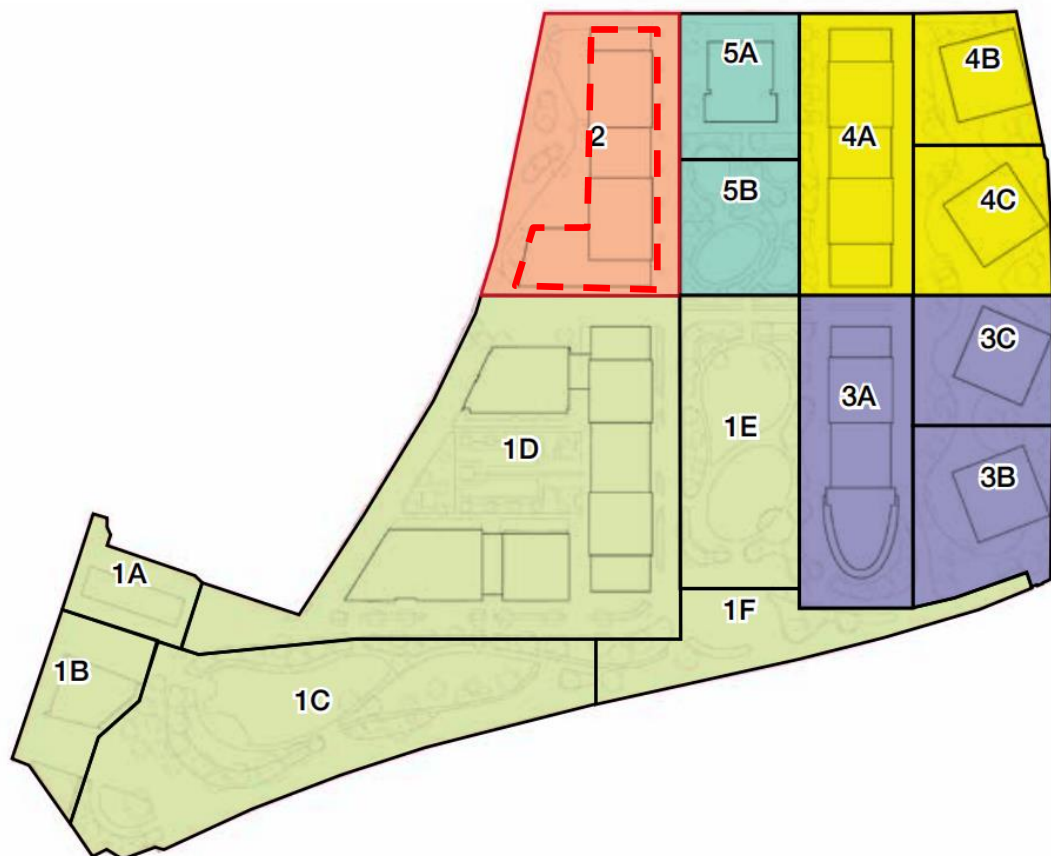
#### **Neighbour Comments:**

**Letters from:**

**Dated:**

## 1.0 BACKGROUND

- 1.1 The applicant is applying to vary the terms of the Section 106 Legal Agreement with regards to the affordable housing provisions, pursuant to the Extant Planning Permission Ref: 2017/04377/VAR dated 25<sup>th</sup> June 2018 for the comprehensive redevelopment of the former M&S Warehouse Site in White City (known for the purposes in the Report as White City Living or (WCL)). The White City Living development comprises a major residential led-mixed use development to provide up to 1845 homes with ground floor flexible commercial floorspace, open spaces, access, landscaping, car park and routes. The resulting agreement will comprise the Sixth Deed of Variation of the S106 Agreement pursuant to the Extant Planning Permission for the wider WCL development.
- 1.2 The wider White City Living (WCL) site was previously occupied by a 21,807square metre warehouse that Marks and Spencer plc (M&S) used as a mock layout store with associated car parking and service yard. The former warehouse has been demolished and Phases 1 and 2 of the development are under construction.
- 1.3 The proposed Deed of Variation specifically relates to Phase 2 of the Development (Block B1) highlighted in red which comprises 427 Affordable homes and flexible ground floor commercial floorspace as per the below site plan. Phase 2 is located the north western corner of the wider site.



- 1.4 The WCL site is currently under construction with Phases 1(A-F) and 2 substantially completed with Phase 3 underway.
- 1.5 The WCL site is located to the north of the Circle/Hammersmith and City Line viaduct west of the London Overground Line and West Cross Route (A3220) and east of Wood Lane (A219). The new bridge and decked area extend above the former Central line cutting to the south.
- 1.6 The Developer (St James) will soon commence redevelopment of the land immediately to the west of the Phases 1 and 2 of the WCL land (as part of the Centre House development).
- 1.7 The land to the north comprises the Imperial College owned former Dairy Crest site which contains a temporary office building (Scale Space). Westfield Shopping Centre is located to the south of the railway viaduct.

#### Planning Designations

- 1.8 The London Plan (as altered 2016) and the subsequent Draft London Plan (2017) designate the site within the White City Opportunity Area; which is expected to deliver a substantial number of new homes and jobs through comprehensive regeneration. The White City Opportunity Area Planning Framework (WCOAPF, October 2013) identifies the site within the White City East Area and within a proposed housing area as part of mixed-use schemes.
- 1.9 The LBHF Local Plan (2018) identifies the site as being located within the Wood Lane Conservation Area; which was designated by LBHF in 1991 to principally protect the Grade II Listed BBC Television Centre which is located 100m west of the site. It is also designated in the Local Plan as being within the White City Regeneration Area, and within Strategic Site WCRA 1 'White City East'. The site is affected by Aerodrome safeguarding of Heathrow 150m and Northolt 91.4m and is also located in close proximity to listed buildings most notably the BBC Television Centre and the Dimco Building off Ariel Way (on the Westfield site). The site is located within Flood Risk Zone 1 and is also located within an Air Quality Management Area (as is the whole Borough). The site does not contain any listed buildings or any nationally designated heritage assets such as scheduled monuments or registered parks and gardens and is not within an Archaeological Priority Area nor is it affected by any strategic views.

## **2.0 PLANNING HISTORY:**

- 2.1 The original planning application (Ref: 2014/04726/OUT) for the comprehensive redevelopment of the site was granted permission on 16th December 2015 with the following description:

Planning application (part detailed/part outline) for the demolition of all existing buildings and structures and the redevelopment of the site for residential and mixed uses comprising the erection of new buildings ranging from 11 to 30 storeys to provide up to 1,465 residential units (Class C3) and

use classes (A1-A5, B1, D1 & D2), the provision of a new publicly accessible open space, new pedestrian and vehicle routes, accesses and amenity areas, basement level car park with integral servicing areas and other associated works:

(1) Detailed planning application for up to 37,935 sqm. (GEA) new residential floorspace with ancillary residential facilities (C3) (excluding basement floorspace); up to 1,995 sqm. (GEA) flexible commercial floorspace (A1-A5), community (D1) and leisure (D2) (excluding basement floorspace); provision of a new basement level; provision of a new bridge over the central line cutting; means of access; and associated amenity space, landscaping, car parking and cycle parking, energy centre, and other associated infrastructure works.

(2) Outline planning application (with all matters reserved) for up to 112,295 sqm. (GEA) residential floorspace and ancillary residential facilities (C3) (excluding basement area), flexible commercial (A1-A5), office (B1) use, community (D1) and leisure (D2) floorspace; provision of a new basement level; new and altered pedestrian and vehicular access including decked area over the central line cutting at the south west corner of the site; and associated amenity space, open space, landscaping, car parking and motorcycle parking, and other associated infrastructure works. APPROVED 16/12/2015.

- 2.2 The Section 106 Agreement secured the on-site delivery of affordable housing within Phase 2 with the tenures, dwelling mix and affordability levels set out in Schedule 5. This permission was varied in 2017 (ref: 2016/03907/VAR - the First Variation Application) dated May 2017 and varied again in 2018 (ref: 2017/04377/VAR - the Second Variation Application) dated 25th June 2018. The Second Variation Application comprises the extant permission and is the relevant permission subject to amendment in this application. The description of the development of the extant planning permission is as follows:

Variation to conditions 1-8 of planning permission 2016/03907/VAR (for the comprehensive phased redevelopment of the site for a residential-led mixed-use development) granted 23/05/2017 in order to permit minor material amendments to the outline form of development. Amendments comprise modifications to the approved Parameters Plans and Development Specification and Parameters Report that cover design alterations to Development Plots B1 (varying the horizontal parameters (to -0.92m to +27.98m) to permit an extended southern building line), Development Plots D1 and E1 (varying parameters to extend the maximum heights by an additional +2.31m and 8.86m), Development Plots D2, D3 and E2 (varying parameters to extend maximum heights by an additional +4.79m) and incorporating a new additional Development Plot E3 (to comprise residential use within a new building up to 74.45m in height). The specified amendments would facilitate the optimisation of residential units to increase the overall maximum unit numbers from 1,477 to 1,814 units including the provision of an additional 118 affordable units (35% of the additional units).



2.3 The Variation of the 2016 Permission (2016/03907/VAR) by way of the 2017 Permission (2017/04377/VAR) was accompanied by subsequent Deeds of Variation of the Original Section 106 Legal Agreement. The Deed of Variation (DoV) which accompanied the 2017 Permission was the Third Deed of Variation which consolidated the earlier 2 Legal Agreements. The Section 106 Agreement was varied again for minor non-material changes to Schedule 5 (affordable housing provisions) in 2018 and 2019. Deeds of Variation 4 and 5 secured amendments to the Mortgagee in Possession Clauses and 11x additional affordable housing within Phase 2 (London Living Rent Units). The Approved Affordable Housing Provisions (as a consequence of the Multiple Variations to the Planning Permission and Deeds of Variation) comprise the following:

TYPE OF PROPERTY	AFFORDABLE RENT	SOCIAL RENT	CSE	EXTRA CARE RENT	EXTRA CARE SHARED OWNERSHIP	LONDON LIVING RENT
Studio	0	0	67	0	0	3
1 bedroom	32	0	71	42	10	16
2 bedroom	64	0	36	3	5	12
3 bedroom	0	57	0	0	0	
4 bedroom	0	9	0	0	0	
<b>TOTAL</b>	<b>96</b>	<b>66</b>	<b>174</b>	<b>45</b>	<b>15</b>	<b>31</b>

*Table 1: White City Living (Affordable Housing Provision in Sch.5 of S106 Agreements (consolidated))*

2.4 In addition to the on-site affordable housing provisions, the s106 Agreement also secures a £34.5million financial contribution towards affordable housing provision in LBHF. The contribution is to be made in phased payments.

#### Non- Material Amendments (NMAT)

2.5 The applicant has obtained multiple approvals for a range of non-material amendments to the above outline planning permissions. The following non-material amendment applications are of relevance to the current proposals to vary the legal agreement.

Ref: 2018/00399/NMAT: Non-Material Amendment to outline planning permission (ref: 2016/03907/VAR) dated 23 May 2017; seeking amendment to description of development to omit the floorspace maximum and maximum residential quantum of the outline component. Approved 2<sup>nd</sup> March 2018

Ref: 2018/02116/NMAT: Non Material Amendment to Planning Permission (Ref: 2017/04377/VAR dated 25/06/2018) seeking to change the mix and number of dwellings in Phase 1 and provision of additional residential dwelling no.s within Phases 2 and 3 of the comprehensive redevelopment of the former M&S Warehouse Site; by way of variation of condition 3 (amended drawing numbers) and condition 7 (no. of dwellings) to permit up to 1845 residential units (an additional 31 x units) under s96A (3) of the Town and Country Planning Act (1990) as amended. Approved 21<sup>st</sup> August 2018.

Ref: 2019/02965/NMAT: Non-material amendment to Planning Permission (Ref: 2017/04377/VAR) dated 25/06/2018; seeking to amend the approved Development Specification document to reduce the maximum floorspace parameter for Development Plot B1 and to increase the maximum floorspace parameters for Development Plots E2 and E3; including variation of condition 4 (design codes and parameter plans) under s96A (3) of the Town and Country Planning Act (1990) as amended. Approved 22<sup>nd</sup> November 2019.

### **3.0 CONSULTATION RESPONSES**

3.1 The following consultees responses are noted

- a) Housing: No objections

### **4.0 DESCRIPTION OF DEVELOPMENT**

4.1 The applicant is applying to vary the terms of the Section 106 Legal Agreement with regards to the affordable housing provisions, pursuant to the Extant Planning Permission Ref: 2017/04377/VAR dated 25<sup>th</sup> June 2018 for the comprehensive redevelopment of the former M&S Warehouse Site in White City.

4.2 Resolution of London Borough of Hammersmith and Fulham's Planning Application's Development Control Committee is required to amend the Section 106 Agreement by way of Deed of Variation (Sixth Deed of Variation) of the previous s106 and subsequent legal agreements, consolidating the provisions within the various agreements and securing changes to the tenure of the 174 x Council Shared Equity/Discount Market Sale Affordable homes. The proposed change relates to amendments to Affordable Housing Schedule 5 (Affordable Housing Tenure and Income Ranges). These changes comprise converting the 174 consented CSE homes into 87 Shared Ownership and 87 Intermediate Rent homes. The total quantum and mix remain the same as the current consent.

4.3 Authority from LBHF's PADCC is required to amend the Section 106 Agreement pursuant to the Extant Planning Permission as the change to the tenure comprises a material change to the approved provisions endorsed by the Planning Committee on 6<sup>th</sup> March 2018.

4.4 The proposed 87 x Shared Ownership units would have household income up to £72,850 indexed under the current indexation in the present Section 106 to



the date of first sale. The proposed 87 x Intermediate Rent homes are split equally into three bandings as follows and these bandings will be indexed to first letting under the same terms as contained in the existing Section 106.

TYPE OF PROPERTY	IMR PROPERTIES	INCOME GROUP	PERCENTAGE %
Studio	29	IMR Band A - £33,604	33%
Studio	7	IMR Band B - £44,805	
1 bedroom	22	IMR Band B - £44,805	33%
1 bedroom	14	IMR Band C - £60,000	
2 bedroom	15	IMR Band C - £60,000	

*Table 2: Proposed IMR Income Groups*

- 4.5 An overage payment is proposed for the capital value increase (of the Shared Ownership and Intermediate Market Units (if any) above the value of the former CSE Units) at practical completion, with 50% of the increase comprising an Affordable Housing Commuted Sum which will be calculated and payable at the date of practical completion (estimated to be June 2022). All other terms are in line with the current S106.

## **5.0 PLANNING ASSESSMENT**

### Planning Policy Framework

- 5.2 The Town and Country Planning Act 1990 (referred to as 'the Act'), the Planning and Compulsory Purchase Act 2004 and the Localism Act 2011 are the principal statutory considerations for town planning in England and Wales. 7.2 Collectively, the three Acts create a 'plan led' system, which requires local planning authorities to determine planning applications in accordance with an adopted statutory Development Plan, unless there are material considerations which indicate otherwise (section 38(6) of the 2004 Act as amended by the Localism Act). 7.3 In this instance the statutory development plan comprises the London Plan (2016), the Local Plan 2018 and the Planning Guidance Supplementary Planning Document 2018 (hereafter referred to as Planning Guidance SPD).

### National Planning Policy Framework (2019)

- 5.3 The proposals have been evaluated against the Development Plan and the NPPF (2019) and the Authority has assessed the application against the core planning principles of the NPPF and whether the proposals deliver "sustainable development."

### The London Plan (2016)

- 5.4 The London Plan (as amended 2016) provides the strategic policy context for all 32 of the London boroughs and the Corporation of the City of London. It is a spatial development strategy up to 2036 and its main themes are economic development and wealth creation, social development and improvement of the urban environment.
- 5.5 The Mayor's strategic policies aim to provide more homes, promote opportunity and provide a choice of homes for all Londoners that meet their needs at a price they can afford. There is a recognised need for all housing types and Policy 3.3 of the London Plan seeks to increase housing supply. Policy 3.4 seeks to optimise housing potential and Policy 3.5 require housing developments to be of the highest quality. Paragraph 3.13 and Policy 3.3 of the London Plan recognise the 'desperate need for more homes in London' and set an annual housing target for the London Borough of Hammersmith and Fulham to deliver 1,031 net new homes per year.
- 5.6 The London Plan designates the site within the White City Opportunity Area (WCOA). Opportunity Areas are identified on the basis that they are capable of accommodating substantial new jobs and homes and the London Plan advises that their potential should be maximised. The London Plan identifies that the WCOA should provide a minimum of 6,000 new homes, although this figure is increased to 7,000 new homes within the Draft London Plan (2017). The policies applicable to the proposed Deed of Variation are as follows:
- Policy 3.1 – Ensuring equal life chances for all
  - Policy 3.3 – Increasing Housing Supply
  - Policy 3.4 – Optimising Housing Potential
  - Policy 3.5 – Quality and Design of Housing Developments
  - Policy 3.7 – Large Residential Developments
  - Policy 3.8 – Housing Choice
  - Policy 3.9 – Mixed and Balanced Communities
  - Policy 3.10 – Definition of Affordable Housing
  - Policy 3.11 – Affordable Housing Targets
  - Policy 3.12 – Negotiating Affordable Housing on Individual Private Residential and Mixed-Use Schemes
  - Policy 3.13 – Affordable Housing Thresholds
- 5.7 The Mayor has also published supplementary planning guidance and strategies which elaborates on London Plan Policy. Those most relevant in consideration of the proposals are:
- Affordable Housing and Viability SPG (August 2017)
  - Mayor's Housing SPG (March 2016)

#### Development Plan

- 5.8 The relevant Development Plan for the area comprises the LBHF Local Plan (2018), LBHF Local Plan Proposals Map (2018) and London Plan (MALP) (2016). In addition, LBHF Supplementary Planning Guidance Document (2018) is a material planning considerations.

## LBHF Local Plan (2018)

- 5.9 The Local Plan (February 2018) sets out the council's vision for the borough until 2035. It contains development policies to be used by the Council in helping to determine individual planning applications. The Local Plan should be read and considered alongside the London Plan and will be supplemented by supplementary planning documents (SPDs). The Local Plan incorporated an increase in target additional new homes within the White City Regeneration Area to 6,000 (from 5,000 in the former Core Strategy). The figure for new homes is proposed to be increased to 7,000 within the Draft London Plan (2017).
- 5.10 The policies within the Local Plan aim to ensure development within the borough accords with the spatial vision of the borough. The key policies relevant to the proposals are:
- Strategic Policy WRCA – White City Regeneration Area
  - Strategic Site Policy WCRA1 – White City East
  - Policy HO1 - Housing Supply
  - Policy HO3 - Affordable Housing
  - Policy HO4 - Housing Quality and Density
  - Policy HO5 - Housing Mix

## Planning Considerations

- 5.11 The Extant Planning Permission secures 427 affordable homes to be delivered within Phase 2 of the White City Living development (Plot B1). The development comprises a mix of 66 x social rented, 96 x affordable rented, 174 x Council Shared Equity, 31 x London Living Rent and 60 x Extra Care Housing (Rented/Shared Ownership) tenures (see Table 1 of this report). The developer/applicant has entered into discussions with the Preferred Registered Provider who will manage the affordable homes (excluding the Extra Care Homes) and the proposed modifications to the affordable housing provisions are proposed as a result.
- 5.12 The applicant has applied to amend the Section 106 Agreement by way of Deed of Variation (Sixth Deed of Variation) of the previous s106 and subsequent legal agreements, consolidating the provisions within the various agreements and secure changes to the tenure of the 174 x Council Shared Equity/Discount Market Sale Affordable homes. The changes comprise converting the 174 consented CSE homes into 87 Shared Ownership and 87 Intermediate Rent homes. The total quantum and mix remain the same as the current consent.
- 5.13 Schedule 5 of the Section 106 Agreement sets out the detailed affordable housing provisions which secures the affordable homes in perpetuity alongside the overall affordable tenures, dwelling sizes/unit types and affordability levels. Phase 2 is currently under construction and it is understood practical completion is near.

5.14 The proposed resulting affordable housing split for the development would be as follows. The amended Deed of Variation would reflect these provisions:

PROPERTY TYPE	AR	SR	IMR	ISO	LLR	EXTRA CARE (SO)	EXTRA CARE RENT
<b>Studio</b>	0	0	<b>36</b>	<b>31</b>	3	0	0
<b>1 Bedroom</b>	32	0	<b>36</b>	<b>35</b>	16	10	42
<b>2 Bedroom</b>	64	0	<b>15</b>	<b>21</b>	12	5	3
<b>3 bedroom</b>	0	57	<b>0</b>	<b>0</b>	0	0	0
<b>4 bedroom</b>	0	9	<b>0</b>	<b>0</b>	0	0	0
<b>TOTAL</b>	96	66	<b>87</b>	<b>87</b>	31	15	45

*Table 3: Revised Affordable Housing Schedule*

*AR=Affordable Rent. SR=Social Rent. IMR=Intermediate Rent. ISO=Intermediate Shared Ownership. LLR=London Living Rent*

5.15 The Extant Planning Permission secured 174 CSE homes across 3 income groups with a lower, intermediate and upper incomes. 33% of the CSE homes fell within the Lower Income Group, 32% fell within the Intermediate Income Group and 35% fell within the Upper Income Group as follows:

TYPE OF PROPERTY	PROPERTIES	CSE/DMS INCOME GROUP
Studio	23	£30,000 (indexed)
Studio	21	£40,000 (indexed)
Studio	23	£66,000 (indexed)
1 bedroom	23	£30,000 (indexed)
1 bedroom	23	£40,000 (indexed)
1 bedroom	23	£66,000 (indexed)
2 bedrooms	12	£30,000 (indexed)
2 bedrooms	12	£40,000 (indexed)
2 bedrooms	12	£66,000 (indexed)
	174 x CSE Homes	

*Table 4: Approved Intermediate CSE dwelling mix & income groups*

- 5.16 The proposed DoV proposes to change 87 of the 174 x CSE homes to Intermediate Rent homes with an equal no. of properties (eg: 33%) available to the three income groups to reflect the affordability of the consented CSE units.

TYPE OF PROPERTY	IMR PROPERTIES	INCOME GROUP	PERCENTAGE %
Studio	29	IMR Band A - £33,604	33%
Studio	7	IMR Band B - £44,805	33%
1 bedroom	22	IMR Band B - £44,805	
1 bedroom	14	IMR Band C - £60,000	33%
2 bedroom	15	IMR Band C - £60,000	

*Table 5: Revised Intermediate Rent dwelling mix and income groups*

- 5.16 The proposed remaining CSE units will be changed to 87 x Shared Ownership units and would be available to households with incomes up to £72,850 indexed under the current indexation in the present Section 106 to the date of first sale.
- 5.17 An overage payment (to LBHF) in the form of an Affordable Housing Commuted Sum is proposed and this would be secured if the capital value of the revised Intermediate Rent/Shared Ownership is above the value of the former Council Shared Equity provisions, at the time of practical completion. The Commuted Sum would be derived from 50% of the uplift in value which will be calculated and payable at the date of practical completion, estimated to be in June 2022. All other terms are in line with the current S106.
- 5.18 The proposed tenure changes only relates to the intermediate dwellings and does not affect the other social, affordable or London Living rented homes or the Extra Care units. As such, the proposals are not substantially different from the approved development which provides affordable homes across all of the tenures in order to provide a balanced and mixed community. Officers consider the form of revised intermediate tenure would ensure satisfactory levels of affordability which is within the spirit of the approved intermediate units. The Shared Ownership provisions and affordability level is to be set below the maximum cap set out in the London Plan (£80K) and is agreed with the Council's Housing Team.
- 5.19 The applicant has engaged with LBHF Housing Officers who raise no objections and the change to the form of intermediate tenure and affordability levels are considered to be acceptable in principle, subject to the appropriate wording being secured in the s106 agreement. The proposals would ensure the development provides a significant number of genuinely affordable homes at income levels which are compatible with local needs and which are secured in perpetuity.

## **6.0 RECOMMENDATION**

- 6.1 It is recommended that the Committee approves the proposed variation to the Section 106 agreement to allow the following changes to Schedule 5 of the

Agreement (Affordable Housing Intermediate Tenure types) in addition to any minor changes to the s106 agreement.

- (a) Change 87 x CSE affordable dwellings to 87 x Intermediate Shared Ownership dwellings available to households with yearly incomes up to £72,850;
- (b) Change 87 x CSE affordable dwellings to 87 x Intermediate Rent dwellings with 33% available to household incomes up to £33,604, 33% available to household incomes up to £44,805 and 33% available to household incomes up to £60,000.