

Havant

BOROUGH COUNCIL

Application to modify or discharge a section 106 Planning Obligation Town and Country Planning Act 1990

Please use this form when applying for the modification or discharge of a planning obligation to Havant Borough Council. Forms should be returned to Public Service Plaza, Civic Centre Road, Havant P09 2AX.
For further information refer to the Town and Country Planning (Modification and Discharge of Planning Obligations) Regulations 1992.

1. Type of application

Are you applying to modify a planning obligation	Yes
Are you applying to discharge a planning obligation	No

2. Your details

Name: Rentplus UK Limited

Address:

Floor 2 Studio 5-11,

5 Millbay road,

Plymouth

Postcode: PL1 3LF

Email address: slyons@rentplus-uk.com

Contact Name: Sarah Lyons

Daytime tel no: 0330 229 0035

3. Agent details if applicable

Name: Womble Bond Dickinson (UK) LLP

Address:

Ballard House,

West Hoe Road,

Plymouth

Postcode: PL1 3AE

Email address: adam.richards@wbd-uk.com

Contact name: Adam Richards

Daytime tel no: 01752 677557

4. Full postal address of the site to which the obligation relates:

Land to the west of Havant Crematorium (known as Camp Field), Barton's Road, Havant, in the ownership of Redrow Homes Limited ("the Site").

5. Nature of the applicant's interest in the land:

The Applicant has no interest in the Site. However, they are negotiating the securing of the Affordable Housing Units.

6. Please provide sufficient information to enable us to identify the planning obligation (planning reference numbers, etc) and the particular obligation(s) to be modified/changed:

Section 106 Agreement dated 2 October 2020 and made between (1) The Council of The Borough of Havant (2) East Hampshire District Council (3) Hampshire County Council and (4) Philip Dymoke White, Fiona Elizabeth White and Alexander Stuart Dymoke ("**Section 106 Agreement**") White. A copy of the Section 106 Agreement is attached to this Application.

The Section 106 Agreement is related to outline planning permission with reference APP/19/00007 ("**Planning Permission**").

The Planning Permission granted outline consent for the provision of 72 dwellings. The Section 106 Agreement states that there will be 22 dwellings provided as Affordable Housing in accordance with the Affordable Housing Mix. We are aware that Redrow Homes Limited are also pursuing a Deed of Variation with you to amend this figure to 21 dwellings with some other minor amendments.

Schedule 1 of the Section 106 Agreement sets out the obligations in relation to the provision of affordable housing on the Site. The Applicant is seeking to modify the provisions of this Schedule 1 of the Section 106 Agreement and insert a new Schedule 10 for the Rentplus model.

7. What reason(s) do you have for applying for the modification or discharge of the obligation?

Following discussions with the officers at the Council (Julie Clark, Accommodations Solutions and New Development Manager and Gwen Robinson, Housing Portfolio Manager), the Rentplus model of affordable housing will be acceptable on this development.

The Rentplus model, which will be set out within the deed of variation of the Section 106 Agreement, provides that dwellings are let to tenants who are usually allocated through local choice-based lettings or local housing waiting lists on an affordable rent basis (at 80% of the market rent).

The Rentplus dwellings are offered to tenants on rental periods of at least five years, up to a maximum of twenty years. As a result, the affordable housing clauses within the Section 106 Agreement require modification so that the affordable housing units can be provided in accordance with the Rentplus affordable housing model. The model clauses can be seen in the draft deed of variation to the Section 106 Agreement at Schedule 10.

In order to effect the provision of the affordable housing in the Section 106 Agreement under the Rentplus model, a deed of variation of the Section 106 Agreement is required. The proposed deed of variation has been drafted by Rentplus' solicitors and is included with this application. We note that a copy of this draft has also been sent to Redrow's in house lawyers and to the legal representatives of the White's.

Rentplus intends to provide all 21 of the required affordable dwellings on the Site as affordable housing under the Rentplus model. The Rentplus rent to buy model complies with the definition of Affordable Housing as set out in Annex 2 of the NPPF 2019. As mentioned above Rentplus gifts tenants wishing to purchase their property with a 10% cash deposit at the time of purchase.

Signed - Applicant:

Or signed - Agent:

Date (DD/MM/YYYY)

DocuSigned by:
Adam Richards
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30 June 2023 | 11:28 BST

On behalf of Rentplus UK Limited by their Agents: Womble Bond Dickinson (UK) LLP