

# PLANNING OBLIGATIONS EXPERIENCE

*Posted on December 1, 2021*



With a number of our projects, we have to deal with and negotiate section 106 agreements. While some relate merely to parking restrictions, others can be quite complex. Here are some examples of projects where we have assisted with planning obligations.

## **Saffron Hill**

### **London Borough of Camden**

Our client had secured permission for an extension to an existing office building in the Hatton Garden jewellery special area. The permission required a proportion to be delivered as affordable jewellery workspace, secured through a section 106 agreement. Having not been able to let the space, we advised our client on the discharge of the obligation so that they were able to let at fully market rent. We prepared the supporting documentation and successfully removed the obligation, meaning the space could be occupied.

## **Clarence Gate**

### **Arun District Council**

We were approached by our client, the freehold owner of a block of flats, following a number of lessees being

unable to sell their properties. The block was subject to a planning obligation that the flats may only be occupied by those of state pension age. This created difficulties for the leaseholders in selling and from our research served no real purpose for why planning permission was granted. We successfully set out that the obligation served no useful purpose and secured its removal through an application.

## **Wessex Close**

### **London Borough of Redbridge**

In obtaining consent for a comprehensive redevelopment of the site for 35 new apartments, we negotiated the heads of terms for the section 106 agreement. Having reduced the affordable housing contributions through a viability assessment, the heads of terms had to include a review mechanism. However, the standard clauses took no account of initial in-lieu payments. We secured amendments to the standard clauses to ensure our clients position was not prejudiced in a future review.