

Application Number 07/2016/0499/REM

Address Roadferry Ltd
Carr Lane
Farington
Lancashire

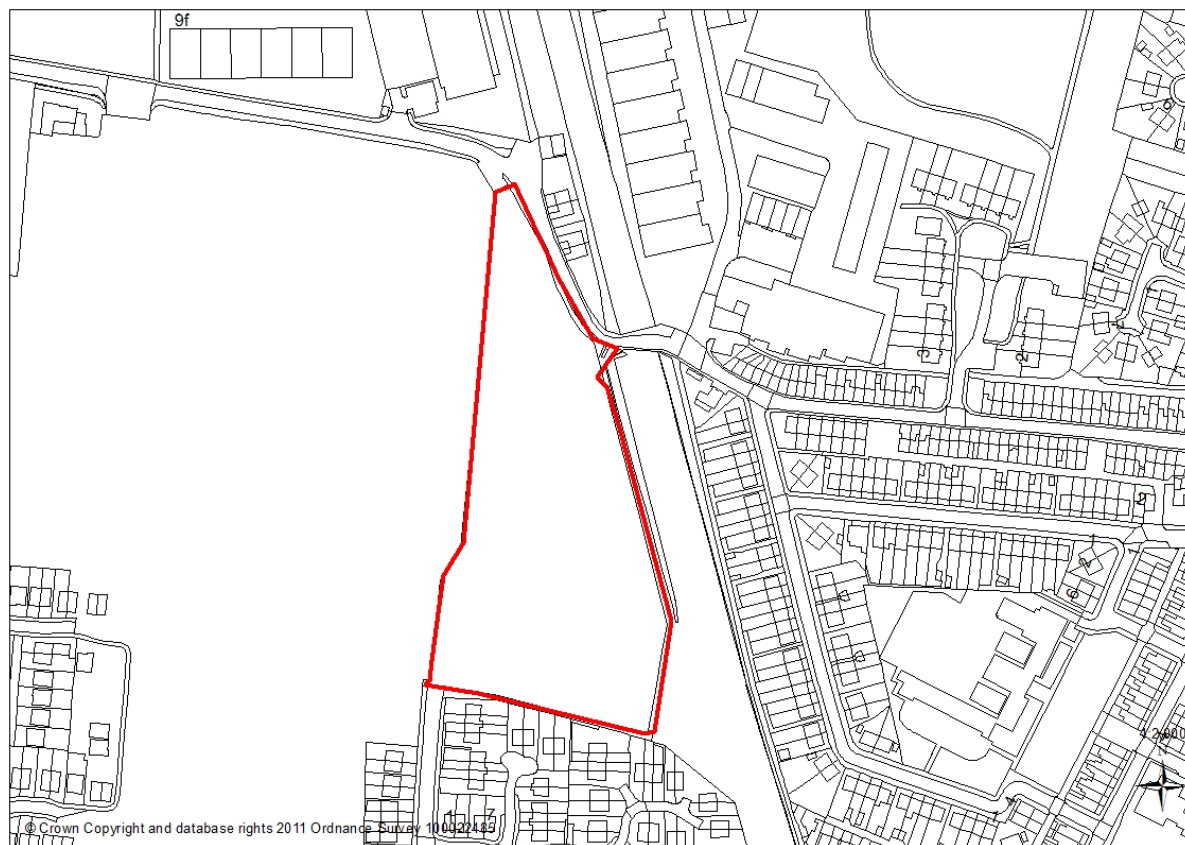
Applicant Rowland Homes Ltd

Agent Mr Chris Betteridge
Farington House
Stanifield Business Park
Stanifield Lane
Leyland
PR25 4UA

Development Application for Reserved Matters for the erection of 70 dwellings (including 7 affordable) together with associated infrastructure (appearance, landscaping, layout and scale)

Officer Recommendation That the Members be minded to approve the application and that the decision be delegated to the Planning Manager in consultation with the Chair and Vice-Chair of the Planning Committee upon the successful completion of a Deed of Variation to the Section 106 Agreement on the associated outline planning permission (07/2008/0426/OUT) to secure a provision of 10% affordable housing on-site and to allow staircasing of the Shared Ownership properties to 100%

Date application valid 30.06.2016
Target Determination Date 29.09.2016
Extension of Time N/A



1. REPORT SUMMARY

1.1 The proposal is a Reserved Matters application for the erection of 70 dwellings on the site, 7 of which would be 'affordable houses', with the matters of 'Appearance', 'Landscaping', Layout' and 'Scale, being applied for. The principle of the development on the site, together with the access to serve the development onto Northgate, has been established by the previous outline approval and subsequent appeal decision on a variation of condition application.

1.2 The application site measures 1.88 hectares is bounded to the north by Carr Lane and beyond by Bridge Cottages and Centurion Business Park. To the south are residential properties fronting Northgate and to the east is the West Coast Main Railway Line. To the west of the site is the former Farington Business Park site which is currently being developed as a residential site with a section of the site leased on a temporary to United Utilities as a training centre. The site is allocated as an 'Allocation of Housing Land' ('Site F') under Policy D1 of the South Ribble Local Plan (2012-2026).

1.3 The proposed scheme reflects the character and appearance of the existing dwellings on the former Farington Business Parks site and Kennett Drive, with the proposal not considered to have a detrimental impact on the streetscene or the character of the area. The proposed site layout provides 0.12 hectares of public open space on site in addition to a financial contribution of £16,660.00 to be spent on public open space improvements within the locality of the site.

1.4 County Highways have raised no objections to the proposed development.

1.5 The application proposes the provision of 10% affordable housing (7 dwellings), all on-site and shared ownership, which is less than the 20% affordable housing provision required by the associated outline planning permission. An Affordable Housing Viability Assessment has been submitted with the application which concludes that the viability of the development can only support this affordable housing provision due to abnormal site specific development costs.

1.6 The Council appointed an independent valuer (Keppie Massie) to assess the Affordable Housing Viability Assessment commissioned by the applicant. In their response Keppie Massie confirm that the industry standard profit benchmark for such a development is 20% of the gross development value (GDV). Having considered the predicted revenue generated from the sale of each of the dwelling against the outlay of acquisition costs (including an off-site public open space contribution of £16,660.00 and a contribution of £20,000 for traffic calming measures along Northgate), marketing costs and finance costs, Keppie Massie concluded that with a reduced on-site affordable housing provision of 10% the profit margin would equate to 19.69% of the gross development value (GDV). The scheme cannot therefore support the payment of any further obligations or increased affordable housing provision above that already proposed.

1.7 The proposed residential development is deemed to be in accordance with Policies 1, 3, 4, 5, 6 and 17 of the Core Strategy and Policies D1, G10 and G17 of the South Ribble Local Plan 2012-2026. For these reasons, and those contained within the report, it is recommended that the application be approved subject to the successful completion of a Deed of Variation to the Section 106 Agreement on the associated outline planning permission to confirm the reduction to a 10% on-site affordable housing provision and to allow staircasing of the Shared Ownership properties to 100%.

1.8 The outline permission included conditions relating to highway works, levels, noise management, hours of construction, archaeological work, land contamination, drainage and phasing which do not need to be re-imposed as part of the Reserved Matters approval.

2. APPLICATION SITE AND SURROUNDING AREA

2.1 The application relates to a 1.88 hectare site that is triangular in shape and generally flat. The site is currently vacant and cleared, having previously been used for warehousing and distribution purposes by Roadferry Ltd. The site is located within a mixed-used (industrial and residential) area of Farington.

2.2 The land is bounded to the north by Carr Lane and beyond by Bridge Cottages and Centurion Business Park. To the south are residential properties fronting Northgate and to the east is the West Coast Main Railway Line. To the west of the site is the former Farington Business Park site which is currently being developed as a residential site with a section of the site leased on a temporary basis to Untied Utilities as a training centre. Public footpaths (FP36 and FP21) skirt the southern and eastern boundaries of the site but are unaffected by the proposals.

2.3. The site is allocated as an 'Allocation of Housing Land' ('Site F') under Policy D1 of the South Ribble Local Plan (2012-2026).

3. SITE HISTORY

3.1 In June 2009 outline planning permission (07/2008/0426/OUT) was granted on the site for a residential development with only the matter of 'Access' applied for.

3.2 In October 2011 a variation of condition application (07/2011/0186/VAR), which proposed to vary conditions 5 and 6 of outline planning permission 07/2008/0426/OUT to allow the means of vehicular access to the development to be from Northgate (to the south) rather than Carr Lane (to the north) was refused by the Planning Committee due to the considered impact this would have on the flow of traffic along Northgate and the residential amenity of occupants on Northgate and Golden Hill Lane.

3.3 A subsequent appeal against the refusal of variation of condition application 07/2011/0186/VAR was allowed by the Planning Inspectorate in February 2012, granting permission for the access to the development to be altered to the south (from Northgate). A completed Unilateral Undertaking pursuant to Section 106 of the Town and Country Planning Act 1990 was submitted with the appeal making a contribution to, amongst other things, installing traffic calming measures along Northgate by way a of a £20,000 transport contribution.

3.4 In July 2013 planning permission (07/2013/0151/REN) was granted for the renewal of outline planning permission 07/2008/0426/OUT, including the variation of conditions 5 and 6 to provide access to the development from Northgate as per the Planning Inspectorate's decision in February 2012.

4. PROPOSAL

4.1 The proposal is a Reserved Matters application for the erection of 70 dwellings on the site, 7 of which would be 'affordable houses', with the matters of 'Appearance', 'Landscaping', 'Layout' and 'Scale', being applied for.

4.2 The proposal comprises of 5 two-bed terraced properties, 7 three-bed terraced properties, 33 three-bed semi-detached properties, 10 three-bed semi-detached properties with accommodation on the roofspace and 15 three-bed detached properties.

4.3 There is a diverse range of house types proposed both in terms of design and scale, with varying relationships.

4.4 A 0.12 hectare parcel of open space is proposed along the northern boundary of the site together with a footpath/emergency link to the western boundary with the former Farington Business Park site.

4.5 Whilst the associated outline planning consent requires 20% affordable housing to be provided on-site an Affordable Housing Viability Assessment has been submitted with the application which concludes that the viability of the development can only support a 10% provision of affordable housing. This is assessed in detail within the 'Affordable Housing and Development Viability' section of this report.

5. REPRESENTATIONS

5.1 As of the 17th August 1 letter of objection has been received in relation to the proposed development. A summary of the points raised follows:

Highway Issues

- Congestion and highway safety concerns relating to the use of Northgate to access the development

Other Issues

- Noise and dust during construction

1 further letter of representation has been received which does not support or object to the proposed development but seeks confirmation that the site would not be accessed from Carr Lane.

6. CONSULTATION REPLIES

County Highways have raised no objections to the proposed development, confirming that the site layout is acceptable. The requirements of condition 6 on the associated outline planning permission, requiring a foot/cycleway and emergency access route onto Carr Lane have been highlighted as the provision of this is not shown on the submitted layout plan. It has however previously been agreed that the sole emergency access route can be provided to the western boundary with the former Farington Business Park site with a connection onto Carr Lane made once the northern section of this development comes forward in the interests of the amenity of existing cottages on Carr Lane to the north of the application site. A foot link onto Carr Lane from the application site would still need to be provided and has been included on the amended proposed site layout plan.

Environmental Health have recommended a condition relating to the submission of a Construction Management Plan, which has since been provided and deemed acceptable. The recommended conditions for the submission of a Travel Plan and air quality monitoring are not appropriate for a Reserved Matters application. In relation to a request for a condition relating to contaminated land, this was assessed as part of the associated outline application and an appropriate condition was included on that permission. Reference has been made that two of the proposed housetypes include bedrooms that are insufficient size. Whilst the Government's Nationally Described Space Standard provides guidance on minimum bedroom sizes, the guidance only becomes a requirement if reference is made to the internal space standard within the relevant Local Planning Authority's Local Plan. No reference to internal space standards are included within the South Ribble Local Plan (2012-2026). In relation to the request for a condition relating to the provision of electric vehicle recharge points, the submitted Affordable Housing Viability Assessment does not account for the cost of such a provision, which would further impact on the number affordable dwellings the development could provide.

United Utilities have submitted no observations.

The **Environment Agency** have raised no objections to the proposed development subject to the decontamination of the site required pursuant to condition 15 on the associated outline planning permission.

The **Local Lead Flood Authority** (LCC) has raised no objections to the proposed development subject to the imposition of conditions relating to the submission of a surface

water drainage scheme, a Sustainable Urban Drainage scheme and a surface water lifetime management and maintenance plan.

The Local Authority's **Strategic Housing Manager** comments that the 7 proposed three-bed houses for shared ownership will meet a local housing need and the siting of the properties clustered within the site will assist in housing management activity.

The Local Authority's **Arboriculturist** has raised no objections to the proposed development.

Network Rail have submitted no observations.

The **Architectural Liaison Officer** (Lancashire Constabulary) has raised no objections to the proposal in principle, raising a number of crime prevention measures which have been forwarded on to the applicant for consideration. The submitted 'Fencing Layout' plans proposes 0.9m high post and rail fences along the side boundaries to some plots. It is recommended that as a minimum all such boundaries between plots should be fitted with a 1.5m high close boarded timber fence with a trellis topping up to 1.8m high.

7. MATERIAL CONSIDERATIONS

7.1 The principle of a residential development the site, together with the matter of 'Access' from Northgate, has previously been established by the granting of outline planning permission 07/2008/0426/OUT and the Planning Inspectorate's decision to allow the appeal against the refusal of planning application 07/2011/0186/VAR (relating to the location of the access).

Policy Considerations

7.2 i) NPPF

7.2.1 The NPPF promotes a presumption in favour of sustainable development and supports sustainable economic development to deliver, amongst other things, homes.

7.3 ii) Core Strategy Policy Considerations

Policy 1 of the Core Strategy is entitled 'Locating Growth' and encourages the focussing of growth and investment in the Key Service Centres of Chorley and Leyland and the other main urban areas in South Ribble.

Policy 4: Housing Delivery seeks to ensure that sufficient housing land is identified over the 2010-2026 period.

Policy 5 of the Core Strategy covers Housing Density and states:

"The authorities will secure densities of development which are in keeping with local areas and which will have no detrimental impact on the amenity, character, appearance, distinctiveness and environmental quality of an area, consideration will also be given to making efficient use of land."

Policy 6 of the Core Strategy covers Housing Quality and aims at improving the quality of housing. This is assessed in the following sections of the report.

Policy 7 of the Core Strategy relates to Affordable Housing and confirms a target of 30% affordable housing for housing developments of 15 dwellings or more.

Policy 17: Design of New Buildings expects the design and new buildings to take account of the character and appearance of the local area and effectively mirrors criterion in the South Ribble Local Plan (2012-2026) Policy G17.

7.4 iii) Affordable Housing and Development Viability

7.4.1 The associated outline planning permission on the site requires the provision of 20% affordable housing on-site, as per the now superseded Interim Planning Policy: Affordable Housing which was a policy consideration at the time the outline application was determined.

7.4.2 The application proposes the provision of 10% affordable housing, all on-site and shared ownership properties, which is less than the affordable housing provision required by the associated outline planning permission. An Affordable Housing Viability Assessment has been submitted with the application which concludes that the viability of the development can only support this affordable housing provision.

7.4.3 Section G of the Central Lancashire adopted Affordable Housing Supplementary Planning Document (SPD) confirms that if it can be demonstrated that if applying the Council's affordable housing provision will make a scheme unviable then the required provision may be relaxed or waived, stating:

“there will be site-specific circumstances where achievements of the affordable housing proportions set out in the Policy may not be possible.

[...] Where a developer or landowner considers that there are significant constraints sufficient to jeopardise or prevent them from meeting the Council's affordable housing policy targets, this will need to be demonstrated by the submission of a suitable financial appraisal, which will be subject to testing by the Local Planning Authority at the developer's expense. The Council will adopt an 'open book' approach to this assessment and the developer/landowner will be expected to provide all relevant financial and other information behind the appraisal to enable the Councils and/or independent valuer on their behalf to assess the nature, extent and impact of the constraints upon the viability of the scheme.”

7.4.4 The NPPF notes that a development must provide a competitive return to the developer to enable the development to be deliverable, stating *“To ensure viability, the costs of any requirements likely to be applied to development, such as requirements for affordable housing, standards, infrastructure contributions or other requirements should, when taking account of the normal cost of development and mitigation, provide competitive returns to a willing land owner and willing developer to enable the development to be deliverable”* (paragraph 173).

7.4.5 The NPPF also refers to the use of planning conditions and obligations in paragraphs 203-206 and advises that where obligations are being sought *“local planning authorities should take account of changes in market conditions over time and, wherever appropriate, be sufficiently flexible to prevent planned development being stalled”*.

7.4.6 The Council appointed an independent valuer (Keppie Massie) to assess the Affordable Housing Viability Assessment commissioned by the applicant. In their response Keppie Massie confirm that the industry standard profit benchmark for such a development is 20% of the gross development value (GDV). This figure is recognised as providing the developer with a reasonable and competitive return, with any development providing profit excess of 20% being able to support obligations.

7.4.7 The developer's profit is calculated by deducting the gross development costs (GDC) from the gross development value. The gross development costs (GDC), as well as considering the cost of land acquisition, construction costs and professional fees, includes any abnormal site specific development costs. In this case there is an abnormal gas connection cost of £495,000 more than what would normally be expected with a development of this type which has a significant impact on the developer's profit margins.

7.4.8 Having considered the predicted revenue generated from the sale of each of the dwelling against the outlay of acquisition costs (including an off-site public open space contribution of £16,660.00 and a contribution of £20,000 for traffic calming measures along

Northgate), marketing costs and finance costs, Keppie Massie concluded that with a reduced on-site affordable housing provision of 10% the profit margin would equate to 19.69% of the gross development value (GDV). The scheme cannot therefore support the payment of any further obligations or increased affordable housing provision above that already proposed.

7.4.9 On reviewing the S106 Agreement on the associated outline planning permission the applicant also wishes to update the general terms in respect of Shared Ownership bringing them in line with current criteria by allowing staircasing ownership to 100% rather than the 80% figure currently shown in the S106 Agreement. The Council's Strategic Housing Manager fully supports this change as it reflects the current requirements of mortgage lenders.

7.5 iv) Open Space

7.5.1 The proposed site layout provides 0.12 hectares of public open space on site in addition to a financial contribution of £16,660.00 to be spent on public open space improvements within the locality of the site.

7.6 CIL

7.6.1 The approval of the associated outline planning permission pre-dated the introduction of the Community Infrastructure Levy charging schedule and, as such, monies would not be required through CIL.

7.7 Character and Design

7.7.1 Policy 17 of the Core Strategy expects new buildings to *"take account of the character and appearance of the local area"* with Policy G17 of the South Ribble Local Plan 2012-2026 requiring development not have a detrimental impact on *"the existing building, neighbouring buildings or on the street scene by virtue of its design, height, scale, orientation, plot density, massing, proximity, use of materials"*. In consideration of the above, the local distinctiveness and character of the local area have been assessed. The surrounding residential development comprises of properties of varying sizes, designs and ages with modern properties to the south on Kennett Drive and being built to the west on the former Farington Business Park site with traditional properties present to the south of Northgate. As a result, the proposed mixture of housetypes and designs on the site is not considered to be out of character with the surrounding area. A condition to require agreement of the proposed sample materials with the Local Planning Authority prior to the commencement of the development will allow the Local Planning Authority to control the materials to ensure they relate well to local area. Sufficient garden spaces are proposed for the dwellings. The proposed development is not considered to result the overdevelopment of the site.

7.7.2 For the above reasons the proposed development is considered to comply with Core Strategy Policy 17 and Policy G17 of the South Ribble Local Plan 2012-2026.

7.8 Relationship To Neighbours

7.8.1 A minimum distance of 15m would be present from the side elevation of Plot 24 to the rear elevation of 29 Kennett Drive. A minimum distance of 21.5m would be present from the rear elevation of Plot 27 to the side elevation of 61 Kennett Drive. A minimum distance of 23.5m would be present from the front elevation of Plot 53 to the front elevations of 3 and 4 Carr Lane.

7.8.2 The proposed inter-relationships are considered to be acceptable and are not considered to result in undue overlooking / loss of privacy or overdominance / overshadowing.

7.9 Highway Issues

7.9.1 The use of the site access onto Northgate to serve the development has been established by the Planning Inspectorate's decision to allow the appeal against the refusal of variation of condition application 07/2011/0186/VAR.

7.9.2 County Highways have fully assessed the proposal and have raised no objections to the proposed site layout. The proposed development provides at least 2 off-street parking spaces for each of the 2 and 3 bed dwellings therefore complying with the parking standards contained within Policy F1 of the South Ribble Local Plan (2012-2026).

7.10 Tree Issues / Wildlife

7.10.1 The Local Authority's Arboriculturist has confirmed the trees and vegetation are all self-seeded and of low amenity value. No objections have been raised to the proposed development which will include landscape planting throughout.

7.10.2 The site comprises of an expanse of hardstanding with no built structures present. As such, the site would offer little opportunity for ecological habitats. An ecology report was undertaken prior to the demolition of buildings on the site as required by condition 14 on the associated outline planning permission. There is no evidence of any protected species within the vicinity of the site.

7.11 Other Issues

7.11.1 A neighbour has raised concern in relation to the potential for noise and disturbance during construction. Environmental Health have raised no objections to the proposed development recommending a number of conditions including the submission and agreement of a Construction Management Plan. This Plan, which has since been provided and deemed acceptable by Environmental Health, provides details in relation to the parking of construction traffic, loading and unloading of plant and materials, location of the site compound and storage area, measures to control dust, measures to control noise and external lighting. A separate condition is already imposed on the associated outline planning permission which restricts the hours of construction.

8. CONCLUSION

8.1 The proposed residential development comprising of 70 dwellings on the site, 7 of which would be 'affordable houses', is considered to be acceptable on the 1.88 hectare site. The proposed development is not considered to result in the overdevelopment of the site and is not considered to be out of character with the streetscene. The proposed development is not considered to have an undue impact on the amenities of neighbouring properties and there are no significant highway safety or amenity implications.

8.2 The outline permission included conditions relating to highway works, levels, noise management, hours of construction, archaeological work, land contamination, drainage and phasing which do not need to be re-imposed as part of the Reserved Matters approval.

8.3 The proposed residential development is deemed to be in accordance with Policies 1, 3, 4, 5, 6 and 17 of the Core Strategy and Policies D1, G10 and G17 of the South Ribble Local Plan 2012-2026. For these reasons, and those contained within the report, it is recommended that the application be approved subject to the successful completion of a Deed of Variation to the Section 106 Agreement on the associated outline planning permission to confirm the reduction to a 10% on-site affordable housing provision and to allow staircasing of the Shared Ownership properties to 100%.

9. RECOMMENDATION:

9.1 That the Members be minded to approve the application and that the decision be delegated to the Planning Manager in consultation with the Chair and Vice-Chair of the Planning Committee upon the successful completion of a Deed of Variation to the Section 106 Agreement on the associated outline planning permission (07/2008/0426/OUT) to secure a provision of 10% affordable housing on-site and to allow staircasing of the Shared Ownership properties to 100%.

RECOMMENDED CONDITIONS:

1. The development hereby approved shall be begun either before the expiration of 3 years from the date of the outline permission, or before the expiration of 2 years from the date of the permission herein.
REASON: To comply with the requirements of Section 92 of the Town and Country Planning Act 1990
2. The development shall be carried out in accordance with the approved materials schedule detailed on the approved Drawing no. R082/3 (Materials Schedule Plan) unless otherwise agreed in writing with the Local Planning Authority.
REASON: To ensure the satisfactory detailed appearance of the development in accordance with Policy 17 in the Central Lancashire Core Strategy and Policy G17 in the South Ribble Local Plan 2012-2026.
3. No property shall be occupied, or be brought into use, until their respective car parking spaces have been surfaced or paved in accordance with a scheme to be approved in writing by the Local Planning Authority and the car parking spaces and manoeuvring areas marked out in accordance with the approved plan.
REASON: To allow for the effective use of the parking areas, in accordance with Policy 17 in the Central Lancashire Core Strategy and Policy F1 of the South Ribble Local Plan 2012-2026.
4. Notwithstanding the provisions of the Town and Country Planning (General Development Procedure) (Amendment) (No2) (England) Order 2008, or any subsequent Orders or statutory provision re-enacting the provisions of these Orders, all garages shown on the approved plans shall be maintained as such and shall not be converted to or used for living accommodation without the prior written approval of the Local Planning Authority in consultation with the Highway Authority.
REASON: In the interests of highway safety and other highway users in accordance with Policy 3 of the Core Strategy.
5. The development shall be carried out in accordance with the approved Construction Management Plan (ref. Revision B) unless otherwise agreed in writing with the Local Planning Authority.
REASON: To safeguard the amenities of neighbouring properties in accordance Policy 17 in the Central Lancashire Core Strategy and Policy G17 in the South Ribble Local Plan 2012-2026
6. Prior to the commencement of each phase of development, a scheme and programme for the laying out, landscaping, maintenance and retention of any area of public amenity land within that phase, shall be submitted to the Local Planning Authority for approval in writing. The development shall proceed in accordance with the agreed scheme.
REASON: In the interests of visual amenity of the area in accordance with Policy 17 of the Core Strategy and Policy G17 of the South Ribble Local Plan 2012-2026.
7. The approved landscaping scheme shall be implemented in the first planting season following completion of the development or first occupation/use, whichever is the soonest, and shall be maintained thereafter for a period of not less than 5 years to the satisfaction of the Local Planning Authority, in compliance with BS 5837 2012 - Trees in Relation to Design, Demolition and Construction - Recommendations. This maintenance shall include the watering, weeding, mulching and adjustment and removal of stakes and support systems, and shall include the replacement of any tree or shrub which is removed, becomes seriously damaged, seriously diseased or dies by the same species. The replacement tree or shrub must be of similar size to that originally planted.

REASON: In the interests of the amenity of the area in accordance with Policy 17 in the Central Lancashire Core Strategy, Policy G13 and Policy G17 in the South Ribble Local Plan 2012-2026.

8. The development, hereby permitted, shall be carried out in accordance with the submitted approved plans Dwgs no. R082/1 D (Planning Layout), R082/2 B (Fencing Layout), R082/1000 (Location Plan), HT101/P/02 A (Cranbrook), HT105/P/111 D (Burlington), HT132/P/111 (Victoria), HT138/P/113 (Ashgate), HT150/P/02 (Wallace), HT164/P/1 (A2), HT165(H)/P/1-1 (A3), HT166/P/111 (Charleston), P/SG/1 (Single Detached Garage), P/TG/1 (Twin Detached Garage), 5260.01 B (Landscape Proposal) and 5260.02 BA (Landscape Proposal).

REASON: To ensure a satisfactory standard of development in accordance with Policy 17 in the Central Lancashire Core Strategy and Policy G17 in the South Ribble Local Plan 2012-2026.

RELEVANT POLICY

- 1 Locating Growth (Core Strategy Policy)**
- 3 Travel (Core Strategy Policy)**
- 4 Housing Delivery (Core Strategy Policy)**
- 5 Housing Density (Core Strategy Policy)**
- 6 Housing Quality (Core Strategy Policy)**
- 17 Design of New Buildings (Core Strategy Policy)**
- POLD1 Allocations of housing land**
- POLG10 Green Infrastructure Provision in Residential Developments**
- POLG17 Design Criteria for New Development**