

## LATE MATERIAL (APPLICATIONS FOR DETERMINATION)

PLANNING COMMITTEE: 12 APRIL 2016

### ITEM 5 14/01063/OUT LAND AT WINNYCROFT LANE

#### Updated Information.

Since the publication of the committee papers the independent review of financial viability for the application, has now been completed. The review has examined the figures and assumptions made by the applicant's viability adviser (Turner Morum) and the Councils viability adviser (Lionel Shelly). The review has also looked in detail in a few key areas where there were particular questions/uncertainty. A copy of the review is attached in full and Mark Felgate (Parkwood) will be attending the meeting to deal with any questions that Members may have.

In summary the recommendation by Parkwood is that *"the Council accepts the offer of 10% affordable housing on the basis of 75% affordable rent and 25% intermediate/shared ownership and that a review mechanism is included"*.

In my previous reports the required S106 costs associated with the development came to a figure of £3.3 million. However the review has identified that this figure did not include any sums towards the future maintenance of the open space and play areas. At outline stage it is difficult to work out that exact figure required for this however an approximate figure of £915,800 has been calculated. The following table therefore sets down the total costs that would be required for S106 contributions, based on the following figures

Education	£2,694,821
Library	£82,320
Highways works	* £191,697
Travel plan	£86,280
Travel plan monitoring	£10,000
Community building	£260,268
Legal and monitoring costs	£17,400
Maintenance sums for open space	£915,860
<b>Total</b>	<b>£4,258,646</b>

**\*This may reduce by £41,632 depending on the potential development and timing of the adjoining Mini Winney site.**

**For clarity it should be noted that the reference to the S106 costs within the Parkwood review refer to a different figure as some of the above costs (highways, travel plan and the community building) are included within “direct costs” rather than specifically detailed as “S106 costs”.**

This application has a Committee resolution to grant planning permission subject to the provision of 20% affordable housing. An independent review has been undertaken concluding that 10% affordable housing is viable. Whilst this is much below the policy requirement of up to 40%, it must be considered together with all the other S106 costs arising from the development which amount to in excess of £4.2 million. The review demonstrates with the £4.2 million financial requirements, any level of affordable housing over and above 10% would render the development unviable.

On the basis of the review by an independent expert, I therefore advise Members that we must accept the evidence that has been presented to us and I therefore recommend that planning permission is granted with a requirement for the provision of a minimum of 10% affordable housing. Additionally I do still propose that a future review of the viability must be undertaken once the development is ongoing. This should be undertaken upon the completion of 140 dwellings and a subsequent review undertaken at a period of 3 years from the occupation of the 140th dwelling. At this 3 year period, the assessment should apply to all the remaining unoccupied dwellings (built and unbuilt) at that time. This further review will ensure that the actual costs and profits associated with the development are applied and any difference with those currently detailed, are fully accounted for and the level of affordable housing amended to reflect the actual level of viability.

### **Amended recommendation**

**That subject to the completion of a section 106 agreement to secure the requested planning obligations together with the provision of a minimum of 10% affordable housing (and a review mechanism for the re-assessment of the viability of the scheme), that outline planning permission be granted subject to detailed conditions covering the issues detailed below, (and any further conditions considered necessary) and that delegated powers be granted to the Development Control Manager to prepare the detailed wording of the conditions and S106 agreement. The review mechanism referred to will be undertaken upon the completion of 140 dwellings and a subsequent review undertaken at a period of 3 years from the occupation of the 140th dwelling. At this 3 year period, the assessment shall apply to all the remaining unoccupied dwellings (built and unbuilt) at that time.**

Conditions to be attached will include the following, with any others considered necessary. It will also be appropriate for some of the conditions to be dealt with on a phased basis.

Standard outline conditions

Reserved matters applications requiring all details except means of access to the site.

Approval of plans submitted

Submission of phasing plan with agreement for some conditions to be dealt with on a phased basis.

Full drainage details including full details of any pumping station

Detailed plans of ponds with levels and sections

Provision of buffer to watercourse

Restriction on hours of construction work and deliveries to and from the site.

Provision of car parking for site operatives within the site.

Details of storage of materials and temporary buildings during construction.

Secure fencing to the construction site.

Measures to protect trees during construction works.

No removal/felling of landscape features during the bird nesting season.

Details of proposals to strengthen and improve hedgerows to be retained and proposals for new tree and hedge planting.

Protection of new landscaping for 5 years.

Ecological method statement and management plan including updated survey information in relation to bats and badgers.

Details of existing and proposed levels across the site

Details of noise mitigation proposals (including noise bund and fencing) prior to commencement of works, measures in place prior to occupation and sample testing prior to occupation.

Submission of programme of further archaeological work,

Submission of site investigative report and measures to deal with any contamination found and any remediation work undertaken prior to occupation, with sample testing and details of long term monitoring.

Conditions as recommended by Highway Authority – (there is some overlap with conditions referred to above so these will be amalgamated).

No works shall commence on site until details of the pedestrian crossing improvements along Matson Avenue at Gatmeres Road, Munsley Grove, Hill Hay Road, St Peter's Road, Red Well Road and Winsley Road shall be submitted to and approved in writing by the Local Planning Authority and implemented in accordance with the approved details prior to first occupation of the site.

Reason:- To ensure that [the opportunities for sustainable transport modes have been taken up in accordance with paragraph 32 of the National Planning Policy Framework

No works shall commence on site until details of capacity improvements to the signalised junction of Norbury Avenue/Painswick Road have been submitted to and approved in writing by the Local Planning Authority and implemented in accordance with the approved details prior to first occupation of the site

Reason: To ensure that cost effective improvements are undertaken to the transport network that mitigate the significant impacts of the development in accordance with paragraph 32 of the National Planning Policy Framework.

Prior to the occupation of the dwellings a bus shelter (to include seating and lighting) shall be erected at the existing stop along Matson Avenue located between the junction of Gatmeres Road and Caledonian Road on the south western bound direction in accordance with details to be submitted to and agreed in writing by the Local Planning Authority.

Reason: To ensure that the development is designed to provide access to high quality public transport facilities in accordance with paragraph 35 of the Framework.

Details of the layout and access, (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the local planning authority before any development begins and the development shall be carried out in accordance with the approved plans. No dwelling on the development shall be occupied until the carriageway(s) (including surface water drainage/disposal, vehicular turning head(s) and street lighting) providing access from the nearest public Highway to that dwelling have been completed to at least binder course level and the footway(s) to surface course level.

Reason: To minimise hazards and inconvenience for users of the development by ensuring that there is a safe and suitable means of access for all people in accordance with Paragraph 32 of the Framework.

No development shall be commenced until details of the proposed arrangements for future management and maintenance of the proposed streets within the development have been submitted to and approved in writing by the local planning authority. The streets shall thereafter be maintained in accordance with the approved management and maintenance details until such time as either a dedication agreement has been entered into or a private management and maintenance company has been established.

Reason: To ensure that safe and suitable access is achieved and maintained for all people as required by paragraph 32 of the Framework

No development shall commence on site until a scheme has been submitted to, and agreed in writing by the Council, for the provision of fire hydrants (served by mains water supply) and no dwelling shall be occupied until the hydrant serving that property has been provided to the satisfaction of the Council.

Reason: To ensure adequate water infrastructure provision is made on site for the local fire service to tackle any property fire in accordance with Paragraphs 32 and 35 of the Framework.

Prior to the occupation of the development hereby permitted, the vehicular access shall be laid out and constructed broadly in accordance with the submitted plan drawing nos. 21099\_08\_020\_01B and 21099\_08\_020\_02B, and shall be maintained for the duration of the development.

Reason: To reduce potential highway impact by ensuring the access is suitably laid out and constructed to provide safe and suitable access in accordance with Paragraph 32 of the Framework.

The details to be submitted for the approval of reserved matters shall include vehicular parking and turning and loading/unloading facilities within the site, and the building(s) hereby permitted shall not be occupied until those facilities have been provided in accordance with the approved plans and shall be maintained available for those purposes for the duration of the development.

Reason:- To reduce potential highway impact by ensuring that adequate parking and manoeuvring facilities are available within the site, in the interests of highway safety.

No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall:

- i. specify the type and number of vehicles;
- ii. provide for the parking of vehicles of site operatives and visitors;
- iii. provide for the loading and unloading of plant and materials;

iv. provide for the storage of plant and materials used in constructing the development;

v. provide for wheel washing facilities;

vi. specify the intended hours of construction operations;

vii. measures to control the emission of dust and dirt during construction

Reason: To reduce the potential impact on the public highway and accommodate the efficient delivery of goods and supplies in accordance paragraph 35 of the National Planning Policy Framework.

#### NOTES:

The proposed development will involve works to be carried out on the public highway and the Applicant/Developer is required to enter into a legally binding Highway Works Agreement (including an appropriate bond) with the County Council before commencing those works.

The proposed development will require a Travel Plan as part of the transport mitigation package (together with a Monitoring Fee and Default Payment) and the Applicant/Developer is required to enter into a legally binding Planning Obligation Agreement with the County Council to secure the Travel Plan.

The site is traversed by a public right of way and this permission does not authorise additional use by motor vehicles, or obstruction, or diversion.

The developer will be expected to meet the full costs of supplying and installing the fire hydrants and associated infrastructure.

The applicant is advised that to discharge condition 7 above that the local planning authority requires a copy of a completed dedication agreement between the applicant and the local highway authority or the constitution and details of a Private Management and Maintenance Company confirming funding, management and maintenance regimes. maintain a strong sense of place to create attractive and comfortable places to live, work and visit as required by paragraph 58 of the Framework.

The developer will be expected to meet the full costs of supplying and installing the fire hydrants and associated infrastructure.

### **ITEM 6 AREA 4B3 FRAMEWORK PLAN 4, FORMER RAF QUEDGELEY**

#### Updated Information

The applicant has submitted amended plans to address the concerns raised particularly in relation to parking, the area of shared surface and disability units. This information was received yesterday and due to officer time today, it has not been possible to examine these plans in detail. Additionally there has been insufficient time for the Urban Designer and the Highway Authority to comment upon the changes.

Amended Recommendation

That subject to the satisfactory resolution of the outstanding matters in relation to affordable housing, the area of shared surface and appropriate parking provision that delegated powers be granted to the Development Control Manager to determine the application