

ADDENDUM REPORT PLANNING COMMITTEE 26th April 2007

Item: 4

Site: Former MoD Mount Wise, Devonport

Ref: 06/01646/OUT

Applicant: Mount Wise Ltd

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1. Environment Agency – Have considered the amended plans and the Parts A and B of the exceptions test (outlined in PPS25) and have withdrawn their objection.

2. Highways Agency – minded to lift Article 14 Holding Direction, in favour of Direction requiring the imposition of planning conditions. Requires crossing over Devonport Hill to be provided by developer, £91,000 to be provided for bus passes (with prioritisation required by condition, for commuters crossing or utilizing the A38), comments on ring fencing of the bus contribution, and requires agreement over the travel plans.

3. Comments on negotiations on the S106 Agreement

Affordable Housing – Negotiations with the applicants and their agents have reached a conclusion. The applicants' headline offer of 25% affordable housing units (97 units) with a 60:40 split in favour of social rented remains, but is made on the basis of securing grant support levels of £30k-£50k per unit (£30k per unit for shared equity and £50k per unit for social rented). Whilst these grant support levels are considered to be realistic, and it is expected that they can be provided, there is no absolute guarantee that the Housing Corporation, or any other organisation, will be in a position to provide them.

The developers have offered a fall back position (if there was no grant at all) as 19.5% affordable housing (76 units), also with a 60:40 split (in favour of social rented, ie 45 social rented, and 31 shared equity).

The applicants are wholly reliant upon the grant support to deliver their 25% affordable housing commitment. Their viability report, has been independently assessed by external consultants, who conclude that: 'were the development to proceed on the assumption of 25% affordable housing the viability of the project would potentially be questioned by the developer.'

Policy CS15 – Overall Housing Provision of Adopted Core Strategy is clear in its expectation that affordable dwellings should be delivered without public grant. It states:-

At least 10,000 new dwellings will be built in the plan area by 2016 and at least 17,250 by 2021, of which at least 3,300 will be affordable being delivered through the planning system. They will include a mix of dwelling types, size and tenure, to meet the needs of Plymouth's current and future population. In relation to private sector developments of 15 dwellings or more, at least 30% of the total number of dwellings should be affordable homes, to be provided on site without public grant (subject to viability assessment). In addition

1) Affordable housing development will:-

- Be indistinguishable from other development on the site*
- Reflect the type and size of development as a whole*
- Incorporate a mix of tenures including social rented accommodation.*

In order to try and resolve the issue, and facilitate a favourable recommendation, a number of concessions have already been made to the development proposal.

- A reduction in the overall affordable housing provision from 30% to 25%;
- Exclusion of the 60 care home units from the calculation; (i.e. 390 of the 450 dwellings qualify -
- Acceptance that 20 of the affordable housing (social rented units) are sheltered units, and
- Acceptance that the affordable housing will be exclusively located in areas B and C not distributed throughout the site.

It is considered that these accommodations can be justified. At the time the site was bought the affordable housing policy requirement was 25%; the care home can be interpreted as a residential institution (use class C2) with the concentration of sheltered housing units complementing, and partly offsetting, this interpretation in the overall scheme; and the likely high service charge associated with the mainly flatted development in areas A and D can, in practical terms, partly justify their exclusion from these areas.

The delivery of 19.5% affordable housing, if the fall back position were reached, falls short of policy CS15 requirements and very careful consideration needs to be given to the precedent it would set and message it would send for future delivery of affordable housing on other sites throughout the city. The applicants argue, however, that a scenario in which no grant is available is unlikely to arise, and the indications we have received from Housing Officers and the likely Housing Association support this view.

The scheme would bring forward very significant benefits to the community, representing a major residential development, with associated commercial, sport and leisure facilities. It would be a very significant project, and is recognised as such within the Devonport Area Action Plan. On balance it is considered that the affordable housing offer should be accepted, because of these wider community benefits.

Public Open Space – developer will provide two play areas, to be adopted and maintained by the Council. Other informal open space areas will be maintained by a management company

Cricket Club/ Community Building – applicant to use reasonable endeavours to lease cricket ground to bona fide club, under terms agreed by the Council.

Off Site Highway Works Contributions/Works

The following contributions have been offered by the applicant:-

£	<i>Scheme</i>
22,800.00	<i>Upgrading / new bus shelters (x2) and Real Time</i>
7,000.00	<i>Bus boarders (x2)</i>
2,200.00	<i>Travel Planning</i>
60,000.00	<i>Access to sustainable transport (including contribution to improvement to Stonehouse Bridge roundabout, crossing on Devonport Hill and off-site cycle contribution)</i>
28,500.00	<i>Public Information Terminal provision and maintenance</i>

£120,500 Total

The highways officer considers that this is £20,000 short of the figure he would recommend to the Committee for the package including the Stonehouse Bridge roundabout. The applicant does not consider that this additional sum has been justified, and therefore has refused to comply with the request.

Off site highway works are proposed for accesses off Richmond Walk and Devonport Hill. Also prior to the construction of one of the residential blocks (ie 49 units – 19 houses and 30 flats) at Richmond Walk, the developer is required to widen Richmond Walk in accordance with an agreed scheme. (the footpath link from this part of the site to Devonport Hill is required to be made available for use before any of the units there are occupied).

Transportation Contribution – Bus Passes – The applicants will pay the Council a contribution totalling £91,000, in three instalments – the first being payable prior to the first occupation.

Residential and Commercial Travel Plan – such plan to be submitted and approved by the Council before any dwellings or commercial premises are occupied.

Education Contribution – applicants to pay the Council an education contribution of £288,540.52 in three instalments, towards primary education in the Devonport area, in either existing schools or new ones.

Phasing – Development zone plan to be agreed.

Administration fee - The applicants are offering an administration fee of circa £28k or 5%, whichever is the greater. This falls short of the 10% usually sought, but has been accepted on other sites where particular circumstances justify. The viability appraisal provides similar justification on this site.

4. Conclusions

The application has been the subject of prolonged negotiations more especially over the S106 package. The outcome, described above, is considered by your officers to be reasonable. The proposed development is considered to represent a major step in the regeneration of this part of Devonport. Members are therefore recommended to accept it on the basis of the S106 provisions above, including the affordable housing scheme and the financial provision towards the Devonport Hill junction, which is slightly lower than the Highway officer would recommend.

5. Recommendation

Minded to grant conditionally subject to a S106 agreement, defer for public consultation period to expire, delegated authority to officers to consider any new representations, and to determine the application.

The recommended planning condition headings include those set out below:-

1. C002 Approval of reserved matters
2. C004 Time limit fro submission
3. C005 Time limit for commencement
4. C006 Phasing of development ...zone A (a) before the access road (pedestrian and vehicular) has been fully implemented to the satisfaction of the LPA
5. C010 Surface Water disposal
6. C020 Landscape design proposals
7. C022 Landscape Works Implementation
8. C024 Details of floodlighting
9. C025 landscape management plan
- 10.C031 Details of tree planting
- 11.C033 Tree replacement
- 12.C034 Existing Trees (or hedgerows retained)
- 13.C035 Tree Protection during construction

- 14.C037 Details of replacement trees
- 15.C043 Details of enclosure and screening
- 16.C050 Provision of Children's' play Area ..50th dwelling...
- 17.C052 Retention of playing field ... cricket pitch...
- 18.C085 Cycle provision (residential)
- 19.C086 Cycle Provision (non residential)
- 20.C087 Cycle Storage
- 21.C090 Loading & unloading provision
- 22.C098 Staff travel Plans
- 23.C100 No demolition before contract
- 24.C102 Recording features
- 25.C103 Hidden features
- 26.C105 Protective fencing
- 27.C106 Details of fume extractor The hotel (café bistro and club pavilion, if commercial kitchen provided) use(s) shall not commence until ...
- 28.C1340 External Materials
- 29.C131 Surfacing Materials
- 30.C141 Sound insulation the commercial buildings
- 31.C143 use of machinery time restriction
- 32.C147 Code of construction Practice
- 33.C210 restrictions on PD
- 34.C220 Access for disabled people (details)... commercial buildings
- 35.C222 Parking provision for disabled people (implementation)