

FAREHAM

BOROUGH COUNCIL

Report to Planning Committee

Date 12 December 2013

Report of: Director of Planning and Environment

Subject: **PLANNING APPLICATION - P/12/0717/FP – RESIDENTIAL DEVELOPMENT, ERECTION OF 206 DWELLINGS (INCLUDING AFFORDABLE HOUSING) WITH NEW VEHICLE AND PEDESTRIAN ACCESS, ASSOCIATED PARKING, LANDSCAPING & OPEN SPACE-LAND AT PETERS ROAD LOCKS HEATH**

SUMMARY

This planning application (now subject to a planning appeal) is due to be considered by a Planning Inspector at a Public Local Inquiry in January. Since consideration of the planning application by the Planning Committee in April 2013, the amount of affordable housing offered by the appellant has been reduced for the reasons set out in the report. Members' confirmation is sought as to how this Authority should address this matter at the forthcoming Inquiry.

RECOMMENDATION

Officers will provide a written update at the meeting.

INTRODUCTION

1. This matter relates to a proposal due to be considered at a Public Local Inquiry commencing on Tuesday 14th January 2014. This Authority is required to submit its proof of evidence to the Planning Inspectorate by no later than the 17th December and thus this matter could not wait until the next scheduled meeting of the Planning Committee.

COMMENTS

2. This planning application was considered by the Planning Committee at its meeting on 24th April, 2013.
3. Officers had recommended that planning permission should be granted subject to the prior completion of planning obligations pursuant to Section 106 and the imposition of appropriate planning conditions.
4. Following careful consideration of the issues Members resolved to refuse planning permission for the following reasons:

The proposed development is contrary to Policy DG4 of the Fareham Borough Local Plan Review; Policies CS5, CS15, CS17, CS20, CS21, of the Adopted Fareham Borough Core Strategy in that:

(i) The size, scale, close grouping and appearance of the three storey buildings fail to respond to the key characteristics of the surrounding area and would not represent a high quality of design. In addition Flat Block 5, located on the perimeter of the application site, will have an unsympathetic and harmful relationship in terms of scale, with the modest form of existing development adjacent in Brook Lane.

(ii) Failure to provide a planning obligation to secure the following measures:

the provision of a travel plan in order to provide sustainable transport for future residents of the site.

the provision of the required amount of on-site open space and play facilities within the development, as well as their continued maintenance and provision in perpetuity.

access from the application site to the adjoining areas of land excluded from this application site, but which are included within the allocated housing site as set out within the Adopted Local Plan to ensure that future development of these sites and the site as a whole is not prejudiced.

provision of a footpath to link the application site to land to the north to an adoptable standard to ensure that sustainable access to the surrounding area is maintained.

In the absence of such obligations the development would not accord with the principles of sustainable transportation, nor would it provide for the open space needs of future residents, ensure that the development site comes forward on a comprehensive basis nor cater for affordable housing requirements arising from this development.

- (iii) Failure to provide a suitable mechanism in order to secure on-site affordable housing which would be necessitated by this development.

NOTE: In respect to item (ii) it is acknowledged that in the absence of any other objections to this development that such measures could be provided through an appropriate Section 106 Legal Agreement.

5. A decision notice setting out this Council's reasons for refusal was duly issued on the 10th May.
6. A planning appeal was lodged against this decision and accepted by the Planning Inspectorate as valid on the 15th August. The Planning Inspectorate accepted the appellants request that the matter be heard at a Public Local Inquiry (PLI). The PLI is due to start on the 14th January and is scheduled to run for 3 days.
7. Prior to the Planning Committee in April, the planning application was the subject of a detailed viability report which was produced by the appellants and reviewed by the Council's own independent consultants.
8. The viability report demonstrated that the site would not be viable if all the financial contributions sought were paid and affordable housing was provided at 40%. The viability report showed that the scheme could support 18% affordable housing and £1,140,000.
9. Notwithstanding the findings of the viability report, the appellants made two 'commercial' offers to Fareham Borough Council. The first offer was 23% affordable housing and £1,140,000 in contributions. The second offer was 27% affordable housing and £500,000 in financial contributions.
10. Since consideration of the planning application in April, Fareham Borough Council has introduced the Community Infrastructure Levy. As a result of the introduction of the Community Infrastructure Levy, along with other market changes, the appellants have undertaken a further detailed assessment of the economic viability of the application proposals. The revised viability assessment shows that in meeting the requirements of CIL (which equates to approximately £1.7m) the scheme would only be able to provide 10% affordable housing.
11. In light of the reduction in the level of affordable housing being proposed to meet the CIL liabilities it is necessary for Members to confirm the position they wish to take at the forthcoming Inquiry.
12. At the time of preparing this report the viability assessment was subject to on-going consideration. In light of this Officers will provide a written update for the meeting.

RECOMMENDATION

Officers to make an update at the meeting.

Background Papers: P/12/0717/FP

Enquiries: For further information on this report please contact Lee Smith, Head of Development Management and Trees (Ext 4427)