

REPORT TO: Planning Committee

DATE: 2 June 2010

SUBJECT: Change to affordable housing requirements in respect of development at Leaf UK, Virginia Street and the Southport General Infirmary, Scarisbrick New Road, Southport

WARDS AFFECTED: Kew

REPORT OF: Andy Wallis, Planning & Economic Development Director

CONTACT OFFICER: Steve Faulkner

**EXEMPT/
CONFIDENTIAL:**

PURPOSE/SUMMARY:

To obtain committee agreement to vary the requirements of the Section 106 Agreement in so far as it relates to the provision of affordable housing on sites at Leaf UK, Virginia Street and the Southport General Infirmary, Scarisbrick New Road, Southport.

REASON WHY DECISION REQUIRED:

To authorise changes to the previously agreed mechanism for the delivery of affordable housing across both sites.

RECOMMENDATION(S):

1. That the S106 agreement be varied to reduce the proportion of affordable bedspaces in the scheme from 30% of the total across both sites to 20% for the reasons outlined in the attached report.

CORPORATE OBJECTIVE MONITORING:

<u>Corporate Objective</u>		<u>Positive Impact</u>	<u>Neutral Impact</u>	<u>Negative Impact</u>
1	Creating a Learning Community			
2	Creating Safe Communities			
3	Jobs and Prosperity			
4	Improving Health and Well-Being			
5	Environmental Sustainability			
6	Creating Inclusive Communities			
7	Improving the Quality of Council Services and Strengthening local Democracy			
8	Children and Young People			

LIST OF BACKGROUND PAPERS RELIED UPON IN THE PREPARATION OF THIS REPORT

Reports to Planning Committee 16 December 2009.

BACKGROUND:

On 16 December 2009, Planning Committee resolved to approve two planning applications for development at Leaf UK, Virginia Street (S/2009/0975, 90 dwellings) and the Southport General Infirmary, Scarisbrick New Road (S/2010/1004, 60 dwellings). Copies of the respective reports are attached. The decision to grant permission was delegated to the Director subject to the signing of a S106 agreement relating to the provision of affordable housing and provision of improvements to the footbridge and subject to Environment agency response to the Flood Risk Assessment. The decision notices have yet to be issued due to continued discussion in respect of the S106, in particular the definition of intermediate housing provision and the subsequent loss of external funding.

The affordable housing requirements for both sites combined amounted to 201 bedspaces, i.e. 30% of the overall combined total. It was agreed at that time that in order to enable a viable development that all of this requirement would be delivered at Virginia Street.

Funding Mechanisms

Since that time, the applicant has bid unsuccessfully for 'KickStart' funding from the Homes and Communities Agency. In the build up to the 16 December 2009 Planning Committee the financial viability of the scheme was underpinned by the assumption that grant support for affordable housing would be forthcoming. This was initially confirmed through discussion with the preferred Registered Social Landlord (LHT) and the Homes and Communities Agency (HCA).

The viability appraisals of July 2009 were based on 30% provision of affordable housing but always underwritten by HCA grant. Subsequently, there was a dialogue between the applicant and the HCA regarding the form of support the HCA might provide – either through the 'KickStart' programme or through the National Affordable Housing Programme (NAHP).

As the scheme at Leaf is a proposed mix of private and affordable housing, the advice from HCA was that Kickstart was more appropriate. A Kickstart application was submitted with an emphasis on the strategic significance of the Leaf development for the housing market in Southport but it was rejected by the HCA.

In the light of the rejection of the Kickstart application, the applicants turned to NAHP. Initially, HCA again indicated support, but, ultimately, this support was withdrawn. No grant assistance from HCA is available.

If both developments are to be realised then flexibility is needed. The applicant has submitted to a further report detailing the viability of delivering affordable housing based on provision of 20% affordable housing (by bedspaces).

This is consistent with the advice from Government that local authorities "should recognise the current difficult economic circumstances and, where possible, adopt a

flexible approach to Section 106 negotiations to ensure that sites are built out.”

The applicants are therefore willing to proceed with the Leaf UK scheme at cost (no profit generated) on the proviso that the SGI development will realise a margin, albeit below the industry standard.

In the absence of grant support, the applicants consider that that the only viable way of bringing both developments forward is to lower the affordable housing requirement to 20% of bedspaces across both schemes (133 affordable bed spaces against a total number of 667 bedspaces). If the affordable housing requirement remains at 30% then the applicants advise that neither development is capable of proceeding.

Provision of affordable housing in Sefton

Council officers have negotiated affordable housing requirements on all qualifying sites in Sefton over the last three years. However, many planning permissions were negotiated in a far more buoyant economic climate than exists at present.

As a consequence of the economic downturn, the high residual values (which are necessary to cross subsidise affordable housing provision) are no longer present or only rarely present and this means that, in general, affordable housing provision has to be renegotiated and usually downwards.

This is happening not just in Sefton but across the whole Country. This stance is consistent with PPS3 advice which states that affordable housing should only be sought where it does not affect the economic viability of any development.

In this regard, the Planning and Economic Regeneration Director has sought the advice of GONW who have, in turn taken advice from the Department of Communities and Local Government.

The CLG's Chief Planning Officer wrote to all Local Planning Authorities in May 2009. He commented:

"Now more than ever it is important to help authorities to ensure existing planning permissions are built out. Ultimately, section 106 agreements are contractual agreements between developers and local authorities to deliver what is necessary to make a development acceptable in order to obtain planning consent. Where they are asked to do so, local planning authorities should be carefully reviewing whether obligations agreed through section 106 accord with the five principles set out in B5 of planning circular 05/05. "

Accordingly, the GONW advice is that 'you might therefore wish to re-appraise the Section 106 agreements in this light'.

It is in the spirit of this advice that the Council has instructed its retained affordable housing consultants, Three Dragons, to reappraise the planning application and they have concluded:

"I have submitted a detailed report looking at the viability of delivering affordable housing on these sites.

The planning background is complex with, at various points in time, the applicants having put forward proposals to try to meet the affordable housing requirement.

The economics are challenging here. In part, this is down to the applicants having paid a sizeable amount for the site. However in part it is also due to the shifting market since 2008, the time at which I understand the site was acquired.

My calculations suggest that if the applicants are to proceed by providing the 20% affordable housing I understand they are offering, then they will be doing so at a very minimal profit, very far below the industry standard.

In this respect, the market has changed against the applicants from the very buoyant housing market when they acquired the site, but they are prepared to move ahead anyway, presumably to recoup some of the costs they have in holding the land.

The Council may take the view that the policy position is not being met. However it should also consider that at the time the site was acquired, Sefton's policy position had not been tested through a Viability Study (now produced in draft for consultation).

An additional factor is grant. Correspondence made available to me suggests that the applicants could reasonably have expected grant to be available for the site. This has not materialised despite the efforts of the Council and local RSLs.

Overall I think the Council would take a reasonable position if it accepts the 20% offered. Projects including affordable housing are proving difficult across the country, but particularly in the north and the midlands. I believe, in the round, a 20% affordable housing contribution is a very satisfactory outcome here and is consistent with a flexible approach being adopted in my experience elsewhere.

This will be consistent with the advice of the DCLG that local authorities should recognise the current difficult economic circumstances and, where possible, adopt a flexible approach to Section 106 negotiations to ensure that sites are built out."

Accordingly, the Planning and Economic Development Director, consistent with CLG general advice and the site specific advice of Three Dragons, considers that a pragmatic approach is necessary in this instance, reflecting the current diminished viability of the site because of the economic downturn and in the absence of any prospect of Housing and Communities Agency funding support.

In this regard, it is necessary to balance the very real risk that this site may otherwise be 'mothballed' for two or more years against the delivery of much need new affordable dwellings, which in turn may lead to the 'kick starting' of some market houses for sale. The applicant has been proactive in seeking to achieve alternative support for their proposals.

In summary, and whilst it is always disappointing to 'lose' affordable housing units, a balance has to be struck and it is considered vital that housing development is

started on this site as soon as practicable. The Section 106 Agreement has therefore been revised accordingly and it is recommended that the planning permissions be issued based on the new scenario as outlined above.

Revision to site layout

The applicant has produced some revised drawings that alter the position of dwelling nos. 28 and 29 at Leaf UK in minor fashion and do not in any way compromise the previously accepted scenario for existing residents in terms of amenity. It is considered that these are acceptable as part of the final planning approval.

Flood Risk

The previous recommendation was in part subject to clearance from the Environment Agency based on there being no flood risk. This is being discussed further and will be reported by way of late representation.

Committee: **PLANNING**

Date of Meeting: **16 December 2009**

Title of Report: **S/2009/0975**
Former Leaf UK site 66 Virginia Street,
Southport
(Kew Ward)

Proposal: Residential development comprising 90 dwellings, new road layout and landscaping treatment (re-submission of N/2009/0340 withdrawn 11/11/2009)

Applicant: Bellway Homes (North West Division)

Executive Summary

The proposal is for the development of 90 dwellinghouses on the former Leaf UK site, Virginia Street, Southport.

The main issues relate to layout and design quality, residential amenity, highway safety and parking layout, the need for affordable housing as per local requirements, the effect on current housing restraint mechanism, tree and greenspace provision, the implications of the loss of compensatory office/commercial provision, the linkage of the site to the town centre, the ability of the site to appreciate and support nature conservation aspirations and the need to ensure that the site is clean and free of contaminants to enable development to proceed.

Recommendation(s) **That the Planning and Economic Regeneration Director be authorised to grant planning permission subject to :**

- a) the completion of a Section 106 Agreement delivering affordable housing and funding for improvements to the footbridge linking Victoria Bridge Road and Southport Railway Station, and**
- b) confirmation from the Environment Agency that the provisions of the submitted Flood Risk Assessment are acceptable**

Justification

The scheme will bring forward the comprehensive redevelopment of an identified Housing Opportunity site whilst bringing a range of improvements to local accessibility to the town centre, a high standard of design and significant tree

planting whilst ensuring a significant regeneration benefit through the removal of long standing industrial buildings on site.

The scheme is consistent with the aims of all national and local policies as set out within the Committee Report and, in the absence of any other material planning considerations, the granting of planning permission is therefore justified.

Conditions

1. T-1 Full Planning Permission Time Limit
2. L-4 Landscape Implementation
3. L-5 Landscape Management Plan
4. The development shall incorporate bat bricks as part of the housing construction details.
5. A detailed plan for the provision of bird nesting boxes within the development shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development and implemented and retained thereafter.
6. H-2 New vehicular/pedestrian access
7. No part of the development shall be brought into use until the existing vehicular and/or pedestrian access on to Virginia Street has been permanently closed off and the footway reinstated. These works shall be in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority.
8. Unless otherwise agreed in writing, no part of the development shall be occupied until a Traffic Regulation Order (TRO) to amend the existing waiting restrictions on Virginia Street, Hodson Street and Mill Street in the vicinity of the development site has been implemented in full.
9. Unless otherwise agreed in writing, no housing development with direct frontage onto Virginia Street shall be occupied until a Traffic Regulation Order (TRO) for a 20mph zone on Virginia Street (between Scarisbrick New Road/Eastbank Street and Ash Street), Hodson Street, Mill Street, Hargreaves Street, Hampton Road Street (between Virginia Street and Hargreaves Street), Back Forest Road and Victoria Bridge Road has been implemented in full.
10. Unless otherwise agreed in writing by the LPA, no housing development with direct frontage onto Virginia Street shall take place until a detailed scheme of traffic calming designed to maintain vehicle speeds at 20mph or less on Virginia Street (between Scarisbrick New Road/Eastbank Street and Ash Street), Hodson Street, Mill Street, Hargreaves Street, Hampton Road Street (between Virginia Street and Hargreaves Street), Back Forest Road and Victoria Bridge Road has been submitted for the approval of the LPA. No part of the development shall be occupied until the approved scheme has been implemented in full.
11. Unless otherwise agreed in writing by the LPA, no development shall take place until a detailed scheme of highway improvements, including the provision of flush kerbs and tactile paving and two DDA compliant bus stops on Virginia Street, has been submitted for the approval of the LPA. No part of the development shall be occupied until the approved scheme has been implemented in full.
12. H-1 Remove existing vehicular/pedestrian access

13. H-6 Vehicle parking and manoeuvring
14. H-9 Travel Plan required
15. H-10 Mud on carriageway
16. Before the development is commenced a Construction Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The provisions of the Construction Management Plan shall be implemented and strictly adhered to and shall not be varied other than through agreement with the Local Planning Authority.
17. Before the development is commenced, details shall be submitted to and approved by the Local Planning Authority to cover measures to ensure that all mud and other loose materials are not carried on the wheels and chassis of any vehicles leaving the site and measures to minimise dust nuisance caused by the operations. The approved details shall be implemented and maintained thereafter during the period of construction unless otherwise agreed in writing by the Local Planning Authority.
18. M-6 Piling
19. P-3 Noise Protection
20. Prior to the clearance of all demolished material a Site Waste Management Plan (SWMP) shall be submitted to and agreed in writing with the Local Planning Authority. The plan shall accord with advice contained in PPS10 Sustainable Waste Management (Paragraph 34). The SWMP shall identify the types and quantities of the materials subject to demolition and/ or excavation, opportunities for reuse and recovery of material should be explored, e.g. use of recycled aggregates, along with a demonstration of how off-site disposal will be minimised and managed.
21. Con-1 Site Characterisation
22. Con- 2 Submission of Remediation Strategy
23. Con-3 Implementation of Approved Remediation Strategy
24. Con-4 Verification Report
25. Con-5 Reporting of Unexpected Contamination
26. The substation shown on drawing No 1028/P2/O2 shall be constructed as an integral part of this development and the developer shall ensure that there is no interruption to local power supply as a result of the replacement of the existing substation.
27. Unless otherwise agreed in writing by the Local Planning Authority, no development shall take place until a detailed scheme of street lighting on Virginia Street, Hodson Street and Mill Street and the new access road within the development site, has been submitted for the approval of the Local Planning Authority, the said scheme shall comply with the requirements of BS5489. The approved scheme shall be implemented in full prior to the development being brought into use.
28. A scheme detailing all boundary treatments including height, material and position to the north and west boundary of the site shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development. The boundary treatments approved shall be erected prior to the occupation of any part of the development adjacent to the approved boundary details.
29. Full details of all bollards as shown on drawing No 1028/P2/02 shall be submitted to and approved in writing by the Local Planning Authority prior to the

commencement of development. The bollards as approved shall be erected prior to the occupation of any part of the development or in accordance with any alternative timescale agreed by the Local Planning Authority.

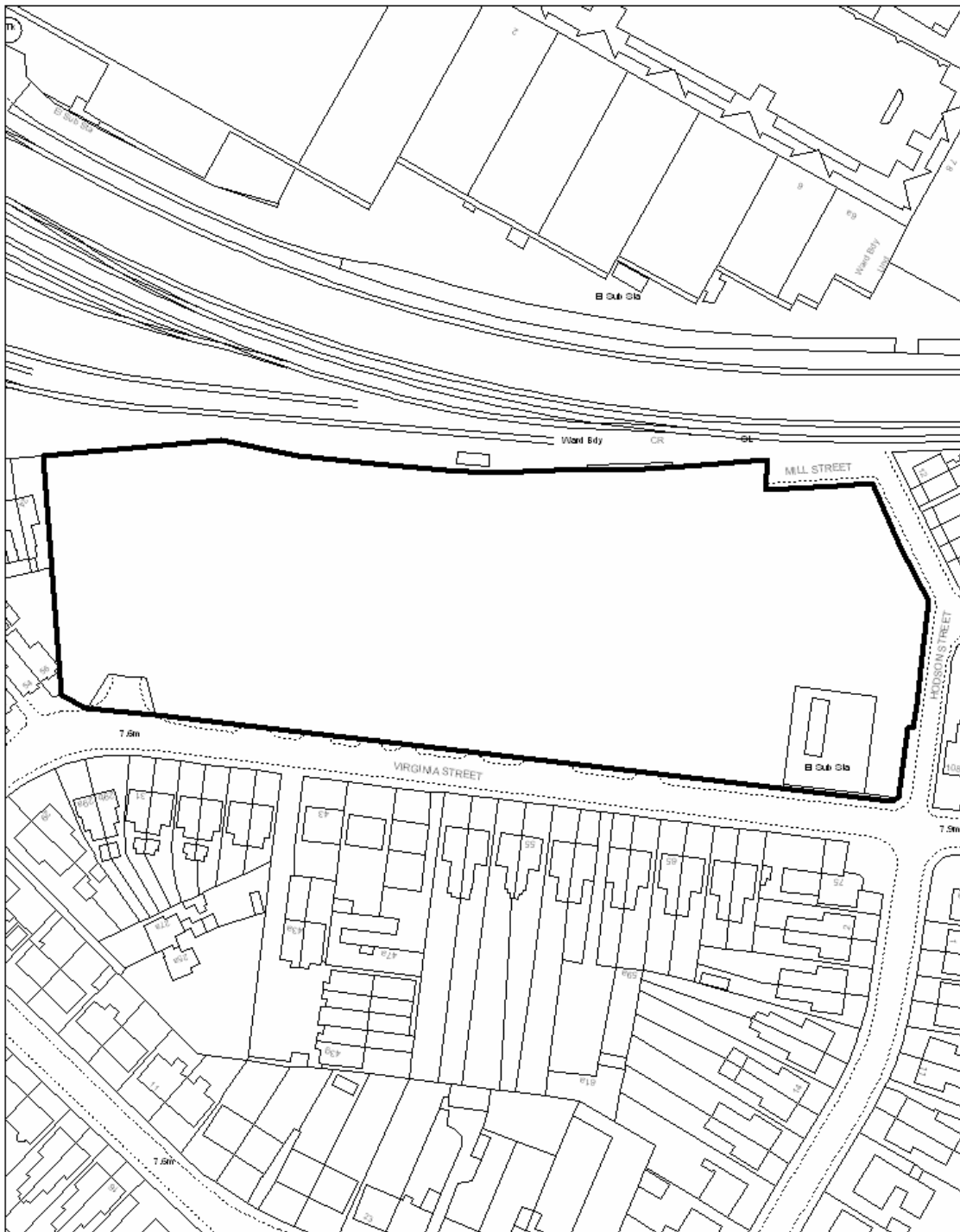
30. X1 Compliance


Reasons

1. RT-1
2. RL-4
3. RL-5
4. RNC
5. RNC
6. RH-2
7. RH-1
8. RH-2
9. RH-2
10. RH-2
11. RH-2
12. RH-1
13. RH-6
14. RH-9
15. RH-10
16. To safeguard the safety and interests of users of the highway and to comply with Sefton UDP Policy AD2.
17. To safeguard the safety and interests of users of the highway and to comply with Sefton UDP Policy AD2.
18. RM-6
19. RP-3
20. To ensure that all demolished and excavated materials are where possible recycled and/or made available for re-use and to comply with Sefton UDP Policy CS3 and advice contained in PPS10.
21. RCON-1
22. RCON-2
23. RCON-3
24. RCON-4
25. RCON-5
26. To ensure that adequate provision of electricity supply is made for prospective and nearby occupiers and to comply with Sefton UDP Policy CS and Regional Spatial Strategy Policy EM16..
27. RH-1
28. To safeguard the amenity of residents and to ensure appropriate protection against noise from the railway in compliance with Sefton UDP Policies CS3, H10 and EP6.
29. In the interests of highway safety and the amenity of residents and to comply with Sefton UDP Policies CS3, AD2 and H10.
30. RX1

Notes

1. The applicant is advised that all works to the adopted highway must be carried out by a Council approved contractor at the applicant's expense. Please contact the Highways Section on 0151 934 4175.
2. The applicant is advised that no parking permits will be issued to residents of the development and as such they would be unable to utilise the residents parking bays on Virginia Street.
3. In respect of the requirement to amend the waiting restrictions, the applicant is advised to contact Traffic Management division on 0151 934 4258.



 Sefton Council Planning & Economic Regeneration Department Andy Wallis - Director <small>Planning & Economic Regeneration is part of the Regeneration & Environmental Services Directorate</small>	S/2009/0975 Former Leaf UK site 66 Virginia Street Southport PR8 6RX OSGR: 334226, 416807		Standard Site Plan Scale: 1:2250 Date: 4/12/2009 Drawn By: EBERT on	
	Sheet(s): 470A	Area: 15737 sqm	Ward(s): Kew Postcode Sector(s): PR8 6 Polling District(s): T4 Parish(es): None Found	

This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings. Sefton Council Planning & Economic Regeneration Department using MapInfo
 Sefton Council Licence No. 1000181921

The Site

The site comprises 1.6 hectares and is sited to the south east side of Southport Town Centre. It is the former Leaf UK factory on Virginia Street. The Southport-Manchester Railway line lies to the north, with dwellings on the west, south and east sides of the site. It is currently vacant following the demolition of the former factory blocks.

The immediate context beyond the site is residential and consists predominantly of a variety of two storey terraced and semi-detached properties.

The proximity of the site to the town centre both geographically and through physical linkage means it is within easy access of key transport links and other town centre facilities.

Proposal

Residential development comprising 90 dwellings, new road layout and landscaping treatment (re-submission of N/2009/0340 withdrawn 11/11/2009)

History

The site has an extensive planning history associated with the long standing industrial operations of the site. Most recent application:

N/2007/0937 - Mixed use development comprising 606 m² of B1 commercial employment space, 168 dwellings (106 apartments and 62 units of family housing), associated car parking and public open space (including a children's equipped play area) – approved 5 June 2008.

N/2009/0340 - Residential development comprising 92 no. two storey dwellings, new road layout and landscaping treatment – withdrawn 11 November 2009.

Consultations

Highways Development Control – comments awaited

Environmental Protection Director – comments awaited

Merseyside EAS – no objection subject to contaminated land provisions, and noise mitigation measures to be incorporated into the development.

United Utilities – no objection in principle

Environment Agency – comments awaited

HSE – comments awaited

Network Rail – no objections subject to all development having regard to the operation of the adjacent railway and also having regard to the increased use of the footbridge adjacent to the site.

Merseytravel – need to ensure no congestion to Virginia Street, full travel plan required to promote sustainable modes of travel, contribution should be sought towards improvement to Southport Railway Station and the need to secure improvements to nearby bus stops.

SP Energy (Scottish Power) – no objection subject to condition requiring replacement substation.

Merseyside Crime Prevention Officer – final comments awaited

Neighbour Representations

Last date for replies: 8 December 2009.

Site notice expiry 18 December 2009.

Reference made to difficulty of inspecting plans from 40/44 and 45 Virginia Street. Direct web links have been sent to the e-mails of the properties in question.

No other material planning representations received.

Policy

The application site is situated in an area allocated as Housing Opportunity Site on the Council's Adopted Unitary Development Plan.

AD2	Ensuring Choice of Travel
AD3	Transport Assessments
CS3	Development Principles
DQ1	Design
DQ3	Trees and Development
DQ4	Public Greenspace and Development
DQ5	Sustainable Drainage Systems
EDT18	Retention of Local Employment Opportunities
EDT2	Provision of Employment Land
EP1	Managing Environmental Risk
EP3	Development of Contaminated Land
EP6	Noise and Vibration
H10	Development in Primarily Residential Areas
H11	Mixed Use Developments Incorporating Housing
H12	Residential Density
H2	Requirement for Affordable, Special Needs and Housing
H3	Housing Land Supply
H6	Housing Opportunity Sites
NC2	Protection of Species

Comments

The proposal represents an alternative to that previously approved, in providing for 90 dwellinghouses in a mix of terraced blocks. The principal means of access would be from Virginia Street and some properties have both direct access onto Virginia Street and Hodson Street to the eastern end of the site.

The density of development would equate to 57 dwellings per hectare which marginally exceeds H2 policy looking to secure 30-50 but permission has been granted previously for 169 units which give rise to far more substantial density levels and the conventional nature of the layout is such that it can be acceptably accommodated.

The scheme no longer brings on site employment use and a financial appraisal is currently being independently assessed on the Council's behalf, which seeks to clarify that the site cannot be developed viably should it be necessary to accommodate such use.

The layout and design quality of the proposal in its context

The layout of the scheme has been designed to respond to the scale, massing and character of the surrounding residential environment. For example, the two storey units fronting onto Virginia Street follow a continuous building line that reflects that of adjoining and opposing buildings.

In terms of the design of the buildings and the materials used, the development proposal has been guided by the objective of achieving a high quality, contemporary design.

The recent application was withdrawn after a number of design concerns were raised. The Director has worked closely with the applicant to amend the design to respond to these concerns and a significantly improved layout has been achieved by Repositioning the access to for allow a more continual run of built form and more open pedestrianised link which assists links to the town centre. This walkway is 10 metres wide as with appropriate landscaping and lighting will present a very attractive option for pedestrians.

There is an inevitable interface with the railway line. The amendment now incorporates a double staggered tree planting scheme together with acoustic barriering to the railway. This will give visual amenity benefit to the residents facing the railway and enables all gardens to have a back to back emphasis.

In turn, virtually all properties address a true street frontage directly, or something similar, no space is left over or unusable, and there is a strong rhythm presented to Virginia Street which was always critical to the future development of this site. Where commonly open grassed area might be anticipated, they are built into front/side gardens to allow for a true sense of ownership.

Each dwelling will benefit from its own off street parking space and provision is built into the scheme to ensure that each property has a storage area for both refuse and recycling bins. The layout provides sufficient space for conventional bin collection to be readily achievable.

The revised layout is considered to be excellent and fully compliant with the key policies of the Sefton UDP.

The effect on the amenity of nearby residents and nearby users, and the living conditions of prospective occupiers

The dwellings all have back gardens of acceptable depth, and there is no direct overlooking of dwellings outside the application site, or uncomfortable relationships within the site. The amenity of residents is enhanced compared with the approved scheme due to the reduced height of buildings to the rear of the site, and the loss of employment activity will give rise to a fully residential scheme in an identified residential area.

It is considered there will be no loss of light or outlook to those nearest to the site and thereby no material harm ought to result for residents both new and existing.

The necessary traffic calming measures to Virginia Street should reduce the speed of traffic on the stretch fronting the development site to the point where there is improved amenity for residents facing this route.

Highway safety and traffic

The comments of Highways Development Control are awaited in full but it is expected that the requirements connected to the previous application will remain applicable on this occasion.

The previous scheme required a number of measures:

- the reconstruction of the existing footways adjoining the site on Virginia Street, Hodson Street and Mill Street;
- the closing off of the existing redundant vehicular accesses;
- the construction of a new 'commercial style' vehicular access on Virginia Street with flush kerbs and tactile paving either side of the access;
- the construction of a series of new footway crossings along Virginia Street, Hodson Street and Mill Street;
- the alteration of the carriageway markings at the proposed junction with Virginia Street,

- the introduction of a scheme of traffic calming measures on Virginia Street (between Scarisbrick New Road/Eastbank Street and Ash Street), Hodson Street and Mill Street
- the introduction of a 20mph Traffic Regulation Order;
- the introduction of access kerbs and the alteration of the footway levels to two bus stops on Virginia Street;
- the provision of shelters at two bus stops; and
- the alteration and introduction of waiting restrictions on Virginia Street, Hodson Street and Mill Street.

The scheme is expected to deliver a range of improvements in respect of highway safety, accessibility and other alterations. The 'Homezone' referred to above has now been omitted from the layout and clearly, the measures contained within this will not be a requirement of the revised layout.

There is a clear and identified short fall in affordable housing provision within Sefton which is compounded at present by difficult economic circumstances. The latter has resulted in a significantly reduced number of residential dwellings on the site, which in turn reduces the overall affordable housing contributions.

Similarly, the affordable requirements connected to both schemes as permitted at present, afford insufficient flexibility and offer no stimulus for early investment at either site.

The current Policy H2 and advice contained in Planning Policy Statement 3: Housing stipulates that this site is required to make specific provision for affordable housing.

The development would accommodate the affordable housing requirement both for this development and for the Southport Royal Infirmary (SGI) site (S/2009/1004). The affordable units are all on the western side of the site but there is no distinguishable design difference between these and those for open market sale, other than that the affordable houses will be built to Code 3 Sustainable Homes Standard.

In total, the developments combine to provide a total of 706 bed spaces. 30% of these equate to a total of 212 bedspaces.

The application proposal will provide for 214 bedspaces to be affordable and these are to the western side of the site. 80% of these would be via a Registered Social Landlord (RSL), and 20% intermediate. This would equate to approximately 46 dwellings on site.

To ensure delivery, a Section 106 will be provided which in addition to covering the requirement for greenspace off site, will ensure that affordable housing is delivered in timely fashion.

The agreement will link directly to the SGI and the phasing stipulation will be that there will never be more open market spaces available for occupation on either of the two sites than there are affordable units.

For example, if 12 affordable bedspaces are made available on Leaf, there can never be more than 11 for general sale available on either Leaf or the SGI taken individually. This will ensure that during the construction phase, a minimum of 33% of bedspaces available will be affordable.

Members are asked to agree the layout but delegate the completion of the Section 106 to the Planning and Economic Regeneration Director on this basis.

Trees and greenspace

The development provides a total of 271 trees on site. This is 1 tree in excess of the DQ3 policy requirement and the majority of these are frontage trees, or are planted near to boundaries with existing dwellings, or in the double staggered area fronting the railway line to the north. It is a well considered landscaping scheme that meets with the specific requirement of Policy DQ3.

The requirement for greenspace is established by Policy DQ4 and the associated Supplementary Planning Document 'Trees and Greenspace'. This states that a total of £1,684 is required per dwelling at 2009/10 rates. As 90 dwellings are proposed, a contribution of £151,560 is required to meet with the specific requirement of Policy DQ4.

It is anticipated that the commuted sum payment will be covered within the Section 106 Agreement

The original application by virtue of a more substantial number of dwellings afforded a far more substantial sum. It was accepted that £150,000 of the DQ4 provision would go towards footbridge improvements. It is considered that the works are essential and members are asked to agree that the contribution be targeted to these works.

Industrial land supply

There was a long standing requirement from the original development brief to reprovide employment activity on site, following the closure and subsequent demolition of the existing factory. The planning permission for the site gives rise to office facilities close to 600 square metres.

The applicant has sought to justify the omitting of the employment provision on this occasion, due to the costs associated with providing affordable housing. There are also policy provisions contained within EDT18 relating to the issues of providing employment land in a scenario where it may be detrimental to amenity, and the applicant points out that a shortage of affordable housing in the Southport area. They argue that if the necessary affordable housing is provided then the provision of

employment land as well would render any redevelopment of the site unviable.

An appraisal has been submitted to demonstrate this. The Council's retained consultants comment on the appraisal as follows:

"The inclusion of employment use within the scheme would impact on viability, particularly as land values in the area for employment/industrial units are around only 20% of those for residential. This is likely to make even a part development of the site for commercial use marginal and would now allow the site to progress considering the land acquisition costs.

I therefore recommend that the Council accept the offer and do not insist on the employment component being included in the scheme.

I have not commented here on the mechanism by which the on-site affordable housing is developed. I understand this is being settled between the Council and Bellways through an appropriately worded S106 agreement. These discussions are ongoing."

It is considered based on this analysis that the principle of an entirely residential development should be accepted in this instance.

Pedestrian links to the town centre and improvements to the Victoria Way Footbridge

Whilst the comments of Highways Development Control are awaited, the existing pedestrian footbridge over the railway lines to the north of the site provides an excellent convenient link to the town centre and the train station. Despite it being a very popular route, the condition of the bridge could be significantly improved to make it safer and more attractive. A package of improvements consisting of enhanced lighting, CCTV, anti-slip surfacing, refurbishment of parapets handrails and staircases and the provision of a wheeling ramp for cycles has been identified.

In addition, there is a desire to make the bridge DDA compliant by introducing ramps at either end. However, it is acknowledged that achieving this will be subject to an acceptable design obtaining agreement/land transfer/licence from Network Rail, planning approval and adequate funding.

Despite the number of dwellings being reduced, the opportunity is a one-off opening to secure all of the above to offer a genuine and widely appreciable series of measures that will open up a far more desirable route to and from the town centre than exists at present. Members are asked to maintain the priority in the Section 106 contribution in favour of providing these improvements.

Contamination

Much work has already been undertaken in respect of the site being remediated, but It is considered appropriate that all of the standard conditions ought to be applied, with provision made to ensure plot validation at such time as construction takes

place.

The comments of the Environment Agency are awaited and their views will be reported by late representation.

Noise and disturbance and safety of rail users

An Environmental Noise Study was submitted with the application and this recommends measures relating to passive ventilation and appropriate glazing, seals and window configurations. The study requires some minor modification given that the plot layout has been revised, but the measures in their own right are seen as acceptable. There will need to be a raising of some boundary treatments to 2 metres in certain points to ensure that garden areas do not suffer from noise levels over and above those generally accepted under World Health Organisation (WHO) guidelines.

The study also promotes acoustic fencing to the railway side of the site, which is considered acceptable from a noise attenuation standpoint, however, discussion is taking place in connection with the prospect of more solid walling to the railway which offers a more robust and secure boundary for eventual occupiers.

Network Rail has been consulted on the implications for rail safety and did not raise objections to the withdrawn scheme. Their comments will be reported by way of late representation.

Flood risk and drainage

A Flood Risk Assessment (FRA) has been submitted alongside the application and has been presented to the Merseyside Environmental Advisory Service (MEAS) and the Environment Agency.

It is not anticipated that an issue will arise from this..

The Planning and Economic Regeneration Director seeks Committee authorisation to grant planning permission subject in part to the appropriate consultees being satisfied that there are no implications in respect of the potential for flood risk.

In view of high levels of groundwater on site It is agreed that a land based SUDS scheme that adopts infiltration techniques such as soakaways and ponds may not work to maximum efficiency however, but other SUDS technique such as rainwater harvesting, attenuation tanks and green roof systems could potentially provide similar benefits for example, surface water attenuation, pollution control and enhanced biodiversity. Policy DQ5 is relevant and should be complied with. A condition is required to ensure that certain SUDS techniques are integrated into the scheme.

Nature conservation

The applicant submitted a bat and barn owl survey report alongside the original application but the buildings have since been demolished. The survey found no

evidence of recent or historic use of the buildings by barn owls or bats. It is therefore accepted that no further assessment of the proposals against the three tests set out in the Habitats Regulations 1994 (as amended) is required

Tree planting will comprise only small-seeded species, favouring red squirrels and discouraging the occupation of grey squirrels into the area, are used.

There are records of slow-worm within the vicinity of the site. Slow-worm is protected by law against killing, injury, sale or trade in any way. The condition attached to the previous approval to ensure that appropriate corridors are maintained for their continued presence should be re-applied here.

It is recommended that bat bricks be incorporated into the design of the new buildings. The inclusion of bat bricks, or similar habitat provision, would make a valuable contribution towards the Bat Species Action Plan in the NMBAP. Policy NC 3 of the adopted Sefton UDP applies. It is expected that at least one per dwelling should be provided. Bird nesting boxes will also be provided as part of the scheme.

Site Waste Management Plans

The development is likely to generate a significant quantity of waste, and several sources of waste are identified including demolition waste, asbestos, contaminated soils and other made grounds. MEAS have previously advised that the developer should prepare a Site Waste Management Plan (SWMP) in accordance with PPS10 Sustainable Waste Management (Paragraph 34). A condition is attached to secure this and it remains relevant despite all buildings having been removed.

The plan would need to identify the types and quantities of the materials subject to demolition and/ or excavation, opportunities for reuse and recovery of material should be explored, e.g. use of recycled aggregates, along with a demonstration of how off-site disposal will be minimised and managed. The SWMP must also consider ways of managing waste that is likely to be produced as the site undergoes construction, so that the construction techniques etc. are as resource efficient as possible. This is covered by condition.

Other matters

SP Energy has an existing substation on site that would need replacing should the development take place. The loss of the substation will give rise to issues in respect of electricity supply and a condition is attached to ensure that the replacement is constructed before development is occupied.

United Utilities have raised no objection in respect of issues of water supply.

Reasoned Justification

The scheme will bring forward the comprehensive redevelopment of an identified Housing Opportunity site whilst bringing a range of improvements to local accessibility to the town centre, a high standard of design and significant tree planting whilst ensuring a significant

regeneration benefit through the removal of long standing industrial buildings on site.

The scheme is consistent with the aims of all national and local policies as set out within the Committee Report and, in the absence of any other material planning considerations, the granting of planning permission is therefore justified.



Contact Officer: **Mrs S Tyldesley** Telephone **0151 934 3569**

Case Officer: **Steve Faulkner** Telephone **0151 934 3081**

Committee: **PLANNING**

Date of Meeting: **16 December 2009**

Title of Report: **S/2009/1004**
Site of former Southport General Infirmary
Scarisbrick New Road, Southport
(Kew Ward)

Proposal: Approval of Reserved Matters application for a residential development of two and three storey dwellings comprising: public open space, children's equipped play area and associated car parking. (Details pursuant to planning permission N/2006/1054 granted 15/10/2007) Re-submission of N/2009/0341 withdrawn.

Applicant: Bellway Homes (NorthWest Division)

Executive Summary

The proposal is for the approval of reserved matters following the approval of outline planning permission N/2006/1054. The issues for consideration are the appearance of the proposed housing on the character of the surrounding area; the residential amenities of potential occupiers; provision of an on site equipped children's play area; vehicular and pedestrian access and the provision of the required affordable housing for this site on a nearby site at Virginia Street. This report should be read in conjunction with that for the former Leaf Site, Virginia Street, Southport (S/2009/0975)

Recommendation(s) Approval

Justification

The proposed development makes a positive contribution to the character of the surrounding area; provides a good level of residential amenity for the occupants of the proposed dwellings and neighbouring properties and provides for on-site children's play area. As such it complies with policies CS3, DQ1, DQ3, DQ4 and AD2 of the adopted Sefton UDP. Whilst not complying with policy H2 in respect of affordable housing on site, a commitment towards the equivalent on-site provision at Virginia Street, Southport is to be secured through a S106 legal agreement.

Conditions

1. X1 Compliance
2. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2008 (or any subsequent Order or statutory provision re-enacting or revoking the provisions of that Order), no window or

dormer window shall be added to the rear (north) facing roofslope of plots 37, 38 or 39 unless expressly authorised.

3. Prior to the occupation of any of the dwellings on plots 6 to 18 hereby permitted, details of an acoustic fence shall be submitted to and approved in writing with the Local Planning Authority. The acoustic fencing shall then be erected in full accordance with the approved details prior to the occupation of any of the dwellings on plots 6 to 18.

Reasons

1. RX1
2. RR-3
3. To protect the residential amenity of the occupants of plots 6 to 18 and to comply with policy H10 of the adopted Sefton UDP.

Drawing Numbers

Financial Implications

CAPITAL EXPENDITURE	2006/ 2007 £	2007/ 2008 £	2008/ 2009 £	2009/ 2010 £
Gross Increase in Capital Expenditure				
Funded by:				
Sefton Capital Resources				
Specific Capital Resources				
REVENUE IMPLICATIONS				
Gross Increase in Revenue Expenditure				
Funded by:				
Sefton funded Resources				
Funded from External Resources				
Does the External Funding have an expiry date? Y/N	When?			
How will the service be funded post expiry?				

List of Background Papers relied upon in the preparation of this report

History referred to
Policy referred to



Sefton Council Planning & Economic Regeneration Department Andy Wallis - Director <small>Planning & Economic Regeneration is part of the Regeneration & Environmental Services Directorate</small>	S/2009/1004 Site of former Southport General Infirmary Scarisbrick New Road Southport PR8 6PH OSGR: 334934, 416335		Standard Site Plan Scale: 1:1250 Date: 30/11/2009 Drawn By: BBERT on	
	Sheet(s): 4700, 4716	Area: 13678 sqm	Ward(s): Kew Postcode Sector(s): PR8 6 Polling District(s): T2 Parish(es): None Found	

This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings. Sefton Council Licence No. 1000181923

The Site

A vacant site positioned between Curzon Road and Pilkington Road and to the east of the remaining hospital buildings fronting onto Scarisbrick New Road. The majority of the former hospital buildings have now been demolished.

The surrounding area is principally characterised by large detached Edwardian houses with driveways and front boundary walls. Both Pilkington Road and Curzon Road are lined with mature trees.

Proposal

Approval of Reserved Matters application for a residential development of two and three storey dwellings comprising: public open space, children's equipped play area and associated car parking. (Details pursuant to planning permission N/2006/1054 granted 15/10/2007) Re-submission of N/2009/0341 withdrawn. Matters for approval are access, appearance, landscaping, layout and scale.

The main differences between the current proposal and that which was withdrawn (N/2009/0341) and visited by Planning Committee on 26 November 2009 are as follows:

- Children's play area is now to be provided in two locations on site, part on the Curzon Road frontage and part within the site
- Buildings fronting Curzon Road have changed from two-storey mews houses to detached two and two-and-a-half storey houses.
- The proposal is for 60, two and three-storey dwellings, comprising 12 detached houses, 10 semi-detached houses and 38 mews houses.

Broadly the layout of the proposed development presents new buildings along the street frontages of Pilkington Road and Curzon Road and with an access road into the central part of the site achieved from Pilkington Road.

The Pilkington Road frontage proposes detached houses, grading from three storey to two storey from north (ie adjacent to existing buildings) to south, towards the vacant site fronting Scarisbrick New Road. Views into the site from the access road on Pilkington Road terminate with a three storey building.

Similarly the Curzon Road frontage presents detached two- and two-and-a-half storey houses with integral garages and access to driveways achieved directly from Curzon Road.

Within the site, the access from Pilkington Road branches into two cul-de-sacs, one leading south, the other north. To the north of the site is a 'courtyard' of houses and to the south, a row of two-storey mews houses.

The children's play area is proposed in two separate parts, linked by a pedestrian route. One site is on the Curzon Road frontage and the other is in the centre of the

site, to the rear of properties fronting onto Pilkington Road.

- Both play areas include children's play equipment and in total provide a total area of 885 sq metres, which is just sort of the 900 sq metres required as part of the outline planning permission.

History

Various planning applications in relation to the use of the site as a hospital

N/2006/1054 Outline application for residential development, after demolition of the existing buildings - Approved 15 October 2007

N/2009/0341 Reserved matters application for a residential development of two- and three-storey dwellings comprising public open space; children's equipped play area and associated car parking
Withdrawn 26 November 2009

Consultations

Leisure Department: Comments awaited

Environmental Protection Director: Information must be submitted to comply with conditions on N/2006/1054 in respect of land contamination and piling. An acoustic fence should be erected along the southern boundary of the site adjacent to existing hospital site.

Police Architectural Liaison Officer: Full comments awaited.

Highways Development Control: No objections in principle. Full comments to be made available prior to Planning Committee.

United Utilities: No objection provided the site is drained on a separate system with only foul drainage connected to foul sewer. Surface water should discharge to soakway/watercourse/surface water sewer and may require the consent of the Environment Agency. If surface water is allowed to discharge to public surface water sewerage system, the flow may need to be attenuated to a maximum discharge rate determined by United Utilities.

Any sewers proposed for adoption, the developer should contact United Utilities. A water supply can be made available. The mains in Pilkington Road and Curzon Road will need to have a cross connection between the two to feed the development. A separate metered supply to each unit will be required at the applicant's expense.

Merseytravel:

- Traffic should be accommodated within the local highway network without congestion which would impede buses on Scarisbrick New Road.

- Travel Plan should be requested
- Dial-a-ride vehicles should be able to gain access
- Good quality walking routes should be provided to bus stops

Neighbour Representations

Last date for replies:

Site Notice and Press Advertisement expire: 18 December 2009

No comments received to date.

Policy

The application site is situated in an area allocated as Primarily Residential Area on the Council's Adopted Unitary Development Plan.

AD2	Ensuring Choice of Travel
CS3	Development Principles
DQ1	Design
DQ3	Trees and Development
DQ4	Public Greenspace and Development
DQ5	Sustainable Drainage Systems
H12	Residential Density

Comments

The application arises from outline planning permission granted in 2007. Outline planning permission establishes the principle of development. The current application for reserved matters seeks approval for details of access, appearance, landscaping, layout and scale. Consent is sought for the layout of the proposed residential development of 60 dwellings, including the provision of a children's play area as required by the outline planning permission.

The principle of residential development has therefore been accepted. The issues for consideration are the provision of affordable housing on an alternative site at Virginia Street; the density of development, the layout of the proposed houses, scale, massing and design of the proposed houses, particularly along the street scenes of Curzon Road and Pilkington Road; pedestrian and vehicular access into and within the site and the position and design of the proposed children's play area.

Affordable Housing Provision

In respect of the requirement for affordable housing, it is proposed that this site is considered together with that of the former Leaf site, Virginia Street, Southport (application S/2009/0975).

All of the affordable housing as required by policy H2 is to be constructed at the Leaf site, with no affordable housing provided on this site.

Affordable housing would normally be constructed as an integral part of any market housing scheme, with affordable units distributed evenly or pepper-potted throughout a site. However, given current market conditions, the developer is not in a position to start work on the developments at either the former SGI site or the former Leaf site on Virginia Street and has indicated that he will otherwise have to 'mothball' both sites for a couple of years until the market picks up significantly. In this situation neither market nor affordable housing would be delivered for a number of years. Both sites require a degree of remediation and the developer maintains that in the current very fragile housing market *'the affordable component is depressing the realistic prospect of bringing development forward'* (para 6.7 revised Design and Access Statement).

The developer therefore maintains that if any development is to be brought forward on either site, this can only be achieved by consolidating the affordable housing element on one site, with the affordable element funded by HCA grant. This would then facilitate the development of the market-housing component at the Leaf site and indirectly help with market housing on the SGI site.

It is important to emphasise that, the total amount of affordable housing to be provided is not less than would have been provided on the two sites taken separately. It is simply that all provision is now proposed to be provided on the Leaf site. Similarly, for construction reasons, with the affordable housing on the Leaf site being provided ahead of the bulk of market housing, pepperpotting is not a feasible proposition.

In respect of these sites, the Council has to balance the advantages of delivering the affordable housing in the manner proposed (i.e. all on one site and without pepperpotting) and it 'kick-starting' the market housing, against the very real risks that nothing will happen on these two sites for a couple of years or so. In this situation, the weight is strongly in favour of agreeing to these proposals.

The level of affordable housing, as expressed as bedspaces, is to be consistent with policy H2 and secured through a S106 legal agreement. In this case, it is therefore considered acceptable in principle for the affordable housing to be provided on site at Virginia Street.

Layout and Children's Play Area

-
- Overall, the proposal re-establishes the rhythm of development along the two street frontages to Pilkington Road and Curzon Road, with large detached houses at regular spaced intervals. The proposed form of development re-establishes the 'building lines' along the two streets and as such results in a significant improvement to the Edwardian character of the area. This had been lost by the piecemeal development of the hospital site with a variety of building heights and positions.
-
- Views into the site from Pilkington Road will terminate in the front elevation of a three-store building. This presents an interesting focal point to this view and reinforces the character of the development as responding to the Edwardian character of the area.
-
- The proposal to split the children's play area into two separate parts in this case is

considered to be acceptable. The two spaces are to be designed as play areas along a route through the site, following pedestrian 'desire lines'. They are positioned in such a way as to maximise natural surveillance from the surrounding properties, so reducing the potential for anti-social behaviour.

-
- Play equipment is to be positioned at further points from the residential curtilages of the surrounding properties so as to minimise noise and disturbance. Management of these sites is to be retained by a management company established by the developer. Should management of this site prove to be inadequate the Council retains the option to assume control of this maintenance, provided a commuted sum payment is made. The calculation of this maintenance commuted sum is based on a period of 10 years maintenance period ie £62,500. This is to be secured through the S106 legal agreement. The submitted plans give photographic illustrations of the type of play equipment to be installed. A detailed specification of this play equipment could also be included within the S106 legal agreement.

-
- **Greenspace contribution.**

-
- A S106 legal agreement was signed by the landowner in respect of the outline planning permission N/2006/1054). This related to the provision of affordable housing, the provision of on-site children's play area and a contribution towards off-site Greenspace provision. This section 106 agreement would now require substantial re-wording and it is recommended that a replacement agreement is sought.

-
- With regard to the contribution towards off-site Greenspace, advice in SPD now states that where Greenspace is to be provided on site, this should be deducted from the calculation towards off-site provision. Therefore the commuted sum payment in respect of Greenspace should now be calculated on the basis of £1684 (55 sq metres) per dwellings, minus the 885 sq metres to be provided on site.

-
- This equates to 55 x 60 dwellings = 3,300 sq metres, minus 885 sq metres = 2,415 sq metres; divided by 55 sq metres
- = 44 x £1,684 = £74,096
- The developer has agreed to pay this total of £74,096

-
- **Density**

The density of the proposed development equates to 41 dwellings per hectare. This complies with policy H12 which seeks densities of 30 to 50 dwellings per hectare and the character of the surrounding area which is typically lower density.

-
- **Design and Appearance of Buildings**

-
- The height and scale of houses along Pilkington Road and Curzon Road frontages will be critical to the success of the development and its integration into the surrounding street scenes.
-
- In respect of Pilkington Road, the two buildings proposed to the north of the site, adjacent to the existing buildings are of a similar scale and height. The remainder of the houses along this street frontage are smaller in scale, with ridge height approximately 1.5 metres lower than the older Edwardian houses in the street. Whilst smaller in scale and with narrower gaps between houses than the existing houses, the proposed

dwellings are consistent with the character of the area and are considered to be acceptable.

-
- The houses fronting Curzon Road will appear small in scale compared to the adjacent PCT headquarters building which is to be retained. However, the scale of the buildings immediately adjacent to existing houses on Curzon Road ie plots 33, 34 and 35 is similar to the neighbouring properties at 7 and 11 Curzon Road.
-
- The existing houses in Pilkington Road and Curzon Road have a consistency of style but are not all the same. Details of the elevational treatment of these frontage properties have attempted to echo the style of the Edwardian houses, including gables, fascia boards, bays and variety in the size of fenestration. Styles within the site are similar to those fronting Pilkington and Curzon Roads, but are simpler.
-
- Whilst the proposal is clearly that of 21st century design and for example include integral garages, elements are reminiscent of the surrounding area. The proposal attempts integrated into the Edwardian design of the surrounding area and, overall, is considered to achieve this aim satisfactorily. The proposal will make a positive contribution to the character of the surrounding area.
-
- Landscaping plans including full details of hard and soft landscaping have not been submitted at the time of writing this report. It is anticipated that these plans will be submitted prior to Planning Committee and an assessment of these plans will be reported as part of the late representations.

Accessibility

In respect of access into and within the site for pedestrians and private vehicles, full comments will be reported separately at Planning Committee. However, the principle of the proposed layout, with the use of shared pedestrian and vehicular surfaces on the cul-de-sacs within the site is appropriate. This will facilitate pedestrian movements through the site and connect the two play areas.

Residential Amenity

Guidance in SPG: New Housing Development seeks garden areas of 70 sq metres with a length of a minimum of 10.5 metres. The houses fronting both Pilkington Road and Curzon Road achieve the minimum garden length and exceed the recommended minimum garden area. Other plots within the site fall short of these garden areas, achieving between 55 and 60 sq metres. However, these garden sizes are considered to be appropriate for a suburban location and provide an adequate level of amenity for potential occupiers.

The rear gardens of houses at plots 6 to 18 back onto and existing hospital site which is to be re-developed for the same purpose. It is anticipated that an access road will be positioned along the boundary of these two sites and in order to protect these properties from undue noise and disturbance it is recommended that an acoustic fence is erected along this boundary.

Gardens at plots 37, 38 and 39 to the north of the site are approximately 8.5 metres long. Whilst this is not considered to cause significant overlooking of the rear garden

of 13 Curzon Road, it is considered reasonable and necessary to remove permitted development rights for the installation of dormer windows in these houses, in order to prevent such overlooking.

Throughout the proposed development, all habitable rooms will have a reasonable level of outlook.

With regard to the potential for overlooking, minimum window to window distances should be 21 metres between habitable room windows in 2 storey elevations, with an increase of 5 metres for each additional storey. Where 3 storey houses are proposed, these minimum standards are not met, but the potential for overlooking has been minimised. For example, plots 27, 57 and 59 include a rear facing dormer window; these are to be obscurely glazed. Plots 26, 28, 57 and 59 include two rear facing bedroom windows. Plans have been amended to remove juliet balconies and to reduce the size of these rear facing bedrooms, so that they are not the master bedroom in the house. This will help to reduce any sense of overlooking for the neighbouring occupiers.

In all other respects, the proposed layout is not considered to result in overlooking of either existing or proposed dwellings.

Tree Planting

Policy DQ3: Trees and Development requires 3 trees to be planted for each new dwelling and 2 for every tree removed from site. The proposal allows for 180 trees to be planted on site, thus meeting the requirement in respect of trees for new dwellings.

One small Tree on the Pilkington Road frontage, covered by a Tree Preservation Order (T4) is to be removed and 2 trees must be planted to replace this tree. Its loss will not be detrimental to the visual amenity of the area.

Recommendation

Delegated authority to approve subject to the expiry of the site notice and press advertisement, the removal of permitted development rights for the installation of dormers at plots 37, 39 and 39, the installation of an acoustic fence to the southern boundary of the site and the signing of a S106 legal agreement as outlined in this report in respect of:

- The provision of sufficient affordable houses bedspaces at the former Leaf site, Virginia Street, in compliance with UDP policy H2.
- Management arrangements for the two children's play areas
- Commuted sum payment in respect of off-site Greenspace provision in compliance with policy DQ4
- Detailed specification of play equipment within children's play areas

Contact Officer: **Mrs S Tyldesley Telephone 0151 934 3569**

Case Officer: **Mrs A Dimba Telephone 0151 934 2202**