

PLANNING COMMITTEE UPDATE SHEET

COMMITTEE DATE: 28 April 2021

APPLICATION NO.	TEAM LEADER	ITEM NO.	PAGE NOS.
19/00809/FULMAJ	Lyndsey Hayes	03	81-101

This update is in respect of financial contributions being offered by the applicant and relates to / updates the following paragraphs of the report:

7.1.2, 7.9.1, 10.8, 10.9, 10.10, 10.11, 10.12, 10.13, 10.29, 10.30, 10.31, 10.32, 11.1 and section 13

Update on Infrastructure Provision section of main committee report

1.1 As documented within the main committee report the application is recommended for refusal as the applicant has set out during the course of the application (including the submission of a financial viability assessment) that the development is unable to make the financial contributions necessary to mitigate against the impacts of the development upon existing infrastructure as it would be unviable. This included financial contributions towards the delivery of health care provision (£11,599), the Poulton Highways Mitigation Strategy (PHMS) (£67,200) and Travel Plan support (£6,000). The applicant also set out, again for viability reasons that the development is unable to provide 30% onsite affordable housing which equates to 13 dwellings in accordance with the requirements of Policy HP3 of the WLP31.

1.2 Since the publication of the committee report, contrary to the information previously submitted, the applicant has now detailed that they are willing to pay the necessary planning obligations towards health care provision, the Poulton Highways Mitigation Strategy (PHMS) and Travel Plan support. Securing these contributions would mitigate the impacts of the development upon public health services and the local highway network, and remove the objections from the CCG and LCC Highways. It would also go some way towards making the application more sustainable, and satisfy the provisions of policies CDMP6 and SA1/6 of the WLP31.

1.3 Whilst the agreement to pay the contributions is a positive material change in circumstance which provides many benefits and addresses some of the concerns previously set out in the committee report, the applicant maintains the position that the development cannot provide any on site provision or off site financial contributions towards affordable housing. As set out in paragraph 10.6 of the main report, the failure to provide supporting social (affordable housing) infrastructure is a matter which carries significant weight. Paragraph 10.10 of the main report sets out that Keppie Massie are of the view that the development is capable of providing 6 No. on site affordable units. Officers are of the view that the benefits from this scheme of 42 over 55s bungalows does not outweigh the failure to provide any

affordable housing, which would result in significant harm upon social infrastructure, namely local affordable housing.

1.4 As documented in the committee report (paragraph 10.11) the council can evidence that it currently does have a high stock of bungalows within the Borough including within the Poulton/Carleton wards. Whilst bungalows would assist in meeting a need, due to the present significant stock of bungalows in the locality, such a need is not so great that it outweighs the loss of much needed affordable housing, with the Local Plan housing evidence consistently showing a significant need for affordable housing in the Borough, with the 2017 SHMA Addendum III showing an annual need of 134 units up to 2022 rising to 189 thereafter. As such the supporting information submitted by the applicant which in summary sets out that the benefits of the bungalows negate/outweigh the requirement to provide affordable housing is not agreed by officers. In the absence of any on site or off site financial contribution towards affordable housing the proposal would result in an unsustainable form of development and would fail to comply with Policies SP2, SP7, SP8 and HP3 of the WLP31 along with the NPPF.

Update on reason for refusal

2.1 Within Section 13 of the committee report there are two reasons for refusal set out. Since the applicant has agreed to pay the contributions towards healthcare provision and the PHMS and Travel Plan support, the reason for refusal relates solely to the failure to provide any affordable housing. For this reason Members are advised that the second reason for refusal is deleted, and the first reason for refusal is substituted with the following reason:

1. The proposal would involve the provision of 42 bungalow units for people aged 55 and over, thereby impacting on existing social infrastructure. Policy SP7 of the Adopted Local Plan requires proposals to mitigate any adverse impacts of a development on existing infrastructure, by making a financial contribution where this is deemed necessary. Where appropriate, developments may be required to incorporate new infrastructure on site. In this instance the development is required to make 30% affordable housing provision (or off-site contributions in lieu of on-site provision). The Council disagrees with the applicant's position and considers that some affordable housing could be provided whilst still making the development viable. The significant harm caused by the development in failing to provide any affordable housing would outweigh any benefits to the development. Therefore the proposal would form an unsustainable development contrary to policies SP2, SP6, SP7, SP8 and HP3 of the Wyre Local Plan (2011-31), the approved Blackpool Road Masterplan and the NPPF.

Other Matters

3.1 The applicant has submitted for consideration a Unilateral Undertaking, which is a legal agreement that could secure the necessary financial contributions towards health care provision, the PHMS and Travel Planning Support. Due to its late submission, and the fact that officers are not supportive of the application, this has not been considered. In the event that Members were to approve the application then this will need to be given

due consideration to ensure it secures the necessary infrastructure under delegated authority by the Head of Planning Services.

Officer response to letter from agent Smith and Love sent to Members of the Planning Committee

1. The letter states *“Applethwaite is therefore asking you to consider the merits and make a clear choice between its proposed development of high-quality Part M4(2) bungalows for older people, or the alternative of yet more two storey housing in the area, albeit with 30% affordable provision, which will undoubtedly result if planning permission is refused”*.

Your officers do not consider that this is necessarily the only choice. No evidence has been submitted to show that a more mixed development, which could include a significant element of bungalows, but also contains two storey housing (which could also potentially be made Part M4(2) compliant) would not be viable such that all necessary policy requirements could be met.

2. The letter states *“there are very few new, high-quality modern bungalow developments built specifically for older people in Wyre. The stock is predominantly older bungalows of which many are not suited, sized and easily adapted to meet older people’s needs; they are not age-restricted in perpetuity and many are purchased to be redeveloped with two storey houses; and they command a price premium in any event, which is clear evidence of unmet market demand”*.

Whilst it will be the case that most of the existing bungalow stock will not be Part M4(2) compliant it is not the case that all older persons will require such compliance. The National Planning Practice Guidance (NPPG) states in this respect that *“many older people may not want or need specialist accommodation or care and may wish to stay or move to general housing that is already suitable, such as bungalows, or homes which can be adapted to meet a change in their needs”*. Given the existing relatively high stock level of bungalows in the locality, your officers do not consider that there is such an overriding need for additional bungalows, even if they are Part M4(2) compliant such as to outweigh the loss of much needed affordable housing.

3. The letter states *“Local Plan evidence highlights the need for increased provision and a wider choice of housing to meet the needs of Wyre’s ageing population. It cannot be said that the proposed bungalows do not therefore meet a need because there is already sufficient stock”*

Your officers do not disagree that the bungalows would assist in meeting a need but due to the present significant stock of bungalows in the locality, such a need is not so great that it outweighs the loss of much needed affordable housing.

4. The letter states *“the requirement in Policy HP2 to make 20% of two storey houses (in schemes of 20+ dwellings) adaptable to meet older people’s needs does not mean that needs are being met. The policy does*

not require compliance with Part M4(2) of the Building Regulations and many older people will prefer to continue living in their current homes, than moving to a part-adapted two storey house on a large housing estate. For example, a two storey home fitted with a stair lift is not well suited to older peoples' needs and will never match the benefits of single level accommodation”

Policy HP2 does NOT require 20% of **two storey** houses (in schemes of 20+ dwellings) to be adaptable etc. It refers to 20% of dwellings (i.e. of all types). Although not specifically stated in the policy, having regard to the NPPG officers do now require compliance with Part M4(2) as a minimum for such dwellings. Part M4(2) compliance can be achieved within two storey dwellings as much as within bungalows.

5. The letter states *“the officer report (para 10.13) says that the Planning Practice Guidance (PPG) on Housing for Older People does not mention bungalows and there is recognition that adapted two storey housing can meet older people’s needs. This overlooks the findings and evidence collected by the 2018 Housing, Communities and Local Government Parliamentary Select Committee Inquiry into Housing for Older People, and the Government response which was published in September 2018 as the pre-cursor and catalyst to the PPG. The response to Recommendation 33 states;*

Recommendation: We [the Inquiry] believe that, given the enduring popularity of bungalows among older people and their accessibility features, more councils and developers should consider the feasibility of building bungalows.

Response: We [the Government] agree that local authorities should plan for the future housing needs of older people so they are able to live safely, independently and comfortably in their homes for as long as possible, or move to more suitable accommodation if they wish. That is why our planning guidance makes clear that local authorities should plan for various general housing options, including bungalows, which are suitable for independent living for older people”.

The current NPPG paragraphs on ‘Housing for older and disabled people’ are dated 26 June 2019 and so will have had regard to the above. Although adopted in February 2019 Policy HP2 is considered to be consistent with this guidance and is a sound policy. It is considered that the requirements of the policy can be viably met without the entire development being comprised of Part M4(2) compliant bungalows. The applicant has not demonstrated that a more balanced housing mix (which could include some bungalows) could not be more or wholly viable.

6. The letter states *“We also consider that the harm identified by your officers from not providing six affordable houses (which is the number officers consider the development should provide) is overstated. The SA1/6 site allocation is for 300 no. dwellings. The Council has resolved to grant planning permission for 202 no. houses by Story Homes and it is expected that planning permission will be granted for 48 no. houses by Baxter Homes. These 250 no. dwellings (83% of the allocation) are exclusively two storey houses and will provide the full 30% complement of affordable homes (75 no. dwellings). Other major sites to the east of Poulton le Fylde (Persimmon*

Homes and Jones Homes) and south (Redrow and Wainhomes) also deliver two storey homes and affordable housing in significant volume”.

Firstly, the actual number of affordable dwellings required on this site to be compliant with policy HP3 of the Local Plan is 12.6 (13 units) and not 6 as stated. The 6 referred to only represents the number of units which our advisors (Keppie Massie) could be provided based on their assessment of the viability of the development. Even this would not be policy compliant.

Secondly, whilst other developments have provided the requisite policy compliant 30% affordable housing, this 30% does not represent the actual need, it is the maximum that can be expected to be provided in order for a development to be viable having regard to all relevant policy requirements (e.g. GI provision, education and healthcare contributions etc.). Having regard to the levels of recent provision, the actual affordable housing need per annum is currently greater than 30%. As such it is considered that significant weight should therefore be attached to meeting the 30% requirement where possible.