

<b>Agenda Item</b>	A7
<b>Application Number</b>	20/00613/FUL
<b>Proposal</b>	Erection of 16 affordable residential dwellings and 2 residential buildings comprising a total of 4 affordable apartments, with associated parking and hard landscaping
<b>Application site</b>	Cohousing Site, Land adjacent to Forge Lane, Halton
<b>Applicant</b>	Mr Charles Ainger
<b>Agent</b>	Mr Gillies MacPhail
<b>Case Officer</b>	Mr David Forshaw
<b>Departure</b>	No
<b>Summary of Recommendation</b>	Approval

## 1.0 Application Site and Setting

- 1.1 This 0.45 hectare site is located between Forge Lane and Mill Lane approximately 350 metres south of the centre of Halton. The site is currently unused but was previously part of the Halton Mills site and most recently used as a haulage yard. It contains hard standings, bare ground, a small brick building and overgrown areas. The site was included as part of the wider Halton Mills mixed use, employment led allocation in the last Local Plan. In the adopted Strategic Policies and Land Allocations DPD the site is allocated as part of the wider rural housing site.
- 1.2 Immediately to the east is land also forming part of the allocation. This is subject of planning application 20/00614/FUL for a 20 unit over 55s senior housing scheme and included on this agenda for consideration by the Committee. To the north, across Forge Lane is a residential development under construction; to the west is an existing housing development on Town End Way and to the south on the opposite side of Mill Lane are existing houses facing the site.
- 1.3 Forge Lane, from which vehicular access and parking is to be gained at the northern end is currently unadopted. The owner of the road and County Highways confirm the adoption process is underway. Adoption cannot be guaranteed but all works on Forge Lane will have to be agreed by the owner and carried out to County Highways' standards. The fact Forge Lane is privately owned is not a material consideration.
- 1.4 The site slopes down from north to south by approximately 2 metres. It is level with Forge Lane at the northern boundary and approximately 2m above the level of Mill Lane at the south.
- 1.5 Part of the site is in a mineral safeguarding area. A belt of protected trees on the site runs near the eastern boundary. Public footpaths FP1 and FP2 run along Mill Lane beyond the southern boundary. A small part of the site is at low risk of surface water flooding. Parts of Mill Lane adjacent to the site are within flood zone 2 and in areas at risk of up to 1 in 30 year surface water flood event.

## 2.0 Proposal

- 2.1 This proposal is for 20 affordable dwellings and is being brought forward by a partnership between Lune Valley Community Land Trust and South Lakes Housing. The housing mix is as follows:
- 13 units for affordable rent: 4 1-bed flats; 5 2-bed houses; 2 3-bed houses and 2 4-bed houses
  - 7 units for shared ownership: 3 2-bed houses and 4 3-bed houses (the shared ownership will be 45% of open market value)
- 2.2 There will be 5 terraced blocks and one pair of semi-detached houses. All blocks are aligned north/south with east/west aspects giving front elevations an outlook into the centre of the site. Parking is proposed on both the Forge Lane and Mill Lane frontages with all 31 spaces directly accessible from the road carriageways. No vehicles will access into the site except for maintenance, delivery and emergency vehicles. Each house will have its own private garden space at the rear. The central area will be communal space with hard and soft landscaping and seating areas.
- 2.3 Materials will be dark roof tiles, white render and masonry at the ends near the external roads and matching roof tiles but walls finished with timber cladding and muted render (pale gold, terracotta) in the centre of the site.
- 2.4 The buildings will be constructed using the PassivHous principles to create almost zero carbon, energy efficient homes. Homes to this standard use 80% less energy for heating than Building Regulation compliant developments through minimising heat loss and optimising solar gain.

## 3.0 Site History

- 3.1 There is significant planning history for the wider former Halton Mills site. The following are relevant to this site:

Application Number	Proposal	Decision
14/01350/FUL	Erection of 20 residential dwellings with associated access road	Approved
14/00713/VLA	Variation of legal agreement on 00/00920/OUT and subsequent renewal consent 05/01432/OUT	Pending
07/00783/REM	Reserved Matters application for the erection of a managed workspace building, comprising 44 adaptable B1 work units/studios with associated cafe, lounge, meeting rooms, car parking and landscaped grounds	Approved
05/01432/OUT	Renewal of application 00/00920/OUT for proposed redevelopment including demolition of existing mill, erect houses, industrial units, construct new access and provision of associated open space and landscaping	Approved
04/01301/REM	Reserved Matters application for the erection of 47 houses and 27 apartments, associated access road and play area	Approved
04/01299/REM	Reserved Matters application for erection of two industrial buildings to replace existing accommodation at Town End Mill	Approved
00/00920/OUT	Outline application for proposed redevelopment including demolition of existing Mill, erection of houses, industrial units, construction of new access and provision of associated open space and landscaping	Approved

## 4.0 Consultation Responses

- 4.1 The following responses have been received from statutory and internal consultees:

Consultee	Response
County Highways	No objection. Standard conditions required
LLFA	Drainage acceptable in principle. Standard conditions required
CSTEP	No objections to the Employment Skills Plan

United Utilities	No objection
Fire Service	Advice given
Police	Advice given
County Education	A contribution of £33,290 towards two primary school places is needed and potential for a further £25,080 contribution towards a secondary place
Strategic Housing	Supports the proposal
Waste Recycling Officer	Bin carry distances exceed the suggested 25m distance which can create a significant problem on days when multiple bins are collected
Public Realm	No contributions for off-site open space being sought
Environmental Health	Dust mitigation and electric vehicle charging points conditions required

4.2 Two responses from one member of the public have been received. This is from the owner of Forge Lane who states that he has funded repairs to the private road over many years but the developer should now contribute until the road is adopted. He is working with County Highways to have the road adopted and it is hoped this will be complete by the end of the year. In the meantime, any works to the road must be agreed with him first and a condition is requested that no development can commence until the road is adopted.

## 5.0 Analysis

5.1 The key considerations in the assessment of this application are:

1. Principle of development
2. Layout and design
3. Impact on neighbours
4. Highways and parking
5. Ecology
6. Flood risk and drainage
7. Air quality
8. Mineral safeguarding
9. Viability and s106

5.2 **Principle of Development** SPLA DPD Policies SP1: Presumption in Favour of Sustainable Development, SP2: Lancaster District Settlement Hierarchy, H2: Housing Delivery in Rural Areas of the District; Development Management DPD Policies DM1: New residential development and meeting housing needs, DM2: Housing standards, DM3: Delivery of Affordable Housing and National Planning Policy Framework Sections 2, 5, 11, 12

5.2.1 Even though the previous planning permission for housing has lapsed, as the site is allocated for housing in the Strategic Policies and Land Allocations DPD the principle of its development is established.

5.2.2 This scheme has been supported by Lancaster City Council since its conception both financially through the 'Community Housing Fund' and physically through officer time and resources. The City Council was awarded just over £700,000 from the £163m Government Community Housing Fund in 2017 and this particular scheme was inspired to progress because of the money made available. Subsequently a £267,000 grant was approved last year for pre-development costs and more recently, the Community Land Trust (CLT) alongside Halton Senior Cohousing, was awarded £375,000 from commuted sums in order to purchase the land required for development.

5.2.3 The development will provide 13 properties for direct allocation to those on the City Council housing register ensuring they will meet the local need, prioritising households who live in and around Halton. The community-led development will better assist the Council in meeting its own statutory duties as well as meeting the needs of people with disabilities. The new homes will be developed and managed by a socially responsible and accountable registered provider, working in close partnership and collaboration with Lancaster City Council, Lune Valley CLT and the wider community. The affordable homes provided will stay affordable in perpetuity.

5.2.4 The scheme will provide Passivhaus homes which will support the Council's aim to be a carbon neutral district by 2030. Overall, the proposal is acceptable in principle.

5.3 **Layout and Design** DMDPD DM29: Key design principles; DM30: sustainable design; NPPF section 12

5.3.1 The north/south alignment enables best use to be made of the site and deal with the slope. Therefore, no frontage development facing Forge Lane and Mill Lane is provided. However, this adds variety to the overall street scenes and enables the residents' focus to be turned onto the communal space. Activity to Forge Lane and Mill Lane is provided by the parking areas and wide openings in the centre of the site which provide pedestrian access between the two roads. Furthermore, the gable ends are broken up by secondary windows and use of render and timber cladding. The layout design enables greater separation between the houses and existing protected trees to the east and existing housing to the west while maximising density. The provision of a central pedestrian priority area and private gardens to each dwelling provides an acceptable setting for the development.

5.3.2 The blocks of dwellings are all two storey and appear of appropriate scale and size for the site and surroundings. All internal space is 5% over the Nationally Described Space Standards. Materials complement adjacent developments adding variety to the local area. It is considered the layout and design meet policy requirements.

5.4 **Impact on Neighbours** DMDPD Policy DM 29; Key Design Principles

5.4.1 The interface distances with existing houses on Town End Way meet standard requirements given the difference in finished floor levels. The proposed houses will be approximately 1.35m higher than rear facing houses on Town End Way with a separation of 23m. Where the proposed houses will face the gable ends of Town End Way properties the separation just exceeds the required 12m. The proposed houses are gable on to Mill Lane and Forge Lane with secondary windows to habitable rooms. The distance to properties on Mill Lane does not meet standard given the difference in levels. As these are secondary windows a condition requiring obscure glazing can be imposed that will not impact significantly on residents using those rooms. There is no overlooking issue with houses on the opposite side of Forge Lane under construction by Story Homes. The rear elevations of houses on the eastern blocks will look towards the adjacent over 55s Co-housing development but screening is provided by the existing belt of protected trees and that development faces north/south. No mutual overlooking or loss of privacy will occur due to the trees and different orientation of the two developments.

5.5 **Highways and Parking** DMDPD Policy DM 62: Vehicle Parking Provision

5.5.1 The site is in a sustainable location close to the centre of Halton, bus stops and cycleway into Lancaster. Cycle storage is provided for every dwelling. Parking standards require a maximum of 39 spaces based on the number of bedrooms. However, it is acknowledged that social housing sites generate lower car ownership. The proposed 31 spaces are acceptable in this case, providing 2 disabled and 1 car club. The parking layout with spaces directly accessed off the highway are not likely to result in loss of spaces for existing residents.

5.6 **Ecology** (DMDPD Policy DM44 The Protection and Enhancement of Biodiversity)

5.6.1 The site primarily consists of common and widespread habitats with no wider value. The applicant's ecology report does not highlight presence of any protected species or habitats. No evidence of bats was found in the building. No development should take place during the bird breeding season (March to August inclusive) unless absence of breeding birds is proven. Ecological enhancement measures can be dealt with by conditions.

5.7 **Flood Risk and Drainage** (DMDPD Policies DM33 Development and Flood Risk, DM34 Surface Water Run-off and Sustainable Drainage and DM35 Water Supply and Waste Water)

5.7.1 The site is in flood zone 1 with only a small part at low risk of surface water flooding and that area will be used for gardens. The surface water drainage system could either use infiltration or attenuation methods and the final design requires further percolation testing to be carried out. Foul water will connect to the existing system. United Utilities and the LLFA are content with this approach and request standard conditions for the final design to be approved.

## 5.8 **Air Quality** (DMPD Policy 31: Air Quality Management and Pollution)

5.8.1 During the construction phase, implementation of good practice dust control measures should result in any impact on air quality as not significant. Once the development is fully occupied impacts from traffic emissions should be negligible. Environmental Health agrees with the air quality assessment and request a condition for dust mitigation, but as this is covered by other legislation no such condition can be imposed. Environmental Health also recommend two electric vehicle charging points are provided to both parking areas. Details of the number and location can be dealt with by a condition.

## 5.9 **Mineral Safeguarding** (Minerals and Waste Local Plan Policy M2; NPPF paragraphs 205-206)

5.9.1 Having had full regard to the requirements of these policies, it is considered that given the lack of housing land supply across the District there is an overriding need for the development which outweighs the need to avoid sterilisation of the mineral resource. In any case it is considered that pursuing extraction of the minerals as part of the development would not be appropriate in this location given the proximity to residential properties.

## 5.10 **Viability and S106**

5.10.1 County Education has asked for a contribution of £33,290 for primary school places and a potential further £25,080 for a secondary school place. In response, a viability report has been submitted by the applicant to demonstrate why any such contribution would render the development unviable and undeliverable. The detailed appraisal is considered to be reasonable and credible.

5.10.2 The development relies on grant funding from the City Council and Homes England and a loan from South Lakes Housing. The total development cost is increased for this development due to the 100% affordable provision, construction costs providing additional internal space for every dwelling and meeting the Passivhaus standards and abnormals from cut and fill to deal with the slope, soft ground and possible contamination.

5.10.3 In the absence of an appointed contractor the Net Present Value of the project at 35 years (the appraisal period) is a negative, meaning the project makes a loss. However, once a contractor is appointed savings should be possible to bring the figure to nil (i.e. break-even). The proposed education contributions will almost double the losses; an additional cost that is unlikely to be recouped through value engineering which will make this development unviable.

5.10.4 Therefore, in the interests of delivering a 100% affordable scheme that meets an identified local housing need through a highly sustainable and energy efficient construction method, it is considered the request for education places is not pursued with the developer.

## **6.0 Conclusion and Planning Balance**

6.1 This is a development the City Council has supported to date. The specific layout and design and likely impacts have been assessed and should not give rise to any adverse effects. The proposal as a whole complies with all development plan policies.

### **Recommendation**

That Planning Permission Consent **BE GRANTED** subject to the following conditions:

Condition no.	Description	Type
1	3 year timescale	Standard
2	Approved plans	Standard
3	Surface water drainage details	Pre-commencement
4	Foul drainage system	Pre-commencement
5	Site access details and provision	Pre commencement
6	Contaminated Land	Pre-commencement

7	Arboricultural Implications Assessment, including Tree Protection Measures	Pre-commencement
8	Employment Skills Plan	Pre-commencement
9	Material samples, including boundary treatments	Above ground
10	Landscaping details	Above ground
11	Surface water management and maintenance	Pre-occupation
12	Provision and protection of visibility splays	Pre-occupation
13	Construction and details of management and maintenance of private roads	Pre-occupation
14	Details and provision of cycle stores	Pre-occupation
15	Details and provision of electric vehicle charging points	Pre-occupation
16	Provision of bin stores	Pre-occupation
17	Obscure glazing in gables facing Mill Lane	
17	Ecological mitigation measures	Ongoing compliance
18	Approved floor levels	Ongoing compliance
20	Bird breeding season	Ongoing compliance
21	Separate drainage system	Ongoing compliance
22	National Described Space Standards and M4(2) Accessibility Standards	Ongoing compliance
23	100% affordable housing provision	

### **Article 35, Town and Country Planning (Development Management Procedure) (England) Order 2015**

In accordance with the above legislation, Lancaster City Council has made the recommendation in a positive and proactive way to foster the delivery of sustainable development, working proactively with the applicant to secure development that improves the economic, social and environmental conditions of the area. The recommendation has been made having had regard to the impact of development, and in particular to the relevant policies contained in the Development Plan, as presented in full in the officer report, and to all relevant material planning considerations, including the National Planning Policy Framework, National Planning Practice Guidance and relevant Supplementary Planning Documents/ Guidance.

#### **Background Papers**

None