

CHESHIRE EAST COUNCIL

SOUTHERN PLANNING COMMITTEE

Date of meeting: 9th June 2010

Report of: Adrian Fisher, Head of Planning and Policy

Title: Land at 2 & 4 Heathfield Avenue and 29, 29A & 31
Hightown Crewe

1.0 Purpose of Report

- 1.1 To consider a proposed variation to the draft Section 106 Agreement attached to planning permission 09/1325N for Demolition of Existing Buildings and Erection of New Buildings and Redevelopment of Link House to Provide 35 Apartments and Two Retail Units with Associated Infrastructure approved by Cheshire East Borough Council.

2.0 Decision Required

- 2.1 The report is seeking to amend the terms for a s106 agreement and the recommendation should be to approve amendments to the terms for a s106 agreement as set out in the report and to issue the permission for Demolition of Existing Buildings and Erection of New Buildings and Redevelopment of Link House to Provide 35 Apartments and Two Retail Units with Associated Infrastructure subject to the conditions set out in the decision made by the committee on 15 July 2009 and subject to the completion of a s106 agreement on the amended terms set out in the report .
- 2.2 The recommendation is therefore to agree to the proposed amendments and to instruct the Borough Solicitor to prepare an amended Section 106 Agreement.

3.0 Background

- 3.1 Members will recall that in July 2009 the Southern Planning Committee resolved to grant planning permission for the demolition of existing buildings and erection of new buildings and redevelopment of link house to provide 35 apartments and two retail units with associated infrastructure on land at 2 & 4 Heathfield Avenue and 29, 29A & 31 Hightown Crewe, subject to the completion of a Section 106 Agreement to secure affordable housing and a commuted sums payment in respect of open space provision and subject to a number of conditions (Application 09/1325N refers)

- 3.2 Since that resolution was made discussions have been on-going with the applicant and their agents in respect of the number of affordable housing units to be provided:- the number of affordable units to be provided as part of the overall scheme will be increased from 12 to 14 and accordingly the number of open market units would reduce from 23 to 21. In all other respects the development would remain the same as approved by the Committee.
- 3.3 The 12 units were to be provided in the form of 11 on the southern (Link House) side of Heathfield Avenue, and the remaining one unit was to be the ground floor flat situated at the western end of the three storey block located on the opposite side of Heathfield Avenue.
- 3.4 The proposal is that the additional affordable units now proposed should be the two flats situated immediately above, and within the same block as, the ground floor flat referred to. The new affordable units would be both 2 bed units.

4.0 Proposals

- 4.1 Wulvern Housing is very keen to progress and get this scheme started on site within the coming year. Discussions with the HCA suggest that they remain very keen to see this scheme come forward.
- 4.2 The main issue is the impact of the mix of affordable housing and market housing on meeting housing need. The purpose of this report is to discuss the change of two market units to affordable units. There are no changes to the layout as a result of the proposal and this report does not re-open any other issues.

Affordable Housing

- 4.3 Policy RES.7 as modified states that affordable housing targets on windfall sites will be 35%. The scheme proposed shows 35 units. 35% of 35 is 12.25 equating to 12 units. As a result of negotiations between Wulvern Housing and the developer, the developer now wishes to provide 14 affordable units on site which equates to 40% affordable housing. The policy also requires that account is taken of the need to provide rental and subsidised units.
- 4.4 The developer has indicated that all the units to be provided will be for rent. This was considered acceptable in the original report because the Design & Access Statement provides evidence that subsidised units are 'out of reach' of many people in housing need living in Crewe due to the rising cost of living, incomes and the recent downturn in the economy. This has been verified by Housing Officers.
- 4.5 Wulvern Housing has been involved at the outset and it is envisaged that they will be a signatory to the section 106 Agreement.

- 4.6 The developer has shown site 2 accommodating the majority of the affordable units. There are 9 two bed and 5 one bed units which provides a mix of different accommodation types which accords with the Housing Needs Survey 2005.
- 4.7 11 affordable units are provided in one block on site 2 with three additional units on site 1. Whilst the Local Authority would normally encourage a mix of private and social housing in the interests of sustainable communities, the majority of the affordable housing is to be provided in one block as the developer wishes to 'phase' the development:- the affordable units on site 2 will be built first as there is a demand for affordable housing where Housing Associations have secured funding. The downturn in the economy has affected both house prices and the demand for shared ownership housing and therefore the building of the private housing at site 1 is dependent on the increase in demand for housing.
- 4.8 The section 106 agreement will require the provision of the 14 affordable units for rent, on the site as detailed above along with the following;
- A trigger for delivery of the affordable housing which will be that the affordable block on site 2 be completed first and that the 12th, 13th and 14th affordable units be provided prior to the first occupation of the private market housing at site 1;
 - A 'cascade' will need to be included to ensure that first priority is given to those in housing need who are resident in or who have connections to the wards of Crewe (wards of Alexandra, Coppenhall, Delamere, Grosvenor, Leighton, Maw Green, St Barnabas, St Johns, St Marys, Valley, Waldron, Wells Green, Willaston, Wistaston Green) followed by the whole of the area covered by the former Borough of Crewe and Nantwich;
 - Provision for nomination rights to be given to Cheshire East Borough Council;
 - The affordable units shall be units to rent, subject to a rent which is accepted as affordable by the Homes and Communities Agency for the Borough area and shall be retained as social rented units.
- 4.9 It is considered that the provision of additional units will further contribute to meeting housing needs within the locality. In this regard, the Housing section is supportive of the application.

5.0 Conclusion

- 5.1 The alterations to the development represent an improvement over the scheme as previously approved as the scheme provides additional affordable units within the locality.
- 5.2 On the basis of the above, the proposed changes to the Section 106 are considered to be appropriate and acceptable.

6.0 Recommendation

- 6.1 That the Committee resolve to instruct the Borough Solicitor to prepare an amended Section 106 Agreement attached to planning permission 09/1325N to modify the mix of tenure on the site from 12 affordable rented units to provide 14 affordable rented units.

7.0 Financial Implications

- 7.1 There are no financial implications.

8.0 Consultations

Borough Solicitor

- 8.1 The Borough Solicitor has been consulted on the proposals and raised no objections

Housing Section

- 8.2 The housing section has commented that they are supportive of the proposals.

9.0 Risk Assessment

- 9.1 There are no risks associated with this decision.

10.0 Reasons for Recommendation

- 10.1 To ensure that an approved scheme for additional affordable housing within the local area is delivered.

For further information:

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Background Documents:

Application 09/1325N