

SOUTHERN PLANNING COMMITTEE – 10th June 2015

APPLICATION NO: 14/3962N

PROPOSAL: Outline planning permission for the construction of up to 79no. dwellings

ADDRESS: Land to the North of Pool Lane, Winterley

APPLICANT: Footprint Land and Development

REPRESENTATIONS

An additional letter of representation has been received which raises the following points:

- Members' attention should be drawn to the Inspector's comments in the appeal decision on part of the present site.
- At the appeal inquiry the resident submitted details of a suggested tree belt behind the existing hedge along the Pool Lane boundary, to provide additional screening and assist in maintaining the rural character of the lane. The tree belt proposals were accepted by the Inspector as detailed and cogent submissions, having considerable merit and which he commends to the LPA and the appellant.
- The resident therefore requests that Members note the Inspector's comments as being equally applicable to the whole Pool Lane boundary of the current application site. If Members decide to accept the officer's recommendation of approval, the condition no. 21 should therefore be amended to read....*Reserved Matters application to include the retention of the Pool Lane boundary hedgerow, supplemented by a new tree belt.*

APPRAISAL

The suggested condition wording can be included within the officer's recommendation.

RECOMMENDATION:

APPROVE subject to completion of Section 106 Legal Agreement to secure the following:-

1. A scheme for the provision of 30% affordable housing – 65% to be provided as social rent/affordable rent with 35% intermediate tenure. The scheme shall include:
 - The numbers, type, tenure and location on the site of the affordable housing provision
 - The timing of the construction of the affordable housing and its phasing in relation to the occupancy of the market housing

- The arrangements for the transfer of the affordable housing to an affordable housing provider or the management of the affordable housing if no Registered Social Landlord is involved
 - The arrangements to ensure that such provision is affordable for both first and subsequent occupiers of the affordable housing; and
 - The occupancy criteria to be used for determining the identity of occupiers of the affordable housing and the means by which such occupancy criteria shall be enforced.
2. Provision of Public Open Space and a LEAP (5 pieces of equipment) to be maintained by a private management company (this should include the management of the boundary hedgerows)
 3. Secondary School Education Contribution of £163,427
 4. Cycle Parking Contribution of £5,000

And the following conditions:-

1. Standard Outline
2. Submission of Reserved Matters
3. Time limit for submission of reserved matters
4. Approved Plans
5. Details of existing and proposed land levels to be submitted for approval in writing
6. Surface water run-off to be submitted for approval in writing
7. Surface water disposal to be submitted for approval in writing
8. Foul water drainage to be submitted for approval in writing
9. Contaminated land
10. Environment Management Plan for the construction phase of development
11. Travel Plan
12. Submission of revised Ecological Mitigation Strategy
13. Breeding Birds – timing of works
14. Nesting bird and bat mitigation measures
15. The reserved matters application to include replacement hedgerow planting
16. Tree protection measures
17. The first reserved matters application to include an open space scheme including POS and a LEAP
18. Management plan for the POS
19. Details of the relocation of the bus stop and bus shelter to be submitted to the LPA for approval in writing
20. Site access works to be carried out before first occupation
21. Reserved Matters application to include the retention of the Pool Lane boundary hedgerow supplemented by new tree planting

In order to give proper effect to the Board's/Committee's intentions and without changing the substance of the decision, authority is delegated to the Head of Strategic & Economic Planning, in consultation with the Chair (or in her absence the Vice Chair) of Southern Planning Committee,

to correct any technical slip or omission in the wording of the resolution, between approval of the minutes and issue of the decision notice.

Should the application be subject to an appeal, the following Heads of Terms should be secured as part of any S106 Agreement:

1. A scheme for the provision of 30% affordable housing – 65% to be provided as social rent/affordable rent with 35% intermediate tenure. The scheme shall include:

- The numbers, type, tenure and location on the site of the affordable housing provision**
- The timing of the construction of the affordable housing and its phasing in relation to the occupancy of the market housing**
- The arrangements for the transfer of the affordable housing to an affordable housing provider or the management of the affordable housing if no Registered Social Landlord is involved**
- The arrangements to ensure that such provision is affordable for both first and subsequent occupiers of the affordable housing; and**
- The occupancy criteria to be used for determining the identity of occupiers of the affordable housing and the means by which such occupancy criteria shall be enforced.**

2. Provision of Public Open Space and a LEAP (5 pieces of equipment) to be maintained by a private management company (this should include the management of the boundary hedgerows)

3. Secondary School Education Contribution of £163,427

4. Cycle Parking Contribution £5,000