
Case Number	13/04206/COND1
Application Type	Approval of Detail Reserved by Condition
Proposal	Application to approve details in relation to condition number(s): 13 (Affordable Housing Provision) imposed by planning permission 17/03068/FUL (AMENDED DESCRIPTION)
Location	Site Of Bannerdale Centre 125 Bannerdale Road Sheffield S7 2DJ
Date Received	18/10/2017
Team	South
Applicant/Agent	Mr Mark Jones
Recommendation	Condition details approved subject to the completion of a Legal Agreement

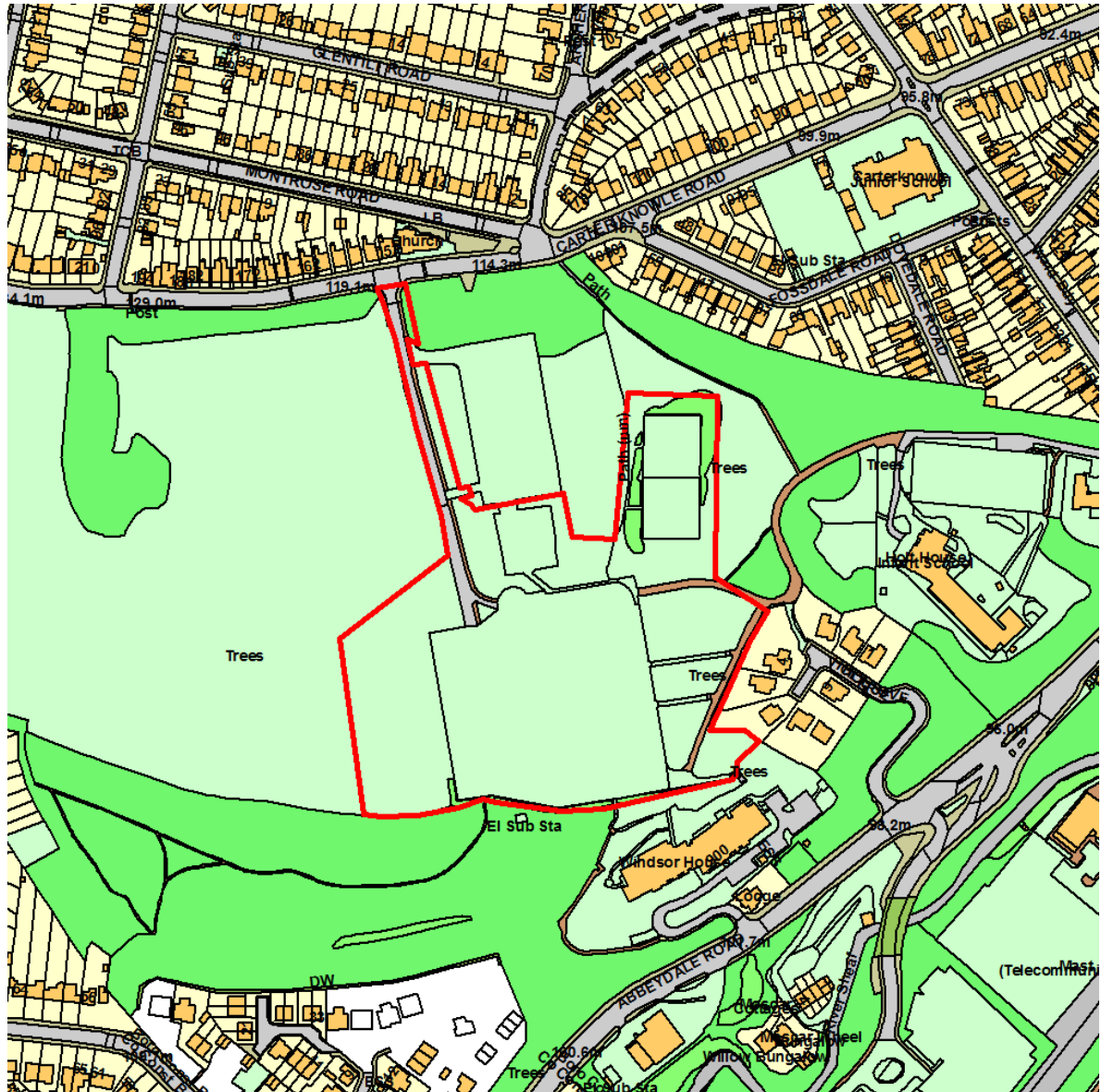
Subject to:

- 1 Conditions Discharged:
No conditions relate to this section of the notice.
- 2 Details Approved But Condition(s) Remain In Force:
13
- 3 Details Not Approved
No conditions relate to this section of the notice.

Attention is Drawn to the Following Directives:

1. The applicant should be aware that a legal agreement is required to be completed in respect of this proposal.

Site Location



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LOCATION AND PROPOSAL

The application site relates to the ex Bannerdale Centre site. It is located to the south of Carter Knowle Road and accessed via the previously existing roadway which also serves as the access route to the secondary school which is currently under construction.

Outline consent was granted for residential development of the site in March 2014. A subsequent application secured revision / removal of some of the conditions applied to this original consent, and was approved on 18th December 2017. The reserved matters submission was approved on 18th January 2018 after consideration at the Planning and Highways Committee Meeting.

The current application seeks approval of details as required by condition 13 of the outline approval. This condition requires development at the site to deliver affordable housing at no less than 30% of the development's floor space, or an alternative figure that may be agreed following an independent viability assessment.

The reserved matters scheme included 16 affordable dwellings on-site. The viability appraisal initially provided with the current submission has been reviewed by CP Viability in line with normal procedure. The applicant's original submission, in order to discharge condition 13, proposed the 16 houses on site as per the reserved matters approval, supported by a viability appraisal. This was then assessed by CP Viability on the Council's behalf and resulted in a series of alterations, re-appraisals, and an amended offer from the applicant of 16 on-site affordable units and a £500,000 contribution to affordable provisions off-site.

RELEVANT PLANNING HISTORY

13/04206/RG3; Residential development with associated open space and landscaping (Outline application under Reg 3 - 1992)
Approved 12/3/14

17/03068/FUL; Application to remove condition nos. 10, 14 and 19 of planning permission 13/04206/RG3, and to vary conditions no. 6 to allow certain development works within the woodland buffer zone and no. 11 to allow green roof to be omitted if proved unfeasible (Application under Section 73) (AMENDED DESCRIPTION)
Approved 18/12/17

SUMMARY OF REPRESENTATIONS

A number of responses querying the proposed details and relevant policies have been received from the Carter Knowle and Millhouses Community Group's representative. These queries can be summarised as follows:

- Query exact details of proposal's affordable housing provision, and whether any provision in addition to the dwellings on-site would be met by a cash payment.
- The Developer's selection of the smaller units as affordable dwellings is assumed to be allowable under policy provisions, but is thought questionable.
- Query regarding the actual requirements of the policy in regards to affordable housing being a percentage of unit numbers or overall floor space.
- Query on the required contribution to off-site affordable housing, and if spending this elsewhere in the city meets policies requiring house types and tenures to be maintained across the city.

PLANNING ASSESSMENT

The Sheffield Local Plan Core Strategy Policy CS40 states that developers of new housing in all parts of the city will be required to contribute to the provision of affordable housing where this is practicable and financially viable.

Affordable Housing Interim Planning Guidance (IPG) was updated in 2014, and was then replaced by the Community Infrastructure Levy and Planning Obligations Supplementary Planning Document (SPD) in December 2015. Guideline GAH2 of the SPD sets required levels of developer contribution towards affordable housing in different parts of the city, and identifies a contribution requirement of 30% for sites in the South West Affordable Housing Market Area, in which this site falls, subject to scheme viability.

The NPPF at paragraph 173 states that ‘to ensure viability, the costs of any requirements likely to be applied to a development, such as requirements for affordable housing.....should, when taking account of the normal cost of development and mitigation, provide competitive returns to a willing land owner and willing developer to enable the development to be deliverable’.

The Developer’s initial appraisal concluded that whilst 16 units were to be provided on site, the scheme was not capable of viably providing any additional financial contribution towards off-site provisions. In accordance with normal practice in such cases and reflecting the requirements of the NPPF and policy CS40, CP Viability independently assessed the developer’s viability case on the Council’s behalf.

The applicant’s original offer of 16 houses on site, with no off site contribution, would have resulted in a 19.81% affordable housing contribution against the policy target of 30%. CP Viability’s initial report concluded at that stage that a contribution of £1,219,500 (27.52%) could be delivered in addition to the on-site contribution whilst retaining scheme viability with a reasonable land value and developer profit.

As is normal in such cases, this was challenged by the applicant and discussions were held to resolve areas of dispute, with subsequent amendments made to the applicant’s offer, and further consideration by CP Viability. A revised contribution of £500,000 (22.97%) was subsequently offered which was considered by CP Viability to fall within a range of reasonable contributions that followed sensitivity testing of the original appraisal (based on minor variations in sales values and build costs), and could therefore be supported.

A £500,000 off-site commuted sum in addition to the 16 dwellings on the site is considered to represent a reasonable compromise position, and one that achieves a substantial contribution towards affordable housing provisions locally and within the city. This offer is considered to meet the requirements of Core Strategy policy CS40 and Guideline GAH2 Community Infrastructure Levy and Planning Obligations Supplementary Planning Document (SPD).

Although each case is always different and must therefore be considered on its individual merits, it is interesting to note that the viability appraisal process conducted in relation to the neighbouring Hastings Road (former Abbeydale Grange) site resulted in a similar percentage contribution (22.13%).

RESPONSE TO REPRESENTATIONS

The majority of the points made in representations took the form of queries, which have been addressed in the above assessment.

A comment was made querying whether the commitment of any off-site commuted sum to securing affordable housing city wide would meet policy. In this case, 16 units are being provided on-site and the commuted sum would allow a greater number of affordable units to be provided elsewhere in the city than would have been possible at the site or within the immediate surroundings. Given the need in the city for an additional 725 affordable units per year, the off-site commuted sum would be able to make a significant contribution towards this provision. Therefore, the proposals would be considered to satisfy the requirements of the CIL and Planning Obligations SPD.

SUMMARY AND RECOMMENDATION

The current application seeks the discharge of a condition relating to affordable housing provision imposed an outline planning consent for residential development of the former Bannerdale Centre site.

Through negotiations the developer's offer has been increased to 16 dwellings on site and a commuted sum of £500,000 (22.97%), compared to a full policy requirement of 30%. This represents a viable contribution, and an appropriate compromise position. The proposal is therefore considered to meet the requirements of Core Strategy policy CS40 and Guideline GAH2 of the Community Infrastructure Levy and Planning Obligations Supplementary Planning Document (SPD) and the relevant aspects of the National Planning Policy Framework.

Consequently, it is recommended that the application should be approved subject to a Planning Obligation to secure (i) the on-site provision of 16 affordable dwellings, and (ii) the payment of a commuted sum for affordable housing provision.

Heads of Terms for Unilateral Undertaking

- (i) The owner(s) of the site shall serve on the Council, within 21 days of the commencement of development, notice of the commencement of the development, and in the event of such notice not being served, covenant to pay the Council, immediately on demand, all sums due under the provisions of this Deed,
- (ii) Before the occupation of the 1st dwelling, the owner(s) shall pay to the Council the sum of £500,000 towards the provision of affordable housing. The owner shall not permit occupation of more than one dwelling until such sums have been paid.
- (iii) The owner shall enter into arrangements to secure the provision, operation and retention of affordable housing in the form of the 16 units identified on the approved drawings.