



AMENDED AFFORDABLE TO SUPPORT RESERVED MATTERS PLANNING APPLICATION No. 7028 FOR THE APPEARANCE, LANDSCAPING, LAYOUT AND SCALE OF 400 No. 1, 2, 3 AND 4 BEDROOM DWELLINGS

INTRODUCTION

This amended statement has been produced following the initial submission of the Reserved Matters application referred to, in which a Scheme for Affordable Housing and an Affordable Housing Statement was submitted. This statement has also been produced following the latest consultation response dated 15th of October 2024 from the Housing Officer from Bury MBC.

This statement should be read in conjunction with the latest submitted: Affordable Housing Plan Drwg' No. SK01/AP/004 (RevD); the Suggested Tenure Split Plan Drwg' No. SK01/TS/004 (RevB); the Design & Planning Statement 17194 by Wood Hardwick Architects and the latest proposed House Type and Street Scene drawings.

PLANNING HISTORY

Bury MBC and Homes England are long standing key stake holders of this brownfield development site, although the land interest belonging to Bury MBC has recently been transferred in its entirety to Homes England.

Bury MBC and Homes England applied for and were granted Outline Planning Permission for the principle and access of up to 400 dwellings on the 19th of December 2018.

Bury MBC and Homes England then applied for and were granted several S73 Planning Permission's culminating in a revised Outline Permission No. 67597 on the 24th of March 2022, and this is agreed to be the current Planning Permission for the development.

Consistently on all the Planning Permission Notices granted to Bury MBC and Homes England is condition No. 24 which requires the following:

'Development The development authorised by this permission shall not begin unless and until the Local Planning Authority has approved in writing a scheme to secure Affordable Housing provision as part of the development, which shall include a mechanism for delivery, in accordance with policy H4/1 – Affordable Housing and its associated SPG5 – Affordable Housing Provision in New Residential Developments. The scheme shall be submitted as part of the reserved matters application and the affordable housing provision shall be delivered in full accordance with the approved details.'

There is no Section 106 (S106) legal agreement associated with the Planning Permission for the development.

Morris Homes, Bury MBC and Homes England jointly submitted an application for the approval of Reserved Matters for the Siting, Design, External Appearance and Landscaping of 400 1,2,3, and 4 bedroom dwellings on the 27th of November 2023 and the application was registered on the 15th of December 2023. This application is as yet un-determined and is currently targeted for determination by the 17th of December 2024.

Within the submitted Reserved Matters application details of the proposed Affordable Housing Scheme are provided in accordance with the requisite condition No. 24, which consists of a written Affordable Housing Statement an Affordable Housing Plan, A design and Planning Statement and details of the proposed house types and street scenes. The submitted Scheme makes provision for 25% (100 No.) affordable dwellings with a mixed tenure of Affordable Rent, Shared Ownership and First Homes.

Policy H4/1 and its associated SPG of the current Bury MBC Local Plan, requires an affordable provision of 25% of all new dwellings on all new housing developments and the tenure of those affordable dwellings should be private sale to qualifying persons at 25% of open market value in perpetuity.

The Reserved Matters application is not an application for Planning Permission as the Planning Permission was granted by the Outline and subsequent S73 consents, therefore the Reserved Matters application is not subject to the S106 Regulations and should not include a new S106 agreement. Bury MBC are also a joint applicant of the Reserved Matters application, and the Planning Regulations prevent Local Planning Authorities from entering into a S106 agreement with themselves. For these reasons the obligations, provisions, mechanisms and enforcement of the Affordable Housing Scheme is anticipated and capable of being controlled via condition No.24 of the Outline Planning Permission.

DEVELOPMENT HISTORY OF THE DESIGN AND AFFORDABLE HOUSING PROPOSALS

As key stake holders up to and including 2018, Bury MBC and Homes England carried out numerous consultations with the requisite statutory bodies, relevant council officers, including the councils Affordable Housing Officer, the Local Community and the independent design body Places Matter. They also commissioned a number of Investigations and Technical Reports in order to establish a Master Plan for the development which could take account of the many technical constraints on the site.

Following the grant of the Planning Permission in 2018 and the subsequent S73 Permissions in 2022, Bury MBC and Homes England compiled a comprehensive and detailed Development Brief for the site so that they could invite expressions of interest from suitable developers and then carry out a sifting exercise so that they could short list the developers and invite them to submit final proposals and financial bids.

As part of the consultation process, and within the Development Brief a specific need for partnership affordable rented dwellings via a Registered Social Landlord (RSL) and a requirement to address the increased need for 1 bedroom dwellings was expressed. This was said to be derived from the councils Housing Need Document of 2020 and their Affordable Housing Intelligence Note dated 22nd of July 2021.

Within their Sifting Brief submission Morris Homes provided a proposed Affordable Housing Scheme of 25% (100 No.) with a mix of 50% 1 bedroom dwellings, 40% 3 bedroom dwellings and 10% 4 bedroom dwellings. They also suggested that they could provide a tenure split of subsidised Affordable Rent and Shared Ownership via an RSL and low-cost market housing in the form of rent or discount to open market value. They also provided an expression of interest from local RSL Moss Care St. Vincent.

Morris Submitted their application to pass the Sifting Brief in August 2021 which was then assessed and approved by Bury MBC and Homes England so that Morris could be invited to submit their final proposals and financial bid.

At the time of the compilation of the Development Brief, Sifting Brief and the final financial bids, Homes England had an Affordable Housing Programme (AHP) Grant Fund to aid the delivery of partnership/RSL affordable housing. This was only available to developers and landowners on developments where an affordable housing proposal was not a planning requirement, and it exceeded a council's policy requirement. The availability of the AHP Grant Fund was therefore precluded on this site because of condition 24 but the expressed desire for partnership/RSL housing would exceed the councils H4/1 Affordable Housing policy for discounted market sale housing. Bury MBC and Homes England therefore decided that the development brief should continue to require an element of partnership/RSL housing and submitted a further S73 application to remove condition 24 from the Planning Permission so that financial bids could include AHP Grant Funding.

Included in the final bid requirements was the need to ensure that the proposed affordable housing scheme was tenure blind and evenly spread around the development and to ensure that the quality of the affordable housing dwellings was equal to that of the market dwellings.

Morris submitted their final bid submission in January 2022. Within this they maintained their commitment to the affordable housing scheme approved in their sifting bid submission I.E. 25% with a mix of 50% 1 bedroom dwellings, 40% 3 bedroom dwellings and 10% 4 bedroom dwellings, with a tenure split of subsidised (aided by the AHP Grant Fund) partnership/RSL Affordable Rent and Shared Ownership and low-cost market housing in the form of rent or discount to open market value. They also maintained the expression of interest from Moss Care St. Vincent.

Morris also included plans, elevations and street scenes to show that the affordable housing was indeed tenure blind by spreading the dwellings evenly across the development in small clusters and properly integrating them amongst the private market housing and showing that they had the same well detailed contemporary modern elevations as the market dwellings.

The final bid submissions were thoroughly assessed by Bury MBC and Homes England against their Development Brief and Morris were then awarded Preferred Developer Status having scored the highest against the minimum criteria, in particular against the requirements for affordable housing and good quality design and in a Building for Healthy Living assessment.

Shortly after the final bid process Officers for the Planning Department at Bury MBC expressed the concern of its Planning Committee members in setting an unwanted precedent with the S73 application to remove condition 24, so Bury MBC and Homes England chose to withdraw the application, thereby removing any possible AHP Grant Funding for the development.

Through subsequent discussions between Morris, Bury MBC and Homes England it was agreed that the proposed Affordable Housing Scheme should still seek to address the changing identified local need, and that the mix, tenure split, distribution and design should remain the same, but the Scheme could be further improved with the discount open market housing being provided as the Governments First Homes. The proposals therefore remained largely unchanged from the bid submission to that within the Reserved Matters application.

DESIGN PRINCIPLES

From the outset of their expression of interest in this potential development, Morris have employed the services of Woods Hardwick Architects to produce exemplary proposals that meet the high design aspirations of both Morris and all the key stake holders involved.

The brief from Morris to Woods Hardwick was first and foremost to design a scheme which responded well to its existing context and surroundings, and which utilised good urban design principles to create a development with a strong sense of place utilising vista stops, way markers, street hierarchy, legibility and natural surveillance etc.

In achieving this within the proposals the new built form next to the existing built form is similar in scale and massing to the historic terraces, and the clever use of buildings with multiple facades are used to avoid blank gables and elevations on principle streets that back into the development. 3 storey buildings, also with multiple facades, are used as gateways into key parts of the development and individual character areas, which themselves contain particular building typologies to add to their character. Hard and soft landscaping has also been utilised to soften edges and create a sensory experience whilst providing sustainable urban drainage features in areas where grey tarmac is the expected norm. Particular areas where these elements come together are; along Cross Lane between the existing terraces and on the site entrance; along the spine road with its linked dwellings and Grey to Green boulevard and; onto the Southern edge with its reference to the sites historical relationship with the river.



Fig 1. Proposed 'Grey to Green' scheme within the public realm.

It is only after these design principles have been achieved that the dwellings for the proposed Affordable Housing Scheme have been selected, thus ensuring that every dwelling on the development contributes towards the design and the affordable housing isn't provided secondary to that.

As testament to the high-quality design and approach to affordable housing the proposals have scored very highly in their Building for Healthy Living Assessment and were highly praised by the independent Places Matter review.

AFFORDABLE HOUSING OFFICERS COMMENTS

The councils Affordable Housing Officer has provided consultation comments on the latest Reserved Matters application proposals via an email dated 15th of October 2024 addressed to the council's Planning Officer. The points made are listed below along with the response from Morris Homes. These should be read in conjunction with the submitted plans etc. referred to in the Introduction to this statement, particularly the suggested Tenure Split Plan.

- *The proposed tenure mix of 45 First Homes, 26 affordable rent and 29 shared ownership is acceptable and in accordance with planning policy requirements.*

As described above in the **Development History of Design...**the mix of affordable housing that has been submitted to and assessed by both Bury MBC and Homes England as part of all the processes to date has always included the proposed split between the number of 1 bedroom, 3 bedroom and 4 bedroom dwellings as well as the proposed tenure split.

- *In terms of the timing, Morris Homes have stated “with best endeavours” they will not dispose of more than 80% of the market dwellings until 40% of the affordable units have been practically completed and transferred to an RP at the affordable price. This should be brought forward, with a clear requirement set out in the S106 that no more than 40% of the market dwellings shall be occupied until 40% of the affordable units have been completed and transferred to an RP, and no more than 80% of the market units shall be occupied until 80% of the affordable units have been completed and transferred to an RP, with the remaining 20% of the affordable units to be completed and transferred prior to occupation of 90% of the market units. The precise timing / percentages are up for negotiation, but the current proposal to allow 80% of the market units to be occupied before any affordable housing is completed is unacceptable.*

As described above in the **Planning History**, there is no S106 agreement with the Planning Permission for this development and a new S106 agreement cannot be entered into for the Reserved Matters application, not least because the council cannot enter a S106 agreement with itself as applicant. Morris and Homes England believe the Affordable Housing requirement can be controlled by condition 24 but they would welcome the councils' suggestions for viable alternatives to this.

A Phasing plan has been submitted with the application (Drwg No.PP-01 RevD) and a more detailed programme has been now submitted.

The proposed development is extremely complex and requires the construction of a new flood plain and water courses, drainage attenuation, extensive remediation and the need to maintain the use of the existing cricket club until the new facilities are built and available for use. The phasing of the development is dictated by these constraints and cannot be majorly varied. The resultant programme demonstrates the following housing delivery programme, within which it can be seen that the affordable and market housing is evenly split across all the proposed phases, and Morris are content for this programme to be reflected in the approved Affordable Housing Scheme:

Phase 1 – 26 (26%) Affordable dwellings 81 (27%) Market dwellings

Phase 2 – New Cricket club

Phase 3 – 28 (28%) Affordable dwellings 75 (25%) Market dwellings

Phase 4 – 13 (13%) Affordable dwellings 74 (25%) Market dwellings

Phase 5 – 33 (33%) Affordable dwellings 70 (23%) Market Dwellings

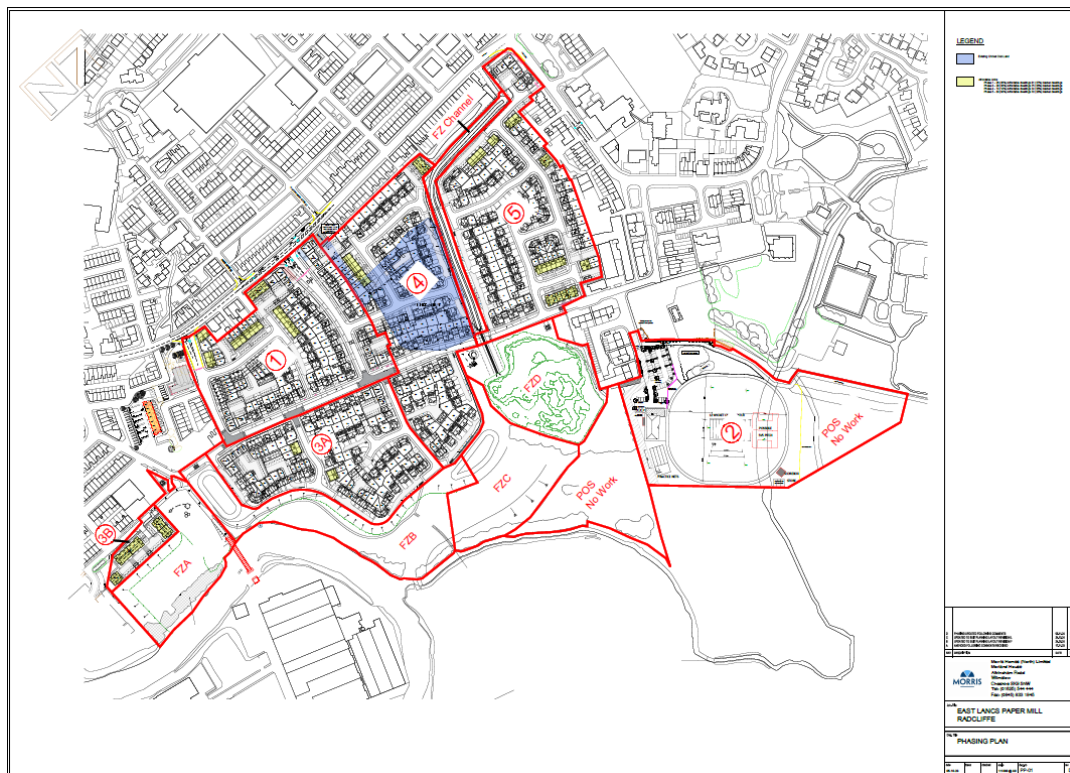


Fig 1. Updated Phasing Plan.

- *The RP partner will be required to enter into an agreement with the Council to give 100% nomination rights on lets and 50% on relets. This will need to be incorporated within a s106 Agreement.*

As described above in the **Planning History**, there is no S106 agreement with the Planning Permission for this development and a new S106 agreement cannot be entered into for the Reserved Matters application, not least because the council cannot enter a S106 agreement with itself as applicant. Morris and Homes England believe the Affordable Housing requirement can be controlled by condition 24 but they would welcome the councils' suggestions for viable alternatives to this.

- *I note that the applicant has relocated four of the affordable units to the southern part of the site, however the affordable units are still clearly concentrated in distinct blocks. Pepper potting of the affordable units should be improved further. The blocks of affordable need to be broken up and appropriately mixed with the market housing. We accept that the units to be transferred to a Registered Provider may need to be in small clusters for management purposes. However, this same justification does not apply to the 45 First Homes which will be privately owned and sold at a 30% discount to individual purchasers.*

As described above in the **Design Principles** the proposals have been designed by Woods Hardwick Architects first and foremost as a scheme which responds well to its existing context and surroundings, and which utilises good urban design principles to create a development with a strong sense of place etc. Proposed terraces are close to existing terraces and dual aspect units are placed in shallow plots or where natural surveillance is required on several sides. The affordable housing dwellings have only been allocated to the proposals once this has been achieved and then to ensure there is a reasonable split of affordable housing across each phase of the development. A Proposed Tenure Split Plan (Drwg No. TS001/P/004 Rev A) has now been submitted and it can be clearly seen that where affordable dwellings are provided there are different tenures and private market housing of similar types. By example, a mews court has been designed around the junction of Cross Lane and Cock Clod Street to sit within its historic terrace context and the high-density new development opposite. That mews court requires frontage development out on to Cross Lane and back into the development on to the proposed parking court, and active frontages throughout. Within the design response are private market dwellings, First Homes and Partnership/RSL Shared Ownership and Affordable Rent dwellings in a mix of 1, 2, 3 and 4 bedroom maisonette, mews and semi-detached forms.



Fig 2. RSL Affordable Rent and Shared Ownership dwellings integrated with First Homes and Open Market Homes all in similar form

The same principles have been provided to the proposed First Homes and it can be seen from the proposed Tenure Split Plan that they too are spread evenly across the development and within similar design led character areas and consist of a mixture of 1, 3 and 4 bedroom dwelling types.

Given the proposed distribution of affordable dwellings across the development and the suggested proposed tenure split, it is unnecessary to move or split the affordable housing further, and to do so would be to the detriment of the design of the proposals and the even split of affordable housing across the phases of development.

- *The proposed mix of affordable units does not fully reflect the mix of units on the site. 54 x 1-bed apartments are proposed as affordable, with no market comparables. Some of the 1-bed affordable apartments should be swapped out for 2-bed affordable apartments and 2 bed houses. The 3-bed affordable mix should also incorporate some of the 3-bed semi-detached houses, rather than solely the 3-bed terraced houses.*

As described above in the **Development History of Design...** the proposed mix of affordable housing types within the proposals has long since been in direct response to the need expressed by Bury MBC in their Housing Need Document of 2020 and their Affordable Housing Intelligence Note dated 22nd of July 2021. These documents suggest that single person accommodation is in the highest demand with 55.6% (1,153) of non-sheltered accommodation applicants, and that this need is set to continue through social change, changes in lifestyle and a move towards independent living and this will continue to be an important issue. Elsewhere the documents also suggest the greatest overall current shortfalls are three bedroom (35.4%) and one-bedroom (33.4%) affordable homes. They also recognise that there is a lack of larger houses to meet the needs of extended family networks of some ethnic groups. It is for this reason that Morris have continually proposed a consistent mix of affordable dwellings comprising of 50% 1 bedroom dwellings, 40% 3 bedroom dwellings and 10% 4 bedroom dwellings and this has been accepted by Bury MBC and Homes England throughout all the described processes to date.

Added to this it is the experience of Morris Homes that RSL's are currently very reluctant to take 2 bedroom apartments and there is an extremely limited market for private open market 1 bedroom dwellings, which would only be made more difficult on this development if they are to be sold next to the proposed First Home discounted private market 1 bedroom dwellings.

There are already a good number of 3 and 4 bedroom semi detached and end terraced dwellings proposed amongst the affordable mix. The semi-detached units along the East West spine road are linked semi-detached units with additional accommodation over their linked garages and will therefore be too costly when the average selling price for their size is applied to warrant them as affordable dwellings.

To change the affordable housing as has been suggested would move the affordable housing mix away from the recognised affordable need that these proposals have long since been seeking to address with the agreement of Bury MBC and Homes England.

- *All of the Grassmere, Windermere, Ambleside, Buxton, Bramley and Caldbeck house type are affordable units. This is unacceptable as there will be no market comparables. It appears that lower value, potentially lower quality house types have been created solely as affordable housing. The majority of the affordable units have parking courts rather than private drives or garages / car ports, again clearly distinguishing them from the market properties. The mix of affordables needs to reflect the full range of house types, with genuine market comparables of each house type, rather than the current proposal for affordable house types and market house types. The information submitted also fails to identify the proposed tenure of each of the individual affordable units.*

The affordable dwellings within the proposals have been given names and identified in a schedule purely to demonstrate that an Affordable Scheme is there and what it is comprised of. As described above in the **Design Principles** the affordable dwellings have only been allocated once a well-designed scheme had been achieved. The submitted house type drawings and street scenes all show that the high quality contemporary modern design and detailing is being applied in equal measures across the affordable and private market dwellings and the submitted Tenure Split drawing shows that all the different tenures of affordable dwellings sit amongst the private market dwellings ensuring they are tenure blind.

Had the proposed affordable dwellings not been given names and highlighted in a schedule and instead just been given a number to indicate the number of bedrooms, they would be indistinguishable on the submitted plans.

As the proposed affordable scheme includes 45% First Homes and these comprise of a mix of the 1, 3 and 4 bedroom dwellings, these are considered to be genuine market comparables. By definition they are open market private sale dwellings with a discount to open market value in perpetuity and are to be marketed and sold by Morris Homes as part of their private sale offer.



Fig 3. The affordable dwellings are indistinguishable from the private market dwellings and comprise of similar well detailed semi-detached, mews and maisonettes.

- *The planning condition requires the mechanism for delivery to be agreed – this should be through a Section 106 Agreement setting out full details of the timing of delivery, tenure of each unit, and requirements in relation to the sale and letting of the affordable units including all future resales / relets.*

As described above in the **Planning History**, there is no S106 agreement with the Planning Permission for this development and a new S106 agreement cannot be entered into for the Reserved Matters application, not least because the council cannot enter a S106 agreement with itself as applicant. Morris and Homes England believe the Affordable Housing requirement can be controlled by condition 24 but they would welcome the councils' suggestions for viable alternatives to this. For the avoidance of doubt this statement when approved provides our commitment to the following minimum heads of terms which can clearly be added to and varied as required:

1. The Affordable Housing Scheme will consist of 25% of the total number of dwellings proposed I.E. currently 100No of the 400No. proposed in this Reserved Matters application.
2. The resultant 25% Affordable Dwellings will consist of 54% 1 bed, 36% 3 bed and 10% 4 bedroom dwellings.
3. The tenure of the proposed Affordable dwellings will be split as 26No. Affordable Rent and 29No. Shared Ownership in partnership with an RSL and 45No. First Homes.
4. The Registered Provider Partner will be required to enter into an agreement granting Bury MBC 100% nomination rights on first sales/lets and 50% nomination rights on resales/relets.
5. The Registered Provider will dispose of the Shared Ownership dwellings to purchasers who meet the Homes England eligibility criteria as set out in the Capital Funding Guide, using the Homes England standard shared ownership lease. The properties must be occupied as the main or only home by the purchaser. For the avoidance of doubt shared owners will be allowed to staircase to full ownership.
6. Priority will be given for the first 8 weeks of marketing of the Shared Ownership dwellings to anyone living/working in or with close family connections to the Borough of Bury.
7. Future re-sales of Shared Ownership dwellings will follow the same basis 8 weeks local marketing criteria (providing the occupants haven't staircased out of the Shared Ownership scheme).
8. All valuations will be determined by a registered RICS valuer and will be submitted to Bury MBC for approval. The Council will be required to raise any issues with the valuation within 7 working days of receipt and no response within 7 working days will be deemed as approval

SUMMARY

An Affordable Housing Scheme has been submitted as part of the Reserved Matters application in accordance with the requirements of condition 24 for the Planning Permission for this site. That scheme is supported by; both this and the previous Affordable Housing Statement; a Design & Planning Statement; House Type and Street Scene details and now; a Suggested Tenure Split Plan and a Detailed Development Programme.

Notwithstanding the current Affordable Housing Policy H4/1 for Bury MBC, the Affordable Housing Scheme for these proposals has always sought to address the latest needs expressed by Bury MBC, in particular it provides for a large proportion of single person dwellings and 3 and 4 bedroom dwellings to meet the local shortfalls, 55% of which are to be delivered in partnership a local RSL.

Morris have continued their commitment to this throughout the various submission stages and assessment processes in which Bury MBC have sanctioned the proposals. Morris have also continued their commitment to this affordable scheme despite the availability of grant funding being removed.

The proposed Affordable Housing has been allocated to the proposals only after a well-designed scheme has been achieved and the affordable housing has been spread evenly throughout all the phases of development in a Tenure Blend form in amongst the private market dwellings proposed.

A comprehensive response has been provided to all the latest comments raised by the Affordable Housing Officer for Bury MBC addressing any concerns, and whilst a common thread amongst the comments requires detail to be included in a S106 agreement that cannot be provided, Morris do welcome the councils' suggestions for alternatives to this.

Morris believe that their Reserved Matters proposals are now in a form that not only complies with but goes beyond all the relevant adopted policies of Bury MBC and the Planning Permission for the site, with particular regard to the proposed Affordable Housing Scheme. They also believe that their proposals provide a well-designed integrated and sustainable scheme which meets the high aspirations of all the key stakeholders, the local community and indeed themselves and ultimately, they can now deliver a development everyone who is associated with it can be proud of.



Fig 4. Typical contemporary modern affordable housing scheme completed by Morris Homes utilising similar dwellings to those proposed at the former East Lancs Paper Mill.



Fig 5. Further typical contemporary modern affordable housing scheme completed by Morris Homes utilising similar dwellings to those proposed at the former East Lancs Paper Mill.