

APPLICATION NO: 21/00597/NMA1 **CASE OFFICER:** Maxine Wishart

WARD: Prescot North **PARISH:** Prescot Town Council

LOCATION: Eccleston House, Aspinall Street, Prescot

PROPOSAL: NON-MATERIAL AMENDMENT FOLLOWING THE GRANTING OF PLANNING PERMISSION 21/00597/FUL (ERECTION OF A THREE STOREY APARTMENT BLOCK COMPRISING OF 18 NO. DWELLINGS TOGETHER WITH THE CONSTRUCTION OF NEW VEHICULAR ACCESS TO ASPINALL STREET, CAR PARKING, LANDSCAPING AND OTHER ASSOCIATED WORKS) - VARIATION OF CONDITION 2 (APPROVED PLANS DOCUMENTS SCHEDULE 1) TO REPLACE SUPPORTING STATEMENT (TORUS) WITH SUPPORTING STATEMENT (TORUS) REV B

Site Description

The site is located on the eastern side of Aspinall Street, Prescot. The site has planning permission for a three-storey apartment block comprising of 18 no. dwellings together with the construction of new vehicular access to Aspinall Street, car parking, landscaping and other associated works (21/00597/FUL).

Development work granted under planning referenced 21/00597/FUL is well underway and nearing completion.

Immediately to the north of the site is a Royal Mail Delivery Office building to the east there are residential properties on Cyprus Street separated from the site by an alleyway, to the south there is a restaurant with first floor residential accommodation. On the opposite side of Aspinall Street, to the west, site the Prescot Shopping Centre and associated car park.

Proposal

This non-material amendment application seeks permission to amend an approved document within Schedule 1 of the approved plans and documents associated with the planning permission 21/00597/FUL. The applicant wishes to replace an approved supporting statement 'Supporting Statement (Torus)' with 'Rev. B Supporting Statement (Torus)'.

The application was made by Remstone Ltd, however Torus62 Limited ('Torus') is the current owner of the site having acquire freehold possession 9 February 2023 and has employed contractor Alphabet Homes to implement the permission.

The planning permission granted gives consent for affordable housing (100%). The original 'Supporting Statement (Torus)' indicated that the applicant would be providing affordable rent tenure across the development. The revised 'Rev B Supporting Statement (Torus)' confirms Torus' intention as a Registered Provider to deliver this

residential scheme as either Affordable Rent “or Social Rent” tenure.

Consultations

Prescot Town Council - No Comments Received

Representations

Not applicable.

Planning History

APP. NO:	22/00165/DEMCON
PROPOSAL:	PRIOR NOTIFICATION FOR THE DEMOLITION OF 2 NO, BUILDINGS
DECISION:	Prior approval required and granted
DECISION DATE:	14 April 2022
APP. NO:	21/00597/FUL
PROPOSAL:	ERECTION OF A THREE STOREY APARTMENT BLOCK COMPRISING OF 18 NO. DWELLINGS TOGETHER WITH THE CONSTRUCTION OF NEW VEHICULAR ACCESS TO ASPINALL STREET, CAR PARKING, LANDSCAPING AND OTHER ASSOCIATED WORKS
DECISION:	Granted
DECISION DATE:	22 December 2022
APP. NO:	21/00597/NMA
PROPOSAL:	APPLICATION FOR NON-MATERIAL AMENDMENT TO PLANNING PERMISSION 21/00597/FUL (ERECTION OF A THREE STOREY APARTMENT BLOCK COMPRISING OF 18 NO. DWELLINGS TOGETHER WITH THE CONSTRUCTION OF NEW VEHICULAR ACCESS TO ASPINALL STREET, CAR PARKING, LANDSCAPING AND OTHER ASSOCIATED WORKS) - AMENDMENTS SOUGHT FOR ALTERATIONS TO PROVIDE AUTOMATIC OPENING VENTS (AOVs); ADDITION OF CUTOUT IN RIDGELINE FOR AOV SMOKE VENT AT SECOND FLOOR; AMENDMENTS TO WINDOWS TO FRONT AND REAR ELEVATIONS; DELETION OF GROUND FLOOR WINDOW TO NORTH ELEVATION; INCLUSION OF OBSCURE GLAZING TO FIRST FLOOR NORTH ELEVATION
DECISION:	Pending Consideration.

Relevant Policy

Paragraph 11 of the National Planning Policy Framework (NPPF) states that planning decisions should apply a presumption in favour of sustainable development. This means approving development proposals that accord with an up-to-date development plan without delay; or where the development plan is absent, silent or out of date planning permission should be granted unless the application of policies in the NPPF that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against

the policies in the NPPF taken as a whole.

Paragraph 12 of the NPPF clarifies that the presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision making. Where a planning application conflicts with an up-to-date development plan, permission should not normally be granted. Local planning authorities may take decisions that depart from an up-to-date development plan, but only if material considerations in a particular case indicate that the plan should not be followed.

The development plan in Knowsley comprises the Saved Policies of the Replacement Unitary Development Plan, the Core Strategy Local Plan and the Joint Waste Local Plan. The following policies are relevant to the determination of this application.

NATIONAL PLANNING POLICY FRAMEWORK

KNOWSLEY LOCAL PLAN: CORE STRATEGY

CS2 - Development Principles

CS15 - Delivering Affordable Housing

SUPPLEMENTARY PLANNING DOCUMENTS

Developer Contributions SPD (2016)

Assessment

The planning permission granted gives consent for affordable housing (100%). The revised 'Rev B Supporting Statement (Torus)' states that the applicant's intention is to deliver the approved residential development as either Affordable Rent "**or Social Rent**" tenure, now including social rent.

Social rented housing rents are determined using a government formula, which is calculated in a way that takes account of the relative value of the property, the size of the property and relative local income levels. Social Rented properties are the most affordable tenure type.

The applicant has advised that having considered the scheme further with funders and partners, Torus considers that allowing consideration of the option of Social Rent would allow the best opportunity for the proposed development to address housing need in the local area and support Knowsley's Housing Strategy. The scheme would remain an 100% affordable housing development, Social Rent also falling within the definition of affordable housing set out at Annex 2 of the National Planning Policy Framework.

Planning permission granted under reference 21/00597/FUL is subject to a s106 agreement which along with setting out requirements for off-site public open space contributions, includes requirements for affordable housing provision and that the policy requirement of 10% affordable housing provision equating to two apartments would remain as affordable housing, or if sold, a proportion of the monies would be reinvested into affordable housing in the Borough.

The National Planning Policy Framework (December 2023) definition of Affordable housing at Annex 2: Glossary states:

Affordable housing: housing for sale or rent, for those whose needs are not met by the market (including housing that provides a subsidised route to home ownership and/or is for essential local workers); and which complies with one or more of the following definitions⁸¹ (⁸¹ *This definition should be read in conjunction with relevant policy contained in the Affordable Homes Update Written Ministerial Statement published on 24 May 2021*):

- a) **Affordable housing for rent:** meets all of the following conditions: (a) the rent is set in accordance with the Government's rent policy for Social Rent or Affordable Rent, or is at least 20% below local market rents (including service charges where applicable); (b) the landlord is a registered provider, except where it is included as part of a Build to Rent scheme (in which case the landlord need not be a registered provider); and (c) it includes provisions to remain at an affordable price for future eligible households, or for the subsidy to be recycled for alternative affordable housing provision. For Build to Rent schemes affordable housing for rent is expected to be the normal form of affordable housing provision (and, in this context, is known as Affordable Private Rent)....

The NPPF definition incorporates social rent and therefore, the revision to the supporting statement to include provision of Social Rent would therefore still be in compliance with the NPPF. There have been no local plan policy changes since the previous planning permission was granted and the proposed amendment to the tenure complies with Local Plan Policy CS15 which relates to the delivery of affordable housing.

A variation of the s106 agreement is not required to reference the amendment to the revised affordable housing statement.

Conclusion

The proposed amendment to the supporting Statement (Torus) is considered to be a non-material amendment to the approved scheme and would be acceptable in terms of the affordable housing provision.

The amendment is in compliance with relevant national and local planning policies.

Recommendation

That the non-material amendment be granted.

SCHEDULE 1

Date Received	Ref. No	Version	Drawing/Document Title
19/01/2024	-	REV B	REV B SUPPORTING STATEMENT - SCHEME FOR THE PROVISION OF AFFORDABLE HOUSING

Signed Case Officer¹: M Wishart

**Signed Authorising
Officer²:** K Foster

Date: 28 February 2024

Informatives

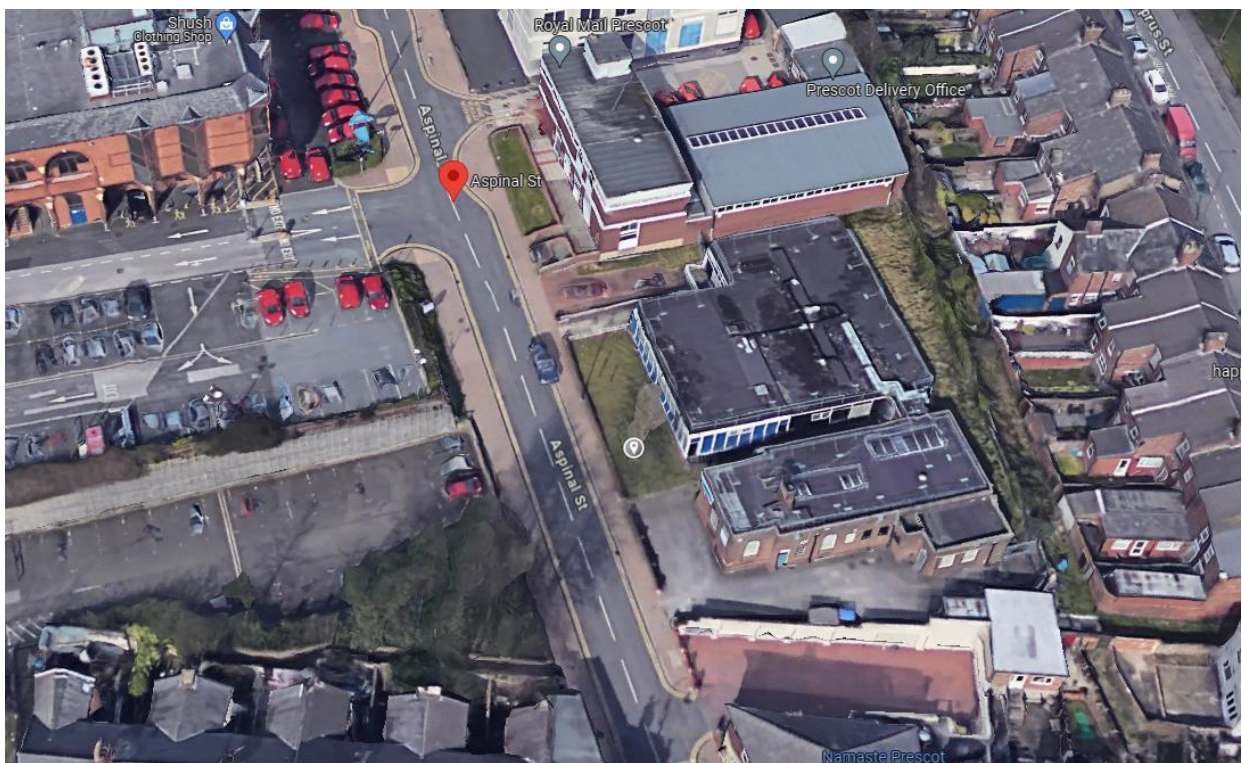
N/A

Contd...

¹ I confirm that I do not have a personal relationship with the applicant, agent or other interested parties; I also confirm that I do not have a financial interest in the site or the development proposed

² I confirm that I do not have a personal relationship with the applicant, agent or other interested parties; I also confirm that I do not have a financial interest in the site or the development proposed

Appendix 1 – Site Photographs



Imagery Google