PETITION

COMMITTEE DATE: 19/04/2018

APPLICATION No. 18/00089/MJR APPLICATION DATE: 17/01/2018

ED: TROWBRIDGE

APP: TYPE: Full Planning Permission

APPLICANT: United Welsh Housing Association

LOCATION: LAND AT, HARRISON DRIVE, ST MELLONS

PROPOSAL: PROPOSED CONSTRUCTION OF 21 AFFORDABLE

HOUSING UNITS (INCLUDING 18NO. 1 BED FLATS, 2NO. 2 BED FLATS AND 1NO. 1 BED ACCESSIBLE FLAT) AND

ASSOCIATED WORKS

RECOMMENDATION 1: That, subject to relevant parties entering into a binding planning obligation in agreement with the Council under **SECTION 106** of the Town and Country Planning Act 1990, within 6 months of the date of this resolution unless otherwise agreed by the Council in writing, in respect of matters detailed in paragraph 10.1of this report, planning permission be **GRANTED** subject to the following conditions:

- 1. C01 Statutory Time Limit
- 2. The consent relates to the following approved plans and documents:

Site Location Plan

Plans

(90) 002

(30) 002	one Location i lan
Un-Numbered	Existing Site Plan (dated April 2008)
(90) 001G	Proposed Site Plan
(90) 004J	Proposed Ground Floor Plan
(90) 005A	Proposed First Floor & Second Floor Plans
(90) 006B	Proposed West Elevation & South Elevation
(90) 107B	Proposed East Elevation & North Elevation
S.7683-01	Site Survey
S.7683-02	Site Layout Plan: Drainage Proposals
18104.OS.101.11	Swept Path Analysis

Documents

LRM letter dated 15 January 2018
LRM Pre-Application Consultation Report dated January 2018
LRM Design & Access Statement dated January 2017
Glamorgan-Gwent Archaeological Trust Reassessment of Archaeological Potential ref: 2008/049 dated August 2008
JBA Consulting Flood Consequences Assessment V2-0 dated 12

January 2018

Treescene Tree Survey dated 1st April 2015

Agent email dated 14 February 2018 with Treescene Arboricultural Impact Assessment, Arboricultural Method Statement and Tree Protection Plan dated 12 February 2018

Reason: for the avoidance of doubt.

3. No above ground superstructure works shall be commenced until a full schedule and samples of the external finishing materials have been submitted to and approved by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: To ensure a satisfactory finished appearance to the development.

- 4. The car parking and refuse storage facilities shown on the approved plans shall be provided prior to the beneficial occupation of the development and shall thereafter be retained and maintained.

 Reason. To protect he amenities of the area and ensure the provision of off street parking.
- 5. In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing within 2 days to the Local Planning Authority, all associated works must stop, and no further development shall take place unless otherwise agreed in writing until a scheme to deal with the contamination found has been approved. An investigation and risk assessment must be undertaken and where remediation is necessary a remediation scheme and verification plan must be prepared and submitted to and approved in writing by the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report must be submitted to and approved in writing by the Local Planning Authority. The timescale for the above actions shall be agreed with the LPA within 2 weeks of the discovery of any unsuspected contamination.

Reason: To ensure that any unacceptable risks from land contamination to the future users of the land, neighbouring land, controlled waters, property and ecological systems are minimised.

6. Any topsoil [natural or manufactured], or subsoil, to be imported shall be assessed for chemical or other potential contaminants in accordance with a scheme of investigation which shall be submitted to and approved in writing by the Local Planning Authority in advance of its importation. Only material approved by the Local Planning Authority shall be imported. All measures specified in the approved scheme shall be undertaken in accordance with the relevant Code of Practice and Guidance Notes. Subject to approval of the above, sampling of the material received at the development site to verify that the imported soil is free from contamination shall be undertaken in accordance with a

scheme and timescale to be agreed in writing by the LPA.

Reason: To ensure that the safety of future occupiers is not prejudiced.

7. Any aggregate (other than virgin quarry stone) or recycled aggregate material to be imported shall be assessed for chemical or other potential contaminants in accordance with a scheme of investigation which shall be submitted to and approved in writing by the Local Planning Authority in advance of its importation. Only material approved by the Local Planning Authority shall be imported. All measures specified in the approved scheme shall be undertaken in accordance with Pollution Control's Imported Materials Guidance Notes. Subject to approval of the above, sampling of the material received at the development site to verify that the imported soil is free from contamination shall be undertaken in accordance with a scheme and timescale to be agreed in writing by the LPA.

Reason: To ensure that the safety of future occupiers is not prejudiced.

8. No development shall commence until a drainage scheme for the site has been submitted to and approved in writing by the local planning authority. The scheme shall provide for the disposal of foul, surface and land water, and include an assessment of the potential to dispose of surface and land water by sustainable means. Thereafter the scheme shall be implemented in accordance with the approved details prior to the occupation of the development and no further foul water, surface water and land drainage shall be allowed to connect directly or indirectly with the public sewerage system.

Reason: To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no pollution of or detriment to the environment.

9. Prior to commencement of development a scheme shall be submitted to and approved in writing by the Local Planning Authority to provide that all habitable rooms exposed to external road traffic noise in excess of 63 dBA Leq 16 hour [free field] during the day [07.00 to 23.00 hours] or 57 dBA Leq 8 hour [free field] at night [23.00 to 07.00 hours] shall be subject to sound insulation measures to ensure that all such rooms achieve an internal noise level of 40 dBA Leq 16 hour during the day and 35 dBA Leg 8 hour at night. The submitted scheme shall ensure that habitable rooms subject to sound insulation measures shall be provided with acoustically treated active ventilation units. Each ventilation unit (with air filter in position), by itself or with an integral air supply duct and cowl (or grille), shall be capable of giving variable ventilation rates ranging from -1) an upper rate of not less than 37 litres per second against a back pressure of 10 newtons per square metre and not less than 31 litres per second against a back pressure of 30 newtons per square metre, to 2) a lower rate of between 10 and 17 litres per second against zero back pressure.

No habitable room shall be occupied until the approved sound insulation and ventilation measures have been installed in that room. Any private open space (excepting terraces or balconies to any apartment) shall be designed to provide an area which is at least 50% of the area for sitting out where the maximum day time noise level does not exceed 55 dBA Leq 16 hour [free field].

Reason: To ensure that the amenities of future occupiers are protected.

- 10. The rating level of the noise emitted from fixed plant and equipment on the site shall not exceed the existing background noise level at any time by more than 5dB(A) at any residential property when measured and corrected in accordance with BS 4142: 1997(or any Britsh Standard amending or superseding that standard).
 - Reason. To ensure that the amenities of future occupiers are protected.
- 11. Prior to the commencement of site clearance in respect of the approved development, a Green Infrastructure Statement (GIS) shall be submitted to and approved in writing by the Local Planning Authority. The GIS shall include avoidance, mitigation and enhancement measures to be delivered for the benefit of green infrastructure as defined by LDP Policy KP16, and shall include but not be limited to:
 - I. Maintenance / creation of habitat connectivity around the perimeter of the site in accordance with the Proposed Ground Floor Plan (Ref (90)004G; or most recent revision);
 - II. Further bat surveys in relation the oak tree which is to be felled (identified as tree 'T1' in the Tree Survey document dated 01/04/2015), to include a detailed climbing and endoscope inspection and measures to counteract any impact upon bats if any bat roost is found;
 - III. A sensitive habitat clearance methodology, and if necessary, translocation methodology, for protected reptile species such as Slow-worms;
 - IV. A series of roosting and nesting facilities for bats and birds respectively, to be attached to or incorporated into the structure of the new buildings, to include no less than 2 x bat boxes for crevice-dwelling bats, and 1 x double House Martin cup, and 1 x House Sparrow terrace;
 - V. Details of timing of vegetation clearance to avoid harm to nesting birds, such that no site clearance of vegetation to take place between 1st March and 15th August unless otherwise approved in writing by the Local Planning Authority. This approval will be granted if a consultant ecologist can evidence that there are no birds nesting in this these features immediately (48 hrs) before their removal.

The approved GIS shall be implemented and carried out strictly in accordance with the approved programme for implementation of the works unless otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure the protection of green infrastructure and protected species of wildlife, in accordance with LDP Policy KP16.

- 12. No development shall take place until full details of soft landscaping have been submitted to and approved in writing by the Local Planning Authority. These details shall include:
 - A landscaping implementation programme.
 - Scaled planting plans prepared by a qualified landscape architect and informed by full knowledge of all existing and proposed service constraints.
 - Schedules of plant species, sizes, numbers and densities prepared by a qualified landscape architect.
 - Scaled tree pit sectional and plan drawings prepared by a qualified landscape architect.
 - Topsoil and subsoil specification for all planting types, informed by a Soil Resource Survey and Soil Resource Plan prepared in accordance with the Soils and Development Technical Guidance Note 2017. Where imported planting soils (topsoil and subsoil) are proposed, full specification details shall be supplied, including certification in accordance with British Standards and interpretive reports by a soil scientist demonstrating fitness for purpose and a methodology for handling, amelioration and placement.
 - Planting methodology and post-planting aftercare methodology prepared by a qualified landscape architect including full details of site monitoring of landscaping implementation by the project landscape architect, in accordance with the Trees and Development Technical Guidance Note.

The submitted details shall be consistent with other plans submitted in support of the application and the landscaping shall be carried out in accordance with the approved design and implementation programme.

Reason: To enable the Local Planning Authority to determine that the proposals will maintain and improve the amenity and environmental value of the area, and to monitor compliance.

13. Any newly planted trees, plants or hedgerows, which within a period of 5 years from the completion of the development die, are removed, become seriously damaged or diseased, or in the opinion of the Local Planning Authority (LPA) otherwise defective, shall be replaced.

Replacement planting shall take place during the first available planting season, to the same specification approved in discharge of condition *, unless the Local Planning Authority gives written consent to any variation.

Reason: To maintain and improve the amenity and environmental value of the area.

14. Notwithstanding the submitted plans, details of the construction of the cycle (minimum 21 spaces) parking facility shall be submitted to and

approved in writing by the Local Planning Authority. The approved facility shall be provided prior to the beneficial occupation of the development and shall thereafter be retained and maintained.

Reason: To ensure an orderly form of development and ensure appropriate provision for cycles.

- 15. Notwithstanding the submitted plans, details of the construction of the cycle (minimum 21 spaces) parking facility shall be submitted to and approved in writing by the Local Planning Authority. The approved facility shall be provided prior to the beneficial occupation of the development and shall thereafter be retained and maintained. Reason: To ensure an orderly form of development and ensure appropriate provision for cycles.
- 16. No development shall take place until details of the junction between the proposed access road and the highway have been submitted to and approved in writing by the Local Planning Authority. Those details shall be implemented prior to the development being put into beneficial use. Reason: To ensure that the use of the proposed development does not interfere with the safety and free flow of traffic passing along the highway abutting the site.
- 17. Notwithstanding the submitted plans, details of the means of site enclosure shall be submitted to and approved in writing by the Local Planning Authority. The approved enclosures shall be implemented prior to the beneficial occupation of the development and shall thereafter be retained and maintained.

Reason: In the interests of visual amenity

RECOMMENDATION 2: The contamination assessments and the effects of unstable land are considered on the basis of the best information available to the Planning Authority and are not necessarily exhaustive. The Authority takes due diligence when assessing these impacts, however you are minded that the responsibility for

- (i) determining the extent and effects of such constraints and;
- (ii) ensuring that any imported materials (including, topsoils, subsoils, aggregates and recycled or manufactured aggregates / soils) are chemically suitable for the proposed end use. Under no circumstances should controlled waste be imported. It is an offence under section 33 of the environmental Protection Act 1990 to deposit controlled waste on a site which does not benefit from an appropriate waste management license. The following must not be imported to a development site:
 - Unprocessed / unsorted demolition wastes.
 - Any materials originating from a site confirmed as being contaminated or potentially contaminated by chemical or radioactive substances.
 - Japanese Knotweed stems, leaves and rhizome infested soils.
 In addition to section 33 above, it is also an offence under the Wildlife and Countryside Act 1981 to spread this invasive weed;

(iii) the safe development and secure occupancy of the site rests with the developer.

Proposals for areas of possible land instability should take due account of the physical and chemical constraints and may include action on land reclamation or other remedial action to enable beneficial use of unstable land.

The Local Planning Authority has determined the application on the basis of the information available to it, but this does not mean that the land can be considered free from contamination.

RECOMMENDATION 3: To protect the amenities of occupiers of other premises in the vicinity attention is drawn to the provisions of Section 60 of the Control of Pollution Act 1974 in relation to the control of noise from demolition and construction activities. Further to this the applicant is advised that no noise audible outside the site boundary adjacent to the curtilage of residential property shall be created by construction activities in respect of the implementation of this consent outside the hours of 0800-1800 hours Mondays to Fridays and 0800 - 1300 hours on Saturdays or at any time on Sunday or public holidays. The applicant is also advised to seek approval for any proposed piling operations.

RECOMMENDATION 4: The applicant may need to apply to Dwr Cymru / Welsh Water for any connection to the public sewer under S106 of the Water industry Act 1991. If the connection to the public sewer network is either via a lateral drain (i.e. a drain which extends beyond the connecting property boundary) or via a new sewer (i.e. serves more than one property), it is now a mandatory requirement to first enter into a Section 104 Adoption Agreement (Water Industry Act 1991). The design of the sewers and lateral drains must also conform to the Welsh Ministers Standards for Gravity Foul Sewers and Lateral Drains, and conform with the publication "Sewers for Adoption"- 7th Edition. Further information can be obtained via the Developer Services pages of www.dwrcymru.com

RECOMMENDATION 5: Prior to the commencement of development, the developer shall notify the local planning authority of the commencement of development, and shall display a site notice and plan on, or near the site, in accordance with the requirements of Article 12 of the Town & Country Planning (Development Management Procedure) (Wales) (Amendment) Order 2016.

RECOMMENDATION 7: The applicant is advised that the highway works condition and any other works proposed to the existing adopted public highway, to be undertaken by the developer, shall be subject to agreement(s) under Section 278 of the Highways Act 1980 between the developer and Council.

1. DESCRIPTION OF PROPOSED DEVELOPMENT

- 1.1 Full planning permission is sought for twenty-one self-contained flats on land adjacent to Matthysens Way and Harrison Drive, Trowbridge.
- 1.2 The development consists of eighteen one-bedroom two-person flats, two two-bedroom three-person flats and one one-bedroom two-person disabled persons flat.
- 1.3 The development consists of two three storey blocks linked by a vertical glass element, located to turn the corner at the adjacent roundabout junction between Harrison Drive and Matthysens Way. The proposed building is of a pitched roof configuration, with a slightly lower roof over the glazed corner core element. The proposed building is to be finished in a combination of facing brick (ground floor) and render (upper floors).
- 1.4 Access to the site is off an existing road onto Harrison Drive. Ten off-street parking spaces are proposed for the development including one disabled space, plus twenty-one cycle spaces.
- 1.5 The site is to be enclosed with a number of different boundary treatments, including timber fencing, brick walling, railings and dwarf walls with railings atop. A landscaped zone is to be retained around the site frontage to Matthysens Way and Harrison Drive.

2. **DESCRIPTION OF SITE**

- 2.1 The 0.17Ha site is a parcel of overgrown land which adjoins the northeast corner of the junction between Matthysens Way and Harrison Drive.
- 2.2 A small area of protected trees with hedgerows (TPO68) is located adjacent to the proposed access and runs along the side of the existing access road to the iunction with Harrison Drive.
- 2.3 The land to the opposite side of Matthysens Way is vacant development land (with un-implemented consent for 6no. houses and 9no. flats), with the Beacon Centre to the north.

To the north of the application site there is a small development of 24 dwellings.

To the south and west there are older residential developments.

2.4 The site falls within a C1 flood risk zone.

3. **PLANNING HISTORY**

The Application Site

3.1 00/0372/R: Planning permission granted in May 2000 for a new multi-purpose community and church centre.

01/1818/R: Planning permission granted in November 2001 for a new multi-purpose community and church centre.

05/1706/E: Outline planning permission was granted in April 2006 for residential development on a larger site (the current site and the land to the north).

06/354/E: Outline planning permission was granted in October 2007 for 18x 1 bed flats, 2x 2 bed flats and 1x disabled persons flat (as per this current proposal).

08/133/E: Reserved Matters (design, external appearance and landscaping of Outline Planning Permission 06/354/E) was granted in May 2008.

Adjacent/Nearby Land

3.2 08/2456/E – Reserved Matters consent granted April 2009 on Land south of Beacon Centre – 6 houses & nine flats (Including 3 storey element).

06/763/E – Planning permission granted July 2006 for 24 dwellings (Including 3 storey element)

4. **POLICY FRAMEWORK**

- 4.1 Whilst the land is un-allocated on the Cardiff Local Development Plan 2006-2026, it is land that benefits from a considerable history of approvals for development.
- 4.2 The following policies of the City of Cardiff LDP are relevant to the consideration of this application:-
 - KP5 Good Quality and Sustainable Design
 - KP7 Planning Obligations
 - KP13 Responding to Evidenced Social Needs
 - KP16 Green Infrastructure
 - C1 Community Facilities
 - C5 Provision for Open Space, Outdoor Recreation, Children's Play and Sport
 - T1 Walking and Cycling
 - T5 Managing Transport Impacts
 - W2 Provision for Waste Management Facilities in Development
- 4.3 The following Supplementary Planning Guidance is relevant:
 - Community Facilities and Residential Development (2007)
 - Access, Circulation and Parking Requirements (2010)
 - Infill Sites (2017)
 - Locating Waste Management Facilities (2017)

- Planning Obligations (2017)
- Green Infrastructure including Technical Guidance Notes (2017)

5. **INTERNAL CONSULTEE RESPONSES**

- 5.1 The Operational Manager Transportation has no objection subject to conditions in respect of parking implementation, cycle parking details, a Construction Management Plan and details of the access road junction.
 - A S106 contribution, of £5000, is sought in respect of amending any traffic regulation orders associated with the protection of the roundabout junction from unauthorised parking.
- 5.2 The Pollution Control Manager (Noise & Air) has no objection, subject to conditions in respect of traffic and plant noise, with further advice in respect of construction noise.
- 5.3 The Pollution Control Manager (Contaminated Land) has no objection, subject to conditions in respect of contaminated land issues, with further contaminated land advice.
- 5.4 The Highways Drainage Manager has been consulted and no comments have been received.
- 5.5 The Air Quality Manager has been consulted and no comments have been received.
- 5.6 The Regeneration Manager comments that as the development is below the 25 dwelling threshold, no community facilities contribution is required.
- 5.7 The Parks Manager has no objection, making the following comments:

Design Comments

No existing street trees are affected by the development. On the Proposed Site Plan the building appears very close to the edge of the site / highway. However the Ground Floor Plan the building appears to have been set back slightly further providing more room for a planted buffer between the building and road, which is a definite improvement. Slightly rotating the building on the site may improve matters further. I concur with comments made by Ed Baker on the tree planting positions.

If the area shown as grass outside the boundary forms part of the Highway landscape (visibility splay) any changes will need to be agreed and inspected as part of a S278 agreement, with a commuted sum paid if the Council were to adopt an additional area of land.

Open Space Provision

These comments relate to the current LDP (C5 Provision for Open Space, Outdoor Recreation, Children's Play and Sport; KP16 Green Infrastructure), and the 2017 Planning Obligations Supplementary Planning Guidance (SPG), supported by policies set out in the 2008 SPG for Open Space which set the Council's approach to open space provision.

The Council's LDP requires provision of a satisfactory level and standard of open space on all new housing/student developments, or an off-site contribution towards existing open space for smaller scale developments where new on-site provision is not applicable.

Based on the information provided on the number and type of units, I have calculated the additional population generated by the development to be 28.3. This generates an open space requirement of 0.068 ha of on-site open space based on the criteria set for Housing accommodation, or an off-site contribution of £29,363. I enclose a copy of the calculation

As no public open space is being provided on-site, the developers will be required to make a financial contribution towards the provision of new open space, or the design, improvement and/or maintenance of existing open space in the locality, given that demand for usage of the existing open spaces would increase in the locality as a result of the development.

The use of S106 contribution from this development will need to satisfy CIL and the current distance requirements set out in the 2017 Planning Obligations SPG – play areas 600m (not applicable to student and sheltered accommodation), informal recreation 1000m, and formal recreation 1500mm, measured from edge of the site.

Notes relating to Affordable Housing Schemes

The request for an offsite contribution is applied consistently across both private and affordable house developments. In providing for the additional residents the development will result in increased use of local public open spaces, with a corresponding need for increased maintenance, more rapid upgrading and potential expansion of existing facilities. This is regardless of the financial model for the development.

In the event that the Council is minded to approve the application, I assume it will be necessary for the applicant and the Council to enter into a Section 106 Agreement to secure payment of the contribution.

Consultation will take place with Ward Members to agree use of the contribution, and this will be confirmed at S106 stage. The closest areas of recreational open space are Heol Maes Eirwg (which contains a play area and is within 600m of the site), Hendre Lake, Heol Chudleigh and Jenkins Way Open Spaces (both off Harrison Drive)

- 5.8 The Council's Trees Officer has no objection, subject to a landscaping condition and an ongoing maintenance of planting condition.
- 5.9 The Waste Manager has no objection, advising that the proposed refuse storage area is acceptable.
- 5.10 The Council's Ecologist has no adverse comment, subject to ta condition in respect of a Green Infrastructure Statement.
- 5.11 The Neighbourhood Regeneration Manager (Access) has been consulted and no comments have been received.
- 5.12 The Housing Strategy Manager has no objection, making the following comments:

These are the common waiting list figures as at 01 January 2018, for social rented properties in Cardiff:

1 bed -731

- 500 (non-family) (479 households with no Ground Floor need)
- 231 (50+ age group) (124 households with no Ground Floor need)

2 bed -624

- 67 households (*family with children aged 8-16)
- 481 households (*family with children under 8)
- 63 households (non-family)
- 13 households (50+ age group)

The planning application has been submitted by one of our partner Registered Social Landlords (RSL) (United Welsh Housing Association), and the whole site will be delivered as affordable housing.

The Housing Development Enabling team fully supports the development of this site wholly for affordable housing, given the levels of housing need in the area, and will be working very closely with United Welsh Housing Association to ensure the successful delivery of the scheme. The development will comprise of 21 units of new affordable housing.

All social rented units will meet Welsh Government Development Quality Requirements (DQR) & the Welsh Housing Quality Standard (WHQS).

6. **EXTERNAL CONSULTEE RESPONSES**

- 6.1 Welsh Water have no objection subject to a standard drainage details condition.
- 6.2 Glamorgan Gwent Archaeological Trust have no objection, stating that given the history of the site, there is no need for any archaeological mitigation.
- 6.3 South Wales Police have no objection. Further advice in respect of crime

- prevention has been provided.
- 6.4 South Wales Fire & Rescue Service have no objection, providing information on water supply and appliance access.

7. **REPRESENTATIONS**

- 7.1 Local Members have been consulted and any comments received will be reported to Committee.
- 7.2 Adjacent occupiers were consulted and the occupiers of 8 and 15 Matthysens Way, and 55 & 59 Harrison Drive object to the proposals, raising issues including:
 - Three storey development is overbearing and out of keeping with the area, which is mainly two storey:
 - The land is currently a green space which offers a break from the over-developed neighbourhood;
 - There is no need for further affordable housing in the area;
 - The previously approvals should be re-examined with regard to developments that have taken place since 2008;
 - The development will see an increase in noise, traffic and refuse;
 - The development will cause in increase in anti-social behaviour;
 - There is insufficient parking for 21 flats;
 - Increase traffic presents a road safety hazard;
 - The development will result in overlooking and loss of privacy;
 - The development will result I loss of light and views;
 - The development will cause disruption/disturbance during any construction period and beyond.
- 7.3 A petition of 57 signatures has been received in objection to the proposed development. The petition cites the following as grounds for objection:
 - The building is incongruous with this residential area:
 - It is out of keeping with the surrounding buildings;
 - The design is not up to standard:
 - There is not enough parking for the number of residents
- 7.4 The application was publicised as a Major development by way of site and press notice. No comments have been received.

8. ANALYSIS

8.1 The application site falls within the settlement boundary, as defined by the Cardiff Local Development Plan (2006-2026) Proposals Map. The site has no other specific designation or allocation.

Given the surrounding land uses, and the fact that the principle of residential use has already been established through the planning history of the site, the development of the site for residential purposes is considered acceptable in

policy terms.

- 8.2 It is worthy of note that the current proposals are, in broad terms and in respect of the built form and layout, identical to the previously approved proposal for 21 affordable dwellings (06/00354/E & 08/00133/E), insofar as the development proposes a single block of flats at three storey height, with a centrally glazed core at the corner of Matthysens Way/Harrison Drive, fronting a roundabout junction. Notwithstanding this, the current application is considered on its own merits.
- 8.3 The principle of a three-storey building on the site has been established by the previous consents mentioned above, and the built out development of 24 dwellings to the north, directly adjacent to the current application site, which includes a substantial three storey element fronting the roundabout junction to Willowbrook Drive/Matthysens Way and extending south to towards the current application site.

In this case, it is considered that contextually, a three-storey block is acceptable, presenting a consistent façade when viewed turning south off the junction of Willowbrook Drive, along the short section of Matthysens Way and then eastward into Harrison Drive.

- 8.4 The architectural design is generally supported as drawing on the character of the local vernacular which, whilst being predominantly two storey is also interspersed with three storey blocks. The proposed finished materials are also considered to be consistent with the established residential developments in the area. It is considered that the dominant use of render to this block offers an acceptable contrast to the mainly red brick finish of the three storey dwellings to the north of the site, adding interest to the street scene.
- 8.5 The proposals do not raise any concerns in respect of impacts on the residential amenity of existing adjacent occupiers in terms of privacy, loss of light, or overbearing.

To the north of the site there are dwellings and amenity areas directly adjacent to the site boundary. At the closest point this boundary is approx. 11.4m from the nearest habitable room windows of the proposed block. In this case, there are no concerns in respect of harm to the privacy of the occupiers of the adjacent property.

Whilst the northernmost element of the proposed block is separated from the end elevation of the adjacent dwelling (no. 3E Matthysens Way) by a lesser distance of approx. 4.0m it is of note that there are no windows to the end elevation of no. 3E or the proposed block, and that the rear elevation of the proposed block is set behind the rear elevation of no. 3E. In this case, it is considered that the proposed block has no adverse impact on the occupiers of that property in terms of overbearing or loss of light.

To the west, the site is bounded by Matthysens Way, with a further area of undeveloped land beyond. It is of note that this land also has a history of

planning consent for residential development (including three storey – see para. 3.2 above). In this case, there are no adverse impacts in this direction.

To the south, there are two storey dwellings fronting both Matthysens Way and Harrison Drive, Immediately in front of the proposed block lies no. 5 Matthysens Way. This dwelling is orientated so that its front elevation looks westward across Matthysens Way and presents a side elevation to the application site. There are no windows to the side elevation of no. 5. At the closest point the garden boundary fence to no. 5 (fronting Harrison Drive) is approx. 14.6m from the proposed block (approx. at the corner of the 3 storey front and side elevation). In this case, there are no concerns in respect of loss of privacy to the occupiers of no. 5. Given the separation distance, and the orientation of the site to the north of the garden of no. 5, it is considered that there would be no significant harm to the amenities of the occupiers of no. 5 in terms of light or overbearing.

The first dwelling on Harrison Drive at this point is no. 61. No. 61 is sited towards the western end of the application site and will not be directly fronting the proposed 3 storey block. It is likely that the occupiers of this dwelling will have direct views of the proposed single storey refuse store and the adjacent cycle parking enclosure. In this case, it is considered that the proposals would have no adverse impact on the privacy, or amenity of the occupiers of no. 61.

To the east, of the site there are further dwellings fronting Harrison Drive, with the first dwelling being no. 78, with the side elevation of this dwelling facing towards the proposed block. The separation distance from the side of no. 78 to the side of the proposed 3 storey element of the proposed block is approx. 28.8m, and there are no windows to either side elevation. In this case, it is considered that there would be no significant harm caused to the privacy or amenity of the occupiers of no.78. The garden to no. 78 is set slightly towards the rear of the proposed block and, whilst there are windows facing eastward, they are not habitable rooms and they are approx. 26m off the boundary to no. 78. In this case, this relationship does not cause any concern in respect of privacy or amenity.

To the rear of no. 78 is the garden to no. 25 Mitchell Close. Given that the garden relationship is similar to that of no 78 Harrison Drive, this situation again raises no privacy or amenity concerns.

- 8.6 With regard to objections raised not discussed above, the following comments are made:
 - The application site is not identified as 'open space' it is an area of undeveloped land, which already benefits from a number of planning consents for development;
 - The Housing Strategy Manager has provided details of housing need in para. 5.12 above, which demonstrates that the remains a considerable shortfall of available dwellings in the city. There are no specific affordable housing areas and the Local Planning Authority is obliged to consider every application on its merits;

- The presence of a significant planning history on this site is a material consideration. Whilst planning policy and guidance has evolved since the last consent on this site (2008), the general principles applied then remain relevant today. Notwithstanding the history of this site, the current proposal is assessed on its own merit and there are no sustainable grounds to refuse consent:
- It is acknowledged that the development, when occupied (should consent be granted), may generate some additional noise and traffic movement in the area. However this, in its own right, is not sufficient to justify refusal of consent. The proposals have been considered by the Transportation and Pollution Control (Noise & Air) Managers, who do not raise any objection. Refuse is shown as being stored in a purpose built structure and the details of refuse provision have been considered by the Waste Manager, and are acceptable;
- There is no evidence that future occupiers of the development will cause or exacerbate any instances of anti-social behaviour;
- The proposals have been considered by the Transportation Manager, who
 does not raise any concerns or objection in respect of parking or Highway
 safety;
- There is no right to a view in planning legislation. As discussed above, it is considered that there are no sustainable grounds to refuse consent in terms of impact on light.
- It is acknowledged that construction activities associated with undertaking developments can result in local disturbance. However, this is an unfortunate consequence of development and cannot reasonably be held as grounds for refusal of planning permission.

9. **OTHER CONSIDERATIONS**

- 9.1 Crime and Disorder Act 1998 Section 17(1) of the Crime and Disorder Act 1998 imposes a duty on the Local Authority to exercise its various functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent, crime and disorder in its area. This duty has been considered in the evaluation of this application. It is considered that there would be no significant or unacceptable increase in crime and disorder as a result of the proposed decision.
- 9.2 Equality Act 2010 The Equality Act 2010 identifies a number of 'protected characteristics', namely age; disability; gender reassignment; pregnancy and maternity; race; religion or belief; sex; sexual orientation; marriage and civil partnership. The Council's duty under the above Act has been given due consideration in the determination of this application. It is considered that the proposed development does not have any significant implications for, or effect on, persons who share a protected characteristic.
- 9.3 Well-Being of Future Generations Act 2016 Section 3 of this Act imposes a duty on public bodies to carry out sustainable development in accordance with the sustainable development principle to act in a manner which seeks to ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs (Section 5). This duty has been

considered in the evaluation of this application. It is considered that there would be no significant or unacceptable impact upon the achievement of wellbeing objectives as a result of the recommended decision.

10. **PLANNING OBLIGATIONS**

10.1 The following contribution requests have been made, with reference made to the Community Infrastructure Levy tests:

Parks – A contribution of £29,363 is requested towards the maintenance/provision of open space in the vicinity of the site.

Transportation – A contribution of £5000 is requested, towards amended/additional Traffic Orders.

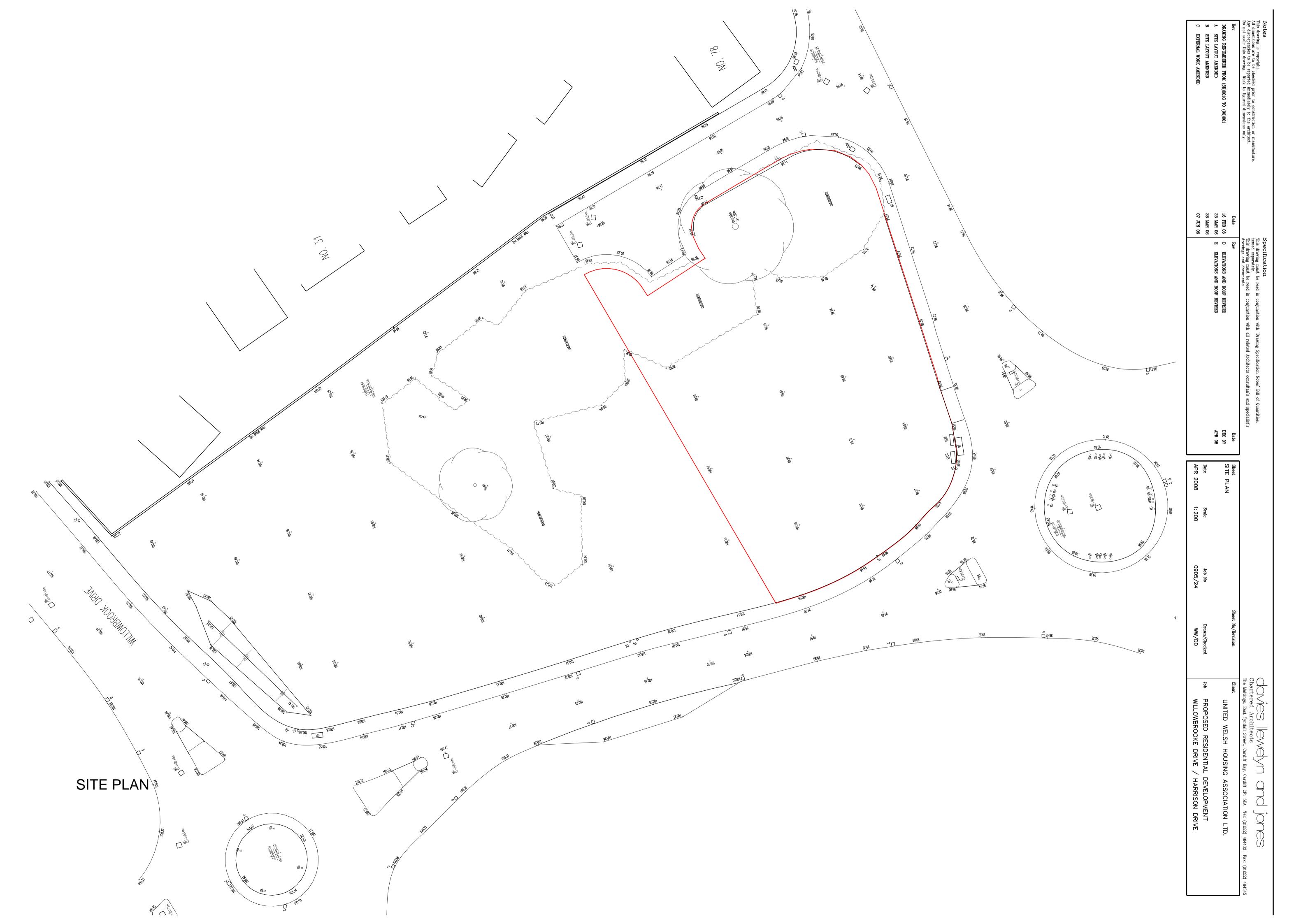
In addition to the above, it is recommended that the development is limited to use as affordable housing, secured through any legal agreement made.

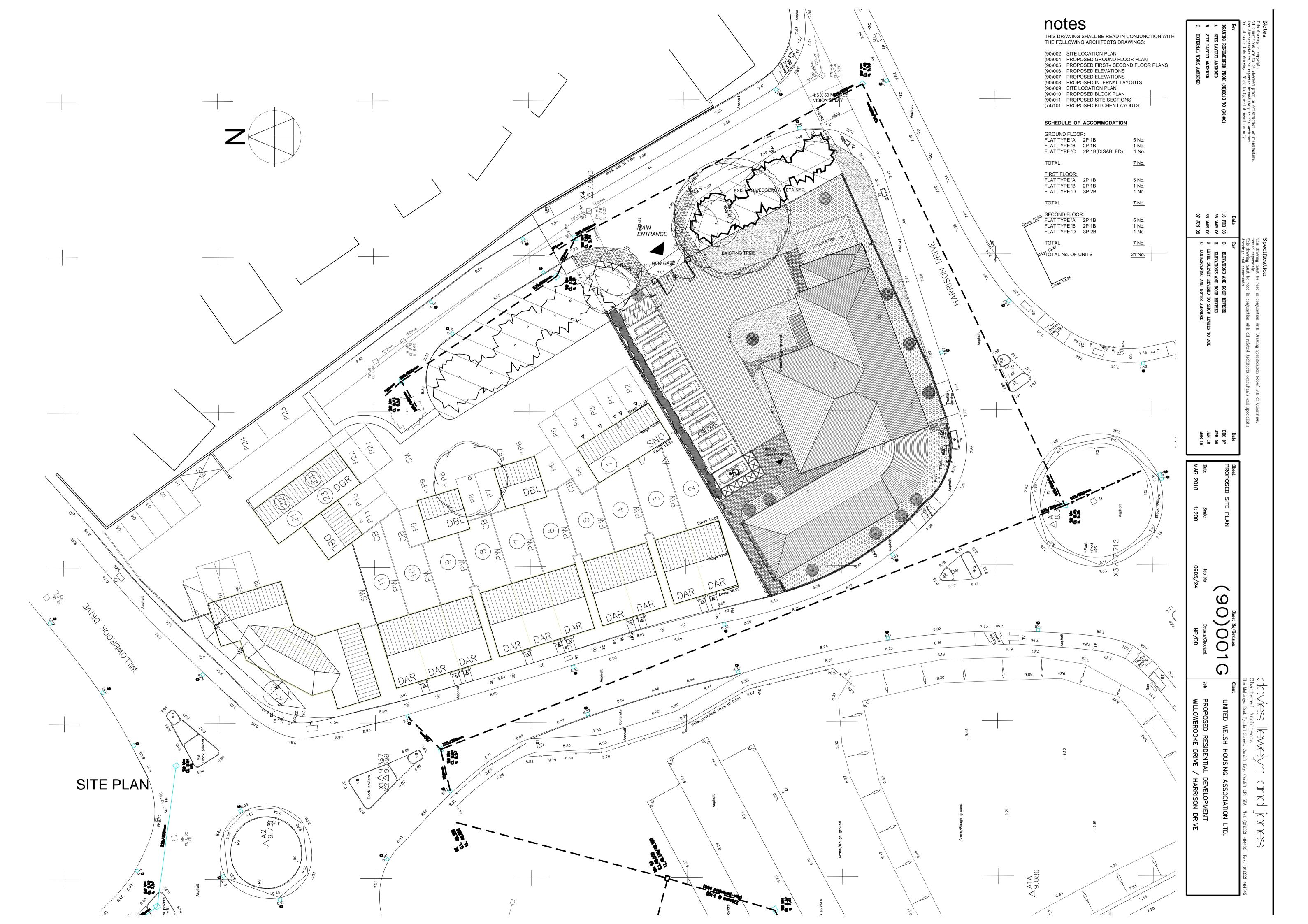
The agent has confirmed that the above mentioned contributions are acceptable to the applicant.

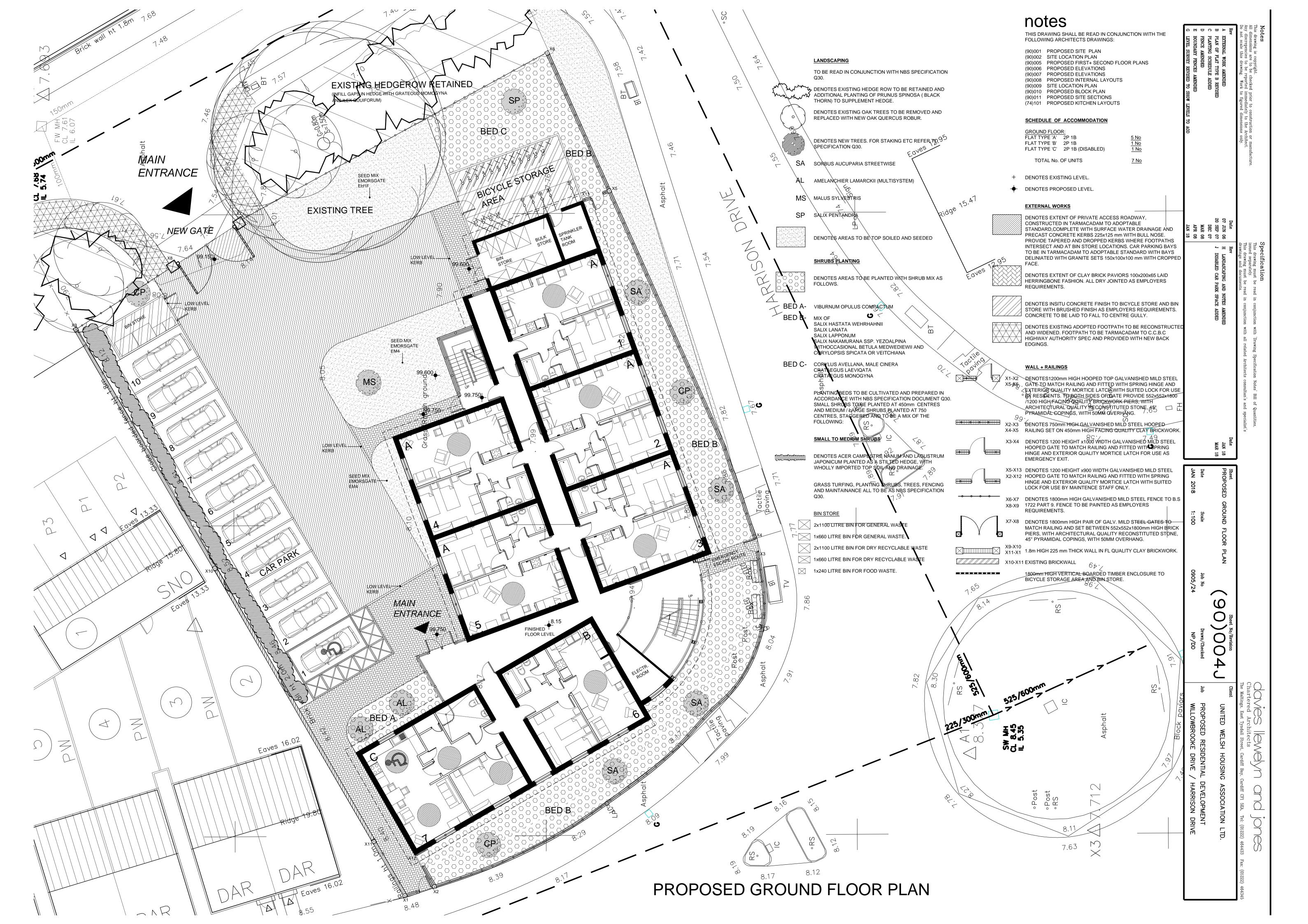
11. **CONCLUSION**

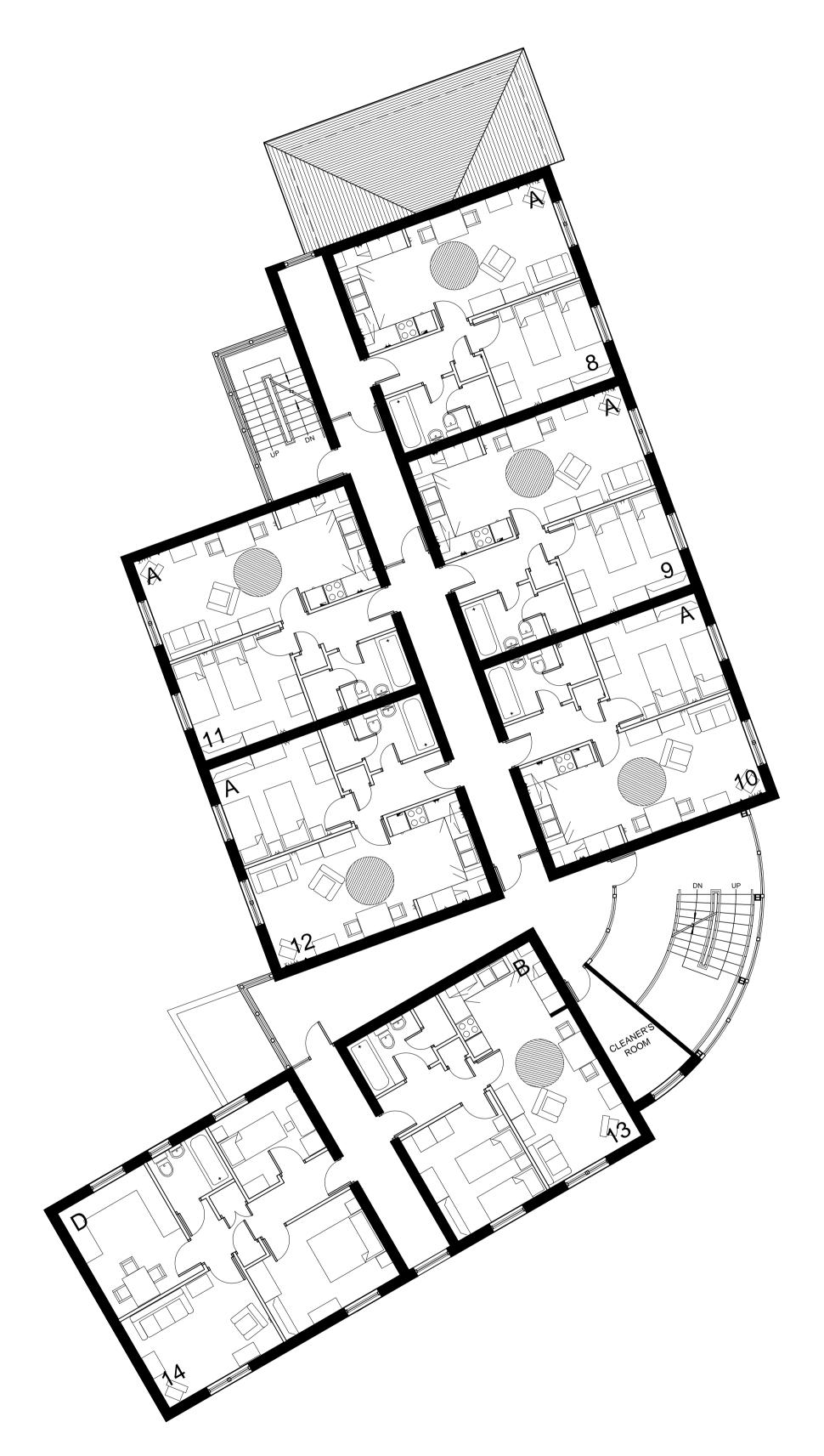
11.1 The proposals would provide much needed affordable housing, of a scale, design and appearance that is considered to be acceptable.

In light of the above, and having regard for current planning policy and guidance, it is recommended that planning permission be granted, subject to conditions and a Legal Agreement.









PROPOSED FIRST FLOOR PLAN



PROPOSED SECOND FLOOR PLAN

notes

THIS DRAWING SHALL BE READ IN CONJUNCTION WITH THE FOLLOWING ARCHITECTS DRAWINGS:

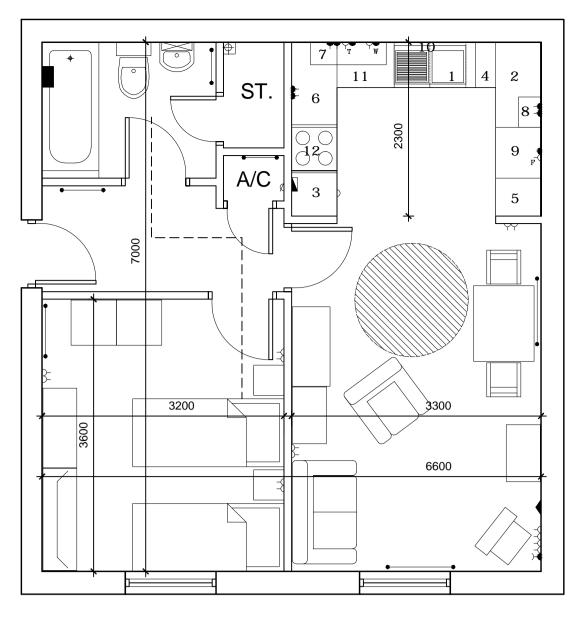
<u>7 No.</u>

(90)001 PROPOSED SITE PLAN
(90)002 SITE LOCATION PLAN
(90)004 PROPOSED GROUND FLOOR PLAN
(90)006 PROPOSED ELEVATIONS
(90)007 PROPOSED ELEVATIONS
(90)008 PROPOSED INTERNAL LAYOUTS

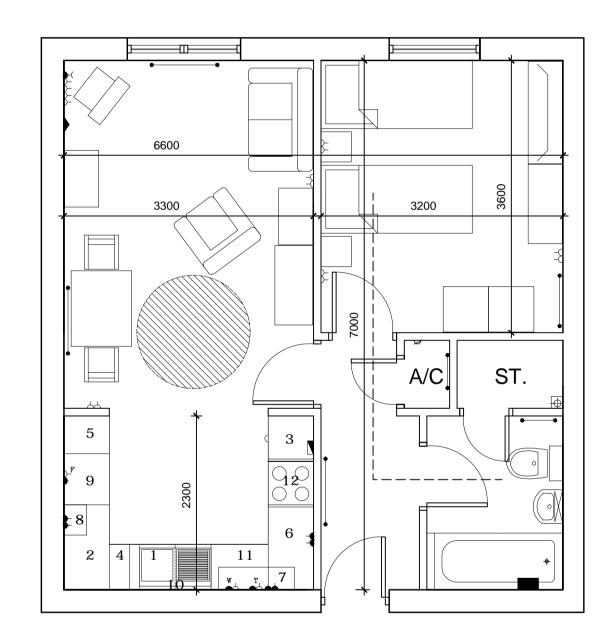
SCHEDULE OF ACCOMMODATION

FIRST FLOOR: FLAT TYPE 'A' FLAT TYPE 'B' FLAT TYPE 'D'	2P 1B 2P 1B 3P 2B	
TOTAL		
SECOND FLOO FLAT TYPE 'A' FLAT TYPE 'B' FLAT TYPE 'D'	2P 1B	
TOTAL		

	C 07	CD .			
		Rev Date	This drawing must be read in conjunction with all related Architects consultan's and specialist's drawings and documents.	Specification This drawing must be read in conjunction with 'Drawing Specification Notes' Bill of Quantities, issued separately.	
Date	PROPOSED	Sheet			



FLAT TYPE B: 1B2P (AREA: 46.2m²)



FLAT TYPE A: 1B2P (AREA: 46.2m²)

SCHEDULE OF KITCHEN UNITS: TYPE A/B

BASE UNITS:

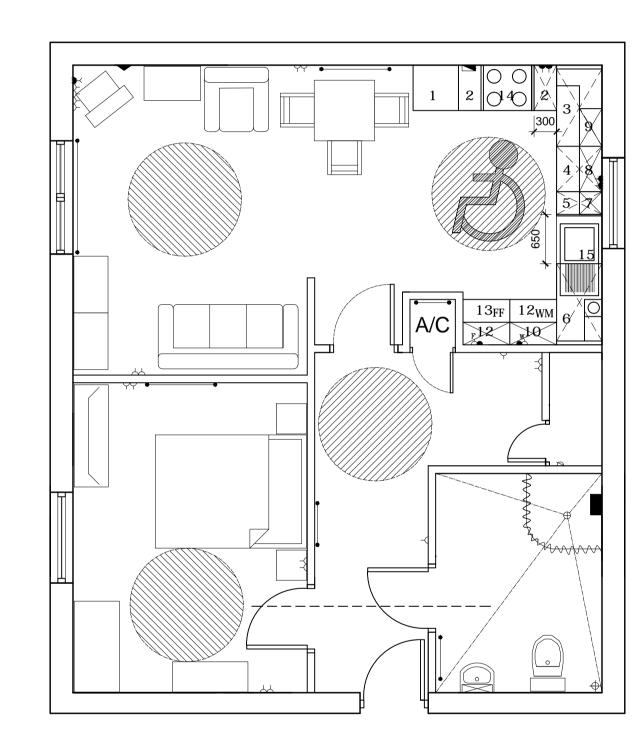
- 1. 600 x 600 x 900mm
- 2. 1125 (overall) x 600 x 900mm corner unit with 500mm wide door
- 3. 600 x 600 x 900mm drawer unit
- 4. Tray space
- 5. 500 x 600 x 2250mm tall unit
- 6. 1125 (overall) x 600 x 900mm corner unit with 500mm wide door

WALL UNITS:

- 7. 1000 x 300 x 600mm
- 8. 400 x 300 x 600mm

OTHER ITEMS:

- 9. Removable worktop over fridge/freezer space
- 10. 950 x 508mm stainless steel inset sink
- 11. Double appliance space (1250mm wide)
- 12. 620mm wide space for cooker



FLAT TYPE C: 1B2P DISABLED (AREA: 58.1m²)

SCHEDULE OF KITCHEN UNITS:

BASE UNITS:

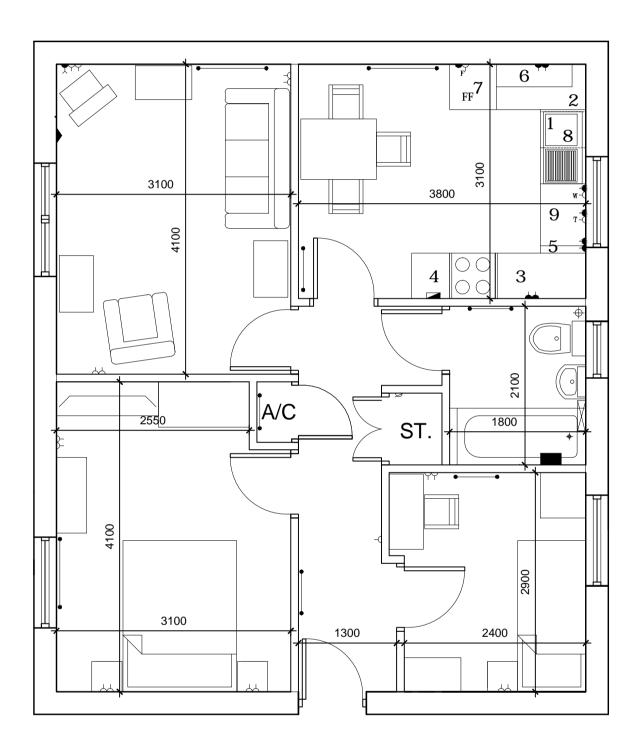
- 1. tall oven housing
- 2. 300 x 600 base unit
- 3. 1025 x 600 corner base unit
- 4. 600wide x 600deep base unit
- 5. 300wide x 600deep base unit
- 6. 1025 x 600 coner base unit with 400 door

WALL UNITS:

- 7. 300 x 300 x 724 wall unit
- 8. 600 x 300 x 724 wall unit
- 9. 500 x 300 x 724 wall unit
- 10. 600 x 300 x 724 wall unit
- 11. 600 x 300 x 724 wall unit

OTHER ITEMS:

- 12. 620mm wide washing machine space with worktop over
- 13. 620 wide space for fridge/freezer
- 14. hob set into 1000 long worktop with space under
- 15. 950 x 508 s.s sink and drainer set in to adjustable worktop



FLAT TYPE D: 2B3P (AREA: 58.1m²)

SCHEDULE OF KITCHEN UNITS:

BASE UNITS:

- 1. 500 x 600 x 900mm
- 2. 1225 (overall) x 600 x 900mm corner unit with 600mm wide door
- 3. 1125 (overall) x 600 x 900mm corner unit with 500mm wide door
- 4. 500 x 600 x 900mm drawer unit
- 5. Tray space

WALL UNITS:

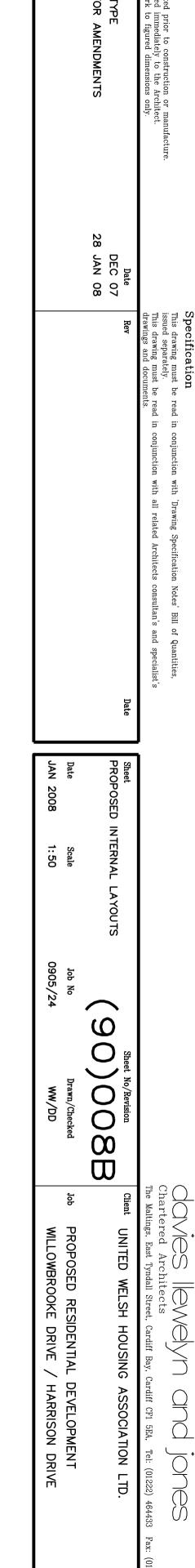
6. 1000 x 300 x 600mm

OTHER ITEMS:

- 7. Removable worktop over fridge/freezer space
- 8. 950 x 508mm steel inset sink
- 9. Double appliance space (1250mm wide)

notes THIS DRAWING SHALL BE READ IN CONJUNCTION WITH THE FOLLOWING ARCHITECTS DRAWINGS: (90)001 PROPOSED SITE PLAN (90)002 SITE LOCATION PLAN (90)004 PROPOSED GROUND FLOOR PLAN (90)005 PROPOSED FIRST + SECOND FLOOR PLANS (90)006 PROPOSED ELEVATIONS (90)007 PROPOSED ELEVATIONS A FLAT TYPE 'A' FLAT TYPE 'B' FLAT TYPE 'C' (DISABLED) 2P 1B D FLAT TYPE 'D' ELECTRICAL KEY △ 13amp switched power socket, one gang 13amp switched power socket, two gang ▲ 13amp switched power socket, one gang set at 150mm above 13amp switched power socket, two gang set at 150mm above F Power supply for refrigerator comprising 13 amp unswitched power socket, one gang set at 500mm above ffl (below worktop) and controlled by a switch with a neon indicator set 150mm above worktop w Power supply for washing machine comprising 13amp unswitched socket set at 500mm above ffl (below worktop) and controlled by a separate point and switch set 150mm above worktop level. Power supply for tumble dryer comprising 13amp unswitched socket set at 500mm above ffl (below worktop) and controlled by a separate point and switch set 150mm above worktop level. Denotes shaver point and light strip. Denotes double television aerial point including satellite + cable tv Unswitched fused spur ▲ Denotes telephone point Steel panel radiator

____ Denotes line of future ceiling hoist





Private Access Roadway

Car Park



Existing Access Road

Harrison Drive

Existing Hedge and Oak Tree Retained

NORTH ELEVATION

notes

THIS DRAWING SHALL BE READ IN CONJUNCTION WITH THE FOLLOWING ARCHITECTS DRAWINGS:

(90)001 PROPOSED SITE PLAN

(90)002 SITE LOCATION PLAN (90)004 PROPOSED GROUND FLOOR PLAN (90)005 PROPOSED FIRST + SECOND FLOOR PLANS (90)006 PROPOSED ELEVATIONS (90)008 PROPOSED INTERNAL LAYOUTS

A FLAT TYPE 'A' 2P 1B B FLAT TYPE 'B' 2P 1B C FLAT TYPE 'C' 2P 1B (DISABLED)
D FLAT TYPE 'D' 3P 2B

SCHEDULE OF MATERIALS

<u>WALLS</u>

BRICKWORK: FACING QUALITY BLOCKLEY BEDFORD BUFF CLAYFACING BRICKWORK WITH BUCKET HANDLE FINISH TO JOINTS. MORTAR COLOUR: NATURAL.

RENDER: THROUGH COLOURED RENDER. COLOUR: PALE CREAM.

<u>ROOF</u>

PROPRIETORY IMITATION SLATE. COLOUR: BLUE/BLACK.

DRY VENTILATED ANGULAR RIDGE. COLOUR: BLUE/BLACK.

HIP TILES

ANGULAR HIP TILES. COLOUR TO MATCH RIDGE.

TILT+TURN POWDER COATED ALUMINIUM COMPOSITE WINDOWS. COLOUR: GREY RAL7037.

EXTERNAL DOUBLE DOORS TO FLATS

WINDOWS. COLOUR: GREY RAL7037.

POWDER COATED ALUMINIUM COMPOSITE TO MATCH

EXTERNAL FRONT DOOR, COMMUNAL ENTRANCES

TO BE FULLY GLAZED WITH POWDER COATED ALUMINIUM SURROUND. COLOUR: GREY RAL7037.

CURTAIN WALLING TO STAIRWELLS AND CORRIDORS

COLOUR COATED ALUMINIUM. COLOUR: GREY RAL7037.

PLANT ROOM/BOILER ROOM/ BIN STORE/CYCLE STORE DOORS TO BE POWDER COATED ALUMINIUM LOUVRED DOORS. COLOUR: GREY RAL7037.

FLAT ROOF TO STAIRWELL + ENTRANCE TROCAL ROOFING MEMBRANE.

FASCIAS/SOFFITS

SELF FINISHED FLAT PANEL- 'TRESPA' OR SIMILAR EQUAL APPROVED.

R.W GUTTERS + DOWNPIPES

ALUMINIUM COLOUR COATED. COLOUR: GREY RAL7037.

WINDOW CILLS

RECONSTITUTED STONE CILLS.

WINDOW HEADS AND SURROUNDS

GROUND FLOOR: SOLDIER COURSE FACING QUALITY BLOCKLEY BEDFORD BUFF CLAYFACING BRICKWORK. 1st+2nd FLOOR: RECONSTITUTED STONE WINDOW SURROUNDS.

Existing Access Road

0 0





SOUTH ELEVATION (ONTO HARRISON DRIVE)

Existing Access Road

THIS DRAWING SHALL BE READ IN CONJUNCTION WITH (90)005 PROPOSED FIRST + SECOND FLOOR PLANS BRICKWORK: FACING QUALITY BLOCKLEY BEDFORD BUFF CLAYFACING BRICKWORK WITH BUCKET HANDLE FINISH TO JOINTS. MORTAR COLOUR: NATURAL. RENDER: THROUGH COLOURED RENDER. COLOUR: PROPRIETORY IMITATION SLATE. COLOUR: BLUE/BLACK. 8 % ANGULAR HIP TILES. COLOUR TO MATCH RIDGE. TILT+TURN POWDER COATED ALUMINIUM COMPOSITE WINDOWS. COLOUR: GREY RAL7037. POWDER COATED ALUMINIUM COMPOSITE TO MATCH EXTERNAL FRONT DOOR, COMMUNAL ENTRANCES TO BE FULLY GLAZED WITH POWDER COATED ALUMINIUM SURROUND. COLOUR: GREY RAL7037. CURTAIN WALLING TO STAIRWELLS AND CORRIDORS COLOUR COATED ALUMINIUM. COLOUR: GREY RAL7037.

notes

THE FOLLOWING ARCHITECTS DRAWINGS:

(90)004 PROPOSED GROUND FLOOR PLAN

(90)001 PROPOSED SITE PLAN (90)002 SITE LOCATION PLAN

(90)007 PROPOSED ELEVATIONS (90)008 PROPOSED INTERNAL LAYOUTS

C FLAT TYPE 'C' 2P 1B (DISABLED)

DRY VENTILATED ANGULAR RIDGE. COLOUR:

EXTERNAL DOUBLE DOORS TO FLATS

WINDOWS. COLOUR: GREY RAL7037.

PLANT ROOM/BOILER ROOM/ BIN STORE/CYCLE STORE

DOORS TO BE POWDER COATED ALUMINIUM LOUVRED DOORS. COLOUR: GREY RAL7037.

SELF FINISHED FLAT PANEL- 'TRESPA' OR SIMILAR EQUAL

ALUMINIUM COLOUR COATED. COLOUR: GREY RAL7037.

FLAT ROOF TO STAIRWELL + ENTRANCE

TROCAL ROOFING MEMBRANE.

R.W GUTTERS + DOWNPIPES

RECONSTITUTED STONE CILLS.

FASCIAS/SOFFITS

APPROVED.

WINDOW CILLS

A FLAT TYPE 'A' 2P 1B B FLAT TYPE 'B' 2P 1B

D FLAT TYPE 'D' 3P 2B `

SCHEDULE OF MATERIALS

WALLS

PALE CREAM.

BLUE/BLACK.

HIP TILES

<u>ROOF</u>

900

Existing Hedge and Oak Tree Retained

Existing Access Road