

**3/14/1766/FP – Demolition of the existing buildings and the creation of 49 no. two, three and four bedroom houses and apartments, plus associated roads, car parking and landscaping at Hertford Regional College, Scotts Road, Ware, Herts, SG12 9JQ for Charles Church**

**Date of Receipt:** 01.10.2014

**Type:** Full – Major

**Parish:** WARE

**Ward:** WARE – CHADWELL

**RECOMMENDATION:**

That planning permission is **REFUSED** for the following reason:

1. The proposed development makes insufficient provision for affordable housing and therefore fails to address the demand for such housing within the District contrary to policy HSG3 of the East Herts Local Plan Second Review April 2007 and the National Planning Policy Framework.

**Summary of Reasons for Decision**

In accordance with the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2012, East Herts Council has considered, in a positive and proactive manner, whether the planning objections to this proposal could be satisfactorily resolved within the statutory period for determining the application. However, for the reasons set out in this decision notice, the proposal is not considered to achieve an acceptable and sustainable development in accordance with the Development Plan and the National Planning Policy Framework.

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**1.0 Background**

- 1.1 The application site is shown on the attached OS Map. It is located within the southern part of Ware, within the built up area of the town and is outside of the Conservation Area. The boundary of the Conservation Area lies directly north of the site.
- 1.2 The site forms part of the Hertford Regional College and comprises of the north western part of the College's grounds.
- 1.3 Outside the site, but within the College's ownership to the north east, is the Grade II\* Listed Amwell House. Within the application site is the Grade II Listed Summer House and outside the site, but close by to the

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south west, is the Grade 1 Listed Scotts Grotto, all of which previously formed part of the former gardens of Amwell House.

- 1.4 The existing College buildings front onto Hertford Road which itself adjoins the New River to the north with the railway line beyond this. The existing vehicular access into the College is off Scotts Road to the west and the existing exit from the site leads into Walton Road to the east. However, the vehicular entrance and exit into the College is intended to be taken off Walton Road as part of the works to provide a new college building which have commenced onsite and were approved under Ipa reference number 3/14/0411/FP.
- 1.5 Scotts Road to the west is mainly comprised of detached dwelling houses which front the road but are generally all set back with driveways to the front. Most of these neighbouring dwellings are sited on higher ground than Scotts Road which itself also rises fairly steeply in a north to south direction.
- 1.6 Adjoining the rear (south) of the site is Scotts Close, a small cul-de-sac of two storey and 1 ½ storey dwellings.
- 1.7 The application site is currently occupied by the Hertford Regional College, an education facility for students over the age of 16. The College benefits from both the application site in Ware and a second campus in the neighbouring borough of Broxbourne.
- 1.8 In 2006 planning permission was granted for the redevelopment of the College. However, the previously approved proposals were only partially implemented due to the withdrawal of Government funding. Many of the buildings that remain on site were constructed in the 1960/70s.
- 1.9 Phase 2 of the redevelopment of their education facilities has now commenced onsite following the grant of planning permission earlier this year (Ipa reference 3/14/0411/FP). Officers understand that the College has secured a £3.5 million Government grant towards the project. This funding is dependent upon 'match funding' being secured from other sources and a condition that the new College building is open by September 2015.
- 1.10 Members will recall that development proposals were considered at the 5 February 2014 meeting of this committee for the redevelopment of the College site and an enabling residential development. The recommendation submitted at the time was that the proposals could be approved. A copy of the report submitted to that meeting is attached as

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**Essential Reference Paper 'A' (ERPA)** to this report. After considering the matter, Members resolved to refuse planning permission for the reasons detailed below:

- 1) The element of the development comprising the apartment block at the northern end of the site fronting Hertford Road would have an unacceptable impact on the character and appearance of the streetscene and the surrounding area by reason of its height, scale, bulk and design. The proposal is thereby contrary to policies ENV1 and HSG7 of the East Herts Local Plan Second Review April 2007 and the National Planning Policy Framework.
  - 2) Insufficient parking is proposed for the residential element of the development which would result in additional pressure on already restricted parking provision in the local area, harmful to the amenities of existing and future residents. The proposal is thereby contrary to policies TR7 and ENV1 of the East Herts Local Plan Second Review April 2007 and the National Planning Policy Framework.
  - 3) The proposed development makes insufficient provision for affordable housing and therefore fails to address the demand for such housing within the District contrary to policy HSG3 of the East Herts Local Plan Second Review April 2007 and the National Planning Policy Framework.
- 1.11 An appeal has now been submitted in relation to the decision. The appeal will be dealt with by a Public Inquiry due to commence on the 24th February 2015.
- 1.12 A subsequent planning application was made for the redevelopment of the eastern section of the College site to provide a new education building. This was approved in April 2014 (lpa ref.3/14/0411/FP) and works have commenced onsite in respect of this permission.
- 1.13 Officers understand that the College currently still owns the land that forms the application site; however it is noted that they are no longer the applicant for the current residential proposal.
- 1.14 The current applicant, Charles Church, has explained within the Planning Viability Report Summary that accompanies the current application that the College's position is that there is still a shortfall in funding which must be made up through the sale of the application site for residential development.

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- 1.15 The proposed residential development proposes a total of 49 dwellings. A four storey apartment block comprising of 28 units is proposed to the north west corner of the site and would replace the existing four storey flat roofed College building. A total of 21 detached, semi-detached and terraced dwellings are also proposed to the south of the apartment block.
- 1.16 The proposed apartment block would front onto Hertford Road. The building would be set back from the boundary with Hertford Road by varying distances between 10 and 13 metres. This siting is generally in line with the existing building with some parts of the proposed building being set back further due to the staggered building design.
- 1.17 The apartment building is designed with a series of sloping roofs with projections to the front, rear and side elevations which have mono-pitched roofs. The plans submitted show re-grading of land levels from the front to the rear of the site for the proposed apartment block. As such, the ground floor level of the building, when viewed from the Hertford Road elevation, would be 1 metre higher than the existing building ground level. Above that level the highest points of the proposed building would reach a height of 13.6 metres and the ridge of the roof for the central part of the building would reach a height of approximately 12.2 metres. The resulting building then would reach the same roof height as the existing building (14.5-14.6 metres from the current ground levels adjacent to the northern elevation), with some parts being lower.
- 1.18 The 8 dwelling houses proposed to the rear of the apartment block would face west towards Scotts Road and would be set back by approximately 14 – 17 metres from this highway. These dwellings would be 2 ½ storeys in height with the 2<sup>nd</sup> floor accommodation provided within the roof space, served by a single dormer window within each of the front roof slopes.
- 1.19 Two pairs of semi-detached dwellings are proposed fairly centrally within the site and close to the boundary with the College, these dwellings would be 3 storeys in height.
- 1.20 The remaining dwellings would face north with the flank elevation of plot 49 facing towards Scotts Road with a 6 metre set back from this boundary. These dwellings would have rear gardens that would extend up to the existing southern site boundary with the neighbouring dwellings in Scotts Close where there is an existing high brick wall and Leylandi trees behind. These dwellings would be 3 storeys in height.

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- 1.21 42 no. parking spaces are provided for the houses within private driveways and parking areas that would be constructed adjacent to the Scotts Road boundary. Integral garages provide additional spaces for some of dwellings.
- 1.22 28 parking spaces are provided for the apartments by way of undercroft parking and hard surfaced areas to the rear of the block.
- 1.23 The main changes that have been made since the refused application are as follows:
- The number of units proposed has reduced from 50 to 49;
  - The proposed apartment block has been set back from the boundary with Hertford Road so that it would now be constructed in line with the existing building. A set back of approximately 11.1 metres would be retained from the north western corner of the apartment block and 12.4 metres from the north eastern corner to the northern site boundary with Hertford Road;
  - A revised design and roof form is proposed for the apartment building, with the introduction of mono-pitched roofs and the replacement of the front projecting balconies with Juliet style balconies.

The affordable housing provision that is made remains the same at 3 units (6%). The number of parking spaces proposed has reduced by 2, which is due to the loss of one dwelling house (each of which are proposed with 2 spaces).

## **2.0 Site History**

- 2.1 The relevant planning history for the site is as follows:-
- 2.2 Planning permission was granted for the redevelopment of the eastern section of the site to provide a new college building, car parking, associated access and landscaping, including demolition of existing buildings in April 2014 under lpa reference number 3/14/0411/FP. Construction works have commenced onsite in respect of this permission.
- 2.3 Permission was refused in February 2014 for the proposal to provide a new college building and enabling residential development of 50 dwellings, car parking, associated access and landscaping including demolition of existing buildings under lpa reference number 3/13/1762/FP. This proposal is the subject of a current appeal that will be heard at a Public Inquiry in February 2015.

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- 2.4 Planning permission was granted in 2006, under lpa reference 3/06/1175/FP for the redevelopment of the site comprising the demolition of 11 buildings and construction of 3 new linked buildings together with associated car and cycle parking, footpaths and landscaping. This permission has been partially implemented.
- 2.5 The site has also been subject to a number of previous applications for new College buildings within the site and minor extensions and alterations to the existing buildings.

### **3.0 Consultation Responses**

- 3.1 Natural England has no objection to the proposal and comment that the development may provide opportunities to incorporate landscape and biodiversity enhancements.
- 3.2 The County Council Minerals and Waste Team has commented that site waste should be re-used where possible.
- 3.3 The County Obligations Unit has requested financial contributions towards education, youth and library services. They have commented that they will not seek contributions towards nursery or childcare in this instance.
- 3.4 Affinity Water have advised that the site is located within the groundwater Source Protection Zone of Musley Lane pumping station and that construction works should be carried out in accordance with the relevant British Standards and Best Management Practices.
- 3.5 Environmental Health has recommended conditions in respect of construction hours of working, contamination, piling works and air quality.
- 3.6 Hertfordshire Ecology have commented that they agree with the ecological surveys that have been carried out which conclude that the site is at best of low ecological value. Landscape planting should incorporate native species of trees and shrubs that offer a food source to wildlife and the recommendations detailed in the ecology report should be conditioned.
- 3.7 The Conservation Officer has recommended approval. They comment that approval was recommended in the case of the previous scheme and that the amendments made to the current proposal would not have a negative impact on the character and appearance of the adjacent Conservation Area.

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- 3.8 The Environment Agency has recommended conditions relating to land contamination, surface water drainage and groundwater protection measures.
- 3.9 The County Historic Environment Unit has commented that the proposal is likely to have an impact on heritage assets of archaeological interest and therefore a condition should be imposed to require a programme of archeological work to be agreed and implemented.
- 3.10 County Highways do not wish to restrict the grant of permission subject to conditions and a financial contribution towards sustainable transport. Their comments can be summarized as follows:

#### **Accesses**

In respect of the proposed vehicular accesses County Highways have commented that the access points onto Scotts Road are acceptable and sufficient visibility splays can be achieved and should be secured by condition. The width of the accesses could be reduced to avoid indiscriminate parking and improved pedestrian safety. The amount of traffic along Scotts Road is expected to decrease with the proposed residential use taking an access from this highway and the College now using Walton Road.

#### **Parking**

The Highway Authority would not wish to see a routine increase, unless of a modest scale, to roadside parking in the vicinity of the site and therefore it is important that the development provides sufficient parking to ensure this situation is avoided. However, it is also important to ensure that there is not an overprovision of on-site parking space, which would otherwise discourage the use of sustainable travel to/from the site.

A parking provision of 70 spaces is made with the current proposal. The District Council's maximum parking standards equate to 99 spaces, however it is made clear that this can be reduced in areas that have good access to other forms of transport and/or are located near to local amenities. This particular location is within close proximity of the town centre, the rail station and bus routes and therefore it is reasonable for the maximum parking standards to be reduced. Within Zone 3, wherein the site is located, the East Herts Vehicle Parking SPD suggests that parking provision for commercial developments can be reduced by 25-50% which provides a useful starting point for applying reductions to residential developments as well. If a 25% reduction is applied then this would take the maximum standards to 74 spaces for this proposal.

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Whilst this is not ideal, purely from a highways aspect they do not consider that possible overspill roadside parking somewhere in the vicinity of the site to the order of just 4 vehicles would represent a 'severe' impact to the free and safe flow of traffic along the public highway, as outlined in paragraph 32 of the NPPF

Service vehicles including refuse can be accommodated within the different parts of the site.

- 3.11 The Council's Landscape Officer has recommended approval of the application. In respect of the impact upon trees they have no objection on arboricultural grounds and have stated that the trees to be removed along Scotts Road are not within a conservation area and the trees do not meet the required criteria for the making of a Tree Preservation Order.

There will be a short term loss in terms of vegetation along Scotts Road, however, this is compensated for by new tree planting and there will be a net long term gain in amenity value provided by the proposed new planting.

They agree with the Tree Survey and Arboricultural Impact Assessment in that there will be moderate landscape implications as a result of the removal of trees 'eighteen trees, three areas of trees and three groups of trees require removal to facilitate the proposed development. Of these trees only five are of moderate quality with the remainder being of poor quality/longevity.' In order to mitigate for the perceived landscape loss a detailed scheme of landscaping including planting of large species trees has been produced which will improve the overall arboricultural value of the site.

The development proposal is generally acceptable in landscape terms. However, the plant associations and arrangements of species needs further discussion and thought.

- 3.12 English Heritage do not wish to comment and have stated that the application should be determined in accordance with national and local policy and on the basis of the Council's specialist conservation advice.
- 3.13 The Council's Housing Development and Strategy Manager has commented that the proposal to provide 3 affordable units that would be shared ownership is disappointing as there is a housing need in Ware for rented affordable housing. Currently the number of applicants on the Housing Needs Register who have stated that they would like to live in Ware are as follows:



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- 1 bedroom properties – 250 applicants
- 2 bedroom properties – 216 applicants
- 3 bedroom properties – 68 applicants
- 4 bedroom properties – 15 applicants

#### **4.0 Town Council Representations**

4.1 Ware Town Council objects to the proposal on the following grounds:

- The height, scale, bulk, appearance and design of the apartment block is out of character with existing properties and would appear overbearing and inappropriate within the street scene;
- Proximity of the apartment block to Hertford Road;
- The three bedroom and two of the five bedroom homes have large studies which could be used as a fourth or fifth bedroom;
- Overshadowing and loss of privacy to existing properties in Scotts Close, especially 1 Scotts Close;
- The parking provision is inadequate and will lead to dangerous on street parking. A number of the parking spaces provided are within garages which may not be used;
- The infrastructure, particularly water and sewerage is inadequate to cope with this scale of development;
- Possible damage to Grade I listed building (Scott's Grotto) from the construction;
- Loss of trees;
- The existing road network is inadequate to deal with the increased volume of traffic which would result from the development;
- Road safety issues resulting from the increase in traffic;
- The ownership and future maintenance of the retaining wall and earth (to the southern boundary) needs to be clarified.

#### **5.0 Other Representations**

5.1 The application has been advertised by way of press notice, site notice and neighbour notification.

5.2 Letters of representation have been received from 14 No. local residents which include representations from the Scotts Road Residents Committee and The Ware Society. The comments received can be summarised as follows:

- Whilst it is acknowledged that the proposed apartment block have been moved back from the road, objections remain to the

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architecture, style and bulk of the building which would be out of keeping with the surrounding area;

- Flats are out of keeping with the character of the area and houses should be proposed instead;
- Unacceptable roof design for the apartments;
- Density is too high;
- The train platform is already crowded and the development could add to this;
- A 40% provision of affordable housing should be made;
- The proposed parking provision is inadequate and the proposals would exacerbate existing parking problems in the area;
- Many of the existing homes in the area are owned by longstanding residents and therefore using the 2011 census data for car ownership is wrong as the new dwellings are likely to attract younger families;
- On street parking is relied on by many residents, including during bank holidays and on Saturdays when up to 20 cars can arrive bringing visitors to Scotts Grotto;
- Parking restrictions are in place on the local roads until 8pm, not allowing for parking when many residents will return home;
- A number of the parking spaces provided are within garages which may not be used;
- The three bedroom and two of the five bedroom homes have large studies which could be used as a fourth or fifth bedroom;
- The College is a valuable community asset and concerns are raised in respect of the loss some of its existing facilities;
- Increased traffic on the junction of Scotts Road and London Road;
- Three storey houses backing onto Scotts Close is inappropriate;
- Loss of privacy for existing residents in Scotts Road and Scotts Close;
- Noise and disturbance, overshadowing and loss of light will occur to neighbouring dwellings;
- The concerns that were raised with the previous proposal have not been overcome;
- Inappropriate and over-intensive development;
- Loss of mature trees;
- Bat colonies should be considered;
- The building work could impact upon the structural stability of neighbouring dwellings and listed buildings;
- The students will be able to overlook the new residential units;
- The local infrastructure cannot support the development e.g. Water supply, drainage schools and doctors surgeries;
- The future ownership and maintenance of the retaining wall and green barrier to the southern end of the site needs to be

addressed.

## **6.0 Policy**

6.1 The relevant 'saved' Local Plan policies in this application include the following:

SD2	Settlement Hierarchy
TR2	Access to New Developments
TR7	Car Parking – Standards
EDE2	Loss of Employment Sites
HSG1	Assessment of Sites not Allocated in the Plan
HSG3	Affordable Housing
ENV1	Design and Environmental Quality
ENV2	Landscaping
ENV3	Planning Out Crime-New Development
ENV4	Access for Disabled People
ENV11	Protection of Existing Hedgerows and Trees
ENV16	Protected Species
ENV21	Surface Water Drainage
ENV24	Noise Generating Development
BH1	Archaeology and New Development
BH2	Archaeological Evaluations and Assessments
BH3	Archaeological Conditions and Agreements
BH6	New Developments in the Conservation Area
LRC11	Retention of Community Facilities
IMP1	Planning Conditions and Obligations

6.2 The provisions of the NPPF and the NPPG are also of relevance to this application.

## **7.0 Considerations**

7.1 The main considerations for a residential development at this site were set out within the previous Committee report, which is attached as ERP A. The determining issues in this case relate to whether the current proposal sufficiently overcomes the Council's previous reasons for refusal which related to the impact that the apartment block would have upon the character and appearance of the area, parking provision and affordable housing.

7.2 In respect of housing land supply, the Council acknowledges that it currently has less than the required 5 years plus 5% requirement that is set out in the NPPF. The contribution that the site makes towards the District's housing land supply is therefore also an important

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consideration.

#### Character and appearance

- 7.3 The previous refusal reason on this matter related specifically to the proposed apartment block at the northern end of the residential element of the proposal. Members will be aware that there currently exists a building of some height, visibility and presence at that location. It is one of the buildings which comprises the current further education use on the site. It is located in an elevated position above the Hertford Road frontage, is readily visible and of a basic design and appearance. It appears that there is general agreement that the redevelopment of the site of this building is to be welcomed.
- 7.4 Officers are aware of the concern that Members previously expressed in relation to the impact that the proposed apartment building would have. Whilst the scale of the existing building in this location was acknowledged, Members were concerned that the particular siting of the new building, bringing it further towards the Hertford Road frontage and its design, would exacerbate its impact.
- 7.5 The current proposal is for the apartment block to be set back from the northern site boundary with Hertford Road to a position that is in line with the existing building. It is also noted that the proposed building would reach the same height as the existing college building and in some parts would be lower.
- 7.6 Whilst the existing trees to the front of the site would be removed, the setback between the proposed apartment building and the boundary with Hertford Road would allow replacement planting to be carried out to provide some screening of the new building.
- 7.7 The set back from Hertford Road reduces the impact that the apartment block would have upon the street scene when compared to the previous scheme. It would also appear less dominant than the existing building due to the revised ground floor height. The proposed building would appear sympathetic to the design of the Phase 1 buildings within the adjacent college site and would undoubtedly appear more aesthetically pleasing than the existing building.
- 7.8 Some Members specifically raised concerns in respect of the balconies that were proposed to the apartment block within the previous scheme. The projecting balconies have now been removed and have been replaced with Juliet style balconies that will offer better light and outlook compared to standard windows for the future occupiers but will not

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result in a further projection from the apartment block.

- 7.9 Officers consider that the amendments made to the design of the apartment block form improvements to the previous scheme.

#### Parking

- 7.10 The reason for refusal given in the case of the previous proposal that relates to insufficient parking was in respect of the residential element of the proposals only. The harmful impact identified was an amenity one in that the additional parking demand generated by the proposals would put further pressure on parking availability in the area thereby causing greater competition for limited and restricted parking provision.
- 7.11 70 No. parking spaces are proposed to serve the 49 dwellings. Each of the apartments would have 1 parking space and the dwelling houses would have 2 spaces. 11 of the dwelling houses will have integral garages which would provide the 2<sup>nd</sup> parking space for these properties. It is noted that the size of the garages provided are sufficient to allow for a car to be parked and exited from as well as providing some limited amount of storage space when considered against the standards set out within the Council Vehicle Parking SPD.
- 7.12 The maximum recommended parking spaces as identified within the Vehicle Parking SPD, 2008, for the proposed residential development as a whole is 99. This is made up as follows:

Unit size (bedrooms)	Number of units	Max parking spaces per unit type (as per SPD)	Total spaces to meet max requirements
2	28	1.5	42
3	8	2.25	18
4	13	3	39
TOTAL			99

- 7.13 County Highways have commented, having regard to the sustainable location of the site, that a 25% reduction to the maximum parking standards could be applied to this proposal. The Council's Vehicle Parking SPD, when considering commercial development, for sites such as this that are within Zone 3 and are within sustainable locations that are close to public transport and other services, suggests that it is reasonable to apply a 25-50% reduction to the maximum parking standards. If a 25-50% reduction is applied, as a guide, given the site's sustainable location, then this would equate to a provision range of 50-

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74 spaces.

- 7.14 Regardless of whether the reductions recommended within the SPD are used or not Members will know that the Council's parking standards are a maximum. Members must also have regard to the sustainable location of the site and as a result determine whether the proposed parking provision would be unacceptable and would result in harm to the amenities of existing and future residents and any other harm.
- 7.15 In the case of the previous proposal for 50 residential units with a provision of 72 parking spaces, Officers concluded that the provision made would not be unacceptable and recommended approval. This issue was covered again in a report to the 15<sup>th</sup> October 2014 meeting. This report recommended that the Council does not pursue this issue at the forthcoming appeal Inquiry. Members will recall that they did not accept this view.
- 7.16 In relation to this matter, the advice of your Officers remains the same in that the parking provision made onsite is considered to be satisfactory and that no unduly harmful impact will occur as a result.

#### Affordable Housing

- 7.17 The proposal makes provision for 3 affordable units within the site which would all be 2 bedroom flats. This equates to a 6% provision, which is the same as the previous proposal.
- 7.18 The applicant has explained that, in order to achieve the necessary funding from the residential development to financially support the redevelopment of the College site, providing all of the appropriate financial contributions towards local services and making a full 40% affordable housing contribution would render the scheme unviable.
- 7.19 The applicant has provided the Council with an updated viability assessment to demonstrate that once the capital that is required to fund the building works within the college site is subtracted, that sufficient funds would not be available to provide any additional affordable housing. The applicant has stated that the capital is still required to fund the redevelopment of the college site and therefore the contribution that can be made towards affordable housing remains at 6%.
- 7.20 To achieve robustness in the Councils assessment of this matter, Officers have engaged an independent consideration of the viability appraisal in respect of both the current proposal and the appeal. This

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has raised a number of issues that Officers have been exploring with the appellant in the case of the appeal. These relate to the cost, value and funding assumptions made in the viability assessment.

- 7.21 As indicated, Officers are continuing to explore a number of these issues with the appellant in respect of the appeal. In advance of their resolution it is not currently possible to establish with certainty that the development proposals are able to provide a greater level of affordable housing.
- 7.22 The previous proposal was advanced as an enabling residential development, the value yielded from which which was required to fund the redevelopment of the College. Officers are of the view that the redevelopment of the College buildings would bring benefits, in terms of supporting the retention of the College, investing in the education that it offers and improving the appearance of the site. It was considered, in the case of the previous proposal, that these benefits outweighed the harm caused by the failure to provide a full 40% affordable housing contribution.
- 7.23 The redevelopment of the College site is now currently underway. The applicant has commented that the College has used capital from their reserves to fund the redevelopment of the site but that this needs to be replaced by the money raised through the sale of the site for residential development. The College's need to retain funds is still being explored by Officers.
- 7.24 The previous decision taken by the Council to refuse planning permission is a material consideration for the current proposal. On the basis of policy considerations, the decision taken by Members reinforces affordable housing as a priority for the Council and clearly indicated that greater weight should be placed on the delivery of affordable housing compared to the benefits that the development would bring to the educational facilities offered by the College. This approach is consistent with the Local Plan Policies and the Council's Planning Obligations and Affordable Housing SPDs.

#### Other Matters

- 7.25 The comments that have been received from the Ware Town Council and third parties, and the concerns that have been raised in respect of matters including neighbour amenity, loss of trees, traffic implications etc are duly noted. However, given the similarities between the current and previous schemes, all other matters to those discussed in the report above have been considered within the previous report attached

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as 'ERPA'. Therefore, whilst it is acknowledged that the Town Council and neighbours have a number of other outstanding concerns, it is the matters that led to the refusal of planning permission in the case of the previous proposal that form the main considerations for this current application.

#### **8.0 Conclusion**

- 8.1 The changes made to the siting and design of the proposed apartment building since the previous submission are considered to make the proposals acceptable in this respect.
- 8.2 Officers remain of the view that the parking provision made onsite is satisfactory and that any impact as a result of the provision would not have an unduly harmful impact on the surrounding area.
- 8.3 However, for the reasons outlined above which relate to outstanding issues concerning the viability assessment that has been submitted and the weight that should be given to the provision of affordable housing rather than further education (as directed by Members in respect of the previous proposal), Officers are of the view that the current provision made for affordable housing would result in unacceptable harm.
- 8.4 As a result, Officers consider that the proposal would result in adverse impacts that would significantly and demonstrably outweigh the benefits of the proposal, including the contribution that it would make to housing land supply. It therefore constitutes an unsustainable form of development.
- 8.5 Having regard to the above considerations it is recommended that planning permission is refused for the reason given at the head of this report.