

## DEVELOPMENT MANAGEMENT COMMITTEE – 20 July 2016

<b>Application Number</b>	3/16/0689/FUL
<b>Proposal</b>	Demolition of existing building and redevelopment of 10 affordable dwellings (3 x 1 bed flats, 7 x 2 bed flats), associated car parking and landscaping.
<b>Location</b>	101-113 Gladstone Road, Ware, SG12 0AQ
<b>Applicant</b>	Riversmead Housing Association
<b>Parish</b>	Ware CP
<b>Ward</b>	Ware – St Marys

<b>Date of Registration of Application</b>	7 April 2016
<b>Target Determination Date</b>	7 July 2016
<b>Reason for Committee Report</b>	Major application
<b>Case Officer</b>	David Snell

### **RECOMMENDATION**

That planning permission be **GRANTED**, subject to a section 106 agreement and to the conditions set out at the end of this report.

#### **1.0 Summary**

- 1.1 The site lies within the built up area of Ware and it is currently occupied by residential development. The proposal seeks permission for the demolition of the existing block of 16 flats, which provides a poor standard of accommodation, and the erection in its place of a new block containing 10 residential units.
- 1.2 As the site lies within the town boundary, there is no objection in principle to residential development. The proposed block would sit largely on the footprint of the existing block and it would be of an acceptable height and massing. The design and layout proposed is also considered to be acceptable and there would be no adverse impact on the amenities of adjacent occupiers.
- 1.3 The site is somewhat restricted and the existing development of 16 units does not have any off-street parking provision. However, the proposed development would utilise an existing access road off Gladstone Road to the north of the site to provide 10 new parking spaces (the application has been amended following the deferral of the application at the previous meeting and two additional spaces are now proposed). In the context of the proximity of the site to Ware town centre, with good access to all its facilities, services and public transport, this parking provision is considered to be satisfactory.

- 1.4 The proposal will replace the existing sub-standard housing with modern affordable homes, available for both affordable rent and shared ownership, and will provide an improved mix of housing that is better suited to current housing needs in the District.

## **2.0 Site Description**

- 2.1 The site is located at the junction of Gladstone Road and Watton Road as shown on the attached OS extract. The existing development comprises a two storey residential block, comprising 10 bedsits and 6, 1bed units, that has remained vacant and boarded up for some time.
- 2.2 The site adjoins, but is not within, the proposed extension to Ware Conservation Area.

## **3.0 Background to Proposal**

- 3.1 Members will recall that consideration of the application was deferred at the previous meeting to enable Officers to enter into further negotiations with the applicant in order to explore the ability to achieve an improved ratio of car parking in relation to the number and size of the units. Further discussions have taken place with the applicant and two additional parking spaces are now proposed off the existing access road to the north of the site.
- 3.2 Members are advised that other options were also considered. However, the provision of additional parking on the frontage of the site would not result in a parking gain as access to such spaces would result in a loss of roadside parking. The possibility of providing spaces off Watton Road in the southwest corner of the site has also been explored, but the Highway Authority have advised that this would be unacceptable having regard to highway safety.
- 3.3 The applicant has indicated that the existing residential accommodation at the site is of poor quality and does not meet modern housing needs. The proposal seeks to replace this with modern, spacious flats which will meet or exceed the standards described in the DCLG's Technical Housing Standards and will provide good quality accommodation with access to private amenity space.
- 3.4 The new 2.5 storey building would be of sustainable construction, with materials to better match the surrounding area, and would provide 10 flats (3 x 1 bed and 7 x 2 bed), 100% of which would be affordable. The new building would be sited approximately in the middle of the site, in a

similar position to the building to be replaced. It would be shorter in length than the existing and this reduction in size would enable the provision of 10 new parking spaces to the north of the site, utilising the existing access to numbers 93 to 99 Gladstone Road. Ten secure cycle 'boxes' are also proposed.

#### **4.0 Key Policy Issues**

4.1 These relate to the relevant policies in the National Planning Policy Framework (NPPF) and the adopted East Herts Local Plan 2007:

<b>Key Issue</b>	<b>NPPF</b>	<b>Local Plan policy</b>
Housing provision and affordable housing	Section 6	HSG3, HSG4
Design	Section 7	ENV1
Highways/parking	Section 4	TR2, TR4, TR7

Other relevant issues are referred to in the 'Consideration of Relevant Issues' section below.

#### **5.0 Emerging District Plan**

5.1 In relation to the key issues identified above, the policies contained in the emerging District Plan do not differ significantly from those contained in the adopted Local Plan and the NPPF as identified above. Given its stage in preparation, little weight can currently be accorded to the emerging Plan.

#### **6.0 Summary of Consultee Responses**

6.1 The Lead Local Flood Risk Authority (LLFA) has no objection to the proposals, subject to conditions.

6.2 The Highway Authority does not wish to restrict the grant of planning permission. They comment that the development would not result in a material change in trip generation at the site and consider that the parking provision is acceptable given the town centre location of the site and that the existing development has no off-street parking provision.

6.3 The Council's Engineer advises that the development lies mostly within Flood Zone 1, although portions of the site are in Flood Zone 2. It is noted that the new development would result in an increase in the amount of permeable surfaces within the site, and would utilise Rain

Water harvesting. However, it is considered that higher quality SuDS such as a green roof, retention ponds or swales should be included to accord with the Councils adopted Surface Water Drainage Strategy and reduce the risk of surface water flooding to residents in the future.

- 6.4 The Herts Fire & Rescue Service and Minerals & Waste Team have responded with advisory comments for the applicant.
- 6.5 The Environment Health team does not wish to restrict the grant of planning permission, subject to conditions.
- 6.6 The Environment Agency and Thames Water have no objection to the proposed development

## **7.0 Town Council Representations**

- 7.1 Ware Town Council: In respect of the previous proposals the Town Council commented that they welcomed the redevelopment, but had serious concerns over insufficient parking provision in an already congested Road.
- 7.2 The Town Council have been re-consulted on the amendment to provide 2 additional off-street parking spaces. At the time of writing this report, no representations have been received in respect of the amendment, but any received prior to the date of the committee will be reported to Members at the meeting.

## **8.0 Summary of Other Representations**

- 8.1 The application has been advertised by neighbour notification, press notice and site notice. Three responses were initially received objecting to the proposal on the following grounds:
- Insufficient parking provision given the existing parking congestion in Gladstone Road
  - Excessive height of building and potential for overlooking of properties to the east
  - Overlooking of garden of number 34 Gladstone Road from balconies
  - Greater number of overlooking windows than at present
  - Retention of an existing tree on the road frontage which is too close to the house and garage at number 34 Gladstone Road
  - Impact on neighbours during demolition and construction

8.2 Neighbouring occupiers and previous respondents to the original application have been re-consulted on the amendment to provide 2 additional parking spaces. At the time of writing this report, no representations have been received in respect of the amendment, but any received prior to the date of the committee will be reported to Members at the meeting.

## 9.0 Planning History

9.1 The relevant planning history for the site can be summarised as follows:-

Ref	Proposal	Decision	Date
3/13/2240/FP	Demolition of existing building and erection of two/three storey building comprising 9 units and 6 on-site parking spaces	Withdrawn	February 2014

9.2 Following the withdrawal of the above application, the applicant entered into pre-application discussions with Officers prior to the submission of this revised proposal.

## 10.0 Consideration of Relevant Issues

### Principle

10.1 The site lies within the built up area of Ware and is currently occupied by residential development. There is therefore no objection in principle to the residential redevelopment of the site, subject to detailed considerations, and the provision of good quality affordable housing, with an improved size and tenure mix, is given significant weight in the balance of considerations in this case.

### Design and layout

10.2 The site is somewhat restricted in terms of its width and therefore the proposed block would sit largely on the footprint of the existing block. It would be of appropriate height and massing having regard to the height of the existing block and surrounding development.

10.3 The design of the proposed building is of a good standard and its traditional brick and tile construction would reflect the characteristics of surrounding development. At least 15% of the units would be designed to comply with Lifetime Homes Standards and, overall, the design of the new building is considered to enhance the appearance of the area and

respects the proximity of the site to the proposed new Conservation Area boundary.

- 10.4 The proposed layout of the site is considered to be acceptable. There would be adequate provision for amenity space and soft landscaping, and the proposal incorporates good pedestrian links to both Gladstone Road and Watton Road, giving good access to the new supermarket and town centre facilities to the south.

#### Highways and parking

- 10.5 Since the previous meeting the application has been amended and two additional parking spaces are now proposed off the existing access road to the north of the site. A total of 10 parking spaces are therefore now proposed, providing one space per residential unit. This is a significant improvement in parking provision especially as the existing development of 16 units does not have any off-street parking provision at all.
- 10.6 The adopted Local Plan parking standard would require a maximum of 15 spaces for the 10 units proposed and the emerging District Plan standard for a development within Accessibility Zone 3 would be a minimum of 10 spaces. The proposal would therefore comply with both parking standards, albeit at the lower end of the acceptable scale.
- 10.7 This provision, in any event, has to be balanced against the existing situation where there is no off-street parking provision for the 16 existing units on the site. The existing units would have a maximum requirement for 20 spaces in accordance with the current Local Plan standards and a minimum requirement of 12 spaces in accordance with the emerging District Plan standards. None are provided, however, and there is therefore an existing shortfall in off-street parking provision of between 12 and 20 spaces. The proposal will therefore significantly improve the availability of off-street parking provision in the area.
- 10.8 The provision of the two new parking spaces in front of the residential block at 67 to 89 Gladstone Road will have an appreciable impact on the appearance of the area, given that it would reduce the amount of open space in front of the block and would result in the loss of one small tree in the grass verge. However, given the concerns locally about parking congestion, and the change in character that would occur in any event by the introduction of the other 8 spaces proposed, Officers consider the impact, on balance, to be an acceptable one. Adequate space would be provided directly in front of the nearest residential unit such that the parking spaces would not restrict light or

outlook to that property and additional screen planting is also proposed to mitigate any impact in this location.

- 10.9 Officers have considered other alternative parking provision. However, due to the restricted nature of the site, this would result in the loss of further mature trees and unacceptably reduce amenity space. The provision of additional parking on the frontage of the site itself (to Gladstone Road) would not result in a parking gain as access to such spaces would result in a loss of roadside parking on that road. The possibility of providing two spaces directly off Watton Road in the southwest corner of the site has also been explored, but the Highway Authority have advised that this would be unacceptable having regard to highway safety.
- 10.10 The provision of 10 spaces would be a significant improvement on the existing situation and in the context of the proximity of the site to Ware town centre, public transport and facilities such as the new ASDA store opposite, the provision is considered to be satisfactory. The Highway Authority acknowledge that Gladstone Road suffers from on-street parking pressure, but consider that the proposed car parking provision for affordable housing is acceptable in this edge of town centre location. On balance, therefore, it is considered that parking provision for the proposed development is acceptable.

#### Neighbour impact

- 10.11 The proposed building would be approximately 10 metres in height compared to the existing building height of approximately 8 metres. However, the height and massing of the new development are considered to be appropriate within the context of the site and its surroundings. The building would not be visually intrusive or result in any overshadowing; loss of light or outlook to surrounding properties.
- 10.12 The block has been designed with a common entrance corridor to the flats, and bathroom or stairwell windows only, on the western elevation at first and second floor levels (facing the rear gardens of properties in Watton Road). These windows would be high level and obscure glazed, to ensure that there will be no overlooking of those properties to the west.
- 10.13 Neighbours living on the opposite side of Gladstone Road have raised objection in regard to overlooking from front elevation windows and balconies. However, given the distance between the proposed building and existing dwellings and gardens of properties to the east, Officers

are satisfied that the relationship would be an acceptable one, and not one that is uncommon within many residential areas.

- 10.14 The impact of the proposed two new parking spaces on the residential block to the north of the site has been discussed above and is, on balance, considered to be acceptable.

#### Flood risk

- 10.15 The majority of the site, including the footprint of the proposed building is located in Flood Zone 1 (low risk), but small parts of the site are in Flood Zone 2 (medium risk), including the site of the proposed car parking.
- 10.16 The Environment Agency and the Lead Local Flood Risk Authority (LLFA) have both confirmed that they have no objection to the proposals on flood risk grounds provided that the development proceeds in accordance with the submitted surface water drainage assessment and that a more detailed surface water drainage strategy is submitted. Conditions are suggested to cover these matters.
- 10.17 Some SuDS measures have been incorporated into the design such as permeable paving and rainwater harvesting. However, it is acknowledged that the drainage strategy is otherwise based upon attenuation and discharge into the surface water sewer which is less sustainable than above ground drainage measures such as swales and green roofs. However, there is very limited space for surface level attenuation measures and a green roof would necessitate a revised design that would not relate well to the form and design of surrounding development. Whilst it is acknowledged that the SuDS measures on the site could be improved, Officers are satisfied that the drainage scheme would be effective and that suitable conditions would ensure that the proposal would not result in any surface water flood risk for residents of the site or within the surrounding area.
- 10.18 On balance, it is considered that the benefits of the scheme in terms of affordable housing provision would outweigh any deficiencies in the provision of additional or enhanced SuDs measures.

#### Conclusion

- 10.19 On the balance of the above considerations, the proposals are considered to be acceptable and the application is recommended for approval subject to a legal agreement and conditions as set out below:-



## **Legal agreement**

- To ensure the provision of 100% affordable housing and 15% Lifetime Homes

## **Conditions**

1. Three year time limit (1T12)
2. Approved plans (2E10)
3. Samples of materials (2E12 amended)
4. Boundary walls and fences (2EO7)
5. Construction hours of working – plant and machinery (6N07)
6. Hard surfacing (3V21 amended)
7. Prior to first occupation of the development, full details of both hard and soft landscape proposals shall be submitted to and approved in writing by the Local Planning Authority. These details shall include, as appropriate: (a) Retained historic landscape features (b) Planting plans (c) Schedules of plants, noting species, planting sizes and proposed numbers/densities where appropriate. Thereafter the development shall proceed in accordance with the approved details.  
Reason  
To ensure the provision of amenity afforded by appropriate landscape design, in accordance with policies ENV1, ENV2 and ENV11 of the East Herts Local Plan Second Review April 2007.
8. Landscaping works implementation (4P13)
9. The existing mature trees on the Gladstone Road of the site shown as being retained on the approved plans shall be protected from damage resulting from construction works to the satisfaction of the Local Planning Authority in accordance with BS5837:2012.  
Reason  
In the interests of maintaining the amenity afforded by existing trees.
10. If the construction works include piling then prior to the commencement of development, a method statement detailing the type of piling and noise emissions shall be submitted to and approved in writing by the Local

Planning Authority. All piling works shall be carried out in accordance with the approved details.

Reason

Details are required prior to commencement to safeguard the amenities of the occupiers of surrounding residential properties in accordance with Policy ENV24 of the East Herts Local Plan Second Review April 2007.

11. The development hereby permitted shall be carried out in accordance with the surface water drainage assessment prepared by Eastwood and Partners ref: 39234-001 dated March 2016 and the additional information submitted on 19<sup>th</sup> May 2016 to include the following measures:

- Limiting the surface water run off to 4.9/s with discharge into the Thames Water sewer.
- Providing attenuation to ensure no increase in surface water run-off volumes for all rainfall events up to and including the 1 in 100 year + climate change event.
- Undertake the drainage strategy to include the use of permeable paving.

Reason

To prevent flooding on and off the site by ensuring satisfactory disposal of surface water from the site.

12. No development shall take place until a detailed surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro-geological context of the development has been submitted to and approved in writing by the Local Planning Authority. The drainage strategy should demonstrate the surface water run-off generated up to and including the 1 in 100 year + 30% for climate change critical storm will not exceed the run off from the undeveloped site following the corresponding rainfall event. The scheme shall subsequently be implemented in accordance with the approved details prior to completion of the development. The scheme shall include:

- The provision of a fully detailed drainage plan showing pipe diameters, pipe runs, outlet points and the location of SuDS features and supporting calculations.
- Detailed engineered drawings of proposed SuDS features
- Details of how the scheme shall be maintained and managed after completion.

Reason

Details are required to be approved prior to the commencement of development to prevent the increase risk of flooding on and off the site.

13. Prior to first occupation of the development, the access and parking area shown on drawing ref: 748 025 PL02 G shall be provided and shall be maintained thereafter.

Reason

To ensure the provision of adequate off-street parking.

14. Prior to the commencement of the development a Construction Management Plan (CMP) shall be submitted to and approved in writing by the Local Planning Authority and thereafter be implemented in accordance with the approved details. The CMP shall specify the location and details of wheel washing facilities, The method of accessing the site including vehicle numbers and routing and associated parking and storage areas for construction vehicles clear of the public highway.

Reason

Details are required to be approved prior to commencement to ensure the satisfactory management of construction traffic in the interests of highway safety.

#### Informatives:

1. Other legislation.
2. The presence of any significant unexpected contamination that becomes evident during the development shall be brought to the attention of the Local Planning Authority.

#### Summary of reasons for decision

East Herts Council has considered the applicant's proposal in a positive and proactive manner with regard to the policies of the Development Plan (Minerals Local Plan, Waste Core Strategy and Development Management Policies DPD 2012 and the 'saved' policies of the East Herts Local Plan Second Review April 2007); the National Planning Policy Framework and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015. The balance of the considerations having regard to those policies is that permission should be granted.

**KEY DATA****Residential Development**

<b>Residential density</b>	77 dph	
	Bed spaces	Number of units
Number of new flat units	1	3
	2	7
	3	0
Number of new house units	1	0
	2	0
	3	0
	4+	0
Total		10

**Affordable Housing**

<b>Number of units</b>	<b>Percentage</b>
10	100%

**Residential Vehicle Parking Provision**

Current Parking Policy Maximum Standards (EHDC 2007 Local Plan)

<b>Parking Zone</b>	3	
<b>Residential unit size (bed spaces)</b>	<b>Spaces per unit</b>	<b>Spaces required</b>
1	1.25	4
2	1.50	11
3	2.25	0
4+	3.00	0
Total required		15 max
Proposed provision		10

## Emerging Parking Standards (endorsed at District Plan Panel 19 March 2015)

Parking Zone	3	
Residential unit size (bed spaces)	Spaces per unit	Spaces required
1	1.50	5
2	2.00	14
3	2.50	0
4+	3.00	0
Total required		19
Accessibility reduction	50%	
Resulting requirement		10
Proposed provision		10

**Legal Agreement – financial obligations**

This table sets out the financial obligations that could potentially be sought from the proposed development in accordance with the East Herts Planning Obligations SPD 2008; sets out what financial obligations have actually been recommended in this case, and explains the reasons for any deviation from the SPD standard.

Obligation	Amount sought by EH Planning obligations SPD	Amount recommended in this case	Reason for difference (if any)
Affordable Housing	Threshold for Affordable Housing provision not met	100% provided	Housing Association application
Parks and Public Gardens	£2,394.41	Nil	No contributions sought as there would be a net decrease in housing numbers provided
Outdoor Sports facilities	£6631.37	Nil	
Amenity Green Space	£1,019.99	Nil	
Provision for children and young people	£979.43	Nil	
Maintenance contribution - Parks and public gardens	£5,284.91	Nil	
Maintenance contribution -	£16,649.32	Nil	

Outdoor Sports facilities			No contributions sought as there would be a net decrease in housing numbers provided
Maintenance contribution - Amenity Green Space	£2,869.15	Nil	
Maintenance contribution - Provision for children and young people	£1,879.49	Nil	
Community Centres and Village Halls	£1,768	Nil	