

DEVELOPMENT MANAGEMENT COMMITTEE – 7 DECEMBER 2016

Application Number	3/16/2087/VAR
Proposal	Variation of condition 2 (approved plans) of planning permission 3/14/2292/FP – Development of land at Chauncy School to deliver 47 new homes (18 houses and 29 flats) associated car parking and new vehicular access
Location	The Chauncy School, Park Road, Ware, SG12 0DP
Applicant	Network New Building Ltd
Parish	Ware
Ward	Ware St Marys

Date of Registration of Application	22 nd September 2016
Target Determination Date	22 nd December 2016
Reason for Committee Report	Major
Case Officer	David Snell

RECOMMENDATION

That planning permission be **GRANTED**, subject to a Deed of Variation to the existing legal agreement, if required, and the conditions and reasons set out at the end of this report.

1.0 Summary

- 1.1 It was resolved to grant planning permission for this residential development at a meeting of the DM Committee on 24 June 2015, subject to conditions, and a legal agreement relating to the provision of financial obligations to Ware Young Peoples Centre; Ware Library; the upgrading of the Chauncy School to town centre pedestrian link, and the provision of 40% affordable housing (19 units). The Agreement was subsequently completed and planning permission was issued on 8th December 2015.
- 1.2 This application proposes design amendments to the approved buildings as detailed in the report. No changes are proposed to the number or mix of units or the parking provision proposed across the site. The amendments are considered to be acceptable and would not have an adverse effect on the character and appearance of the development itself or on the surrounding area. None of the Section 106 obligations referred to above would be affected by the proposed amendments.

2.0 Site Description

- 2.1 The site is shown on the attached OS extract and comprises approximately 1.0ha of land at the southwest corner of the Chauncy School site, fronting Park Road at its junction with Wengeo Lane.
- 2.2 To the west and east of the school are areas of housing and to the south the industrial buildings of the Glaxo Smith Kline complex.

3.0 Background

- 3.1 The land the subject of this application is designated as existing playing field/open space/recreational land in the Local Plan.
- 3.2 However, at the time of the original application reference: 3/14/2292/FP the land comprised unused recreational land within the grounds of the school. Submissions on behalf of the applicant set out that the land had not been used by the school, or anyone else, for a number of years and the benefits of the scheme in providing housing and enabling the provision of replacement sporting facilities elsewhere on the school site, were considered to outweigh the harm resulting from the loss of the recreational land.
- 3.3 The approved housing development funded a new school building accommodating a sports hall and 8 classrooms approved under application reference: 3/14/2250/FP on 24 June 2015.
- 3.4 A copy of the report to the committee in relation to the original application is attached as **Essential Reference Paper 'A'** to this report.
- 3.5 This application proposes design amendments to that approved development.

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:

Key Issue	NPPF	Local Plan policy	Pre-submission District Plan policy
Requiring good design	Section 7	ENV1	DES3
Sustainable development	Paragraph	SD1	DPS2

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

5.0 Emerging District Plan

5.1 The Council resolved to proceed to the publication of its pre-submission version of the District Plan at the meeting of Council of 22 Sept 2016. Consultation on the Plan is currently underway. The view of the Council is that the Plan has been positively prepared, seeking to ensure significantly increased housing development during the plan period. The weight that can be assigned to the policies in the emerging plan can now be increased, given it has reached a further stage in preparation. There does remain a need to qualify that weight somewhat, given that consultation on the Plan is now taking place and the outcome of that is currently unknown.

6.0 Summary of Consultee Responses

6.1 No statutory consultation was required in respect of these proposals.

7.0 Town Council Representations

7.1 Ware Town Council has responded to say that this application was due to be considered by the TC Planning Committee on 31 October. Unfortunately it was cancelled because it was inquorate and East Herts Councillors for Ware were instead contacted to say that if they had any issues with any of the applications they should contact EHC direct as Ward Councillors.

No responses have been received as a result.

8.0 Summary of Other Representations

8.1 The application has been advertised by means of site and press notices and neighbour notification. Three responses have been received objecting on grounds that can be summarised as:

- The application appears to be value engineering to increase profit
- The green roof to the flat block should not be omitted.

8.2 It is important for Members to note that the application has since been amended and the applicant has now agreed to retain the green roof as originally proposed within application 3/14/2292/FP.

9.0 **Planning History**

9.1 The following planning history is of relevance to this proposal:

Ref	Proposal	Decision	Date
3/14/2292/FP	Development of land at Chauncy School to deliver 47 new homes (18 houses and 29 flats) associated car parking and new vehicular access	Approved subject to Section 106	December 2015
3/14/2250/FP	Erection of a new school building accommodating a sports hall and 8 classrooms	Approved	June 2015

10.0 **Consideration of Relevant Issues**

10.1 Planning permission has been granted for the residential development of the site under application reference 3/14/2292/FP. This further application seeks only to amend the detailed design of the proposals and not the number or mix of the dwellings previously approved.

10.2 The application initially proposed the removal of the green roof originally approved. However, following concerns raised by Officers and third parties, the application has been further amended to retain the green roof as originally approved.

10.3 The application now proposes only the following amendments to the previously approved plans:

Amendments to approved block of flats

- An overhanging projection to the first and second floors of elevation C has been omitted and the wall continued downwards to ground level.
- In the same area, the parapet to the roof has been revised to follow the recess of the balcony below.
- The brick parapet to the roof and second floor terrace of the block has been revised to follow the recess of the balconies below.

- The junction of an area of copper rain screen cladding with brickwork has been modified so that the brickwork wraps around the corner (section B-B).

These amendments largely arise as the original design details were structurally and thermally problematic in construction terms. The cantilevered brick parapets could not be constructed due to lack of corner support.

- Windows to the stair core have been realigned to the left (section D-D).
- Reduction of parapet height by 4 brick courses.

These amendments arise because a service riser needed to be incorporated into the stairwell requiring relocation of the staircase and windows to suit. The approved roof structure was thicker than required allowing a reduction in the parapet height.

Amendments to approved dwellings

- Reduction in height from ground floor level to eaves on house type 1 from 6.0m to 5.85m.
- Reduction in height from ground floor level to eaves on house type 2 from 5.85m to 5.18m.

These amendments arise as it is only necessary to achieve 2.5m internal floor to ceiling heights and this has enabled a reduction in height

Amendments to both dwellings and flats

- Reduction of height of window openings from 2.3/2.4m to 2.25m.

This amendment arises as this is the maximum size available in the approved window product.

- 10.4 The proposed amendments to the elevations of the flats and houses are, in the main, non-material amendments and overall the proposals do not diminish the design quality of the development and are considered to be acceptable.

Planning obligations and conditions

- 10.5 The original planning permission was subject to conditions requiring the approval of various detailed elements of the scheme. All details, apart

from external lighting, have been submitted and are acceptable. A condition is therefore recommended linking this application to the approved details of planning permission reference: 3/14/2292/FP.

- 10.6 A legal agreement signed in respect of planning permission reference: 3/14/2292/FP secured the obligations set out within the report attached as ERP A. A Deed of Variation to the original Section 106 agreement may be required to link it to this application to the agreement and this will be considered by the Solicitor to the Council if Members resolve to grant planning permission in this case.

11.0 Conclusion

- 11.1 The design amendments to the proposed buildings are considered to be acceptable and would have no adverse impact on the design or appearance of the proposed development. The application is recommended for approval subject to:

Legal agreement

A variation of the existing legal agreement if required plus the following conditions:

Conditions

1. Three year time limit (1T12)
2. Approved plans
3. The development shall be implemented in accordance with the approved details submitted pursuant to the discharge of conditions of planning permission LPA reference: 3/14/2292/FP dated 8th December 2015.

Reason: To ensure the satisfactory implementation of the development in accordance with the approved details and specifications.

4. Prior to installation, details of external lighting to be installed shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved detail.

Reason: In the interests of the visual amenities of the area in accordance with Policy ENV23 of the East Herts Local Plan Second Review April 2007.

5. Parking provision and retention (3V23)
6. Landscape works implementation (4P13) – after ‘details’ add ‘including the proposed green roof
7. Before the development commences detailed plans and specifications of all works proposed to the public highway, including access junction protection measures and tree removal shall be submitted to and approved by the Local Planning Authority. The works shall be constructed to the approved details prior to first occupation of the development.

Reason: To ensure that prior to occupation of the development satisfactory access is provided in the interests of highway safety.

8. Concurrent with the construction of the site access a visibility splay 2.4m x 53m shall be provided in both directions, within which there shall be no obstruction to visibility between 0.6m and 2.0m in height above carriageway level.

Reason: In the interests of highway safety.

9. Before the access is brought into use a triangular vision splay shall be provided on each side of the access measuring 2.0m along the means of enclosure on the front boundary of the side and 2.0m into the site measured at right angles from the boundary line. The splays shall be maintained free from obstruction to visibility exceeding a height of 0.6m above the carriageway.

Reason: In the interests of highway safety.

10. Construction hours of working – plant and machinery (6N07)

Informatives

1. Other legislation (01OL)
2. Street numbering and naming (19SN5)
3. Highway works (06FC2)

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; 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**

Residential density	47 units Ha	
	Bed spaces	Number of units
Number of existing units demolished	0	
Number of new flat units	1	8
	2	17
	3	4
Number of new house units	1	
	2	
	3	10
	4+	8
Total		47

Affordable Housing

Number of units	Percentage
19	40%

Residential Vehicle Parking Provision

Current Parking Policy Maximum Standards (EHDC 2007 Local Plan)

Parking Zone		
Residential unit size (bed spaces)	Spaces per unit (<i>amend if zone 2</i>)	Spaces required
1	1.25	10
2	1.50	25.5
3	2.25	31.5
4+	3.00	24
Total required		91
Proposed provision		84

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

Parking Zone	4	
Residential unit size (bed spaces)	Spaces per unit	Spaces required
1	1.50	26
2	2.00	34

3	2.50	35
4+	3.00	24
Total required		119
Accessibility reduction	<i>(this depends on zone)</i>	29
Resulting requirement		90
Proposed provision		84