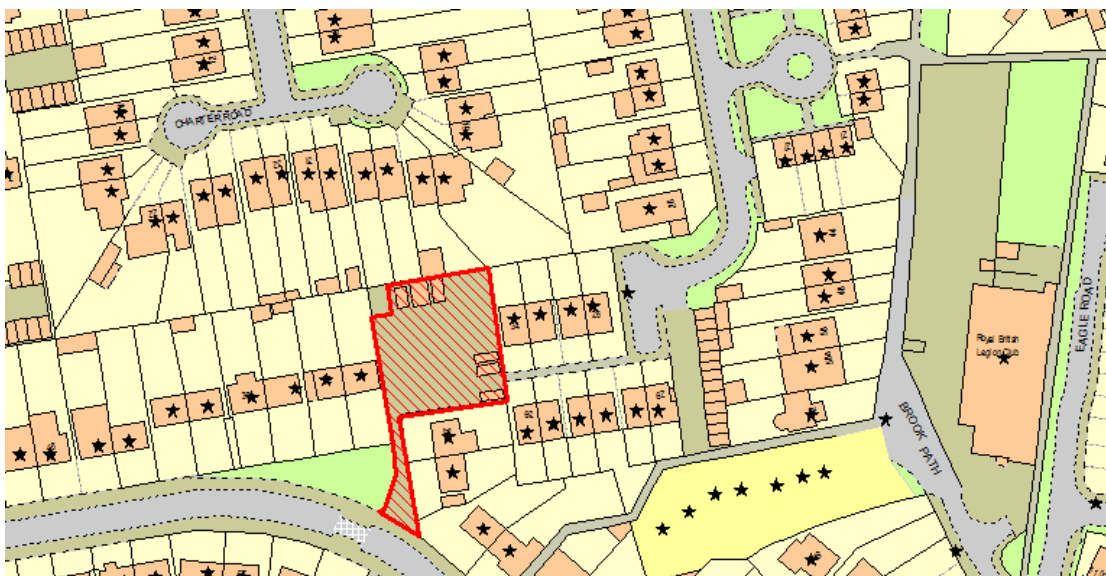


Registration Date:	21-Dec-2016	Application No:	S/00734/000
Officer:	April Waterman	Ward:	Cippenham Green
Applicant:	Mr. Mike Broom, Slough Borough Council	Application Type:	Major
		13 Week Date:	
Agent:	Mr. Derek Hampshire, The AED Practice Rockwell House, Wartling Hill, Wartling, East Sussex, BN27 1RY		
Location:	Garage Site To The Rear Of, 28, Bowyer Drive, Slough, SL1 5EG		
Proposal:	Removal of redundant residential garages and slabs, and construction of 1 pair 3 bedroom semi-detached houses and 1 no. 3 bedroom detached house to provide 3no new dwellings; and associated works		

Recommendation: Delegate to Planning Manager subject to completion of legal agreement



S/00734/000

SUMMARY OF RECOMMENDATION

- 1.0 Under the current constitution this application is brought to the Planning Committee for decision because the applicant is the Council and objections to the proposed development have been received.
- 1.1 The scheme has been amended during the course of its consideration, the amendments comprising iterative revisions of the layout and design of the proposed development, and submissions of additional information relating to flood risk.
- 1.2 Having considered the relevant Development Plan and national planning policy and guidance, the representations received from consultees and from the community, and all other material considerations relevant to the scheme, it is recommended that planning permission is granted for the proposed development, subject to the suggested conditions and informatives and the securing of a legal obligation ensuring that the dwellings are provided and retained as 'affordable'.

PART A: BACKGROUND

- 2.0 **Proposal**
- 2.1 Full planning permission is sought for a residential development of three family houses to replace the existing garage/parking court located to the north and east of no.s 28 and 30 Bowyer Drive respectively.
- 2.2 A pair of semi-detached three-bedroomed houses, and one detached two-bedroomed house are now proposed, of designs and layout that have been amended a number of times to address and improve matters of flood risk, neighbour amenity, parking and landscaping. The units would be grouped on an east-west axis, similar to the building line of housing to the east side of the site, with the principal access in the south west corner of the site.
- 2.3 The position of the houses has been moved northwards, to improve the circulation space and parking area to the south of the site, as well as increase the distance between the new dwellings and the existing house at no. 28 Bowyer Drive (which presents its flank and rear garden to the site). For the detached dwelling on the western part of the site, the footprint of the house has also been shifted eastwards, making the gap between it and the existing gable end and rear garden of no 30 Bowyer Drive more generous.
- 2.4 The scheme shows asymmetrical eaves arrangements for all three units, to minimise their visual impact on properties adjoining the site, without drastically reducing the amount of internal accommodation offered. The detached dwelling also has an indented rear roof plane (omitting a third bedroom) to further reduce the bulk of the building as perceived from the neighbouring gardens.
- 2.5 Materials for the development are indicated as a brick plinth, with walls finished in render at ground floor and weatherboard to eaves, under a tiled roof. Side-facing windows serve only bathrooms, and so will be obscure-glazed.

- 2.6 To accommodate for flood events finished ground floor levels are set at 24.08 m AODN, and the housing would stand above sub-floor floodable voids, through which water could flow freely via openings on all outer walls. Steps provide access to all doors.
- 2.7 Vehicular access to the development is to be gained via the existing arrangement of a single width driveway (minimum of 2.4 metres) leading northwards across a small grassed area from Bowyer Drive, along the frontage of no.s 28 and 26, and to the side (east) of no.30.
- 2.8 10 parking spaces are now shown to provide 2 spaces each for the new housing and 4 spaces for the use of existing Bowyer Drive residents (2 spaces to be allocated for no. 28). This is a reduction of one space from the original proposal. Sheds which can be used for cycle storage are to be provided for each new house, as well as space for on-plot bin storage.
- 2.9 Hard and soft landscaping is indicated, showing block paving for parking, communal access and turning space and on-plot path and patio areas, together with lawned gardens and hedge planting to define and screen parking spaces from existing neighbouring gardens.
- 2.10 Rear gardens are proposed to provide amenity space (the housing is likely to be occupied by families with children) with a small area of forecourt facing onto the access and parking areas.

3.0 **Application site**

- 3.1 The application site comprises a roughly rectangular 0.1 hectare of almost level land, together with the access route to it from the adopted highway (Bowyer Drive). It contains 8 garages which are single storey structures of a mix of styles and ages, generally in poor repair. The garages are sited close to the north and east boundaries of the application site. Access to the land is via a part-adopted tarmac single width route off Bowyer Drive. The site is predominantly laid to impermeable concrete although around the perimeter is some self-colonised tree and shrub growth, none of which is protected by TPO. There is a mix of boundary treatments which form the end and side boundaries to the housing that is adjacent to the site.
- 3.2 Bowyer Drive has a suburban character, with two types of two-storey semi-detached housing. At both ends of Bowyer Drive are fully-hipped-roof semis which have rendered white facades and rendered side walls (either white or a concrete colour) under terracotta coloured tiled roofs. In the central section of Bowyer Drive (and closest to the application site) are pairs of gable-end-roof houses which are rendered and with white and grey cladding and dark roof tiles.
- 3.3 A significant number of houses within Bowyer Drive have front gardens that are laid to lawn with planting such as shrubs and hedges on the perimeters. There is a variety in the depth of frontage, and in the depth of grassed verge between the carriageway and the front garden perimeters. Car parking is variously catered for on plot, with drives leading off the highway directly or crossing the verge, or by nose-in parking spaces laid out within the verge areas, or by unrestricted on-street parking.
- 3.4 There are views between the pairs of houses on Bowyer Drive to tree planting in the rear gardens of property on surrounding roads. These gaps also provide views through to the varying style and ages of two storey houses and chalet style bungalows that are found on nearby roads.

3.5 The site lies within Flood Zone 3, where there is greater than a 1 in 100 year chance of flooding from the nearest watercourse (the Chalvey Ditches). The design flood level (1 in 100 year event, plus 35% Climate Change Allowance) is calculated as 23.78 m AODN.

4.0 **Site History**

4.1 There is no relevant planning history for this site.

5.0 **Press and site publicity, and neighbour notification**

5.1 No press advertisement or site notice display was undertaken for this scheme.

5.2 The following addresses were notified by post of the original, first revised and second revised proposals for this scheme: 24, 26, 28 and 30 Bowyer Drive; 34 and 39 Bridge Close; 21, 23, 25, 27 and 29 Charter Road.

5.3 The following comments on the proposed development have been received, contained within 5 individual responses and one petition signed by 23 persons:

- The consultation with neighbours took place over Christmas 2016 and the New Year, resulting in insufficient time to comment on the proposals or ask for further information.
- How many letters have been sent out?
- The car parking will lead to noise and nuisance; cars driving in and out, car doors banging, car radios, people talking and shouting, in the day and at night and car exhaust fumes.
- Number 28 Bowyer Drive is close to the site and the way the occupiers use the house and garden will result in no respite and very little privacy.
- Narrow exit road which passes in front of no. 28 Bowyer Drive which will have a constant traffic flow past it through day and night with no respite.
- The three houses will not lead to less traffic generation than the garages.
- The space will not be able to function in terms of cars manoeuvring in and out.
- The bins should not be located close to no. 28 Bowyer Drive.
- The development would not be creating a better quality of life.
- There is no data in the Flood Risk Assessment to substantiate that the site is within the 1 in 100 year floodplain.
- Open spaces are needed and not buildings crammed into small spaces. The estate was designed to follow this principle and the reason that the occupiers of 28 Bowyer Drive live in the area.
- The plans do not show any trees or consideration for wildlife and green space. Landscaping would be a way of resolving the flooding problems.
- There is not enough land to build houses in Slough. This results in less green space which cannot be replaced.
- The development would result in overlooking to the garden of number 34 Bridge Close and would obscure it dramatically, along with extra noise which would be an added nuisance.
- Loss of privacy and impact on the peaceful enjoyment of the occupiers of 27 Charter Road, along with overshadowing, loss of daylight and a visually overbearing impact. There will also be noise, pollution and dust given the siting of the parking. The development would also restrict the limited access to the rear garden.
- Loss of privacy, overshadowing and loss of light at 25 Charters Road. In addition, the development will take away any ability to access the rear garden of this house which is important as the property does not have front or side access to the garden. The plans should

be re-submitted with one pair of semi-detached houses which would be less intrusive and more sensitive to the access means to this house.

- Petition from 24 residents of 17 properties on Bowyer Drive, Bridge Close and Charter Road on the grounds of: loss of important local amenities, loss of light and overlooking to houses bordering the site, increased traffic and the flood risk data is not relevant to this project.

5.4 The matters that these objections raise are addressed in the main body of the report. Any further comment received on the latest revisions will be reported to the committee.

6.0 **Consultations**

6.1 Highways 10.01.2017 (Original scheme). No objection, subject to securing a number of matters by condition. In summary:

- The current access should be repaired to standard, to be secure by pre-occupation condition.
- Encouragement to create a pedestrian access through to Bridge Close to improve local permeability. Pre-commencement condition suggested to secure details and implementation.
- Parking standard for this site is 2 spaces per dwelling. The scheme complies.
- Loss of garaging and parking facilities is a loss of amenity for residents in the area. The re-provision of 5 spaces is acceptable and welcomed.
- Sheds proposed can provide cycle storage for each house, pre-occupation condition to secure implementation.
- On-plot and communal collection point bin storage arrangements are considered acceptable.
- Surface water from the development must not drain onto the public highway or into the highway drainage system.

6.2 Formal comments on revised proposals are awaited, and will be reported to Committee as an update. Concern has been expressed verbally that the revised bin collection point is not within the appropriate drag distance for bin operatives, so alternative arrangements (a collection point off-site, closer to Bowyer Drive) will need to be secured. The recommended conditions address this point.

6.3 Environment Agency 31.10.2017. (First amended scheme and original FRA). No objection, subject to securing mitigation measures. In summary: The proposed development will only meet the requirements of the NPPF if the following floor level and floodable voids measures are implemented and secured by planning condition, without which the proposed development poses an unacceptable risk to people and the environment and we would object to the application.

- Finished floor levels to be set no lower than 24.33 m AODN
- Floodable voids to be incorporated into the building to at least 24.33 m AODN
- There should be no increase in ground levels external to the property to ensure no loss of flood plain storage
- Development should not be permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower probability of flooding. It is for the LPA to determine whether this Sequential Test is applied and passed.

- If the Sequential Test is applied and passed, it must then be ensured that the development is appropriately flood resilient and resistant, including safe access and escape routes. Again it is for the LPA to make this assessment.
- 6.4 Environment Agency 14.05.2018 (Revised proposals and revised Flood Risk Analysis). Formal comments on revised proposals and FRA are awaited, and will be reported to committee as an update. Verbally, no objection is now raised subject to securing mitigation measures. Comments are:
- the revised calculations for the design flood level (including +35% Climate Change Allowance) of 23.78 m AODN are accepted
 - amended drawings or other confirmation should be submitted to show that the soffit of the voids will be set at 23.78 m AODN, and the finished floor levels of the ground floor will be set at least 300 mm above this soffit level.
- 6.5 Tree Officer (Original scheme) No objection. There are no significant trees on the site and insufficient space to provide for trees to be planted
- 6.6 Environmental Protection Officer No comments received.

PART B PLANNING APPRAISAL

- 7.0 **Policy background**
- 7.1 National Planning Policy Framework 2012
- 7.2 Of relevance to this proposal are paragraphs 6 and 7 (detailing the presumption in favour of sustainable development, incorporating its three aspects: economic, social and environmental) together with the core planning principles set out in paragraph 17. Guidance contained in the following sections is also relevant:
- Section 4 Promoting sustainable transport
 - Section 6 Delivering a wide choice of high quality homes
 - Section 7 Requiring good design
 - Section 8 Promoting healthy communities
 - Section 10 Meeting the challenge of climate change, flooding and coastal change
 - Section 11 Conserving and enhancing the natural environment
- 7.3 Slough Local Development Framework Core Strategy 2006 - 2026
- 7.4 Strategic Objectives A, B, C and J, as set out in the Core Strategy, are pertinent to this proposed development. The scheme has been assessed in the light of these and the following relevant policies:
- Core Policy 1 Spatial Strategy
 - Core Policy 3 Housing Distribution
 - Core Policy 4 Type of Housing
 - Core Policy 7 Transport
 - Core Policy 8 Sustainability and the Environment
 - Core Policy 9 Natural and Built Environment
 - Core Policy 10 Infrastructure

- Core Policy 11 Social Cohesiveness
- Core Policy 12 Community Safety

7.5 Local Plan for Slough 2004 (Saved Policies)

7.6 Policies relevant to the proposed development are:

- H13 Backland/ Infill Development
- H14 Amenity Space
- EN1 Standard of design
- EN3 Landscaping Requirements
- EN5 Design and Crime Prevention
- EN4 Utility Infrastructure
- OSC5 Public Open Space Requirements
- OSC15 Provision of Facilities in New residential Developments
- T2 Parking Restraint
- T8 Cycling Network and Facilities

7.7 Composite Local Plan – Slough Local Development Plan and the NPPF - PAS Self Assessment Checklist

7.8 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that applications for planning permission are determined in accordance with the development plan unless material considerations indicate otherwise. Annex 1 to the National Planning Policy Framework advises that due weight should be given to relevant policies in existing plans according to their degree of consistency with the Framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given).

7.9 The Local Planning Authority has published a self assessment of the Consistency of the Slough Local Development Plan with the National Planning Policy Framework using the PAS NPPF Checklist.

7.10 The detailed Self Assessment undertaken identifies that the above policies are generally in conformity with the National Planning Policy Framework. The policies that form the Slough Local Development Plan are to be applied in conjunction with a statement of intent with regard to the presumption in favour of sustainable development.

7.11 It was agreed at Planning Committee in October 2012 that it was not necessary to carry out a full scale review of Slough's Development Plan at present, and that instead the parts of the current adopted Development Plan for Slough should all be republished in a single 'Composite Development Plan' for Slough. The Planning Committee endorsed the use of this Composite Local Plan for Slough in July 2013.

7.12 Since that time, work is progressing on the Emerging Preferred Spatial Strategy, with the most recent update to Planning Committee by report on the 21st February 2018. There are no matters of emerging policy that are relevant to the assessment of this planning proposal.

8.0 Planning considerations

- The principle of development
- Flood risk

- Housing mix
- The impact of the scheme on the character and appearance of the area
- The impact of the scheme on amenity of neighbouring and future residents
- Highways and access
- Crime prevention

8.1 Principle of development

8.2 This plot is considered to be a brownfield site within a residential area on which housing development would be appropriate and supported in terms of Strategic Objective C and Core Policies 1 and 4. The NPPF notes that subject to other tests, the social dimension of sustainable development includes the provision of a supply of housing required to meet the needs of present and future generations, and this proposal would assist in that provision. Other social, economic and environmental dimensions must also be taken into account, however, in the assessment of whether the proposal benefits from the presumption in favour of sustainable development.

8.3 Flood risk

8.4 The site lies in Flood Zone 3, where there is a high risk (1 in 100 year or greater) of fluvial flooding from the Chalvey Ditches. The NPPF states that inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk. The NPPF requires that developments that are proposed in such areas of flood risk should be subject to the Sequential Test (ST). The aim of the ST is to steer new development to areas at the lowest risk of flooding and not to permit such proposals if there are reasonably available sites that would be appropriate for the development in areas with a lower probability of flooding.

8.5 In carrying out a Sequential Assessment (ST), potential alternative sites that would normally be considered are:

- Allocated sites in the Local Plan;
- Sites which benefit from planning permission; and,
- Windfall sites (these are sites that are not allocated in the Local Plan and do not have planning permission)

8.6 In this instance the proposed development comprises three additional houses, on a site of 0.1 hectares, in a suburban area of medium density low-rise housing. Comparator sites, therefore, should be similar in scale and kind to the proposal. Sites that are allocated in the Local Plan for housing are too large to be comparators for this proposal. The ST has therefore focussed on windfall sites, plots on which planning permission has already been granted, and land identified under a call for sites as part of Local Plan review work.

8.7 Following a number of additional submissions, including information relating to the attempted contact of land owners and proof of commencement of work on consented sites, the applicant has provided information to demonstrate that a Sequential Test has been appropriately carried out, and its finding, that there are no sequentially preferable sites for the development that are reasonably available, has been accepted.

- 8.8 Only once the ST has been passed is it then necessary to apply the Exceptions Test (ET) to the proposed scheme, to assess whether development on this Flood Zone 3 land is acceptable. To pass the ET it is necessary for the development to demonstrate that
- it would provide wider sustainability benefits to the community that outweigh flood risk, and
 - it would be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere, and where possible would reduce flood risk overall
- 8.9 As noted above, the provision of new housing is considered to be of social benefit. Whether this in itself is sufficient to outweigh the flood risk, needs to be balanced with the other factors of safety, but in principle some weight may be attached to this benefit to the community, given that nationally and in the Borough a shortage of housing has been clearly identified (the current local assessment of housing need states a requirement for 927 houses per year).
- 8.10 For housing the lifetime of the development is taken to be 100 years, and the test of safety should address not only the impact of current predicted fluvial flood water levels on the building and its use, but also flood levels in the future, using an appropriate method of estimating the effect of climate change. In its revised form, the site-specific Flood Risk Assessment for this development has calculated a more refined estimate of the likely flood water level over the lifetime of the development, at 23.78 m AODN.
- 8.11 To be considered “safe” the development should show that access to and escape from the proposed building will be achievable either along a dry route or one where only a very low hazard to pedestrians will be present for some or all of the flooding event. Depth of water is not the only factor in assessing the hazard that flooding presents: even shallow water that is moving can knock an adult off their feet, or carry debris that can cause damage by collision, or can block, channel and further locally speed up water flow. Water that is dirty may conceal obstacles such as kerbs and open manholes, as well as carry contaminants harmful to health. The thresholds for what is considered to present a very low hazard in terms of depth and velocity of water flow are very low, therefore: no more than 0.25 m depth, and no more than 0.3 metres/second.
- 8.12 Where a dry or very low hazard route of access and escape cannot be achieved, because of the predictions for the flood water depth that are calculated for the site and its surroundings, then traversing the waters during a flood event should not be attempted. Instead, plans should be in place to maintain safe refuge within the development itself, or evacuation to another place of safety. In all but very short flood events (hours) it is not desirable to rely on the building itself to provide safe refuge (where the level of flood water does not impinge on all levels of accommodation) because even if the living spaces remain dry there may be failures of services (power, fresh water supplies, foul drainage) which render the occupation unsafe and/or insanitary. Also the need for ordinary domestic supplies or for emergency medical attention to be sought should not be ignored. Departure in advance of flooding is appropriate, therefore, rather than staying in the property only to require rescue at a later time. Therefore an evacuation plan for the development should be prepared, which will set out when and how residents will be evacuated and provided with a place of safety.
- 8.13 As noted above, the Flood Risk Assessment for the development calculates the design flood (1 in 100 year event +35% Climate Change Allowance) as 23.78 m AODN. Additionally, an

initial Flood Emergency/Evacuation Plan (FEP) has been submitted, which shows that flood water level will be in excess of the “very low hazard” threshold for access and escape routes, as existing ground levels surrounding the proposed buildings, along the access drive and at the junction of Bowyer Drive range from 23.15 m AOD to 23.52 m AOD, equating to water depths of 0.63 m to 0.26 m. Two evacuation routes are identified in the FEP (west along Bowyer Drive, and south east along Bowyer Drive). Flood depths for both suggested evacuation routes have also been calculated, and the document acknowledges that there will be no safe or very low hazard route of access and escape from the proposed development in either direction to land in Flood Zone 1 and possible areas of safe refuge, as it would be necessary to cross deep water for distances up to 150 metres. The FEP advocates that in the event of a flood warning being issued in the surrounding area, the property should be evacuated *before* flooding begins and certainly before depths exceed 250 mm anywhere along the evacuation route. If depths appear to exceed 250 mm, the occupants are advised to take temporary refuge within the upper floors of the development, and await assistance. This action may, of course, have implications for the safety and convenience of the residents, including vulnerable occupants (children) and will place an additional burden on the resources of the emergency and support services in the event of a flood, so early evacuation is much the preferred procedure.

- 8.14 It is also noted in the FEP that, unlike many areas of the country at high risk of flooding, there is no Environment Agency flood warning or alert system in place for this part of Slough and therefore that it should be the occupant’s responsibility to be vigilant in monitoring weather reports and the EA Flood Warning Service for nearby areas. However, as these properties will be tenanted rather than sold on the open market, this responsibility for monitoring of weather reports and flood information can lie with the landlord. The FEP notes that the potential risk of flooding will be clearly identified in the resident manual. Housing Officers will present the manual to tenants and ensure its contents are understood by them.
- 8.15 In terms of the Exceptions Test, therefore, it cannot be demonstrated that the development would be safe for its lifetime (in that it would not have a safe or very low hazard route for access and escape in the event of a design flood) without another safeguarding measure being in place. The safety of future residents could only be assured if they were to be obliged to evacuate the houses before the onset of a flooding event. The landlord will need to set up an evacuation mechanism and make provision for the residents to be accommodated as needed in a place of safety. Tenants of any new housing on this site will need to be aware of and agree to abide by the necessary evacuation procedures, in a detailed Flood Evacuation Plan, that the landlord must prepare and implement for the site. This matter will need to be secured by condition on any planning permission granted, as suggested in part 4 of this report, in order for the proposed development to pass this part of the Exceptions Test.
- 8.16 The design of the housing has been amended to incorporate voids beneath the buildings that will allow water to flow across the site, rather than be interrupted by the proposed houses. Formal confirmation on amended drawings (as required by the EA) of the precise level of the soffit of the voids is awaited, but the scheme is understood to accommodate the appropriate clearance height. This detail would confirm that the proposed buildings would not take up flood plain storage area, and would not displace flood water to cause an increase in flood risk elsewhere. The loss of the existing garage structures on the site would marginally improve the flood water storage capacity of the site, and therefore on this point the proposed development would pass this element of the Exceptions Test.

- 8.17 The EA has also noted that there should be no change to the existing ground levels on the site, as raising any garden, circulation or parking areas would affect the flood water storage capacity of the site. This matter is also recommended to be secured by condition on any planning permission granted.
- 8.18 It is also advised that measures to render the proposed buildings resistant and resilient to flooding should be incorporated into the scheme, including the choice of materials for the main construction and internal finishes of the houses, and the layout and detailing of services (drainage, electrical circuits, and so on).
- 8.19 Housing mix
- 8.20 One of the aims of national planning policy is to deliver a wide choice of high quality homes and to create sustainable, inclusive and mixed communities. This is largely reflected in local planning policy in Core Policy 4. The proposals would provide family homes in a part of Slough suitable for this type, and the scheme is therefore welcomed.
- 8.21 On sites proposing more than 15 units Core Policy 4 requires between 30% and 40% of new homes to be affordable. The proposed development is clearly below this threshold, however, the applicant has stated that the houses would be constructed and let as part of the Council's expansion of Affordable Housing provision (using the financial contributions from other housing developments where no on-site provision has been made, but compliance with CP 4 is achieved through payment of a commuted sum). A legal obligation governing the development, to ensure that these dwellings will remain as affordable homes in perpetuity, will be required.
- 8.22 Impact of the scheme on the character and appearance of the area
- 8.23 The existing layout and condition of the site is not overall a positive contributor to the character and appearance of the locality. It is host to unattractive structures, poorly maintained surfacing and vegetation of little ecological value. No residences face directly onto the space, and its mainly unsurveyed nature is a discouragement to its use. The land does, however, offer a breathing space between built forms, and enables tree cover from surrounding gardens to be seen.
- 8.24 As noted earlier, Bowyer Drive displays a mature residential suburban character where, on its northern side, generally uniform pairs of two storey houses are spaced regularly along a pleasant street with a common building line, with mainly green front gardens (some 5 m deep), some additional grass verges, and a backdrop of rear-garden trees and two-storey housing of property to the north. At the point of the site access from Bowyer Drive, this route kinks south-eastward, and the building line of houses takes a 90° turn southwards before curving away to the south east again. A triangle of grassed space and the access drive to the garage court fill in the increased gap between the existing housing and the carriageway of Bowyer Drive. The site is located beyond this corner gap between the existing perpendicular frontages of housing, and does not form a straightforward infill in the street scene therefore. Views into the site are framed by the house at no. 30 and a number of established conifers in the side garden of no. 28 Bowyer Drive. Rear and flank elevations of housing in Charter Road to the north and Bridge Close to the east are visible from Bowyer Drive. This view from Bowyer Drive would be replaced by the proposed three new houses, which would continue the east-west alignment of housing on the north side of Bowyer Drive

but would be stepped back from it, closer to (although still behind) the frontage building line of housing on Bridge Close.

- 8.25 The scheme shows only a shallow strip of land for planting at the front of each house, essentially providing a small green border to the short flight of steps up to the front entrances. Tall planting immediately abutting the housing will not be appropriate as the flood voids on all sides of the buildings need to be kept clear, but low-level coverage can be planted. The front settings of the new housing will not therefore match the garden arrangements of many other houses in Bowyer Drive, but this difference will not be prominent in the public street view generally. New hedge planting is indicated along the southern, western and part of the eastern boundaries of the site, including near to the entrance to the site, to soften the appearance of the development overall. Full details of hard and soft landscaping should be secured by condition on any planning permission.
- 8.26 The new buildings, in their revised form, would have a common ridge height of 31.17 m, and eaves of 28.78 m. These would compare with no. 30's ridge height of 30.53 m and eaves level of 28.53 m, which it is considered would give an acceptable visual relationship, given the more regressed position of the new housing in the street scene. The external materials for the proposed new houses have been revised to better reflect those of neighbouring properties: concrete tiled roofing, first floor weatherboard-style cladding, and ground floor pale render. A brickwork plinth, with metal grilles marking the flood void openings beneath each building, is a digression from the predominant surrounding materials palette, but this mitigation measure is necessary to address the high flood risk that the site faces.
- 8.27 From Bridge Close views into the site are currently blocked to head height by the courtyard boundary fencing and shrub vegetation. The upper floor and roof pitches of each of the proposed houses would be visible from Bridge Close, but this change to the public appearance of the close, in the form of a slightly set back and very slightly taller continuation of the built form along its northern side is considered to be acceptable. The ridge height of no. 34 Bridge Close (the chalet bungalow to the immediate east of the site) is shown as being 31.00 m, so the proposed dwellings would be only 0.17 m higher than this, a difference again not obvious because of the staggered arrangement of the existing and proposed housing.
- 8.28 Advice contained within the NPPF includes that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions. Core Policy 8 and Local Plan Policy EN1 require developments to be of a high standard of design. However, the NPPF also notes that planning decisions should not attempt to impose architectural styles or particular tastes. Following negotiation with your officers the design of the development now proposed has been amended, not necessarily to produce a scheme of outstanding or innovative aesthetic quality, but to assimilate better with its context of a modest, established suburban housing estate, and to create built form and landscaping on the site that is more likely to facilitate social interaction and consequently a degree of stakeholder interest or pride in its maintenance.
- 8.29 The impact of the scheme on amenity of neighbouring and future residents
- 8.30 The provision of private amenity space for the proposed houses is not generous compared to some plot ratios near to the site, but the proposed rear gardens would provide an adequate area for young children's play, sitting out and clothes drying.

- 8.31 The rear gardens are shown as 8 m in depth between the rear elevation of the proposed houses and the boundary of the rear gardens of properties on Charter Road. A number of outbuildings have been built at the southern end of these Charter Road rear gardens, close to or on the boundary with the application site. Windows on the south-facing elevation of Charter Road houses are in excess of 15 m from this boundary. The overall distances between these buildings, and in particular their upper floor windows, at more than 23 m, are considered to be adequate to maintain a reasonable degree of privacy for the occupiers of both new and existing housing and not to affect the current levels of sunlight and daylight received by the houses on Charter Road.
- 8.32 To the immediate east of the site lies no. 34 Bridge Close, which is a chalet style bungalow. There is a side window within the property, serving a stairs landing. While the proposed house nearest to no. 34 would affect the outlook from, and light to, this window, this impact is considered not to be unacceptable in terms of the living conditions of this neighbouring property, as it does not serve a habitable room. The proposed house would be sited 2m from the boundary with this neighbouring house and with this separation combined with its minimal projection beyond (northwards from) neighbouring windows, the impact would be acceptable. Concerns over the potential overlooking of the rear garden of no. 34 Bridge Close from the eastern-most new house have been addressed by the amendment of the scheme to show a lower finished floor level than previously proposed, and the addition of a brick and render screen, for the full height of the ground floor, to project from the north east corner of the relevant new dwelling. A first floor window is proposed in the side elevation (east facing) of the new house; as noted above this would serve a bathroom, and it is recommended that the glazing and opening mechanism of this and other side-facing bathroom windows proposed should be restricted by condition (obscure glass and fixed shut with the exception of a top opening element) to preclude overlooking.
- 8.33 The relationship to no. 39 Bridge Close from the nearest proposed houses would be no different to the existing relationships found in Bridge Close for facing properties. It is therefore not considered that there would be a significant impact on the living conditions of this neighbouring occupier.
- 8.34 The distance between the south-facing windows of the proposed houses and the boundary of the property to the south of the site (no. 28 Bowyer Way) is shown at just less than 14 m. There are no habitable windows in the side elevation of this neighbouring house and the rear facing windows would be at a right angle to the new houses. Therefore it is not considered that there would be a significant impact on the living conditions in terms of privacy within this neighbouring house.
- 8.35 To the north side of no. 28 Bowyer Drive a walkway leads from the front garden to the main door of the house and into the rear garden. It is not considered that the proposed development would have any significant impact on light, privacy or outlook from within the garden to this existing property. The main entrance into the proposed dwellings would be via a set of steps, but taking into account both that the short platform fronting the door would not be an outdoor garden space, and its distance from the boundary of no. 28, it is considered that there would be no detrimental impact on the living conditions of the existing property as a result of the proposals.
- 8.36 Amendments to the proposals have also been made to address concerns raised over the impact of the proposed scheme on the amenity of no. 30 Bowyer Drive, which stands to the

immediate west of the site. The footprint of the western-most new dwelling has been shifted eastwards and northwards, to increase the gap (to a minimum of 5 m) between the new building and the boundary of the existing house. Furthermore the upper floor bulk of the proposed building has been reduced by the redesign of the roof to omit a third bedroom at its north western corner. This improves the outlook from the garden area of no. 30, and from the rear garden of 27 Charter Road (where a small area of land has been subsumed into its control).

- 8.37 It is estimated that at various times of the year and day the proposed development may create some new shadowing of the garden areas of no. 30 Bowyer Drive, 23-27 Charter Road and no. 34 Bridge Close. Such impact on the Charter Road properties is likely to be minimal, however, and comprise a cast of shadow across the roof areas of outbuildings, rather than over lawned or otherwise planted areas. The degree of loss of sunlight from the garden areas of properties to the east and west is not felt to be severe, and not to warrant the refusal of planning permission in this instance.
- 8.38 Highways and access
- 8.39 The proposal shows access for vehicles, cycles and pedestrians to the site being obtained as at present, via a single width tarmac route leading from Bowyer Drive where it curves to the south east, close to the location of a speed reduction feature (a raised table of narrowed carriageway width). No separate transport statement or assessment was submitted with the scheme, but the Design Statement asserts that “the three houses will tend to create less traffic generation than the garages site has done in the past”. Of the 8 garages currently on the site only some appear to be in active use, and space within the courtyard is not well-used for external parking. In the absence of survey information relating to the use of and demand for garages and parking space on this site, it is not possible to assess accurately whether the loss of these facilities would have a detrimental effect on the local highway network in terms of the displacement of parking or storage that the site could currently perform. However, the Highway Authority has not raised an objection on this point, but instead notes and welcomes the inclusion of additional parking spaces within the site to serve properties other than the three dwellings proposed.
- 8.40 The route to, and the vehicle manoeuvring space within the site would not appear to be adequate for a refuse vehicle to collect waste from the proposed development. It is understood that at present properties in this vicinity leave bins on collection day at the edge of Bowyer Drive itself. Each proposed house is shown to have space within its curtilage to keep refuse/recycling bins, but the communal collection point also indicated within the site on the latest revised plans (next to the boundary with no. 30) would be further from the main highway than standard drag distances for bin operatives would permit, and therefore bins would not be collected from the development. It is suggested that a new bin collection point, closer to the carriageway of Bowyer Drive, should be laid out to serve the new development, on land that is also within the control of the applicant. While such a collection point would then be further away from the new dwellings than is the standard distance for residents to move them, and is, therefore, not normally an acceptable arrangement, in this instance it appears to be a necessary compromise.
- 8.41 The number, layout and dimensions of the proposed parking spaces within the site have all been revised, to improve the ease of their use, and their relationship with adjoining existing properties. Each new dwelling would have two parking spaces attributed to it, those for the western-most new dwelling to be located in tandem between the proposed dwelling and the

boundary with no. 30 Bowyer Drive, and the other spaces to be among the remaining 8 spaces that will be set nose-in to the southern site boundary. A verge and hedge planting along this boundary is proposed to provide a noise, light and collision buffer to the retained northern boundary fence of no. 28 Bowyer Drive. The existing pedestrian gate leading from the site to the garden area of no. 28 will also be retained, and 2 of the 8 spaces in this row will be allocated for the use of this existing dwelling. The remaining 2 proposed parking spaces will be unallocated.

8.42 An additional pedestrian route to the site linking with Bridge Close was sought by the Highway Authority, but the scheme has not been revised to include this. In an earlier iteration of the scheme the raised ground floor levels of the proposed dwellings were shown to be accessed via ramps, to comply with Part M of the Building Regulations. As the height of the finished floor levels has been dropped (with the refined FRA calculations of design event flood water levels), and to accommodate improved circulation in other respects, the ramps have been omitted from the scheme, and access into the dwellings is shown via sets of shallow riser steps. It is understood that the necessity to incorporate flood mitigation measures into a scheme can be grounds for a dispensation on Part M of the Building Regulations in terms of access.

8.43 Crime prevention

8.44 Paragraph 69 of the NPPF requires planning decisions to promote safe and accessible environments where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion. These objectives are consistent with Core Policies 8 and 12, and Local Plan Policy EN5.

8.45 There is no restriction on access to the garage court at present, and with limited passive surveillance of the site currently from neighbouring properties, the area could be host now to criminal and anti-social behaviour. By redeveloping the site, there would be a clear benefit in terms of improving this area from a designing out crime perspective, as all communal parts of the site would be overlooked from the ground floor front (kitchen) rooms of the proposed development.

9.0 Planning conclusion

9.1 The revised scheme is considered to be an appropriate use in principle for this brownfield site, subject to the imposition of and strict compliance with the safeguards relating to flood risk that are set out in the recommended conditions and legal obligation. The proposed development would have an acceptable impact on the character and appearance of the locality, and on the amenities of existing neighbouring residential property, again subject to compliance with the recommended conditions. Provision of amenity space and facilities for future residents of the proposed development would be adequate, and while arrangements for waste collection would not meet the normal standard, this shortcoming in the scheme is not sufficient to warrant its refusal. The proposed development brings the opportunity to increase passive surveillance of land that otherwise has potential to host anti-social behaviour and crime, and would increase the supply of affordable housing in the Borough. On balance, the proposed scheme, with safeguards, is considered to comprise sustainable development for which there is a simple presumption in favour in the NPPF, and is considered to accord with the policies and guidance contained within the development plan, with no material considerations indicating otherwise to outweigh that plan.

PART C: RECOMMENDATION

- 10.0 It is recommended that the application be resolved to be granted planning permission subject to the completion of a legal agreement securing the affordable housing and also subject to the list of conditions and with reference to the Informatives that will be published separately in the Amendment sheet.