

WINDSOR DEVELOPMENT CONTROL PANEL

2 September 2009

Item: 5

Application No.:	09/01414/FULL
Location:	Randall Court Lyndwood Drive Old Windsor Windsor SL4 2QN
Proposal:	Construction of six affordable dwelling units comprising two terraced blocks and one block of nine flats for the elderly together with associated parking and landscaping following demolition of existing
Applicant:	Windsor And District Housing Association
Agent:	Churchill Hui
Parish/Ward:	Old Windsor Parish

If you have a question about this report, please contact: Sarah Ellison on 01628 796070 or at sarah.ellison@rbwm.gov.uk

1. SUMMARY

- 1.1** The application follows an earlier refusal by Panel on the 15th April (application ref. 09/00303) and seeks permission to demolish an existing large and undistinguished building and erect a 2 ½ and 3 storey building comprising of 9 affordable flats for elderly residents (the top floor being partially within the roof space), together with 6, 2 storey affordable rented houses. There would be a reduction in the overall number of dwellings on the site from the present 27 (the existing building is currently vacant and unused, but was last used to provide 21 bed-sits, 5 one bedroom flats and 1 two bedroom flat, all used as elderly persons accommodation) down to 15 (9 flats and 6 houses). Although there would be a reduction in the overall number of dwelling units on the site, the benefits gained in the provision of much needed affordable elderly persons accommodation that is fit for purpose, together with the provision of general needs affordable rented housing, are considered to outweigh any concern over the reduction in the overall number of dwellings.
- 1.2** There have been some changes made to the scheme since it was refused by Panel on the 15th April. The concerns raised by Panel about the design of the flats, and about its relationship with the new terraced dwellings, have resulted in some amendments. It is considered that the amended scheme has satisfactorily addressed the issue over the relationship between the new flats and houses and, whilst the height and location of the building for the flats has not changed, it would nevertheless be in character with the pattern of 'frontage' development in the area. The amended design of the flats would now not be significantly harmful to the appearance of the street scene in the context of the existing situation and the surrounding houses (including the nearby Listed Building). All of the new buildings would maintain a good separation distance with the existing neighbouring residents.
- 1.3** Local concerns over highway safety have also been taken into consideration. This issue was discussed extensively by Panel in April and did not form part of the Panel refusal. The pavement around the site would be narrowed over a longer length than was proposed in April (from the end of the parking lay-by along the north section of Lynwood Drive, around the bend, and for the length of Lynwood Drive to the turning head at the top of the cul-de-sac). The pavement would be narrowed by about 600mm which would be of general benefit to residents in Lynwood Drive. The applicant (WDHA) has in addition undertaken to work with the Council in introducing a resident's parking only scheme in Lynwood Drive and to provide two additional hard standings for WDHA residents in Lynwood Drive over and above those they have provided in the past (these two additional hard standings to be completed during 2009/10). The additional measures proposed by the applicant comprise a comprehensive package of local parking and highway improvements.

It is recommended the Panel authorises the Head of Planning:

1	To grant planning permission on the satisfactory completion of an undertaking to secure the infrastructure in Section 7 of this report and with the conditions listed in Section 10 of this report, and no new substantive issues being received before the expiry of the consultation period
2	To refuse planning permission if an undertaking to secure the infrastructure in Section 7 of this report has not been satisfactorily completed by 23rd October 2009 for the reason that the proposed development would not be accompanied by associated infrastructure improvements.

2. REASON FOR PANEL DETERMINATION

- The Council's Constitution does not give the Head of Planning delegated powers to determine the application in the way recommended; such decisions can only be made by the Panel.

3. DESCRIPTION OF THE SITE AND ITS SURROUNDINGS

- 3.1** The site comprises a broadly rectangular area measuring 0.22ha. The north and east the site is bounded by Lyndwood Drive which wraps around the site, with 2 storey, mainly terraced, houses fronting onto Lyndwood Drive. To the west is a service road that serves the rear of Lyndwood Parade, a 2 storey row of shops with flats above. To the south are Lynwood Cottages and a single storey warehouse-type building.
- 3.2** The existing building on the application site comprises a part single, 2 and 3 storey building with flat roofs measuring 3, 5.5 and 8.2m high respectively. The building is in a roughly U-shape and has a rather disjointed appearance. The building is single storey on the outer edges, rising to a maximum of 3 stories towards the centre of the building. The building is surrounded by grassland, providing a softer setting to this otherwise quite 'hard', undistinguished building.
- 3.3** To the west of the site is 5 St Lukes Road, a Grade II Listed Building, on the corner of St Lukes Road and Lyndwood Drive.
- 3.4** The site is located within Flood Zone 3 (High Risk) and a Flood Risk Assessment accompanies the application.

4. DESCRIPTION OF THE PROPOSAL AND ANY RELEVANT PLANNING HISTORY

09/00303	Construction of 15 affordable dwellings comprising 6 terraced houses and a block of 9 flats for the elderly following the demolition of the existing building.	Refused by Panel on the 15.4.09 because of a poor relationship between the flats and houses, and because the design of the 3 storey flats would not be compatible with the established character of the street scene.
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An appeal has been submitted against the refusal and is pending.

- 4.1** The application proposes to demolish the existing building and replace it with a block containing 9, one and two bedroom affordable elderly persons flats that are to be occupied by those over the age of 55, and two rows of terraced housing, providing 6, three bedroom general needs affordable housing.
- 4.2** The existing access to the site, in the south eastern corner of the site, is to be retained. The new building for the 9 flats would be broadly rectangular in shape measuring about 18.82m in width

and about 13.65m in depth. The building would have a pitched roof with a 3 storey projecting gable in the centre of the front elevation encompassing the stairwell/lift. The building would have an eaves height of 7.05m and a ridge height of 11.8m. The car park for the flats would be located to the rear (south) of the building. Some of the parking area is in a similar location to the existing car park. The two blocks of terraced houses would be located on the eastern side of the site facing towards the road. Each building measures 17.63m in width and 9.46m in depth. Each row of terraces is staggered in height, with the central building higher than the two either side. The buildings would have a maximum height of 9.69m. Parking would be provided by a mix of 2 integral garages and forecourt parking fronting onto the road.

5 MAIN RELEVANT STRATEGIES AND POLICIES RELEVANT TO THE DECISION

Local Area Agreement

5.1 The recommendation would contribute to the achievement of these selected priorities of the Council and its partners:

Increasing the supply of affordable housing delivered	✓
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More information on these priorities can be found at:
http://www.rbwm.gov.uk/web/partnerships_laa.htm

Berkshire Structure Plan and Royal Borough Local Plan

5.2 The main strategic planning considerations applying to the site and the associated policies are:

	Within settlement area	High risk of flooding	Listed Building
	✓	✓	✓
Structure Plan	DP5	-	-
Local Plan	DG1, H10, H11, P4, T5	F1	LB2

5.3 Supplementary planning documents adopted by the Council relevant to the proposal are:

- Planning Obligations and Developer Contributions
- Interpretation of Policy F1 – Areas liable to flooding

More information on these documents can be found at:
http://www.rbwm.gov.uk/web/pp_supplementary_planning.htm

Other Local Strategies or Publications

5.4 Other Strategies or publications relevant to the proposal are:

- RBWM Parking Strategy – view using link at paragraph 5.4
- RBWM Strategic Flood Risk Assessment – view using link at paragraph 5.4

6. EXPLANATION OF RECOMMENDATION

6.1 The key issues for consideration are:

- i the principle of the redevelopment of the site;

- ii the impact on character and appearance of area, taking into account the setting of the nearby Listed Building;
- iii the impact on the area liable to flood;
- iv the impact on amenities of nearby residents and future occupiers of the new flats and houses; and
- v the impact on parking and highway safety in the area.

Principle of the redevelopment of site

- 6.2** The principle of redeveloping the site was accepted by the Panel in April, it was some of the details of the proposed scheme at that time which was considered objectionable. The application site is currently vacant and unused, but was last used to provide 21 bedsits, 5 one bedroom flats and 1 two bedroom flat as elderly persons accommodation. The proposed redevelopment to provide a total of 15 flats and houses, used by both elderly persons in the case of the 9 flats, and general needs affordable housing in the case of the 6 houses, results in the loss of 6 'units' of residential accommodation arising from the redevelopment of the site.
- 6.3** In general terms there is no in-principle policy objection to a residential redevelopment of the site, subject to compliance with the relevant detailed policies in the Local Plan. Policy H7 of the Local Plan advises that planning permission will not be granted for development that would result in the loss of residential land or accommodation in residential use, except in certain circumstances. The circumstance most relevant to the application is where the redevelopment would provide other types of needed residential uses. The commentary to Policy H7 advises that exceptions will normally only be considered where overall planning benefits would result. This is considered to be the case in this instance.
- 6.4** The applicant advises that Randall Court was previously an affordable rented block containing 27 flats for the elderly. The building had apparently become hard to let as the accommodation no longer met the needs or aspirations of elderly residents. It is understood that there were a number of flats in the block that had been empty for a number of years despite numerous attempts to let them. Investigations into the feasibility of retaining the existing building and refurbishing it showed that any potential scheme would be economically unviable and would not lead to a scheme that would meet with the needs and aspirations of residents. The remaining residents moved out during 2006/7 and were offered a choice of alternative accommodation in a combination of sheltered accommodation and self-contained properties owned by the Windsor Housing Association locally.
- 6.5** The applicant further advises that there are currently in excess of 2000 households on the Housing Register, that the Council's Housing Needs Survey estimates that there is a shortage of approximately 1204 affordable homes per annum in the Borough, and that the vast majority of the housing needs in the Borough could only be met by the provision of affordable rented housing. This flats and houses are proposed to be available for an affordable rent.
- 6.6** The Housing Needs Survey also estimates that there is a considerable number of older people occupying affordable housing in the Borough. The applicant proposes, with the agreement of the Council's housing department, to offer the opportunity for elderly households that under-occupy affordable housing elsewhere the Borough to move into the new block of 9 flats, thereby freeing up larger sized affordable accommodation elsewhere in the Borough.
- 6.7** The applicant also advises that, although the scheme results in the loss in the number of 'units' on the site (from 27 to 15) it only equates in a reduction of the maximum potential number of residents housed on the site by 3 (from 56 to 53).
- 6.8** It is considered that the redevelopment of the site would contribute towards solving an identified housing need in the Borough, providing a mix of both affordable elderly persons accommodation

and general needs affordable housing, which will benefit the local community and the wider Borough generally. In view of this the proposal is considered to comply with Policy H7 of the Local Plan. In coming to this conclusion it is noted that the Panel in April did not refuse that application on the grounds that the principle of a residential redevelopment of the site was unacceptable.

Impact on the character and appearance of area taking into account the setting of the Listed Building

- 6.9** The existing building is a part single, two and three storey flat roofed building, surrounded by a grassed area which provides the setting for the building. The buildings surrounding Randall Court are predominately two storey houses. There is a single storey storage/warehouse-type building to the south and a row of shops, with flats above to the west.
- 6.10** The existing building is staggered in both its layout, and its height, stepping up in height so that it is lowest on the outside edges of the building and higher towards the centre of the site. The building is roughly U-shaped and extends across the majority of the width of the site.
- 6.11** The proposed new 2 ½ and 3 storey building containing the 9 elderly persons flats (some use of the roof space is made which reduces the eaves height) would be located in the north western corner of the site. The most northern part of the building would be roughly in the same location as the existing building on this part of the site, albeit that the existing building at this point is single storey in height. The new building would have a slightly projecting central element comprising the stairwell/lift to 3 storeys. This element of the flats would be set back about 5.9m from the northern boundary with Lyndwood Drive, with the remainder of the building set back between 6.6m and 7.2m from the boundary (with a visually much lower eaves). The design of the front elevation has been amended from the refused scheme so that the slightly projecting 3 storey element comprising the stairwell/lift uses a buff brick that will visually link it with the middle floor of the block (also comprising of buff brick) and with render to the ½ storey on the second floor. These materials will contrast with a darker red brick on the ground floor and a brown roof tile. Whilst the height and location of the building would be very similar to the refused scheme, it is considered that detailed changes to the appearance of the front of this building assist in helping, with careful attention to the materials, show how the appearance of the building could be visually toned down.
- 6.12** The terraced housing would be sited along the eastern boundary of the site. The flank wall of the most northern block would be around 8m from the northern boundary with Randall Court, which is between 3.1m and 4.4m further back than the existing building at this point. The buildings would be around 7m from the eastern boundary of the site with Lyndwood Drive.
- 6.13** Concern has been raised by local residents that the proposed block of flats will be dominating in the street scene, out of character with and harmful to the appearance of the area. The proposed flats will be higher than the existing building at this point, to a ridge height of 11.8m. Whilst the building will be higher than the existing building, this in itself does not mean that the development is unacceptable and there has to be significant harm caused as a result of the difference in order for a cogent objection to be raised. The proposed building would be set back some way (between around 5.9 and 7m) from the front boundary which will provide space for soft landscaping of the site. The existing 2 storey houses in this part of Lyndwood Drive are set back between 6 - 8m from the road. It is considered that, whilst the proposed flats will be higher than the existing development on this part of the site, and higher than the existing houses in Lyndwood Drive, that the building would not be so high, or sited so close to the road, that it would appear to be so out of character with the existing established pattern or scale of development in the area as to warrant a refusal of the application.
- 6.14** The new terraced houses would also be set back around 7m from the boundary with Lyndwood Drive. The existing houses in this part of the road are around 10m from the boundary with the road, although this distance does vary somewhat. The siting of the proposed houses is considered to respect the pattern of development in the area. The proposed houses have been designed so that the central house is taller than the houses either side. Whilst this is at variance with the existing houses in the road, which are much more homogenous in their appearance, this

is not considered objectionable of itself and it is considered that the houses would integrate satisfactorily with the appearance of the area.

- 6.15** When viewing the site from the northern boundary with Lyndwood Drive the new flats would be in the general location of the existing building on this part of the site, there would be a gap of just over 10m between the flats and the rear wall of the row of new terraced houses, which are also sited in a similar location as the existing building at this point. The separation distance proposed between the buildings, combined with the space to the north of the buildings which will allow for some quite significant soft landscaping, is considered to result in a scheme that would have a good appearance in terms of the relationship between the buildings on the site, and would also not appear cramped or out of character with the pattern of development in the surrounding area.
- 6.16** The proposed car parking area for the flats would be located to the rear of the site, as is the existing car park. It is noted that neighbours consider that the existing car park should be at the front of the site. However, this is not before the Council for consideration, and as such it is only the acceptability of the scheme as proposed which is for consideration. There is soft ground around the car park that can be used to help soften the appearance of the new parking area, and the surface materials used in the construction of the car park can also be controlled by condition. The car park would be accessed via a driveway along the southern boundary and would not be a particularly prominent or dominant feature in the area.
- 6.17** Each of the terraced houses would have either a driveway and forecourt parking, or just forecourt parking. There is also some room for soft landscaping between the parking areas. Many of the houses in Lyndwood drive have forecourt parking and this is not uncharacteristic of the area.
- 6.18** There is a Grade II Listed Building, located opposite the site on the corner of Lyndwood Drive and Randall Court. The Conservation Officer considers that the existing building on the application site is of no historic or architectural merit and has no positive relationship with the Listed Building. The proposal introduces a more domestic style of building that relates better to the way that the area has developed and it is considered that the proposal would preserve, and not have any adverse impact, on the setting of the Listed Building.
- 6.19** A landscape scheme accompanies the application which the Council's Landscape Officer has been consulted on. Any comments will be reported in the Update to the Panel.
- 6.20** Overall the development is considered to respect the pattern, and design of development in the area, and is considered to comply with Policies H10 and H11 of the Local Plan.

Impact on the area liable to flood

- 6.21** The site is located within Flood Zone 3 (High Risk) and a Flood Risk Assessment accompanies the application. Policy F1 of the Local Plan requires development to not impede the flow of flood water; nor to reduce the capacity of the flood plain or to place additional people at risk of flooding.
- 6.22** The information provided by the Environment Agency on anticipated flood levels indicates that the proposed development would be on land that is above the anticipated flood level, although land surrounding the site may flood. Furthermore the footprint of the buildings on the site is to be reduced from 713sqm (as existing) to 560sqm (as proposed). There is also a reduction in the number of residential 'units' on the site and in the anticipated number of residents that would occupy the site. The proposal is considered to comply with Policy F1 and the Environment Agency have not objected to the scheme subject to conditions. The proposal is therefore considered to be an improvement to the area in flooding terms.

Impact on the amenities of nearby residents and future occupiers

- 6.23** To the north and east are 2 storey houses. These houses are set back from the road by between 6m and 10m. The proposed development would result in 2 and 3 storey buildings being closer to the houses on the opposite side of the road than the existing situation. The proposed flats are 2½ and 3 three storeys high and would be separated from the houses on the opposite side of the

road by Lyndwood Drive, there being a distance of around 19.5m between the flats and no. 5 St Lukes Road the closest house. The flats have been designed to have bedrooms and bathrooms in the front elevation facing these houses, with the living rooms at the rear.

- 6.24** It is considered that it may be possible to obtain some quite oblique and limited view into the garden area of 5 St Lukes Road. There would also be views towards the front garden and the front windows of the houses in Lyndwood Drive. However in view of the separation distances involved, which are not unusual in an urban location, and the internal layout of the flats, with living rooms at the rear of the building, it is considered that the flats would not result in an unacceptable loss of privacy to neighbouring residents to such a degree as to warrant a refusal of the application on this ground. Due to the separation distance between the new flats and the existing houses opposite it is considered that the building would not have a dominating or overbearing impact on those neighbouring residents.
- 6.25** The rear elevation of the flats, including the proposed balconies, would face towards the car parking area, providing a good level of natural surveillance of this area, and also towards the warehouse at the rear (south) of this site. This relationship is considered to be acceptable.
- 6.26** The western elevation of the flats would face towards the service road at the rear of the shops, and the flats would be 15m from the closest building in the parade, which is a bank. The relationship of the building with the parade, and flats above, is considered to be acceptable.
- 6.27** The 2 buildings comprising the 6 terraced houses would be situated between 24m and 28m from the houses in Lyndwood drive. The new houses would face the front gardens of those existing houses. This separation distance is common in urban locations and is considered more than adequate to compensate for any loss of privacy given that the houses are front-to-front. As such there is not considered to be any significant harmful impact upon the amenities of nearby occupiers in this respect.
- 6.28** The flats have some amenity space for the occupiers which is considered satisfactory, and each flat, other than two, also has either a balcony or access to a patio area. When compared to the refused scheme a balcony has been removed from the second floor flat closest to the proposed houses to reduce the level of potential overlooking of the garden areas of the new houses. Each of the terraced houses has a private garden area. The flats would be at the end of the garden area of the terraces of plots 1 and 2, with windows in the flank elevation facing towards the garden areas (albeit separated by a gated pedestrian access and fence to the gardens at ground level). These windows are shown to serve a kitchen in 3 of the flats and to be obscure glazed and fixed shut. Whilst these windows are not ideal, and could potentially result in users of the gardens having a perception of being overlooked, subject to them remaining fixed shut and obscure glazed it is considered that this is not such a harmful feature as to warrant refusing the application for this reason (the windows would give light to the kitchen areas of the otherwise quite deep kitchen/living room areas). This element of the scheme is an improvement over the previously refused scheme
- 6.29** Overall the proposal is considered to have a satisfactory impact upon the amenities of neighbouring residents. It would also provide satisfactory living conditions for future occupiers of the development.

Impact on highway safety

- 6.30** The existing access to the site is maintained and a driveway leading to 9 car parking spaces for the flats is proposed. Each house is proposed to have 2 car parking spaces. Two of the houses are proposed to have a garage and a forecourt space, the other houses would have two forecourt parking spaces. The applicant has also proposed that a legal agreement is entered into to ensure that each flat is occupied by at least one person over the age of 55 in order to ensure that there is adequate car parking on the site.
- 6.31** Many local residents have expressed concerns about the impact of the development on highway safety in respect of the adequacy of the width of the road to access/serve the flats and houses,

the impact on the availability of on-street parking, the adequacy of the amount of parking proposed, and access for emergency vehicles in the future. It has also been suggested by local residents that the scheme should be laid out in a different way with the car parking to the north, near to the entrance to the road. Whilst this suggestion is noted it is the scheme before the Council that is for consideration.

- 6.32** The proposal will not affect the existing visibility splays from Lyndwood Drive onto St Lukes Road, and the visibility splays from the turning head access back along Lyndwood Drive would also not be affected.
- 6.33** In accordance with the Parking Strategy each of the three bedroom houses have 2 curtilage parking spaces. The 9 flats are proposed to have one parking space each. This is acceptable subject to a clause limiting occupation of the flats to persons over the age of 55 only. This age limitation is considered necessary to ensure that there is satisfactory parking provision on the site and is slightly different from the clause suggested by the applicant (the applicant's agreement to this is being sought). Subject to the satisfactory resolution of this matter the level of parking proposed is considered to be acceptable.
- 6.34** The applicant has been asked to provide details of the vehicle movements associated with the building when it was last operational. However, because the use building was being wound down and the building has been empty for about two years they are unable to provide this data. As such the TRICS database has been used to estimate the number of vehicle movements that the last use of the site would likely to have generated. This is considered to result in around a 100% increase in the number of trip movements over the existing situation.
- 6.35** Lyndwood Drive has a width of 4.2m, which is substandard and when a car is parked the carriageway would only have a width of around 2.3m. In order to increase the width of the carriageway the applicant would reduce the width of the footpath on the eastern boundary of the site (now extended from the end of the parking lay-by along the north section of Lyndwood Drive around the bend, and for the length of Lynwood Drive to the turning head at the top of the cul-de-sac) by about 600mm to about 1.8m and this would leave a footway of an adequate width and would increase the width of the road to 4.8m which is enough to allow two vehicles to pass each other. Additionally the single yellow lines at the entrance to the road should be altered to become double yellow lines to ease the movement of traffic at this part of the road. All of these works would be secured through a S278 agreement under the Highway Act. The agreement of the applicant to carrying out these works has been provided and a revised layout plan showing these extended works is being prepared. These works would alleviate the concerns raised by local residents about the ability for two vehicles to pass each other.
- 6.36** Members are requested to note in section 7 of this report that developer contributions are not sought to be directed towards highway improvements. This is because, using the formula in the SPD, affordable dwellings attract a flat rate regardless of the size of the dwelling. As there is a reduction in the number of dwellings at the site there is no requirement to seek developer contributions towards highway and public transport projects. It is for this reason that the above works would be secured through a condition, and S278 agreement, rather than the S106 agreement.
- 6.37** It is noted that local residents have raised objections as they will lose on-street car parking space, and the ability to park in the Randal Court car park as present. This is regrettable and appears to be caused mainly by not all of the properties having off-street parking. However, the proposed development will be able to provide enough car parking to meet with the Council's parking standards and, whilst the concerns of local residents are noted, it is not considered that a refusal on this ground is warranted. The Highway Officer raises no objection to this matter.
- 6.38** Additionally the applicant, as landlord of several other properties in Lyndwood Drive has undertaken work with the parking team to introduce residents parking only in Lyndwood Drive and the improve parking availability for residential by the provision of two additional hard standings, thereby removing two cars that would otherwise have parked on the road.

Other Material Considerations

- 6.39** The agent advises that the scheme would be constructed to Code for Sustainable Homes Level 3 which is welcomed.
- 6.40** Concerns about future lighting are noted. Lighting bollards are shown on the proposed layout plan. The locations of these do not appear to be intrusive.

7. ASSOCIATED INFRASTRUCTURE IMPROVEMENTS

- 7.1** This development would place additional pressure on local services and infrastructure. The Council requires local services and infrastructure to be improved alongside development and to be funded by the developer in accordance with its Supplementary Planning Documents setting out the relevant costs (see paragraph 5.4). In this case these improvements can be secured through an undertaking under S106 of the 1990 Planning Act completed before planning permission is granted. Details of the funding and projects are shown below.

Education	To be directed towards Windsor Boys School; Windsor Girls School; Holyport Manor and other SEN provision	£20,183.18
Indoor Sport	Windsor Leisure Centre pool and hall improvements	£7,458
Public Art and Heritage	Windsor museum; improvements to Windsor arts centre studios and Alexandra Gardens gates.	£4,884
Total		£32,525

8. CONSULTATIONS CARRIED OUT

Comments from interested parties

34 occupiers were notified directly of the application.

The application was advertised in the Windsor, Slough and Eton Express on 6th August 2009

The Planning Officer posted a statutory notice advertising the application at the site on 28th July 2009

7 letters were received objecting to the application, summarised as:

Comment		Where in the report this is considered
1.	Block of flats is taller and closer to the road than the existing building resulting in a loss of privacy. [6]	Paragraphs 6.11 and 6.13
2.	The new block of flats will have a overbearing appearance out of character with the street scene [3]	Paragraph 6.11 – 6.15
4.	Residents will loose on street parking space, not all of the existing houses have off street parking [2]	Paragraph 6.30 – 6.38
5.	The previous building was never at full capacity so cannot be used for comparison purposes with regards to car parking or vehicle movements and many of the residents did not drive. [3]	Paragraph 6.30-6.38
7.	Many local residents use Randall Court car park as there is not enough car parking space. [2]	Paragraph 6.30-6.37
9.	The road cannot cope with more vehicle movements and is very narrow, and emergency vehicles will be unable to access the road. [14]	Paragraph 6.30-3.38
10.	The car park should be near the entrance to the road. [7]	Paragraph 6.30-6.38

11.	Will adversely affect setting of listed building [1]	Paragraph 6.18
12.	Concerns regarding future lighting [1]	Noted
13.	The existing turning head is not good enough for lorries to turn in [2]	Noted
14.	There is not enough car parking [8]	Paragraph 6.30-6.38

Statutory consultees

Consultee	Comment	Where in the report this is considered
Parish Council	To reported in Update report	
Environment Agency	No objections	Paragraphs 6.21 and 6.22

Other consultees and organisations

Consultee	Comment	Where in the report this is considered
Environmental protection Officer	Recommend conditions relating to aircraft noise.	See section 10
Conservation Officer	No objection.	Paragraph 6.18
Highway Officer	No objection.	Paragraphs 6.30 – 6.37
Thames Valley Police Crime Prevention Design Advice	No objection.	Noted.

9. APPENDICES TO THIS REPORT

- Appendix A - Site location plan
- Appendix B – site layout plan
- Appendix C – elevations of flats
- Appendix D – elevations of houses
- Appendix E – Layout under 09/00303

10. CONDITIONS RECOMMENDED FOR INCLUSION IF PERMISSION IS GRANTED

- 1 The development hereby permitted shall be commenced within three years from the date of this permission.
Reason: To accord with the provisions of Section 91 of the Town and Country Planning Act 1990.
- 2 No development shall take place until samples of the materials to be used on external surfaces of the development(s) have been submitted to and approved in writing by the Local Planning Authority. The development(s) shall be carried out and maintained thereafter in accordance with the approved details.
Reason: In the interests of the visual amenities of the area. Relevant Policies - Local Plan DG1.
- 3 No development shall take place until samples and/or a specification of all the finishing materials to be used in any hard surfacing on the application site have been submitted to and approved in

writing by the Local Planning Authority. The development(s) shall be carried out and maintained thereafter in accordance with the approved details.

4 Reason: : In the interests of the visual amenities of the area. Relevant Policies - Local Plan DG1. There shall be no raising of existing ground levels on the site.

Reason: To prevent the increased risk of flooding due to impendance of flood flows and reduction of floodwater storage capacity. Relevant Policies - Local Plan F1,

5 All walls or fencing constructed within or around the site shall be designed to be permeable to flood water in accordance with a plan that has first been submitted to and approved in writing by the Local Planning Authority. The walls or fencing shall be erected and maintained in accordance with the approved plan.

Reason: To prevent obstruction to the flow and storage of flood water, with a consequent increased risk of flooding. Relevant Policies - Local Plan F1.

6 Details of all finished slab levels in relation to ground level (against OD Newlyn) shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development. The development shall be carried out in accordance with the approved details.

Reason: To ensure the development does not exacerbate flooding of the site and surrounding area. Relevant Policies - Local Plan F1

7 Notwithstanding the provisions of Classes, A, B, C, D, E and F of part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification) no enlargement, improvement or any other alteration (including the erection of any ancillary building within the curtilage) of or to any dwellinghouse the subject of this permission shall be carried out without planning permission having first been obtained from the Local Planning Authority.

Reason: The nature and density of the layout requires strict control over the form of any additional development which may be proposed. Relevant Policies - Local Plan H11, DG1.

8 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking or re-enacting that order with or without modification) no fence, gate, wall or other means of enclosure shall be erected on the site without the prior written approval of the Local Planning Authority.

Reason: To ensure the location, form, design and materials are appropriate for the character and appearance of the area. Relevant Policies - Local Plan DG1, H10.

9 The first floor window(s) in the eastern flank elevation(s) of the flats shall be of a fixed, non-opening design and fitted with obscure glass and shall thereafter be maintained as such.

Reason: To prevent overlooking and loss of privacy, in the interests of the residential amenities of the neighbouring properties.

10 No development shall take place until full details of both hard and soft landscape works, including tree planting where appropriate, have been submitted to, and approved in writing by, the Local Planning Authority and these works shall be carried out as approved within the first planting season following the substantial completion of the development.

Reason: To ensure a form of development that maintains, and contributes positively to the character and appearance of the area. Relevant Policies - Local Plan DG1.

11 If within a period of five years from the date of planting of any tree or shrub shown on the approved landscaping plan, that tree or shrub, or any tree or shrub planted in replacement for it, is removed, uprooted or destroyed or dies, or becomes seriously damaged or defective, another tree of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.

Reason: To ensure a satisfactory and continuing standard of amenities are provided and maintained in connection with the development. Relevant Policies - Local Plan DG1, N6.

12 Details of the measures to be taken to acoustically insulate all habitable rooms of the development(s) against aircraft noise, together with details of the methods of providing ventilation to habitable rooms shall be submitted to the Local Planning Authority and approved in writing before development commences. The development(s) shall be carried out in accordance with the approved measures.

Reason: To protect the residential amenities of the development from aircraft noise and to accord with the Local Plan Policy NAP2.