

Planning Application 2018/19939/FUL

It seems nothing ever changes....

Here we are considering a plan for a house that is not wanted on a housing development that wasn't wanted, by a developer who has twisted this council in knots doing pretty much what he wants irrespective of whether we believe it is right or not. However, the generosity of this developer is well known, after all, if we approve this application, then he'll withdraw his appeal against non-determination of the original application.

Bang your head repeatedly against that brick wall and I promise I won't drop this ton of bricks on you!

What my 12 years on the planning committee has taught me is that sentiment, concern for residents and reservations about intentions/transparency of developers counts for nothing unless there is a sound policy argument to back it up.

Members of the planning committee, I urge you to refuse this application. There are any number of reasons why you should. If you speak to our enforcement team, our sports development officer, view the ever-growing file of complaints/issues raised by residents that are generally ignored, then you would get a flavour of why this application is a step too far. But, as ever, we must always come back to policy to determine the application.

The Principle of the development – it **IS** outside of the development limits (there's that policy thing again!) – but as it's within a residential development (albeit contentious in its journey to approval), and as outlined in report, there's nothing new in developers putting in an additional house or two, it's seemingly ok to override policy here. After all, it is only one more house, what "material harm" could this possibly create?

Impact and loss of amenity on other residential properties – the resident of 'West End' has eloquently demonstrated the immediate and very real negative impact that this proposed house will have on his quality of life (both during construction and after completion). He has put forward a compelling argument that there is demonstrable adverse impact on him from the proposed development and we should dismiss the incorrect assertions made in 9.13 – 9.15 of the report that questions the degree of impact caused by overlooking and loss of amenity. The question I ask members, is whose version is more credible? That of a resident who has catalogued/measured the very real impact on them or that of a developer who has "history" regarding the development of this site, and indeed, others over the years.

The impact here is very real in terms of overlooking and threat to amenity of residents of not only 'West End' but residents on Bungalow Road/Lodge Street from surface water run-off from a site that has increased its height/gradient from original plans (and at time of writing - a tarmac path has been laid, indicating no intention to right the wrong of this specific oversight of the development). I would maintain on this occasion, one more unit is one too many as far as the amenity of the nearby residents is concerned and consider that enough grounds to refuse this application.

Provision of recreation space in new housing developments – It would be wrong to dismiss the space being used for this dwelling as just a loss of landscaping.

Saved local plan policy SRC2 states –

“New residential development will be expected to include sufficient local open space for the normal outdoor activities of residents.

Developers of new housing will normally be required to provide local open space within or close to the site concerned commensurate with the size and nature of the development.

The Council will require that provision be made in all new residential developments, in excess of 10 dwellings, for outdoor playing space suitable for informal recreation and children’s use.”

The bigger picture related to this application raises more important questions. In the 1st instance there is nowhere near enough amenity/play space provided on this site for the number of family dwellings.

Based on SRC2 policy for a development this size

3045m² was the agreed amount of public open space/play space. Made up of -

- 1) 351m² equipped play space (young children)
- 2) 586 m² open space (young children)
- 3) 2108m² open space (youth/adult)

1) & 2) have been delivered and as only half of 3) was delivered there was a s106 undertaking to provide the outstanding provision offsite via a developer contribution of £19,170.

However, the current situation is that the toddler play area is sited in the wrong place, and the developer will not provide the promised s106 money. To compound the error of the incorrect siting of the play area - the proximity of it to ‘West End’ is in contravention of the 20m buffer zone that is stated in the policy document that informs this aspect of the original application - **Guidance for Outdoor Sport and Play: Beyond the Six Acre Standard**. Enforcement action is required to address this, and it will leave the development woefully short of the required play provision for all age groups.

Based on this sorry history of lack of appropriate provision, how could we possibly consider adding another family dwelling to this development when the agreed amount of provision has not been provided for the previous 49 dwellings. In fact, how can be certain the £4076 will actually materialise, when we’re still waiting for the agreed original £19,170

Members of the planning committee, I urge you to refuse this application on the grounds of **loss of amenity** of the residents adjacent to the site both from **overlooking/threat of flooding** and for the addition one house making this scheme even more in **contravention of saved local plan policy SRC2** – namely **loss of critical open/play space commensurate with the size of the development**.

I also would ask you to instruct our enforcement team to pursue all the issues arising from this development –

Incorrect siting of play area

Infringement of 20m buffer zone between play area and nearest residence

Non payment of s106 money

Insufficient play provision

Land levels contrary to those agreed on original plan

Provision of land drains to protect dwellings adjacent to development site