

**COMMITTEE REPORT**  
**BY THE DIRECTOR OF ENVIRONMENT AND NEIGHBOURHOOD SERVICES**  
**READING BOROUGH COUNCIL** **ITEM NO. 16**  
**PLANNING APPLICATIONS COMMITTEE: 10<sup>th</sup> October 2018**

**Ward:** Peppard  
**App No.:** 180418 OUT  
**Address:** 199-207 Henley Road, Caversham  
**Proposal:** Demolition of 199-203 Henley Road and erection of 42 dwellings at 199-203 Henley Road and to the rear of 205-207 Henley Road with associated access from Henley Road (considering access, appearance, layout and scale).  
**Applicant:** Henley Road Ltd  
**Date valid:** 12.03.2018  
**Major Application - 13-week target decision date:** 11.06.18 EOT 7.11.2018  
**26-Week date:** 10.9.2018

**RECOMMENDATION: APPROVE - AS PER REPORT to 5<sup>TH</sup>. SEPTEMBER PLANNING APPLICATIONS COMMITTEE:**

Delegate to Head of Planning, Development and Regulatory Services to:

- (i) GRANT outline planning permission subject to completion of a S106 legal agreement; or
- (ii) to REFUSE permission should the legal agreement not be completed by the 26<sup>th</sup> September 2018 (unless the Head of Planning, Development and Regulatory Services agrees to a later date for completion of the legal agreement). The legal agreement to secure the following:
  - A financial contribution toward Affordable housing of £250,000 payable upon sale (or presumed sale) of the 90th percentile of units, with a pre completion review providing for the Council to receive 20% of the GDV over £20.2m;
  - An Employment Skills and Training Plan (construction phase); and
  - The adoption of the internal access road including the turning head to abut the eastern boundary of the site, as shown on highway extent plan Drwg no. 2829.11.

Conditions / informatives as per the previous report.

## **1. INTRODUCTION**

- 1.1 This report follows the initial consideration of the application at Planning Applications Committee on 5<sup>th</sup> September, original report is here: <http://www.reading.gov.uk/media/9264/item16/pdf/item16.pdf>. The application was deferred as Members requested further information and further justification for the affordable housing contribution now being sought.
- 1.2 The applicant has submitted the following two documents in response to this request, received 20<sup>th</sup> September 2018:
  - i) Timeline of proposals on the site and Consideration of Viability
  - ii) Summary of Viability Information (2018)

## 2. APPRAISAL OF FURTHER INFORMATION

- 2.1 The submitted Timeline sets out how the number of residential units that have been sought by the developer on the application site has been significantly reduced following pre-application discussions and the submission of application 161842 (for 60 units), which was refused in January 2017.
- 2.2 Application 170959 for 42 units with 30% of the units designated as affordable housing was permitted in June 2018. This application was not required to be accompanied by a viability report, as this percentage was wholly compliant with Core Strategy Policy CS16. Following the consideration of the application at Committee (December 2017) viability issues were raised by the applicant. The applicant was advised by officers that in order to consider an amended level of affordable housing a new application was required to be submitted and supported by a Viability report.
- 2.3 As stated by the applicant in the Timeline document, "*..the applicant was faced with the dilemma of whether to step away from a potential planning permission or proceed with signing of the S106 agreement. Both routes have serious contractual implications. It was decided to secure consent, albeit with a scheme that was unviable*".
- 2.4 The current application was therefore submitted with a full viability report as National Policy, the Council's adopted Policy CS16 and the Supplementary Planning Guidance allows the Local Planning Authority to consider detailed information on the viability of a particular scheme and, where justified through an open book approach, to reduce the affordable housing requirement sought.
- 2.5 The applicant has also submitted a further 'Summary of Viability Information' which has been fully considered by Council officers. An affordable housing contribution is normally financed by the uplift in value of a site generated by granting of a planning consent; in this case there is no uplift generated by the grant of consent. Negotiations have resulted in agreement for a deferred financial contribution towards providing affordable housing of £250,000 payable upon sale (or presumed sale) of the 90th percentile of units, with a pre completion review providing for the Council to receive 20% of the Gross Development Value (value when the units are sold) over £20.2m. This is to ensure that if the Gross Development Value, as specified within the submitted viability is greater than currently specified the agreed percentage of the additional value is allocated to provide affordable housing.
- 2.6 As previously set out the applicant initially sought to provide no contribution to affordable housing. Following extensive negotiations with the Council's Corporate Asset and Development Manager and advice from external consultants, the applicant has accepted a reduced profit and it has been concluded that this is the best that the scheme can achieve whilst remaining viable. This financial contribution and the deferred payment mechanism will be secured via s106 legal agreement.

- 2.7 The previous officer report to Committee on 5th September at paragraph 7.3 states that, "As a consequence of market conditions, it is not possible for the applicant to continue to provide the originally proposed policy compliant 30% affordable housing provision on site". However, as the applicant has suggested in the submitted information, the principal factors in consideration of the viability are actually the physical/topographical features within the site and unusually high build costs. The physical land use constraints include large areas within the flood plain which cannot be developed, two major sewer lines within the site that form exclusion zones and sloping land levels within the site. The development would also incur unusually high build costs owing to the significant land level constraints and has resulted in a requirement for detailed engineering of the adoptable access road and retaining walls. This is not disputed by officers.
- 2.8 Therefore, following careful consideration of the original and further submitted information, officers conclude that it has been sufficiently demonstrated and verified that the financial contribution to provide affordable housing as now proposed is the best possible, due to the specific viability conditions of this particular case. With a suitable deferred payment mechanism also being secured it is considered that the proposal is policy compliant in relation to affordable housing matters.

### **3 CONCLUSION**

- 3.1 The proposed form of development has previously been considered to be acceptable in relation to matters of flooding design and layout, highway safety, landscape, ecology and residential amenity. In relation to the matter of affordable housing the submitted viability and additional information has been fully assessed, the original offer seeking nil provision increased and can now be considered to be policy compliant. The proposal is therefore recommended for approval, subject to conditions and an appropriate S106.

Case Officer: Susanna Bedford

APPENDIX 1 previous report to 5<sup>th</sup> September Planning Applications Committee

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**RECOMMENDATION : APPROVE**

Delegate to Head of Planning, Development and Regulatory Services to

- (i) GRANT outline planning permission subject to completion of a S106 legal agreement or
- (ii) to REFUSE permission should the legal agreement not be completed by the 26<sup>th</sup> September 2018 (unless the Head of Planning, Development and Regulatory Services agrees to a later date for completion of the legal agreement). The legal agreement to secure the following:
  - A financial contribution toward Affordable housing of £250,000 payable upon sale (or presumed sale) of the 90th percentile of units, with a pre completion review providing for the Council to receive 20% of the GDV over £20.2m
  - An Employment Skills and Training Plan (construction phase).
  - The adoption of the internal access road including the turning head to abut the eastern boundary of the site, as shown on highway extent plan Drwg no. 2829.11.

And the following conditions to include (compliance conditions unless otherwise stated):

1. Outline - time limit - reserved matters
2. Outline - time limit - commencement
3. Outline - details of reserved matters for Landscaping
4. Approved plans
5. Pre-commencement details of all external materials to be submitted to and approved by the LPA
6. The standard landscape survey condition (outline L7)  
No development shall take place until a detailed landscape survey of the site has been submitted to and been approved by the local planning authority
7. The standard landscape reserved matters condition (L8)  
The details submitted in accordance with condition 3 requiring the approval of the landscaping for the site as a reserved matter.

8. The standard tree protection (for outline decisions L9)  
The details submitted in accordance with condition 3 requiring the approval of the landscaping for the site as a reserved matter, to include: Pre-commencement submission of Arboricultural Method Statement and Tree protection plan
9. Arboricultural Method Statement to be followed
10. Landscape management plan
11. Measures as detailed in the Flood Risk Assessment to include that Finished floor levels are set no lower than 37.12 metres above Ordnance Datum.
12. All fences within the 1% annual probability flood event with 35% allowance for climate change shall be design to be permeable to floodwater.
13. Pre-commencement Construction Method Statement (also including noise and dust measures)
14. Pre-occupation vehicle parking spaces provided in accordance with the approved plans
15. Pre-occupation vehicle accesses provided in accordance with the approved plans
16. Pre-occupation cycle parking provided in accordance with the approved plans
17. Pre-occupation bin storage provided in accordance with the approved plans
18. Access closure with reinstatement
19. Pre-occupation roads to be provided
20. Prior to any other development details of visibility splays to be submitted and approved, and then implemented.
21. Pre-occupation car parking management plan
22. No residential extension of structures (dwelling units) remove GPDO Part I Class A,B,C,E,F and G and Part II Class A.
23. No additional windows in side elevations of dwelling units
24. No additional fences
25. Construction and/demolition standard hours
26. Pre-commencement survey to establish if site is contaminated
27. Pre-commencement submission of remediation scheme if required
28. Implementation of remediation scheme if required
29. Reporting of Unexpected Contamination
30. Pre- commencement landscape boundary condition
31. Vegetation to be cleared outside bird nesting season (March to August )
32. Pre-commencement reptile mitigation strategy to be submitted approved
33. Pre- commencement bat mitigation strategy to be submitted and approved
34. Badger set survey required within 28 days of the start of works
35. Pre-commencement lighting scheme shall be submitted and approved
36. Pre-occupation evidence of 50% of dwellings achieve a minimum 19% improvement in the dwelling emission rate over the target emission rate
37. Pre-commencement programme of archaeological work, in accordance with a submitted/approved written scheme of investigation.
38. Pre-occupation completion of SuDS details hereby approved.
39. Pre-commencement (barring demolition) SuDS implementation, maintenance and management plan.
40. Pre-commencement details of ground levels

**Informatives:**

1. Positive and Proactive Statement
2. S106 Legal Agreement
3. CIL
4. Terms and conditions
5. Building Regulations
6. Clarification over pre-commencement conditions
7. Use of post and rail fencing, hit and miss fencing (vertical slats fixed alternately on

- each side of horizontal posts) or hedging is recommended in the Flood Plain.
8. There should be no ground raising within the 1% annual probability (1 in 100) flood extent with a 35% allowance for climate change.
  9. This development may require an Environmental Permit from the Environment Agency under the terms of the Environmental Permitting (England and Wales) (Amendment) (No. 2) Regulations 2016 for any proposed works or structures, in, under, over or within 8 metres of the top of the bank of designated 'main rivers'.
  10. S278 Agreement
  12. S38 Agreement
  13. Dust requirements for CMS

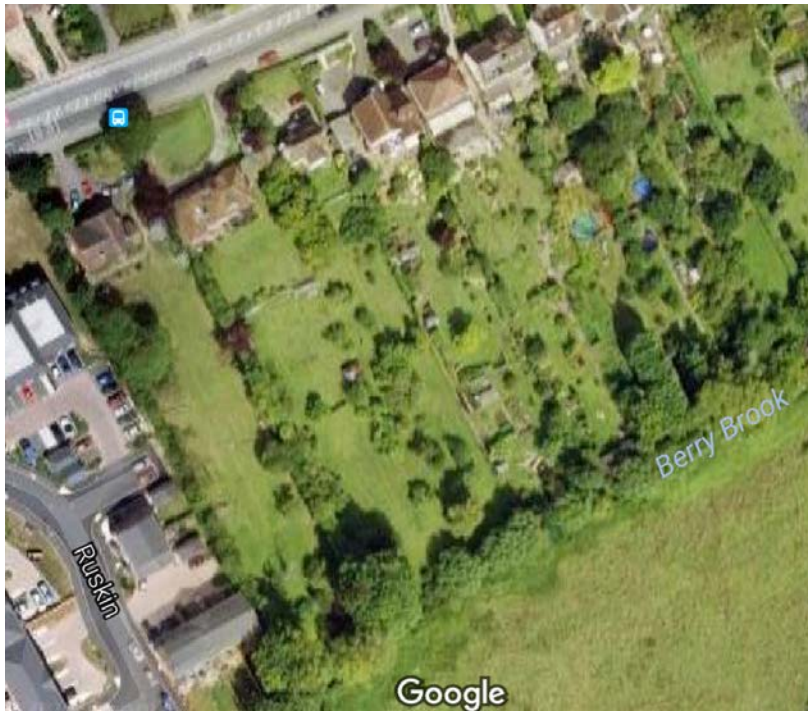
## 1. INTRODUCTION

- 1.1 This site has been subject to two previous applications for residential development reference 161842 FUL and 170959 FUL. Application 161842 for the erection of 60 units was refused (at Committee on 11th January 2017); an appeal was lodged but subsequently withdrawn. Application 170959 for 42 dwellings was granted permission, following consideration by Planning Applications Committee in December 2017 and the completion of a S106 Legal Agreement.
- 1.2 The current application has an identical layout to the scheme approved under 170959 but is accompanied by a Viability Report in relation to the issue of affordable housing. The 2017 permission sought to provide 30% on site provision. However when assessing the approved scheme in relation to current market conditions this level of affordable housing provision is not considered to be viable and an alternative provision has been subject to detailed negotiation with officers. This matter is further considered at paragraph 2.2 and 7.2-7.5 below.
- 1.3 The site, as illustrated on the location plan below, is approximately 0.96 ha in area and comprises of the residential plots of 5 existing properties set on the southern side of Henley Road. The site is bounded by the existing Ruskins development to the west and No 209 Henley Road to the east. Opposite the site is a row of substantial detached and semi-detached houses fronting onto Henley Road.
- 1.4 The dwellings on the southern side of Henley Road have a plot depth of approximately 115m which spans the distance between the Henley Road frontage and the southern boundary of existing private residential gardens. The site slopes down significantly from the front (northern) to the rear (southern) boundary. The area directly to the south is designated as a Major Landscape Feature and contains a Green Link. The Berry Brook lies outside of the southern boundary of the site and results in the application site falling within Flood Zones 1, 2 and 3a (on the southern boundary).
- 1.5 A site visit in relation to the previous application was undertaken by Members of Planning Applications Committee on 2<sup>nd</sup> November 2017.

Location Plan (not to scale)



Site - aerial view



Site Layout Plan



## 2. PROPOSAL AND SUPPORTING INFORMATION

- 2.1 Outline planning permission is sought for the demolition of nos 199, 201 and 203 Henley Road and the erection of 42 dwellings on these plots and the rear gardens of 205 and 207 Henley Road. The matters for which approval is sought at this time are Access, Appearance, Layout and Scale. Landscaping is therefore sought to be determined as a reserved matter at a later date.
- 2.2 Access to the site would be from a single junction onto Henley Road, adjacent to No 205, with a new road into the centre of the site with a spur to abut the eastern boundary, to allow future access into the adjacent site. This application only differs from the previous one (170959) in so far as provision for any affordable housing was removed and a Viability Report submitted in support of this change. Negotiations have resulted in agreement for a financial contribution toward Affordable housing of £250,000 payable upon sale (or presumed sale) of the 90th percentile of units, with a pre completion review providing for the Council to receive 20% of the GDV over £20.2m. All other principles of the development that were established with the previous application remain unchanged.
- 2.3 The development consists of 30 flatted units (24 x 2bed and 6 x 3bed) in a single 'T' shaped block; and 12 houses (4 bed) set to the rear of the site. Each house has private rear garden in excess of 30m long shown to contain retained trees and vegetation.

### Supporting Information

The application is supported by the following documents and plans:

- Design, Access and Planning Statement March 2018
- Flood Risk Assessment (September 2016) and FRA Addendum Report (June 2017) submitted April 2018
- Flooding Sequential Test ( November 2017) submitted March 2018
- Arboricultural Report (June 2017) submitted March 2018
- Energy Statement (June 2017) submitted March 2018
- Air Quality Assessment (September 2016) submitted March 2018
- Transport Statement (Addendum June 2017) submitted March 2018
- Ecological Assessment (September 2016 updated February 2017) submitted March 2018
- Plan references at end of report

## 3. RELEVANT PLANNING HISTORY

This section contains individual plots that now form elements of the current application site. It is noted that the Ruskins development, allowed on appeal in 2002, predates current plan policy and subsequent 'infill development' on the residential plots on the southern side of Henley Road has been refused and dismissed on appeal since the construction of Ruskins. However Ruskins due to the

extent of the development is a material consideration in the consideration of development within the application site.

#### **Application site**

161842 Demolition of nos 199-203 Henley Road and erection of 60 dwellings at 199-203 Henley Road and to the rear of 205-207 Henley Road with associated access from Henley Road and landscaping.  
Refused (18/1/2017)

Appeal (PINS ref APP/E0345/W/17/3176242/): withdrawn.

170959 Demolition of 199-203 Henley Road and erection of 42 dwellings at 199-203 Henley Road and to the rear of 205-207 Henley Road with associated access from Henley Road and landscaping. Resubmission of 161842. Permitted 6/6/2018.

#### **Rear of No.199 Henley Road**

04/00239/OUT Outline application for the erection of 10 x 3 bedroom terraced houses. Withdrawn (11/05/04)

04/00602/OUT Erection of 8 x 3 bedroom semi-detached houses.  
Refused (08/07/04).

06/01053/FUL Outline application for the erection of 7 dwellings, considering the matters of siting and access. Withdrawn (30/10/06).

#### **Nos 205 - 219 Henley Road**

07/00081/FUL Demolition of Nos.205-219 Henley Road [odd] and the erection of 60 dwelling units and a 60 bed care home. Refused 24/5/07 and Dismissed at appeal.

#### **Nos 209-219 Henley Road**

181102 FUL Erection of 9 dwellings to the rear of 209-219 Henley Road with access road and associated landscaping. *Currently under consideration.*

#### **241-251 Henley Road, Caversham**

07/00032/FUL: Demolition of one existing dwelling and erection of fourteen new dwellings with associated infrastructure and car parking. Refused 18/7/2007 and Dismissed at Appeal.

06/00298/FUL Demolition of six existing dwellings and erection of sixty five new dwellings with associated infrastructure and car parking. Withdrawn (10/07/06).

#### **98-102 Lower Henley Road And 177-197 Henley Road (Ruskings)**

02/00657/FUL Proposed residential development comprising of 75 units including access roads and parking. Permitted on appeal (11/10/02) and implemented.

#### 4. CONSULTATIONS

##### **Statutory**

Environment Agency - Based on the following information :

Email from Kay Collins to Planning\_THM "RE: 180418 - Henley Road, Caversham", dated 24 April 2018 FRA Addendum Report, Caversham Flood Map Update, dated 8 June 2017, Edenvale Young Associates. Drawing PL-01A, dated January 2017 Drawing PL-07A, dated January 2017 Flood Risk Assessment 199-207 Henley Road, Caversham, Reading, RG4 - No objection subject to suggested conditions.

##### **Non-statutory**

4.1 RBC Transport Strategy - No objection subject to conditions. Detailed comments in appraisal section below.

4.2 RBC Environmental Protection - The air quality assessment concludes that the impact on air quality of the development on the site will not be significant. In relation to contaminated land the developer is responsible for ensuring that development is safe and suitable for use for the intended purpose or can be made so by remedial action. No objection subject to conditions.

4.3 RBC Consultant Ecologist - Concern as the layout results in fragmentation of habitats, query the content of the reptile mitigation strategy and the extent of the bat survey.

4.4 RBC Natural Environment -

The layout of the front of the property will allow for new landscape planting and soften views of the development from the public highway.

If planning permission is granted require a condition for a detailed and site specific arboricultural method statement and tree protection plan to be submitted and approved prior to works commencing on site. Although the applicant has provided a brief AMS, this document is overly generic for our purposes, not addressing the individual issues of the site in any great detail.

The AMS required to discharge this condition will need to be site specific and provide a step by step approach to site operations and tree protection. To give an idea of the level of detail; we would want to see information on:

- Tree pruning works - cutting back of T80 to install scaffolding?

- Craning operations, site welfare facilities, drainage, soakaways , post building work landscaping operations cross referenced with the ground work requirements of the landscaping scheme
- Fencing around T10 which currently shows changes to the ground level within the CEZ
- An appropriate statement will avoid ambiguities such as 'if' and 'shall' where possible.

Also require a plan showing the location of services, drainage runs, soakaways and street lights in relation to the retained tree constraints so that any areas of potential conflict can be ascertained.

To mitigate the number of trees proposed for removal on site we will require substantial new tree and landscape scheme to create a high quality development. The success of trees planted in or near to parking spaces will be dependent on a well-constructed rooting area. This is likely to need underground root cells which can be used to filter ground water run-off. This system can slow surface water run-off and ensure the trees can reach maturity without causing damage to paved surfaces.

In view of this, if planning permission is granted we will also require a condition for a detailed scheme of hard and soft landscaping, to include aftercare and details on tree planting pits. Any plants which fail to establish / die / become seriously diseased / are removed etc. will need to be replaced with another of a similar size and species.

- 4.5 RBC SUDS Officer - No objection subject to conditions.
- 4.6 RBC Leisure - No comment
- 4.7 RBC Housing - Confirmed need for affordable units remains.
- 4.8 RBC Archaeology - The site is located within an area of potential for prehistoric remains. No objection subject to condition requiring approval of a written scheme of archaeological investigation would be required.

**5. PUBLIC CONSULTATION:**

The application was advertised in the local press as a major development. A site notice was also posted at the site and properties adjoining the site were consulted.

There have been 3 letters of objection submitted at the time of writing. The objections were made on the following grounds:

1. The entry to the site is via the Henley Road and should be via Ruskin.
2. The entrance arrangements are unsuitable and unsafe. This application still does not explain clearly how the access road will allow a third lane in the A4155 without

removing the existing parking bays and possibly the road island. It is also not clear if the pavement on the southern side will be narrowed.

*Officer note: The proposed access with the right hand turn lane and the parking bays on the A4155 were shown on Appendix 1 Proposed Site Layout within the Transport Assessment: Addendum dated June 2017. The highway works will all be subject to a S278 agreement.*

3. Additional vehicles will have a detrimental impact on highway safety
4. Dispute number of buses that service the Henley Road
5. Development should be provided within the town to protect the this semi-rural area.
6. This application has been submitted solely to avoid the affordable homes required by application 170949
7. Concern in relation to the gradient within the site.
8. The site and surrounding area have a history of recent flooding
9. Query the removal of a number of trees between the proposed development and Ruskin, approximately where the Ruskin spur points at the development, seems unnecessary and removes a pleasant green area that will serve as a boundary between the developments in terms of building noise and disruption

## **6. RELEVANT PLANNING POLICY AND GUIDANCE**

### National and Local Policy

- National Planning Policy Guidance (NPPG)
- National Planning Policy Framework (2012)

### Reading Borough Local Development Framework Core Strategy Document, 2008

- Policy CS1 (Sustainable Construction and Design)
- Policy CS2 (Waste Minimisation)
- Policy CS3 (Social Inclusion and Diversity)
- Policy CS4 (Accessibility and the Intensity of Development)
- Policy CS5 (Inclusive Access)
- Policy CS7 (Design and the Public Realm)
- Policy CS9 (Infrastructure, Services, Resources and Amenities)
- Policy CS14 (Provision of Housing)
- Policy CS15 (Location, Accessibility, Density and Housing Mix)
- Policy CS16 (Affordable Housing)
- Policy CS20 (Implementation of the Reading Transport Strategy)
- Policy CS22 (Transport Assessments)
- Policy CS24 (Car/Cycle Parking)
- Policy CS29 (Provision of Open Space)
- Policy CS30 (Access to Open Space)
- Policy CS33 (Protecting the Historic Environment)
- Policy CS34 (Pollution and Water Resources)
- Policy CS35 (Flooding)
- Policy CS36 (Biodiversity and Geology)
- Policy CS38 (Trees, Hedges and Woodlands)

### Sites and Detailed Policies Document, (SDPD), Adopted 2012 Revised 2015

- Policy DM1 (Adaption to Climate Change)
- Policy DM2 (Decentralised Energy)

- Policy DM3 (Infrastructure Planning)
- Policy DM4 (Safeguarding Amenity)
- Policy DM5 (Housing Mix)
- Policy DM10 (Private and Communal Outdoor Space)
- Policy DM 11 (Development of Private Residential Garden Land)
- Policy DM12 (Access, Traffic and Highway-Related Matters)
- Policy DM16 (Provision of Open Space)
- Policy DM 17 (Green Network)
- Policy DM18 (Tree Planting)

#### Relevant Supplementary Planning Guidance/Documents

- Revised Parking Standards and Design (2011)
- Sustainable Design and Construction (2011)
- Employment, Skills and Training (2013)
- Affordable Housing SPD (2015)
- Planning Obligations under Section 106 of the Town and Country Planning Act 1990, (Revised 1/4/2015).

The Council introduced the Community Infrastructure Levy (CIL), on planning decisions made on or after 1 April 2015. This partially replaced the Section 106 system, under which tariff-based payments were sought, often subject to a process of negotiation. CIL has no such scope for negotiation and is a levy per sq m of floorspace with the Council's CIL Charges approved at Council on 27 January 2015. The role of Section 106 is now restricted to securing affordable housing (dealt with in the Council's adopted Affordable Housing SPD) and dealing with site-specific infrastructure requirement

## **7. APPRAISAL**

The main issues in consideration of this application are:

- Principle of development
- Flood Risk Assessment and Sustainable Drainage Systems (SuDS)
- Highway matters
- Layout, Design and Appearance
- Housing density and mix
- Residential Amenity of future occupiers and neighbours
- Trees, landscaping and ecology
- S106 Matters
- Community Infrastructure Levy
- Other considerations

### **Principle of the Development**

- 7.1 Permission 170959 is an important material consideration to this current planning application. There have been no material changes in circumstances in relation to National or Local Planning policy or physical features within the site since the consideration/issuing of permission 170979. The main policies to be considered therefore remain to be CS35 'Flooding', CS7 'Design and the Public Realm' and Policy DM11 'Development of Private Residential Gardens' in relation to the principle of the use, quantum and siting of the development. These matters are considered below.

## **Affordable Housing**

- 7.2 In accordance with Core Strategy Policy CS16, developments of 15 dwellings and above are required to provide 30% of the total number of dwellings in the form of affordable housing to meet the needs of the area, as defined by a housing needs assessment. However updated National Policy (NPPF July 2018) and the Councils adopted Policy CS16 and Supplementary Planning Guidance allows the Council to consider detailed information on the viability of a particular scheme and, where justified through an open book approach, to reduce the affordable housing requirement.
- 7.3 As a consequence of market conditions, it is not possible for the applicant to continue to provide the originally proposed policy compliant 30% affordable housing provision on site. The application as submitted sought no contribution to affordable housing, however following extensive negotiations with the Councils Corporate Asset and Development Manager and advice from external consultants (on behalf of the local planning authority) it has been concluded that the best that the scheme can achieve whilst remaining viable is a financial contribution of £250,000, with a deferred payment mechanism. This contribution will be secured via s106 legal agreement.
- 7.4 Given that the affordable housing proposal is below the 30% policy requirement a deferred payment mechanism is also considered appropriate in this instance (in addition to the financial contribution) with a pre completion review providing for the Council to receive 20% of the GDV over £20.2m. The deferred payment mechanism will also be secured via s106 legal agreement.
- 7.5 Therefore, following careful consideration officers conclude that it has been sufficiently demonstrated and verified that the financial contribution to provide affordable housing now proposed is the best possible, due to the specific viability conditions of this particular case. With a suitable deferred payment mechanism also being secured it is considered that the proposal is policy compliant in relation to affordable housing matters, given the viability of developing the site.

## **Flooding**

- 7.6 Government Guidance (PPG Flooding) specifies that dwelling houses have a flood risk vulnerability classification of 'more vulnerable'. The proposed built form within the development is sited wholly within Flood Zone 1 however the application site contains areas within Flood Zones 2 and 3a, with the private amenity space for each house located outside Flood Zone 1. On this basis, and the proximity of the proposed dwellings to Flood Zone 2, a Sequential Test is required to determine the application.
- 7.7 The Sequential Test assesses other potential sites in the borough with the aim of steering new development to areas at the lowest probability of flooding (Zone 1). The applicant has submitted a Sequential Test to consider sites in the borough that have a lower risk of flooding and have concluded there are no other appropriate sites. The Council's latest 'Housing and Economic Land Availability Assessment' (May 2017) also sets out that 'there are not sufficient sites to meet the objectively assessed need for housing in Reading on sites in Flood Zones 1 and 2'. Therefore, considering the content of submitted detailed sequential test it is considered that the applicant has been able to demonstrate that the development has passed the

sequential test. The Exception test is not required for 'more vulnerable' use (including housing) in Flood Zone 2. Due to the limited extent of flood Zone 3a on the southern boundary of the site it is not considered that the Exception Test is required in this instance.

- 7.8 As the required land use tests are considered to be passed the proposed development is then required to be subject to a Flood Risk Assessment. An FRA has been submitted by the applicant and reviewed by the Environment Agency. The Environment Agency have confirmed that the submitted information has considered climate change and they have no objection, subject to conditions in relation to implementation of the FRA and provision of permeable fencing. The proposal is therefore considered to comply with the NPPF and Policy CS35 and DM11.
- 7.9 In relation to Sustainable Urban Drainage Systems, it is set out that these can be integrated to ensure that surface water run-off from the development will be no greater than the current rate. Subject to appropriate conditions, the proposed drainage can comply with the requirements of the NPPG, NPPF and Core Strategy policy CS34.

#### Highway Matters

- 7.10 The application site is located along Classified Henley Road (A4155) which is a busy distributor road linking Caversham to towns/villages in South Oxfordshire. The site is located on the south side of Henley Road adjacent to a large residential development (Ruskin) accessed from a 4-arm signal controlled junction.

#### Traffic Generation

- 7.11 The trip generation for the proposed development has been calculated from the TRICS trip rates agreed with RBC as part of the 2016 application (161842). These trip rates have been applied to the new residential scheme for 30 apartments and 12 houses. The analysis has shown that the proposed residential development will generate in the region of 21 vehicular trips in the AM peak and 23 vehicular trips in the PM peak with 70% of trips heading to/from the west (towards Reading). The development's traffic generation and impact on network capacity is less than previously accepted. The traffic generated by the proposed scheme would not give rise to a material impact on existing traffic flows and is therefore acceptable for the smaller scheme in accordance with policy DM11 and DM12.

#### Access

- 7.12 All proposals for new access into classified road must comply with Reading Borough Council's Design Guidance for Residential Accesses on to Classified Roads to ensure that the safety and efficiency of the classified road network is maintained and enhanced by the design for access to new development.
- 7.13 The proposals consist of the demolition of 199-203 Henley Road and the construction of a new bellmouth access directly onto the Henley Road. The Borough's Design Guidance for Residential Accesses on to Classified Roads states that where proposals for development give rise to opportunities to reduce the number of direct accesses on the classified road network, then the Borough will expect these opportunities to be taken. The objectors' comments are noted in relation to the use of the existing access at Ruskin and this issue has been given careful consideration by officers. The adjacent Ruskin development was designed and constructed with the view that future development of land to the east would



be served from the Henley Road/Ruskin signalled controlled junction. However, the adopted highway extent plan confirms that the end of the adopted road does not meet the site boundary. Therefore, following a review of the accident data along Henley Road and that the proposed junction is in excess of the junction spacing stipulated within the Borough's Design Guidance on to Classified Roads, highway officers have no grounds to object to an additional access onto the Henley Road subject to a new access complying with this guidance.

- 7.14 The proposed site access would be in the form of a 5.5m wide priority junction with 10m corner radii off Henley Road. A right turn lane would be provided on Henley Road to serve the site. The existing dropped kerb accesses serving numbers 199, 201 and 203 Henley Road would be closed with the kerbs and footway reinstated. In accordance with the Council's Design Guidance, the maximum gradient on new access roads shall be 10%, however the first 10 metres on approach to a classified road, the dwell area, shall be 4%. These requirements are designed to prevent vehicles stalling on a mild hill start when attempting to pull in to traffic and the required cross section of the proposed access road has been submitted to ensure the access complies with the specified gradients.
- 7.15 A visibility splay of 2.4m x 90m has been illustrated at Appendix 6 of the TA a drawing will be required fully illustrating the visibility splay to the right of the proposed access but this matter could be dealt with by way of a condition. The internal layout of the development conforms to adoptable standards with a 5.5m carriageway width and 1.8m wide footways on both sides of the access road. Sections of shared surface are proposed in the southern part of the site serving the 3/4 bedroom houses and parking courtyards.
- 7.16 The layout provides a natural extension to the access road if future development comes forward on land to the east of the site. The new scheme would include provision of a link up to the eastern site boundary to allow for future development on the adjacent land without the need for a separate access off Henley Road The applicant has submitted an adoption/highway extents plan (Drwg no. 2829.11) which clearly demonstrates the area to be adopted including the turning head up to the site boundary which will allow for development to the east of the application site and therefore allows for satisfactory development of the wider area. The proposal is therefore considered to accord with policy CS20 and DM11 and DM12.

#### Parking

- 7.17 In relation to parking the site is located within Zone 3, Secondary Core Area, of the Council's adopted Parking Standards and Design SPD. In accordance with the adopted SPD, the development would be required to provide a parking provision of 1.5 spaces per 1-2 bedroom apartment plus 1 space per 4 dwellings for visitor parking, and 2 spaces per 3-4 bedroom dwelling. A total of 72 parking spaces are proposed in a mix of undercroft, courtyard and parallel car parking spaces which satisfies the requirement. Each house will be provided with 2 dedicated parking spaces and the flats will be provided with 1.5 spaces. The Council's adopted Parking standards require a minimum provision of 8 parking spaces to be provided as visitor parking spaces. The allocation of the resident and visitor parking spaces can be controlled by condition.
- 7.18 The Council's adopted Parking Standards and Design SPD identifies minimum cycle parking standards for residential developments. A minimum standard of 0.5 spaces per 1 or 2 bedroom flat and 2 spaces per dwelling house is required to meet the

Council's standards. The adopted standards also states that cycle storage should be easy to use, where the cycle can be secured easily and quickly to the stand. Cycle parking for the houses would be provided within the curtilage of each dwelling in the form of a shed capable of accommodating two cycle spaces. Communal cycle stores are proposed in the undercroft car parking area for the flats. It is unclear whether the cycle parking spaces will be in the form of Sheffield type stands (preferred) or alternative stands. This matter can be controlled by condition. The proposal is therefore considered to accord with policy CS24.

- 7.19 In relation to refuse collection this would be undertaken from within the site. Service vehicle swept path analysis confirms that a large refuse vehicle is able to enter the site, turn around in the turning heads provided and leave the site again in a forward gear. Bin storage for waste and recycling is provided on plot for all houses. The flats are provided with communal bin storage in convenient locations.
- 7.20 In relation to construction impacts a Construction Method Statement would be required to be submitted and approved before any works commence on-site. Any works affecting the highway would have to comply with the Borough's Guidance Notes for Activities on the Public Highway and works would need to be scheduled with the Council's Streetworks team prior to commencement on site. The proposal is therefore considered to accord with policy CS34 and DM4.

#### **Layout, design and appearance**

- 7.21 Policy DM11 requires that residential development makes a positive contribution to the character of the area in respect of the layout and spacing of the development; the form, height and massing of buildings; materials and appearance; and landscaping and boundary treatments. The application site is also required to be of an adequate size and dimensions to accommodate the development proposed in terms of setting and spacing around buildings, amenity space, landscaping and space for access road and parking.
- 7.22 The layout and spacing within the current development proposals is considered to suitably reflect the existing character of the area with regard to the size and scale of the proposed flatted block on the site frontage and provision of family sized dwellings with individual gardens in the rear portion of the site. The mixed pallet of proposed materials including brick and render is in keeping with surrounding development and is considered to add visual interest to differing elements of the flatted block and dwellings. Details for final approval can be subject to condition.
- 7.23 The proposed flatted block has three floors of accommodation fronting the Henley Road which, due to the difference in land levels from the road edge to within the application site, will have a two storey appearance from the road level, in keeping with Ruskin and the surrounding 2 storey dwellings. The ridge height of the central section of this block is marginally higher than the existing development at Ruskin, but steps down at either end of the building to seek to form a transitional element in the street scene. The articulation of the roof form and use of gable features interspersed with glazed balconies is considered to break up the visual bulk of the block when viewed from the Henley Road. This structure is therefore considered to have an acceptable impact on the character of the surrounding area which contains predominately large two residential dwellings and the frontage block within the Ruskin development.

- 7.24 The side and rear elevations of the proposed flatted block will also be visible in the public realm within the site. During the course of the application the ridge height of the rear element of this block has been reduced so that the overall height of the building lowers relative to the access road sloping down to the centre of the site. The side elevation orientated toward the access road contains gable features which seek to break up the bulk of the building with the rear portion of this elevation set 17m from the access road. To the rear the basement level of the building and vehicular access to the undercroft parking are visible but are considered to be integrated into the overall design of the building and ground floor habitable windows provide an element of natural surveillance and an active frontage.
- 7.25 Hardstanding within the site is in the form of the access road and surface level parking, with 34 parking spaces set beneath the flatted block and not visible in the public realm. The majority of the surface level parking is well related to the housing units (which they serve) and is able to be broken up by proposed planting. This scheme also retains a landscaped buffer between the Henley Road frontage and the adjacent Ruskin development in the form of a substantial lawn and mature trees and soft landscaping around the buildings. The location and extent of hardstanding within the site is considered to be acceptable in accordance with Policy CS7 and DM11.
- 7.26 The proposed housing units are all oriented toward the main access road and form a more traditional street scene within the application site. There is no objection to the detailed design of the individual pairs of semi-detached houses constructed of traditional materials. Due to the sloping nature of the site these units have a standard two storey appearance to the front incorporating projecting gable features, but an additional lower ground floor at the rear. This design provides a shallow balcony area and external stepped access from the rear garden area to road level to the front of the dwellings. This is characteristic of existing dwellings in the vicinity set into the sloping topography on the southern side of the Henley Road.
- 7.27 In relation to the topography of the site, which slopes significantly from the front to the rear, detailed site sections have been submitted to show the gradient of the proposed access road and relative land levels to existing neighbouring dwellings including No 32 and 33 Ruskin. Retaining walls have been shown in two locations within the site - on the western side of the proposed access road and to the west of the parking areas shown to the rear of the flats. The developer has submitted information (plan PL-01B) showing the retaining walls on the western boundary to be 1m in height which is considered to have an acceptable visual impact and not be overbearing to residential dwellings in accordance with Policy CS7 and DM11.
- 7.28 This proposal is therefore considered to create an adequate sense of place within the site and is considered to be sufficiently in keeping with the character of the surrounding area in accordance with policies CS7 and DM11.

#### **Residential amenity of future occupiers and neighbours**

- 7.29 Due to the relative siting and separation distance of a minimum of 10m and a maximum of 20m between the proposed residential block on the site frontage and the adjacent flatted block within Ruskin these existing dwellings are not considered to be detrimentally affected by the proposed development.
- 7.30 In relation to No 32 and 33 Ruskin these two existing units have a rear to side relationship to proposed Plot 1 (housing unit). It is noted that these dwellings

within Ruskin are three storey town houses with first floor rear facing living rooms. The ground level within the application site is proposed to be set at a higher level than ground level within Ruskin. However there is a 13m separation distance between the dwellings, levels information has been submitted to show the relative heights of the dwellings (PL09 B) and the design of Plot 1 and 2 has been amended to alter the pitched roof to a hipped roof design, so that the roof slopes away from the boundary with No 32 and 33. The proposed side facing windows are high level or serve a stairwell and the site is screened by mature vegetation. On this basis the proposal is not considered have an overbearing impact on these dwellings or No 34 Ruskin to warrant the refusal of planning permission.

- 7.31 In relation to the retained dwelling at No 205 Henley Road the 'T' shaped form of the proposed flatted block results in minimum separation distance of 17m, extending further to the rear of the block. Within the proposed side elevation in closest proximity to No 205 only high level or stairwell windows are proposed, further windows and balconies in the remainder of the block are considered to be set sufficient distance away so as to not cause any undue overlooking. The proposed housing units (Plots 9-12) the front of which look north toward the rear area of No 205 and 207 Henley Road are set a sufficient distance away not to have a detrimental impact on residential amenity. In relation to No 209 Henley Road the siting of proposed Plot 12 adjacent to the side boundary due to the separation distance to the house is not considered to cause overbearing or overlooking to the rear garden area of this existing property. The proposed development is therefore not considered to result in an overlooking or overbearing impact on existing dwellings in accordance with policy DM4 Safeguarding Amenity.
- 7.32 Floor plans for all the dwelling types and the blocks of flats have been submitted. The internal space standards and room layouts for the proposed dwellings and flats are considered appropriate. As such, it is considered that the dwellings and flats would provide a suitable standard of accommodation for future occupants. The separation distance of over 28m between the proposed flatted block and proposed dwellings is considered to allow light and outlook to the future occupants.
- 7.33 In relation to amenity space the rear gardens of the existing dwellings No 205 and 207 are significantly reduced but in excess of 10m in depth, and therefore do not form a reason for refusal. The proposed outdoor amenity space for the houses is in the form of private rear gardens which are over 30m in depth within Flood Zone 2 which is considered to provide adequate useable amenity space. The flatted units each have Juliette balconies, which is policy compliant with additional open areas of soft landscaping. The proposal is therefore considered to satisfactorily accord with Policy DM10 (Private and Communal Outdoor Space).
- 7.34 Noise and disturbance from traffic from the proposed development is not considered to result in harm to the amenities of the properties adjoining the application site in terms of highway capacity and safety. As such the proposal is considered to accord with policy DM4.

#### **Housing mix**

- 7.35 Policy DM5 (Housing Mix) seeks to ensure that on new developments for 10 or more dwellings outside the central area and defined district and local centres, planning decisions will ensure that over 50% of dwellings will be of 3 bedrooms or more, and the majority of dwellings will be in the form of houses rather than flats, having regard to all other material considerations. This development proposal will provide a dwelling mix containing 43% of the proposed units having 3 or 4 bedrooms, and

approximately 30% as individual houses. Each of the houses are substantial 4 bed units with the 3 bed flats able to accommodate 5 persons. In the context of the area including the Ruskin development containing flatted units located directly adjacent to the site the proposed development is considered to be acceptable and accord to Policy DM5.

#### **Trees, landscaping and ecology**

- 7.36 The matter of Landscape has been formally reserved for consideration under a future Reserved Matters application. However the applicant has submitted sufficient detailed tree information as part of this application to determine this application, which has been assessed by officers and is considered acceptable.
- 7.37 The development site is located adjacent to Henley Road which has been identified as a Treed Corridor (Existing and potential) in the Borough Council's adopted tree strategy and trees within and immediately adjacent to the site boundary are protected under Tree Preservation Order 20/14. The trees subject to a TPO include a Beech tree at the front of the site, a Horse chestnut to the rear of the existing dwelling at 199 and a Walnut (offsite within Ruskin).
- 7.38 The current site layout, with hardstanding restricted to the centre of the site, provides a landscape buffer to the Henley Road and adjacent Ruskin development and allows the retention of protected trees. The proposed layout requires the removal of 41 trees and parts of three groups of trees. The majority of these trees (including several category 'B' trees) are small specimens and include many fruit trees. The majority of potentially larger trees within the curtilage can be retained which include the protected trees on and adjacent to the site. The layout of the front of the property will allow for new landscape planting and soften views of the development from the public highway.
- 7.39 Although the applicant has provided an Arboricultural Method Statement, further information is required in the form of further details by way of Reserved Matters details and further conditions. To mitigate the number of trees proposed for removal on site we will require substantial new tree and landscape scheme to create a high quality development. The success of trees planted in or near to parking spaces will be dependent on a well-constructed rooting area which can be required by condition.
- 7.40 The proposal although altering the existing landscape character of the site is considered to provide sufficient areas of landscaping in the form of extensive garden areas within the southern portion of the site and landscape buffer adjacent to the Henley Road and adjacent Ruskin development. These areas will also allow the retention of existing boundary trees including those subject to Tree Preservation Orders. The proposal is therefore considered to accord with policies Policy CS7, Policy CS37 and Policy CS38.

#### Ecology

- 7.41 The application site is located adjacent to Berrys Brook, and an unimproved grassland field which can be described as floodplain grazing marsh. Both floodplain grazing marsh (the adjacent field) and Rivers and Streams (Berrys Brook) are UK Biodiversity Action Plan habitats, (therefore are priority habitat as referred to in the NPPF) and are also likely to host a number of rare or notable plant and animal species (e.g. wildfowl and waders, water vole, reptiles, dragonflies etc.). They therefore receive protection from the adverse impacts of development through both national and local planning policy.

- 7.42 The applicant has submitted an Ecology Report (dated September 2016 Updated February 2017) that contains a Phase 1 habitat survey that has been extended to include an assessment of protected species. The applicant has also confirmed that the bat surveys on the site have been carried out in accordance with BCT (Bat Conservation Trust) guidelines. The ecology report concludes that the majority of habitat currently occupying the site will be removed to accommodate the development proposals but much of this habitat was assessed as having low-moderate ecological value (eg amenity grassland, introduced shrub, built structures and hard standing). It is noted however that features such as the species-rich hedgerow and the traditional orchard have a high value and the site is used by protected species including roosting bats, reptiles, breeding birds and invertebrates.
- 7.43 Policy DM11, DM17 and CS36 seek to protect biodiversity but do not preclude development where it can be demonstrated that developments do not fragment blocks of gardens that contribute to the green network; and features provided within the scheme can link into the existing green network. Therefore it is essential that the development adequately compensates for the loss of these habitats in order to comply with planning policy.
- 7.44 In order to seek to meet the above requirements the submitted ecology report sets out recommendations for mitigation, compensation and enhancement measures for ecology on the site. This includes measures to include the retention of the boundary hedgerows, a wildlife buffer formed within garden areas to the south of the site to be retained and enhanced including two retained ponds; and the planting of 10 trees (apple, plum and pear) to compensate for the loss of the section of Orchard (which is a BAP habitat). Replacement bird and bat roost are also proposed and following the grant of any planning permission a license application to Natural England would be required to be made to demolish the roost on site, followed by specified mitigation and compensation measures. In relation to reptiles a mitigation strategy is set out within the submitted Ecology report. It is therefore considered that matters of ecology can be controlled and mitigated by condition.
- 7.45 It is therefore considered that due to the length of the existing residential plots to be sub divided to accommodate the proposed development; the ratio of built form to retained soft landscaping and garden areas and mitigation measures set out above that the development would not have a significantly adverse impact on biodiversity and is considered to accord with Policies DM11 and CS36.

#### **Open space**

- 7.46 In accordance with policy CS29 of the Core Strategy, all new development should make provision for the open space needs of the development through appropriate on or off-site provision. On a site of less than 50 dwellings improvement to open space are sought through appropriate contributions, which are now received via the CIL levy.

#### **Sustainability**

- 7.47 Whilst proposals previously needed to fully demonstrate how developments meet the requirements of policy CS1 in the adopted Core Strategy, policies DM1 and DM2, it should be noted that energy requirements for new developments have been recently streamlined by the Government. An Energy Statement was submitted by the applicant. The Statement includes an energy demand assessment recommending the use of solar PV systems which can meet the target of 19% less

CO2 than the 2013 building regulations standard. This is considered to be acceptable and could be required by condition.

#### **Archaeology**

- 7.48 There are potential archaeological issues with the above application as the site is located within an area of potential for prehistoric remains. The scale of the proposals is large enough to warrant archaeological investigations to assess this potential. Therefore a condition requiring approval of a written scheme of archaeological investigation would be required if the application were recommended for approval.

#### **Air Quality and Contaminated Land**

- 7.49 The site lies within an AQMA, the application states that the development will have no worsening impact on air quality. However, due to increased traffic pressure on local junctions there is still the possibility for air quality to be worsened in those locations e.g. Gosbrook Road and Prospect Street where air quality is already poor. However the impact on air quality is not considered to be so significant as to warrant a reason for refusal.

- 7.50 In relation to contaminated land the developer is responsible for ensuring that development is safe and suitable for use for the intended purpose or can be made so by remedial action. Ideally a 'phase 1' desk study should be submitted with applications for large developments to give an indication as to the likely risks and to determine whether further investigation is necessary, this requirement and any further remediation action required could be satisfactorily dealt with by condition.

#### **Employment, Skills and Training**

- 7.51 In accordance with Reading Borough Core Strategy Policies CS9: Infrastructure, Services, Resources and Amenities and CS13: Impact of Employment Development and the Council's SPD 'Employment, Skills and Training' the developer is required to provide for a Construction Employment and Skills Plan which identifies and promotes employment opportunities generated by the proposed development, or other developments within Reading, for the construction phase of the proposed development. This is sought to be secured within the S106 legal agreement.

#### **Community Infrastructure Levy (CIL)**

- 7.52 Policies CS9 and DM3 allow for necessary contributions to be secured to ensure that the impacts of a scheme are properly mitigated. It is considered that each of the obligations referred to above would comply with the National Planning Policy Framework and Community Infrastructure Levy (CIL) in that it would be: i) necessary to make the development acceptable in planning terms, ii) directly related to the development and iii) fairly and reasonably related in scale and kind to the development.

- 7.53 Separately, the applicant duly completed a CIL liability form as part of the submission of this application. Based on the information provided only No 199 Henley Road will be likely to have been occupied for six continuous months of the thirty-six previous months when a decision is issued. Accordingly, the floorspaces of this unit (195 sqm) can be deducted from the final liability. On this basis, the CIL liability (total 5603 sqm - 195sqm) is estimated (using the 2018 indexation) as being £796,566.

### **Representations**

- 7.54 Issues raised in representation letters from third parties have been addressed within the above report.

### **Equality**

- 7.55 In determining this application the Council is required to have regard to its obligations under the Equality Act 2010. The key equalities protected characteristics include age, disability, gender, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sexual orientation. There is no indication or evidence (including from consultation on the current application) that the protected groups have or will have different needs, experiences, issues and priorities in relation to this particular planning application.

## **8 CONCLUSION**

- 8.1 The proposed form of development has previously been considered to be acceptable in relation to matters of flooding design and layout, highway safety, landscape, ecology and residential amenity. In relation to the matter of affordable housing the submitted viability has been fully assessed, the original offer seeking nil provision increased and can now be considered to be policy compliant. The proposal is therefore recommended for approval, subject to conditions and an appropriate S106.

Case Officer: Susanna Bedford

### **List of plans**

Location Plan PL - 101

PL-11A Proposed Site Plan

PL-01B Proposed Site Plan showing Flood Zone Contour

PL-02 Proposed basement plan (flatted block)

PL-03A Proposed ground Floor plan (flats)

PL-04A Proposed first Floor plan (flats)

PL-05 A Proposed second Floor plan (flats)

PL-06 Proposed roof plan (flats)

PL-07A Proposed elevations (flatted block front and side)

PL-08A Proposed elevations (flatted block rear and side )

PL-09 A Proposed site section AA, BB, CC

PL-10 A Proposed house plans

PL-12 Proposed site section EE and FF



Drwg no. 2829.11 Road adoption plan



Site Sections





FRONT ELEVATION (North)



SIDE ELEVATION (East)

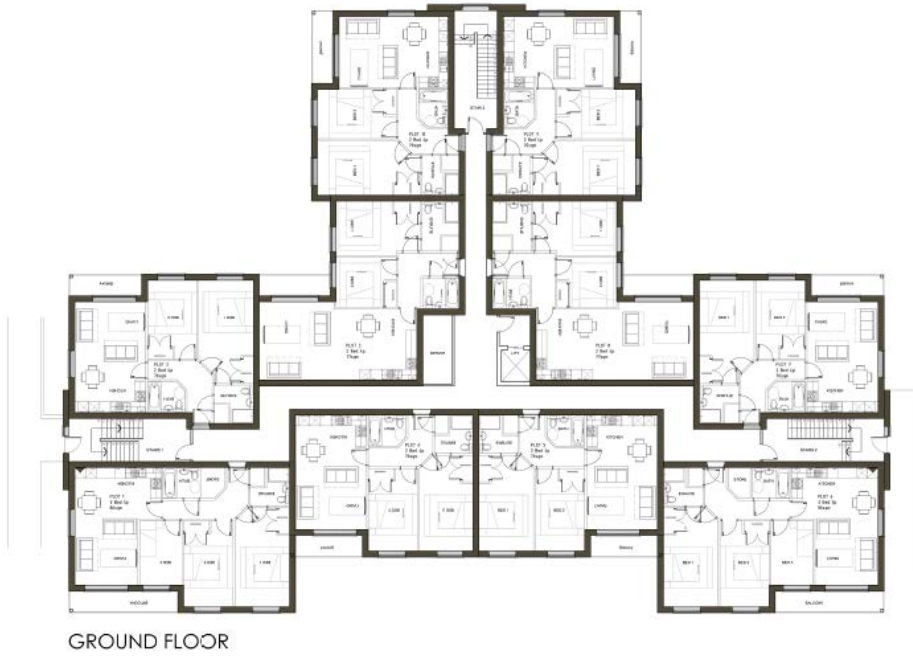
Proposed elevations of flatted block



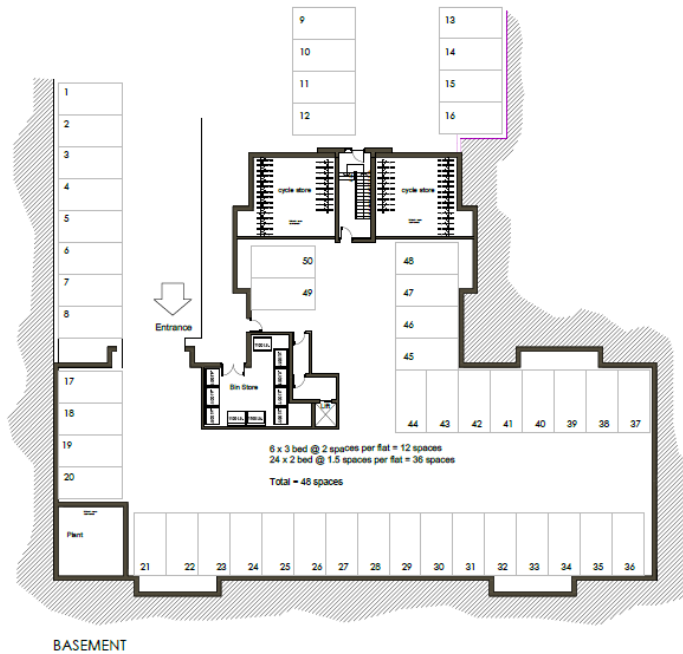
SIDE ELEVATION (West)



REAR ELEVATION (South)



First Floor and Basement Plan for the proposed flatted block



# Plan of proposed dwelling houses

