
REPRESENTING EMMBROOK RESIDENTS

Mr Daniel Ray
Development Management,
Wokingham Borough Council,
Shute End,
Wokingham,
RG40 1WR

21st February 2017

Dear Mr Ray,

AMENDED PLANNING APPLICATION 163058 FOR THE REDEVELOPMENT OF THE HEWDEN SITE, OLD FOREST ROAD

I am writing in response to the amendments to this planning application submitted by the applicant in January. Rather than deal with just the amendments here it was thought more appropriate to resubmit our response to the whole application as it now stands. Thus much of what follows is a duplication of the content of our original submission, but it does collate all our comments in this one document, and that our original submission dated 12th December 2016 is superseded by this one.

Scale and Massing

The various supporting documentation supplied with the application gives the site area as between .8ha and .85ha, which equates to a dwelling density of between 51 and 54 per hectare. Not only is this far higher than the more traditional style of developments such as Lenham Close, but is also significantly higher than the 30 to 35 per hectare specified for the Matthewsgreen Farm development in the North Wokingham SDL.

This high density has been achieved by introducing a scale of development and massing of built form not found elsewhere in the area by providing only 3 floor terraced housing and a 3 floor blocks of flats. This aspect of the proposal fails to conform to the Wokingham Borough Core Strategy Policy CP3a regarding mass, built form, layout and height. Also relevant here are the Borough Design Guide Section 4 R1 and R2 requirements to contribute positively to the underlying character and context of the local area, R9 regarding building heights and R10 regarding density.

Appearance and Impact on the Area

The most significant interface with the surrounding area is the development's frontage onto Old Forest Road which is where the developers have chosen to locate the two large blocks of flats. The reduction in height of the one to the north of the access way is to be welcomed, but as it is located only some 4 metres from the realigned boundary it will still dominate the street scene. The positioning of this large block adjacent to the road is compounded by its architecture being out of step with the local vernacular. This can clearly be seen from the examples given on page 13 of the Design and Access Statement. The Design and Access Statement also states that these blocks have been positioned here as "gateway features",

although it is difficult to see why a small, linear development such as this is deemed to warrant such dominating features, as one glance down the access way would immediately establish its true nature. It is noted that the more recent developments of nearby Arnwood, Forest Lodge and Wayside have not taken this approach, and although establishing their own character, sit comfortably with the local vernacular. In this context the proposal does not conform to the Wokingham Borough Design Guide requirement Section 4 R1 as above, R7 regarding building lines and R9 regarding heights.

The street scene from the access way has been improved somewhat from the original layout by the increased distance between the frontages of the buildings and increase in planting in front of plots 27 - 34. The developer refers to the dwellings on these plots as semi-detached pairs although they still clearly form a continuous terrace, albeit with a roof line of varying heights, and claims that they have been reduced to 2.5 storeys although they were clearly 2.5 storeys from the outset. However, the removal of the large gabled ended extensions to the front elevation of plots 28 – 33 which produced the narrow recesses has improved their appearance from street level and is to be welcomed. The slight narrowing of the building on their north-south axis to add to the landscaping along the frontage is also acceptable, as it has not had a material impact on the dwellings' floor area. The view to the northeast of the access way consists of 12 car parking spaces fronting 2 terraces of 4 dwelling. So, although there have been some improvements, as all the dwellings are 2.5 storey the street scene along the access way will still be one dominated by built form and car parking, offering very little in terms of variety in style or character and cannot be considered to be consistent with the requirements of Core Strategy Policies CP3a) and Borough Design Guide requirement Section 4 R11 regarding street scenes.

Amenity

The list of amendments submitted by the applicant includes “*The dwellings on plot 10 - 17 have been narrowed to allow increased amounts of soft landscaping along the building frontages*”. This narrowing has resulted in a loss of floor space of between 8% and 12% to the dwellings on these plots. From a non-planning, layman's perspective it is utterly bizarre that it is thought acceptable to reduce the amenity of these homes in this way in order to increase landscaping! This is particularly so as the land that has been made available by this internal space reduction has been used to increase the separation of the dwellings opposite (plots 28 – 32) from the development's main driveway; whereas the plots affected (plots 10-17) gain no benefit from it as the public footpath giving connectivity to the development and the car parking off the main driveway remains located along their frontage.

The Borough Design Guide requirement Section 4 R18 states that “*dwellings must be designed to provide appropriate levels of daylight and sunlight to new and existing properties*”, with Figure 4.30 illustrating what is and is not considered to be acceptable shading of habitable room windows. It is noted that applying this standard, the windows of the habitable rooms to the rear of Plot 21 would be subjected to unacceptable shading from Plot 20.

The Borough Design Guide also states in R16 that “*New housing must provide easy access to some form of amenity space*”. With regard to flatted dwellings it goes on to say that they “*should have access to some form of amenity space, preferable in the form of private gardens or communal garden space*”; and that “*upper floor flat dwellers rarely have access to gardens*” and “*in such cases, it is important to provide private outdoor space in the form of balconies, upper level terraces or winter gardens*”. It is noted that the amended Schedule of Accommodation states that the “*Total Communal Areas to Flats (Plots 1-9) 840 sqft/78sqm. (Plots 35-43) 678sqft/63sqm*” without defining what is considered suitable as communal areas or where they are located, as they are not shown on the Site Layout 2465-A-1005P. However, considering that the two blocks of flats each consist of 9 flats containing 15 and 16 bedrooms, and that the garden area of the 4 bedroomed houses is at least 93sqm, the communal space offered here is totally inadequate. This is in contrast with the Matthewsgreen Farm developments which include appreciable areas of play space and parkland on-site.

The same section of the Design Guide goes on to define the length of private garden space as 11m. The Schedule of Accommodation shows that only 6 of the 25 gardens actually meet this requirement. Although the shortfall may be relatively small in some cases, the Guide does state the 11m as a minimum length, and not as a target or average. It can also be seen that where the rear boundary is at an angle to the longitudinal axis of plot the dimensions given are the maximum length. For example, the length given for plot 18 is 10.3m, but the length of the shorter side of the garden is only approximately 9m.

Arboreal Assessment

The executive summary of the Arboriculture Impact Assessment states in section 1.7 that tree T15 is to retain its protected statute given to it under Tree Preservation Order TPO 4543/2016. It is also shown as being retained on the Site Layout Plan 2465-A-1005-K and the Landscape Masterplan 1456-001C. However in the table given in section 3.3.2 of the Assessment tree T15 is shown as scheduled for removal. This ambiguity needs to be corrected to ensure that this TPO'd tree is not inadvertently felled.

Section 3.10 deals with the shading of gardens spaces by the boundary TPO'd trees. It is claimed that the analysis given shows that *“the resulting proposed layout is both supportable and results in juxtapositions between trees identified for retention and proposed plots which will not bring about future requests for excessive pruning and/or tree removal”*. This analysis is based on the modelling of the shading caused by the trees during daylight hours for the months from May to October. It is stated that this was done for the middle plots of the three blocks on the eastern boundary of the development, although the actual graphs claim to be for plots 24 and 27 (now plots 22 25), which would be correct, and plot 30 (now plot 28) which would be incorrect.

Although these graphs may give a good approximation of the shadowing caused by the trees they do not give a true picture of the overall situation, as they do not take into account the shadows the three blocks of houses themselves will cast. Paragraph 3.10.6 of the report states *“the analysis graphs for the plots indicate less than 20% overlapping shade evident from approximately 3pm throughout the months May to October”*. It is noted that this is around the time that the shadows of the blocks will start to have an impact on the gardens which will obviously increase with time. Furthermore, when this shadowing is taken into account it can be seen that plots 24 and 27 will not be the worst affected plots.

Shadowing will not be the only factor that will affect the utility and amenity of the gardens considering the area of them that is covered by the tree canopies. If the Site Layout 2465-A-1005-P reflects the spread of the trees accurately significantly large areas of the gardens of plots 18, 19, 22, 23 and 24 are covered by the tree canopies. This will have an impact on what can be achieved horticulturally and the amenity and utility of the area under the trees due to the fall of sap and honeydew and insect detritus during the summer months.

It is claimed that the juxtaposition of the retained trees and the dwellings is similar to that of some of the existing dwellings in the immediate area. However, it cannot be said that this is a sufficiently sound reason to justify propagating a similar juxtaposition here. A truer reflection on what should be considered acceptable is given from the outcome of the first two planning applications for the development 'Wayside' just the other side of the railway bridge on the northwest side of Old Forest Road. The dwellings on the northwest boundary of these proposals had a very similar relationship to the trees on the boundary as is the case here in that there was a similar coverage of the gardens by the trees. The applications were refused by the local planning authority and were subsequently appealed by the applicant (ref APP/X0360/A/05/1188138 and APP/X0360/A/06/1198366). These appeals were heard at the same inquiry, and the inspector's conclusions on this issue were summed up as follows and were fundamental to the dismissal of both appeals.

13. The houses backing on to the rear boundary would have gardens of a reasonable length, but because of the substantial tree spread of boundary trees, much of the gardens would be very close to the canopy of the trees. While these trees are to the north of the dwellings and therefore interference with sunlight would be minimal, there

would be significant shading of skylight. In my opinion this would be overbearing in relation to occupiers in their houses and gardens and likely to lead to significant pressure for tree surgery, which given the overbearing impact would be difficult to resist. It is therefore likely to lead to an unacceptable impact on trees and the important screening amenity value that they provide.

The issue was finally resolved by a third application which increased the distance between the trees and the rear elevation of the dwellings to around 19m and was allowed at appeal (ref APP/X0360/A/07/2053279). Here the Inspector's comments were:

8. There are a number of trees protected by a Tree Preservation Order along the rear of the site, and there had been concern in previous proposals, considered at appeal, that they would be likely to have a detrimental impact upon these trees. However, in this scheme the houses at the rear have been sited further away from these trees and the Council's tree and landscape officer is now satisfied that they would be a satisfactory distance from the trees.

The following amendment has been made to the eastern section of the site with regard to the TPO'd trees:-

Incorporation of a buffer zone along the rear, east boundary of the site to and importantly, around the protected trees, and creation of a management company to ensure the long term health of those trees is preserved.

The buffer zone has been introduced at the expense of reducing the garden of plots 18 – 23 by the full 3m width of the zone, and plots 24 – 26 by a lesser amount. The creation of this zone and the management company clearly will have no material impact on the issues highlighted above and also raises the questions of who is to run this company and how is it to be financed. Further to this, the Site Layout shows that the buffer zone is also to serve as an access to the gardens of plots 18 – 26, which will encourage foot and bicycle traffic along it to the likely detriment of the trees.

Car Parking and Traffic

The two car parking spaces provided for the four bedroom dwellings is in the form of tandem parking. This form of parking for the dwellings that can be expected to have the highest occupancy rates on the development is unacceptable, as it will lead to inappropriate off plot parking as the residents will be reluctant to block one vehicle in with another.

As part of the amendments the number of car parking bays has been reduced from 75 to 71. The covering letter for the amendments states that "*A reduction in the number of units from 45 to 43 (which) allows for a reduction in parking provision and consequently an increase in green space on the site*". This statement is somewhat misleading as the reduction of 4 parking bays is double that which would be expected from the reduction of the number of flats from 20 to 18. It is noted that the reduction in unallocated bays has been partially masked in the parking provision table in the Addendum to the Traffic Assessment issued for the revisions by including the 3 disabled bays, previously counted as a separate category, in with the unallocated bays! The Addendum explains this by stating "*It is proposed that 3 of the unallocated parking spaces will be wider in line with standards for disabled parking*". This is clearly a fudge, as if the wider spaces are not designated as disabled only they will just be treated as normal unallocated spaces and may well not be available for disabled use. Alternatively if the wider bays in the parking courts adjacent to the flats are properly designated, as in the original proposal, there will now not be sufficient bays here for the use of residents of the flats as required by the Council's standards for parking provision.

The Transport Assessment concludes that the visibility splays at the existing site egress are appropriately based on the 85th percentile traffic speeds and can be used as the development's egress. This conclusion is questionable bearing in mind the influence the traffic light controlled one way working over the bridge has on traffic speeds. It is apparent that traffic that stops at a red light on the eastern side of the bridge will not have sufficient

time to accelerate to a significant speed as it approaches the development's egress and that many drivers will drive over the bridge at a relatively low speed. However, there will be occasions when vehicles will cross the bridge at far higher speeds due to the drivers accelerating in order to 'beat the lights'. Although the cross over junction into the site has been in its present position for many years the significant increase in traffic the proposed change of use will introduce will cause a commensurate increase in risk. It is apparent that the redevelopment of the site provides an opportunity to move the egress further away from the bridge in order to improve the safety of the junction.

This view is reinforced by the document TD 42/95 Geometric Design of Major/Minor Priority Junctions, which shows that the visibility splay for a simple junction such as required here must be 70m where the speed limit on the major arm is 50kph (31mph), and 90m where it is 60kph (37mph). The document does give some discretion on the distance back along the minor arm that the display is measured from, but it gives no discretion at all on the length of the splay, so it is difficult to see how the retention of the existing egress can be justified in this case.

Other Amendments

The following are the other amendments listed in the covering letter not dealt with above:-

Amendment to the design of units 10 and 17 to front and open on to the north and south respectively to allow for the incorporation of more substantial landscaping blocks on the corners of these units.

There has been some gain in the landscaping blocks to the front of plots 10 and 17; however the majority of this gain is due to the reduction in the quantity of parking bays along the frontage of plots 10 – 17 from 14 to 12.

Increase in the landscape buffer to the front of units 21 – 23.

The gain here is minimal, if any.

Re-alignment of the plots adjacent to the eastern site boundary to increase the separation between the rear elevations of these dwellings and the aforementioned buffer zone. This will ensure that the gardens serving these units continue to comply with the Council's Design standards.

Comparison of the original and amended Site Layout plans indicate that only plots 24 – 26 have been moved to the west, while plots 21 – 23 have not been moved, and plots 18 and 19, and possibly 20 have been moved to the east, closer to the buffer zone. The garden length dimensions given in the Schedule of Accommodation shows that of the 9 plots here, only plots 21 – 23 actually meet the Council's 11m minimum garden length standard. It is noted that as the rear boundary lies at angle to plots and the lengths are those of the longest side they do not give a true indication of the actual sizes of the gardens which are smaller than the lengths would indicate.

Incorporation of a 3m buffer along the site frontage in the north west corner of the site to accommodate the requirements of the 'bolt-on' bridge.

Examination of the Site Layout plans indicates that what is referred to above is really a relocation of the site boundary in front of the block of flats Plots 1 – 9 approximately 1m to the east to allow the Old Forest Road pavement to be widened to 3m.

In conjunction with the narrowing of the dwellings on plots 10 – 17 commented on above their design has been amended to include open railed balconies to the first floor on the front elevations. The outer edges of these balconies align with the edge of the footpath which provides connectivity through the development, which does raise concerns over the issue of public safety.

Summary

The foregoing clearly shows that the proposed development fails to conform to the following policies and guidelines:-

WBC Core Strategy Policy CP3:

- a) - Are of an appropriate scale of activity, mass, layout, built form, height, materials and character to the area together with a high quality of design

- f) - Contribute to a sense of place in the buildings and spaces themselves and in the way they integrate with their surroundings (especially existing dwellings) including the use of appropriate landscaping

WBC Design Guide Section 4:-

R1 - Contribute positively towards the historic or underlying character and quality of the local area.

R2 - New housing should respond to its context

R7 - Building frontages must define the street space with a coherent building line that relates to existing building lines

R9 - The height of residential buildings should respond to a number of factors:

- the prevailing heights and degree of variation in height in the local context
- the scale and importance of the space that the building will define or enclose;
- its position in the street hierarchy
- the position of the building line in relation to the street (i.e. how far back the building is set from the street frontage); and
- whether it is a potential landmark location.

R10 - The assessment of an appropriate density must be design-led as well as considering the number of units per hectare, to ensure that development relates well to local character. This includes:

- the height, bulk and massing of buildings;
- the space around and gaps between them;
- and
- the space required for parking

R11 - New housing should be designed to create street scenes with a coherent character, that relates well to, or enhances, existing street scenes (in terms of scale, rhythm, proportion, height, materials and colour)

R16 - New housing must provide easy access to some form of amenity space (flats) and minimum garden size (houses)

R18 - Dwellings must be designed to provide appropriate levels of daylight and sunlight to new and existing properties.

TD 42/95 Geometric Design of Major/Minor Priority Junctions

Precedence set by the decisions at Appeals APP/X0360/A/05/1188138 and APP/X0360/A/07/20533279

The overall impression of the original scheme was that the overriding design requirement was to maximise the density with scant regard being paid to conforming to the Local Planning Authorities policies and guidance in order to achieve this. In some cases this lack of conformance may be considered fairly minor, but the overall cumulative impact is such that the scheme cannot be regarded as conforming to the National Planning Policy Section 7 'Requiring Good Design' and therefore could not be considered to be of a suitable quality to

be acceptable in its present form.

This is still the case with the amended scheme where the developer has attempted make the layout appear less cramped by introducing some more 'landscaping'. This landscaping has largely been achieved by removing two more car parking bays than was necessary due to the removal of the two flats, and by reducing the size of the dwellings on plots 10 – 17, which only emphasizes the over developed nature of this scheme.

Yours sincerely

A handwritten signature in black ink, appearing to read 'P. Gallagher', written over a horizontal line.

Paul Gallagher
Chairman
Emmbrook Residents' Association

This page is intentionally left blank