

**DESIGN AND ACCESS STATEMENT FOR THE ERECTION OF A BLOCK OF
22 TWO BEDROOM AND 2 THREE BEDROOM FLATS WITH BALCONIES
AND A ROOF GARDEN TOGETHER WITH 26 CAR PARKING SPACES,
CYCLE PARKING, A REFUSE STORE, INTERNAL ACCESS ROUTES,
LANDSCAPING, SOLAR PANELS AND SUPPORTING INFRASTRUCTURE**

AT

**37 BROADWATER ROAD
WELWYN GARDEN CITY
HERTFORDSHIRE
AL7 3AX**

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1. INTRODUCTION

- 1.1 This Design and Access Statement has been prepared in support of a planning application for the erection of a block of 22 two bedroom and 2 three bedroom flats with balconies and a roof garden together with 26 car parking spaces, cycle parking, a refuse store, internal access routes, landscaping, solar panels and supporting infrastructure. The application is being submitted further to the refusal of the previous application on the site (ref. 6/2018/0825/MAJ) for the same development (except for the solar panels and some minor changes to the oriel windows), which was refused on the following grounds;

'The application makes no provision of any kind for affordable housing on the site, or for any contribution towards affordable housing of an equivalent level of provision off site. The proposal would not therefore help create a sustainable, inclusive and mixed community as required by the National Planning Policy Framework and does not represent a sustainable form of development and it would conflict with Policy SP7 of the Draft Local Plan Proposed Submission 2016 which now, because of its advanced status carries significant weight in the determination of applications'.

- 1.2 This application is accompanied by a viability study which states that as the Residual Land Value generates a deficit against the Site Value Benchmark, the scheme is not considered commercially viable in development viability terms and is therefore unable to provide any further planning obligations. The provision of affordable housing in the development would render the proposed scheme unviable.
- 1.3 The application site comprises a vacant two storey office building on the eastern side of Broadwater Road in close proximity to other office buildings and opposite a large development site intended for residential properties.
- 1.4 There are a number of prior approval permissions on the site for the change of use of the offices to residential use, one of which includes extensions to the building and alterations to the car parking. The most recent permission on the site however is for the change of use of the office building to form 24 x 2 bedroom residential apartments with balconies, the construction of an additional two storeys and a four storey side and rear extension with roof garden, layout of 26 car parking spaces and cycle parking, internal access routes, landscaping and supporting infrastructure (ref. 6/2016/2497/MAJ), granted in May 2017. A number of the conditions imposed upon this permission have been discharged.

2. THE PROPOSED DEVELOPMENT AND THE PLANNING CASE

- 2.1 The proposed development is for the erection of a block of 22 two bedroom and 2 three bedroom flats with balconies and a roof garden together with 26 car parking spaces, cycle parking, a refuse store, internal access routes, landscaping, solar panels and supporting infrastructure.
- 2.2 The principle of the development has been found acceptable through the grant of permission of the 2016 application on the site (ref. 6/16/2497/MAJ) in May 2017 and the lack of objection to the proposal on planning grounds at the time of the recent application on the site (ref. 6/2018/0825/MAJ). The outstanding issue at the time of that application concerned viability and the lack of affordable housing in the proposed development. That application was only refused on the grounds of the lack of provision of affordable housing in the scheme or the equivalent provision off- site. No objections to the proposed development were raised in terms of design, highway safety, amenity or other planning considerations. The issues that need addressing in the current application therefore are those surrounding the viability of the site with regards to the provision of affordable housing in the development, and the acceptability of the proposed solar panels and the minor changes to the oriel windows in the southern elevation of the proposal. The changes to the the size and shape of the fenestration in all of the elevations of the proposed building shown on the submitted plans have been approved in the recent application for a non- material amendment to the original permission 6/2016/2497/MAJ.
- 2.3 The Viability Assessment Report produced by Savills states that as the Residual Land Value generates a deficit against the Site Value Benchmark, the scheme is not considered commercially viable in planning viability terms, and is therefore unable to provide any further planning obligations, including affordable housing or a contribution towards it. The development economics of the proposed development have been assessed in order to calculate the level of planning obligations that the proposal can sustain. The viability assessment report identifies that the residual land value of the site is £0.39m, while the site vale benchmark is £0.43m. There would therefore be a deficit of £40,000: the proposal is not commercially viable in development viability terms and is thus unable to provide further contribution to planning obligations. It is therefore justifiable in terms of the economics of the development not to make a provision for affordable housing (either on- site or off- site) in the development.
- 2.4 The proposed solar panels would be sited on the roof of the building and would not have a material impact upon its character or appearance or the street scene. They would enhance the sustainable nature of the development and are to be encouraged, both in terms of local planning policy and the National Planning Policy Framework. The panels would replace the originally proposed sedum roof on the building and therefore have implications for the potential flood risk arising from the site. However, this alteration had already been factored into the Flood Risk Assessment for the site and an alternate proposal which was submitted in

April 2018 with the subsequently refused application on the site (ref. 6/2018/0825/MAJ). The Council raised no objection to this element of the proposal at the time of that application as the Lead Local Flood Authority stated that they were in a position to recommend approval on the application on flood risk grounds. The Flood Risk Assessment and Surface Water Strategy has been submitted with this application for ease of reference.

- 2.5 The alterations to the oriel windows are very minor and would not have a material impact upon the character or appearance of the building or the street scene. The development would not appear noticeably different to the previously proposed scheme on the site and would have a satisfactory impact upon the street scene.

3. POLICY CONSIDERATIONS

- 3.1 With regards to the relevant Development Plan policies, Policy SP7 of the Draft Local Plan Proposed Submission 2016 refers to the type and mix of housing sought in new housing developments and states:

“In order to deliver a choice of homes and help create sustainable, inclusive and mixed communities, provision will be made for a range of housing to support the needs and requirements of different households.

Housing mix: *Proposals for 11 or more new dwellings should demonstrate how the mix of tenure, type and size of housing proposed on sites will reflect the council's latest evidence of housing need and market demand and contribute towards meeting the varied needs of different households including single person households, couples, families with children, older people, people with disabilities and people wishing to build their own homes. For larger sites, there should be a greater opportunity to deliver a broader mix.*

Affordable Housing: *As part of the overall housing target, a proportion of new homes built in the borough will be for affordable housing. Subject to viability, affordable housing will be sought on the following basis (for residential or residential-led mixed use schemes):*

30% in Welwyn Garden City”.

- 3.2 The policy is subject to viability. As the Viability Assessment Report submitted with this application states, the development would not be viable if provision for affordable housing were to be included in the development. It would not be proceeded with if affordable housing or a contribution towards it were sought. Therefore, in accordance with the policy, there is no affordable provision in the scheme.

- 3.3 The National Planning Policy Framework states that in order to ensure viability, development should not be subject to such a scale of obligations that their ability to be developed viably is threatened. Therefore, allowing the proposed development at 37 Broadwater Road without the provision of affordable housing is acceptable.
- 3.4 The development would therefore comply with both the relevant Local Plan policy and the national planning guidance on the topic.

4. CONCLUSION

- 4.1 As has been fully explained and discussed in this statement and the accompanying Viability Assessment Report, the proposed development would not be viable if affordable housing were required in it or a contribution towards such housing were sought from it. The development would therefore not be proceeded with. In accordance with the Local Plan Policy SP7 and the National Planning Policy Framework, the development should therefore be permitted without requiring an element of affordable housing or a contribution towards it.