

Cerys Jones

From: Sharon Holman
Sent: 24 February 2020 15:13
To: planning_admin
Subject: FW: 4184/1 Land at Tupa, Penley - Application ref: P/2019/0835
Attachments: 19.08.27 - Tupa Sales Site Plan 1.pdf; 4184-1-200220-Adjacent Site Impact Analysis.pdf; 4184-1-200224-Issue Sheet.pdf; 4184-1-860401-Conveyance P2 Extract.pdf; 4184-1-A(050)10-TupaOA-Location Plan + Sales.pdf; CYM218122-Land Registry Title Plan.JPG

Civ – additional information (not web)

From: Dan Illott [mailto:dan@mccormick-architecture.co.uk]
Sent: 24 February 2020 15:01
To: Sharon Holman
Cc: Wyn Roberts
Subject: 4184/1 Land at Tupa, Penley - Application ref: P/2019/0835

Dear Sharon,

Further to your email dated 17th February 2020, below, with regard to the concerns of the 7 local objectors relating to the proposals, please find attached the following documents:

1. 4184-1-860401-Conveyance P2 Extract
2. CYM218122-Land Registry Title Plan
3. 19.08.27 - Tupa Sales Site Plan 1 and 4184-1-A(050)10-TupaOA-Location Plan + Sales
4. 4184-1-200220-Adjacent Site Impact Analysis

Thank you for the summary, we will endeavour to provide a response to each of them together with responses to any other concerns that we believe require addressing:

1. Document 4184-1-860401-Conveyance P2 Extract;
 - *Confirms the information indicated on the application drawings*
 - *We understand that the residents of Tupa, Penley Hall Stables and The Pidgeonaire use this as a roundabout and travel down the east side, as they have done since they have occupied their respective properties, 30 or more years ago*
 - *We also understand that no legal changes to this right of access have been made*
2. CYM218122-Land Registry Title Plan;
 - *Confirms the information indicated on the application drawings in terms of the ownership and in particular the ownership of the access drive*
3. 19.08.27 - Tupa Sales Site Plan 1 and 4184-1-A(050)10-TupaOA-Location Plan + Sales;
 - *Confirms that the area which is marketed for sale with Tupa is to the north of the application site and does not include the area of the field intended for use as the mitigation area*
 - *As with the properties in this area (Penley Hall Stables and The Pidgeonaire) the right of access over the access drive will be afforded to the new owners of Tupa, but will remain in the applicants ownership*
4. 4184-1-200220-Adjacent Site Impact Analysis; *this diagram confirms the following:*
 - *There is no loss of natural daylight from the proposals to those living on the cul-de-sac section of Penley Hall Drive. The new houses will be to the north of the existing houses, with the only one facing the new houses being No 6, which is in excess of 30m to Plot 7, well in excess of the 22m minimum distance for houses facing each other let alone where a house is facing a gable, which this is*

- *The approx. location of the previous chapel in this area, prior to its demolition and erection of 6No houses by Morris Homes. It should be noted that the chapel was of equal importance to any of buildings that remain on the application site*

Responses to your items:

- There is no right of access to the site;
 - *See item 1 and 2 above. The proposed development transport statement does not require the use of the east side of the roundabout, rather the widened access drive would become an extension of Winston Way, a two way carriageway on the west side of the roundabout*
 - *Therefore the discussion on whether there are rights of access over this small section of road is not a material consideration for this application*
- Loss of woodland is unacceptable and will impact upon wildlife;
 - *The proposals around the existing woodland and trees of note. The application will safeguard the recently confirmed TPO areas W1 and G1 plus the 2 veteran oak trees within the TPO confirmed in 1985.*
 - *The proposed mitigation area will benefit the local wildlife, whilst providing connectivity to Penley Wood*
 - *It should be recorded that the application site is not a highly used area by the public as it is private property, there are gates which are locked which prevent access*
 - *The southern boundary of the area proposed for mitigation is some 30m from the public footpath from Pendas Park to Penley Wood*
 - *WCBC Tree Officer and Biodiversity Officer are in support of the proposed scheme*
- Access into the site will damage the environment;
 - *A Transport Statement has been submitted*
 - *The additional traffic on the roads and access to the site from 9No houses will have minimal impact on the environment, and will have no additional impact to providing 9No houses elsewhere in the village*
- Permission has already been refused to development this site and nothing has changed, the road is still unadopted;
 - *The control on the adoption of the road is within the Authority's control. We understand that some moves have been made by Morris Homes to upgrade their estate roads so that they can be adopted*
 - *It would be difficult to understand why a new road of adoptable standards connecting directly to an existing road and footpath deemed suitable to serve an existing residential development in excess of 100No houses would not be capable of providing a bone fide, safe and satisfactory vehicular and pedestrian access for an additional 9No houses*
- There is already too much traffic on Penley Hall Drive;
 - *A traffic assessment has been provided as part of the application*
 - *Penley Hall Drive is a 20mph zone with traffic calming measures*
 - *The additional traffic from an additional 9No residential units will have minimal impact*
- The land is the ideal habitat for Newts;
 - *The presence of Newts is well known from historical data for the area*
 - *An additional presence survey was carried out by the applicants ecologist to satisfy WCBC biodiversity officer of the likely numbers*
 - *Proposed mitigation has been accepted by WCBC Biodiversity Officer and Natural Resources Wales (NRW)*
 - *The proposed mitigation area is in excess of the 1ha for 1ha rate normally required for new developments*
- Loss of natural daylight to existing properties;
 - *See item 4 above. There is no loss of natural daylight from the proposals to those living on the cul-de-sac section of Penley Hall Drive, due to the application site being to the north of the existing houses and the proposed scheme complying with proximity of residential buildings requirements*
- Noise pollution;
 - *With all new developments some noise pollution will occur*
 - *As the proposed development is for 9No houses it is unlikely to have as much impact as the Morris Homes site for 110No houses*

- *The Public Protection officer's proposed conditions in relation to "A22N – Construction Noise" and "ZP06 – Protection of Amenity from Nuisance" would provide control on noise pollution*
- Potential flooding.
 - *It is claimed that the removal of trees already undertaken on the application site has reduced the amount of water absorption and compounded the issues with flooding*
 - *We understand that the area of flooding to the southern boundary of Penley Hall Stables and the adjacent access track is historical*
 - *The flooding area identified is between The Pidgeonaire and the land in separate ownership (see location plan)*
 - *This will not be directly affected by the proposals as the two veteran trees on the application site adjacent the area subject to flooding remain as they currently are. The other trees nearby, on The Pidgeonaire land and on the land in separate ownership will also remain unchanged*
 - *There exists a large area of concrete which was the emergency car park on the western and northern most point of the application site, near the southern boundary of Penley Hall Stables, which may or may not contribute to the flooding*
 - *It is intended that the concrete emergency car park be removed as part of the works, which will reduce the amount of hardstanding and the build up of water in this area*
 - *A scheme indicating the proposed disposal of the surface water has been submitted and all surface water on the development site will be discharged via the ponds and stream in the mitigation area to the water course in the ravine*
 - *The widened section of the access road will also be drained thus assisting any local flood issues nearby*

We have grouped the following as we believe that they relate to planning policy in the emerging Deposit Plan:

- Penley has already had its fair share of new development without the facilities to support the further growth;
- The local schools are full;
- Poor public transport;
- Lack of play spaces and services such as pubs and shops etc.
 - *Within the latest Deposit Plan it is intended that the population of Penley is increased*
 - *The consideration with regard to the facilities to support further growth, local schools capacity, public transport infrastructure, play spaces and local facilities would have been assessed as part of the policy decision to increase the population of the village*
 - *We understand that the play area on the nearby Pendas Park has recently been upgraded*
 - *In terms of being in a sustainable location with accessibility to employment, shops, church, schools etc. the site is within easy access on foot and is just as accessible as the recent Morris Homes development adjacent, or any other development site in the village*
 - *This application will provide additional residential units on a brownfield site rather than any greenfield site alternatives in the village*

We trust that the above responses are in order.

Should you require further information please contact our office.

Kind Regards

Dan Illott

For and on behalf of McCormick Architecture Limited

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