

5A DCCE2007/2467/RM - THE ERECTION OF 81 NO. DWELLINGS WITH ASSOCIATED PARKING AND LANDSCAPING. LAND AT VENNS LANE ROYAL NATIONAL COLLEGE FOR THE BLIND, COLLEGE ROAD, HEREFORD, HEREFORDSHIRE, HR1 1EB

For: Royal National College for the Blind, Montagu Evans, 44 Dover Street, London, W15 4AZ

5B DCCE2007/2469/F - VARIATION OF CONDITION 10 OF PLANNING PERMISSION DCCE2006/0099/O TO ALLOW THE CONSTRUCTION OF 81 AFFORDABLE AND OPEN MARKET RESIDENTIAL UNITS. LAND AT VENNS LANE ROYAL NATIONAL COLLEGE FOR THE BLIND, COLLEGE ROAD, HEREFORD, HEREFORDSHIRE, HR1 1EB

For: Royal National College for the Blind, Montagu Evans, 44 Dover Street, London, W15 4AZ

Date Received: 3rd August, 2007 Ward: Aylestone Grid Ref: 51834, 41323

Expiry Date: 2nd November, 2007

Local Members: Councillors NL Vaughan and DB Wilcox

1. Site Description and Proposal

- 1.1 The site is located north east of Venns Lane approximately 250 metres south east of the junction with College Road north of the city centre. The site presently forms part of the campus associated with the Royal National College for the Blind. A new access has recently been completed to serve the development along with other facilities proposed by the College north west of the application site. Existing properties either side of the new access road are owned by the college and used as student accommodation. Five detached bungalows forming Helensdale Close adjoin the southern boundary of the site and predominantly detached two storey properties forming part of Loder Drive wrap around the south eastern corner of the site. Beyond Loder Drive is Aylestone Park which is in the process of being developed by Herefordshire Council for sport and recreation and as a Country Park. The remainder of the land to the north and north west of the site comprises woodland and grassland.
- 1.2 The site itself is predominantly orchard with a mixture of other evergreen and deciduous trees around the fringes. Levels fall generally within and around the site from south to north and east to west. The site including land adjoining the site to the north and north west is designated as a Site of Importance for Nature Conservation

(SINC) within the Unitary Development Plan and all trees (except the orchard) are also protected by a group Tree Preservation Order No. 138.

- 1.3 Outline planning permission was approved on 31st May, 2007 for the mixed use development of the site and adjoining land. The application was a hybrid application which is essentially an outline application incorporating full details of some elements of the proposals. The outline planning permission included the residential development of this site with associated open space, landscaping and access. The outline approval included the proposed access (now completed) with all other matters reserved for future consideration.
- 1.4 Reserved Matters approval is now sought for the layout, scale, appearance and landscaping of the site proposing the construction of 81 affordable and general market dwellings. In detail, the reserved matters application comprises the construction of a mixture of terrace, semi-detached, detached, one, two, three, four and five bedroom dwellings and two bedroom apartments with associated parking, landscaping, access and footpaths/cycle links and open space. In line with the Section 106 Agreement 17.5% of the total number of dwellings will be affordable.
- 1.5 The second application encompassed within this report is for the variation of Condition 10 of Part 2 of the Outline Planning Permission. Condition 10 states:

The development hereby permitted shall be for the construction of a total of 70 affordable and open market residential units.

Reason:

To define the terms of this permission and to maintain the landscape and ecological character of the site and its surroundings.

Planning permission is sought to vary this condition to enable the construction of 81 affordable and general market properties.

2. Policies

2.1 Planning Policy Guidance:

PPS1	-	Delivering Sustainable Development
PPS3	-	Housing
PPS9	-	Biodiversity and Geological Conservation
PPG13	-	Transport

2.2 Herefordshire Unitary Development Plan 2007:

S1	-	Sustainable development
S2	-	Development requirements
S3	-	Housing
S6	-	Transport
S7	-	Natural and historic heritage
S8	-	Recreation, sport and tourism
S10	-	Waste
S11	-	Community facilities and services
DR1	-	Design
DR2	-	Land use and activity
DR3	-	Movement

DR4	-	Environment
DR5	-	Planning obligations
H1	-	Hereford and the market towns: settlement boundaries and established residential areas
H2	-	Hereford and the market towns: housing land allocations
H9	-	Affordable housing
H13	-	Sustainable residential design
H15	-	Density
H16	-	Car parking
H19	-	Open space requirements
T6	-	Walking
T7	-	Cycling
T8	-	Road hierarchy
T11	-	Parking provision
T16	-	Access for all
LA5	-	Protection of trees, woodlands and hedgerows
LA6	-	Landscaping schemes
NC1	-	Biodiversity and development
NC4	-	Sites of local importance
NC5	-	European and nationally protected species
NC6	-	Biodiversity action plan priority habitats and species
NC7	-	Compensation for loss of biodiversity
NC8	-	Habitat creation, restoration and enhancement
NC9	-	Management of features of the landscape important for fauna and flora
RST1	-	Criteria for recreation, sport and tourism development
RST3	-	Standards for outdoor playing and public open space
RST7	-	Promoted recreational routes
W11	-	Development – waste implications

3. Planning History

- 3.1 DCCE2006/0099/O - Construction of Halls of Residence, Sports and Complementary Therapy Building, creation of floodlit outdoor sports pitch, residential development on 2.3 hectares and associated open spaces, landscaping, infrastructure, access roads, footpaths and cycle paths. Approved 31st May, 2007.
- 3.2 Several other applications over the last 10 years or so involving works to the trees protected by a Tree Preservation Order.

4. Consultation Summary

Statutory Consultations

- 4.1 Environment Agency:
We have no objections to the proposed development but would make the following comments:

Surface water drainage - no details have been provided of how storm water disposal will be addressed. For a site of this scale, we would require the development to incorporate sustainable drainage techniques to ensure that surface water is attenuated to relevant green field run off rates and manage surface water flow in a sustainable manner to mimic that prior to the proposed development taking place.

4.2 Welsh Water:

No objection subject to conditions related to foul and surface water drainage.

4.3 West Mercia Constabulary - Crime Risk Manager:

The DCLG Circular 01/2006 states that PPS1 makes it clear that a key objective for new developments should be that they create safe and accessible environments where crime and disorder or a fear of a crime does not undermine quality of life or community cohesion.

This statement is endorsed in the recent HO Publication Cutting Crime/New Partnership 2008/2011. The section on situational crime reduction focuses on the environmental development and planning sector to design out of crime from new developments. It goes on to endorse the good practice through adopting the guidelines set out in Safer Places the Planning System and Crime Prevention and also through the secure by design scheme.

I fully appreciate the need to consider the reduction of car dependence but hold caution against approving planning on a development that allows for leaking cul-de-sacs. Whilst I appreciate the area is not a crime hot spot area the Herefordshire Partnership is aware of the general high level of fear of crime particularly in Hereford.

Internal Council Advice

4.4 Traffic Manager:

CE2007/2467/RM - Various concerns exist regarding the detail of the current layout including the geometry and width of the roads, footpaths and cycle links and visibility from some of the private drives. With parking levels overall at an average ratio of 1.84 spaces per dwelling including garages, although above government guidelines is acceptable as many of these are garages. Permitted development rights should be removed for the garages and integral garages to prevent them from being converted to alternative uses. Parking provision for the five bedroom houses is under provided and they require an additional space and some of the bin and cycle stores for the flats is difficult to access.

Comments awaited on amended plans.

CE2007/2469/F - I confirm the traffic assessment accompanying the outline application which investigates the traffic impact of the development accounts for 80 houses and therefore does not require revision. There is therefore no objection in principle to the increase in the number of units from 70 to 81.

4.5 Strategic Housing Enabling Officer:

Strategic Housing in principle supports the application which includes 14 affordable units. Strategic Housing in principle also supports the majority of the layout where the affordable units will be positioned, but would prefer to see Block B relocated as it felt that the affordable units need to be more integrated within the development. In line with the Section 106 requirements the affordable housing should be built to Housing Corporation Scheme Development Standards and lifetime homes without grant subsidy. The mix of tenure should be 8 two bedroom flats for rent and four two bedroom flats for shared ownership.

4.6 Children and Young Services Directorate (Education):

The provided schools for the site are Broadlands Primary School, St Francis Xavier RC Primary and Aylestone High School. In light of falling roles across the county the authority has undertaken a review of school provision and it is likely that capacities of schools will be assessed as part of this review. It is therefore the likelihood that the capacities of all these schools could be reduced resulting in little if any surplus capacity at the schools. Any additional children would then result in organisational difficulties for the schools.

The Children and Young Peoples Directorate would therefore be looking for a contribution of £2000 per dwelling to be used towards improvements of school infrastructure at the three identified schools.

4.7 Land Drainage Engineer:

The drainage proposals for the development are covered in the Flood Risk Assessment and Service Water Drainage Management Documents provided with the Outline Planning Application. They state that the flow from the site will be accommodated within a 300mm diameter public storm water sewer with flows being attenuated to green field run off drains. The rate and method of attenuation will therefore be subject to the approval of Welsh Water.

4.8 Conservation Manager - Landscape:

The application has been subject to extensive pre-application negotiation and discussion and much of the layout and design of the site has been refined through this process. There are, however, a number of areas where further detail and information needs to be provided and issues resolved.

- The trees on the site are subject to a Tree Preservation Order and as such should only be removed, pruned or otherwise altered with express permission of the local planning authority. To that end, we will require further details as to which trees are to be removed, translocated and pruned as a result of the development. At the time of writing, I understand that this information is in production. Specifically, we will need details and a method statement as to the translocation of trees within the site.
- Boundary treatments – Details of the types of fencing/walling dividing plots 1 through to 21 and adjacent roadways from the remnant 'wild' area need to be agreed and incorporated onto the landscaping layout.
- Particular attention and details are still required for the two areas of open space within the site: the central, formal space and the resultant space north-east of plot 14. With regard to the central space it will be essential to demonstrate how the space will function in three dimensions, what level of hard landscaping and amenity infrastructure is to be provided and how it relates to the adjacent roadway.
- Further details and information concerning the location and management of the new orchard is also required, although I understand that our ecologist is dealing with this matter.

In general I am satisfied with the layout and form of the proposed development and that the principles for landscaping the site have been addressed. I remain a little concerned that the proposals to translocate mature trees has not been fully described

and that boundary treatments at the time of writing have not been fully identified. The structural landscaping for the site is adequate and should result in a quality development commensurate with the location.

4.9 Conservation Manager - Ecology:

I have visited the site and examined the orchard management plan and proposals. With respect of the proposed compensatory orchard planting, further clarification is required relating to the location and area of proposed orchard, details of the fruit species to be planted and where they are to be sourced from, the timetable of planting. The possibility of translocating existing trees to the new orchard should also be investigated and details of the proposed management are required.

I also notice that a few of the existing fruit trees that are to be removed have potential for use by bats. I therefore recommend that immediately prior to the felling, an inspection of these trees be carried out by a licensed Bat Consultant. If they are found to be present, a license from Natural England may be required which could delay the development works. Bat boxes should also be installed on site in case any bats are found.

4.10 Head of Environmental Health and Trading Standards:

No objection.

4.10 CCTV Officer:

There are 12 West Mercia Constabulary beat areas. Aylestone beat covers the north eastern portion of the city and has the sixth highest recorded incidents. A CCTV camera at either the Aylestone Hill/Venns Lane/Folly Lane junction or College Road/Venns Lane/Old School Lane junction would assist very much with the prevention and detection of crime as these are main routes both for vehicles and pedestrians in and out of the city and are used widely by law abiding and non law abiding citizens as quick escape routes out of the city. These junctions have experienced a number of road traffic collisions and CCTV would assist in gathering evidence and being able to assist in the deployment of appropriate emergency services.

A contribution towards the cost of the provision of a camera including associated infrastructure such as cabling and ground control room connection of £17,747 is requested.

4.11 Parks and Leisure Services Manager:

The area of open space is acceptable but we ask that any agreed contributions for play and sport are increased pro-rata in accordance with the approved number of dwellings. Details of the Local Area of Play specification is required.

5. Representations

5.1 Hereford City Council:

CE2007/2467/RM - The City Council recommends the application be refused as it represents an over intensive development of the site. The City Council would welcome an application with a lower density of housing.

CE2007/2469/F - The City Council has no objection to this application.

5.2 Thirty-four letters of objection/comment have been received including a petition from residents of Loder Drive with 55 signatures. The main points raised are:

- The provision of 81 dwellings of a lower quality is not worthy of this prestigious urban parkland location and appears to fly in the face of the adopted Herefordshire Council policies.
- The exterior designs of the houses are disappointing.
- The increased volume of traffic will have an unacceptable impact on the local highway network particularly at peak periods in the morning and evening and the start and close of local school days
- The development will impact upon the safety of local residents, school children, educational establishments and residential care homes in the locality.
- An increase in the number of units will further erode the quality of life for existing residents.
- The development will impact on local residential amenity
- The retained woodland area in the south east corner of the site should be increased in width by at least 5 metres to maintain the present value as a natural corridor.
- The access to Aylestone Park should be removed in order to reduce the nuisance to local residents and to encourage the sustainability of the wildlife corridor.
- If the cost of other college developments have risen by 1 million and the current uncertainties of other funding required to complete the project, we query whether the college will be seeking further development on other parts of the campus to provide further funds. A better solution would be to trim back the project to match the funds available.
- It is disingenuous to state that extra funding is required for example to increase living space of blind students when these specifications must have been known from the outset.
- Contingency funding should also have been built into the original proposals.
- Local residents are saddened by the lack of consultation by the developers with local residents and seek to retain the original concept of a high quality development as initially promised by the RNC and its consultants.
- If permission is approved a new robust high fence at least 2.7 metres high should be erected along the full length of the south east boundary from Helensdale Close to Aylestone Park, retained woodland area should be extended to the rear of Plots 4 - 8, the proposed orchard should be properly fenced off and all existing and retained trees and proposed planting appropriately maintained and managed.

Hereford Civic Society

- Although anxious to support the proposals in principle, the proposed plans show a rather crowded site with insufficient green space for children. This is the result of trying to fit too many dwellings into the site.
- The proposed affordable is less than half the declared objective of Herefordshire Council of 35%.
- The general character of the dwellings is undistinguished and in some cases the rooms in the houses appear unnecessarily small. 3 flats are proposed above garages with no windows on three elevations which would not achieve a satisfactory standard of accommodation.
- We note with approval the plan to retain and conserve 72 mature trees preserving the green outlook for many of the dwellings and contributing to the sustainability of the scheme. We feel that the developers should be encouraged to go further in providing more green space with additional planting to replace all trees that have to be lost.

- Hereford Civic Society recommend the plans require substantial amendments before approval particularly with regards to the excessive number of dwellings, the inadequate proportion of affordable units and lack of green spaces in the development. We also hope room sizes and some of the designs could be improved.

5.4 The full text of these letters can be inspected at Central Planning Services, Garrick House, Widemarsh Street, Hereford and prior to the Sub-Committee meeting.

6. Officer's Appraisal

The Principle

6.1 Outline planning permission now exists for the residential development of the land subject of this application for 70 residential units. The outline permission also included detailed proposals for the access to the site, which is now largely completed. As such the principle of constructing 70 dwellings on site along with the location, design and safety of the access are all approved. These proposals now seek an uplift in the number of units from 70 to 81 and therefore before discussing the detailed layout, it is necessary to establish whether this in principle is acceptable.

Increased Density (70 to 81 Properties)

6.2 Condition 10 of Part 2 of the Outline Permission restricts the number of units on site to 70. The reason being is to define the terms of the permission and to maintain the landscape and ecological character of the site and its surroundings. The figure of 70 units was based upon the proposals set out in the Master Plan accompanying the outline application. However, the plans submitted with the outline application were purely for illustrative purposes. The condition was not therefore imposed to provide a definitive ceiling on the number of units that can be accommodated on the site but rather, to enable the local planning authority to control the number of units and re-evaluate the impact of any increase in the number of units on the site, its surroundings and local infrastructure and if appropriate, to re-negotiate the Section 106 matters.

6.3 The construction of 81 dwellings represents a density of 35 dwellings per hectare which is at the lower end of the minimum density of 30 dwellings per hectare advocated by Planning Policy Statement 3. It is also in line with Policy H15 of the Unitary Development Plan, which sets a minimum density of 30 dwellings per hectare for sites that do not fall within or adjoining the city centre.

6.4 As well as making a more efficient use of the site, the applicants being the Royal National College for the Blind state that the uplift in the number of dwellings proposed is essential to provide additional funds to facilitate the construction and completion of the sports facilities and new halls of residence also approved as part of the outline planning permission. The College advise that build costs have increased by around £1 million. The reasons being due to increased construction costs partly due to the bespoke design of the student accommodation and teaching areas, the level of equipment required and changes in Building Regulations.

6.5 The college is a registered charity and has no reserve funds to put towards capital projects. A funding strategy is in place including bids to the Learning and Skills Council, Advantage West Midlands, the Football Foundation and Sport England along with contributions from trusts and foundations in the corporate sector and individuals.

The only confirmed funding source to date is that obtained from the sale of the residential development site (£5 million) although the bid to the Learning and Skills Council (£3.75 million) is at its final stage and the college is confident that the funding will be approved.

- 6.6 The College is therefore seeking to maximise the funds received from the sale of the residential site which is obviously influenced by the number of units approved. Without the Outline Planning Permission for 70 units on site, the college would not have been able to proceed with the new student accommodation, teaching and sporting facilities. These facilities also have to be provided within a tight timescale, as they are required to be completed by early 2009 to be available as a training venue in association with the Olympics and Para Olympics and the hosting of the World Blind Football Championship in summer 2010. The ongoing usage of the facilities along with special events such as the Olympics and World Blind Football Championship will, the college state, represent an unparalleled inward investment into Hereford. It will raise the profile of Herefordshire by providing excellence in education and sport along with additional local employment and enable the college to continue to be a national leader in providing further education and preparation to entry to employment of blind and partially sighted people.
- 6.7 The above information is obtained from the supporting documentation provided with the applications. It is clear that the funding available to facilitate the sporting, educational and teaching facilities is limited and any additional funds generated by the residential development will greatly assist in facilitating the other facilities. The extra 11 houses will provide around another £800,000 thereby largely covering the increased development costs. There are, however, some inconsistencies in the information provided in terms of the development costs and further information is awaited regarding this.
- 6.8 Ultimately, it does not appear that the funds generated by the additional 11 units is critical to the completion of the other College facilities to the extent that they could not be provided without the additional money as was the case with the original outline planning permission. It is therefore not considered that the financial benefits to the College from the uplift in the number of dwellings should be given significant weight in the determination of these applications. Moreover, the issues are whether the proposal represents a satisfactory development of the site in terms of the layout, scale, design, materials, impact on the landscape, ecology, amenity, highway safety and so on. It is these factors that will ultimately determine whether 81 dwellings is an acceptable number of units for the site but as a matter of principle, the construction of 81 dwellings would accord with both national guidance and UDP policy in terms of residential amenity.

Layout

- 6.9 The layout has largely followed the basic principles of the Master Plan with modification where necessary to take account of the constraints of the site. In particular topography and trees. A relatively strong frontage is proposed on the southern side of the new access road with dwellings orientated towards the new sports facilities. Some of the properties are set back from the pavement edge to achieve frontage parking with two plots (13 and 14) to be constructed on the pavement edge as these are to be retained by the College and occupied by students and therefore have no parking. The principles of a high density frontage along the access road is considered appropriate as is the staggered siting of the properties.

- 6.10 The principal access road then meanders through the site with its appearance and impact down graded where possible to a shared surface and private drives serving parking courts. This assists in creating a more informal appearance to the development in keeping with the context of the site.
- 6.11 An area of open space incorporating a Local Area of Play (LAP) is proposed in the heart of the development in keeping with the Master Plan ethos although the size of this area is slightly smaller. Dwellings are proposed to enclose and overlook the space providing natural surveillance and a safe environment for passive recreation. Elsewhere, properties generally are sited on the road or pavement edge creating a sense of enclosure whilst in most instances enabling properties to have an attractive outlook across adjoining land. Key vistas are also retained from high points within the site and from the open space to the north and north east towards Aylestone Park, again in accordance with the master plan.
- 6.12 In line with the Master Plan, the green buffer zone of grassland and trees is to be retained along the southern and south eastern corner of the site wrapping round the eastern and northern boundary. In light of a number of concerns raised by residents, it is advised that the 'developed area' of the site as proposed accords with the principles of the Master Plan and the green buffer zone has not been reduced in area to accommodate the additional 11 dwellings. Elsewhere, key trees are being retained where possible with others being translocated to more appropriate locations within or surrounding the site. The overall principle of the layout identified on the amended plans are considered acceptable.

Housing Mix and Designs

- 6.13 A mix of two bedroom apartments along with one, two, three, four and five bedroom houses. In line with the Section 106 Agreement, all the affordable housing is in the form of two bedroom flats comprising of two detached three storey blocks. Elsewhere, a mixture of terrace, semi-detached, detached is proposed. The mix of house types and sizes should achieve a satisfactory mix and balance accommodation ensuring that all levels of affordability are catered for.
- 6.14 The scale of the housing in terms of the height ranges from a mixture of flats above garages to conventional two storey, two-and-a-half storey and three storey. The three storey units comprise the affordable apartments and are located in other key spaces where more imposing development is required. These predominantly being located relatively centrally within the site around the open space, along parts of the access road and along the western boundary with the new (three storey) sports facilities at the College. A lower density and scale is proposed along the northern and eastern boundaries to achieve a smoother transition between the development and adjoining land uses. The mix of house heights and proportions assists in breaking up the ridge heights of the street scene and creates a better transition between different scales of properties.
- 6.15 The proposed designs are fairly typical of a development of this nature. To address officer concerns the applicants are seeking to introduce higher quality detailing such as timber rather than UPVC windows, timber garage doors and cedar cladding to some elevations of properties. This will assist in enhancing the appearance of some of the property designs and create greater character and identity to the overall development. The materials are predominantly a mixture of render and brick providing a subtle contemporary appearance linking in with the more modern design of the adjoining

sports development. Concerns remain regarding the appearance of integral garages on principal streets and the parking areas in front of plots 4, 5 and 6 but additional interest is introduced with gables roofs addressing roads, balcony detailing and chimneys on certain properties. The topography of the site will also greatly reduce the mass of the development with different levels throughout the site.

- 6.16 With the exception of the proposed apartment blocks, the designs are relatively standard which is a little disappointing given the context of the site. However, amended street scenes and dwelling designs are awaited illustrating additional architectural detailing and changes to the palate of materials. Subject to this information, the overall impact of the development in terms of the dwelling designs and scales is likely to be satisfactory.

Highway Matters

- 6.17 The general traffic impact of the development was assessed at the outline stage through a Traffic Assessment. This assessment was undertaken on the basis of 80 dwellings and therefore the conclusions of the assessment are still relevant and apply to the current proposals for 81 units. This being that the local highway network can accommodate the traffic associated with the development now proposed.
- 6.18 The principal access to serve the development was approved as part of the outline permission and is now completed in accordance with the approved plans. Beyond the access more informal shared surfaces are proposed removing the need for formal segregated pavements other than where essential. The design of the road network also provides a more tortuous route for traffic to reduce traffic speed and provide a more pedestrian priority environment in line with the principles of Homezones.
- 6.19 Parking is provided on plot or in parking courts located primarily to the rear of the housing. This arrangement assists in screening large areas of hardstanding and parked cars and also ensures that the parking areas are overlooked by surrounding properties. Parking provision is at a ratio of 1.8 spaces per dwelling which although above that required by Policy H16 of the Unitary Development Plan is considered an appropriate provision given the location of the site and the type of housing proposed. Some of the parking is being provided by integral, attached and detached garaging and therefore it will be necessary for permitted development rights to be removed to ensure the garages remain available for the parking of vehicles and are not converted to habitable accommodation or other ancillary uses.
- 6.20 A direct pedestrian/cycle link is provided from Venns Lane through the site to Aylestone Park in line with the Master Plan enabling direct access to Aylestone Park and the associated sports facilities. Comments are awaited on the amended plans but the principles of the highway layout and parking provision now proposed is considered acceptable.

Open Space and Trees and Ecology

- 6.21 In line with the Master Plan, the centre of the development will comprise an area of open space incorporating a local area of play which will provide a focal green space to the development. Although the size of this space has been slightly reduced from that illustrated in the Master Plan, it is not considered in itself represents a basis for refusing permission. Front garden boundaries will be defined with hedge planting further enhancing this green space.

- 6.22 The development will entail the removal of all the orchard trees, the principle of which has been approved by virtue of the outline approval. To compensate for the loss of the orchard, replacement orchard planting comparable in area (1 hectare) is proposed within land adjoining the eastern boundary of the site within Aylestone Park. Again, this forms part of the outline proposals and requirements of the Section 106. The scope of translocating some of the orchard trees to the new orchard is also recommended and is currently being investigated. A limited number of trees are proposed to be removed with others translocated to the peripheries of the site. This in principle is considered acceptable although further details are required as to the translocation process and future maintenance to ensure the trees survive. Some concerns exist regarding the proximity of trees to proposed dwellings and therefore some crown management is proposed in consultation with the Council's Landscape Officer.
- 6.23 Outside of the developed area along the southern, eastern and northern boundaries of the site existing trees and woodland areas are to be retained in line with the Master Plan. This also follows the principles of the ecological assessment of the site at outline stage which identified that the orchard was the area of SINC with least ecological value. These areas are also to be retained within the ownership of the College which will secure the long term protection of the areas and the trees in particular. Furthermore, a long term management strategy is in the process of being prepared in line with the outline planning permission and Section 106 Agreement for all of the SINC to enhance its biodiversity value.
- 6.24 Part of the proposals also include the separation of the residential development from the SINC with appropriate boundary treatment. This is currently proposed to be a mixture of close boarded fencing and brick walls. The restriction of public access through the SINC is unfortunate but to maximise the ecological value of this area and in the interests of public safety for existing and proposed residents, it is a necessary part of the development. However, some of the proposed boundary treatments in more prominent locations require further consideration to ensure harmonisation with the sylvan and semi rural context of the site.
- 6.25 The development will undoubtedly have an impact on the SINC but the proposals ensure that this impact is minimised and with the compensatory planting, translocation of trees and the ecological management proposals, the long term ecological value of the SINC should would be retained if not enhanced.

Residential Amenity

- 6.26 The only existing residents affected by the development are those along the southern and south eastern boundary of the site within Helensdale Close and Loder Drive. These comprise a mixture of bungalows and detached properties whose rear gardens and rear elevations overlook the site. Due to the difference in levels, the existing properties all sit at a higher level than the application site where it adjoins the respective boundaries. To address concerns expressed by residents of Loder Drive regarding Plot 16, the design of this dwelling has been amended to remove all first floor windows from the eastern gable, which faces onto Loder Drive. Furthermore, this property, which lies 27 metres from the nearest dwelling within Loder Drive and 19 metres from its rear garden boundary, will be constructed at a lower level and the land and trees in between are being retained by the College rather than forming part of the development or private gardens. Additional planting can also be undertaken. The dwelling-to-dwelling distances are above the recognised requirement of 21 metres

generally sought with new housing developments. As such, notwithstanding the objections raised by the residents of Loder Drive it is not considered that this dwelling will have any harmful impact on the amenity of Loder Drive and falls within the development site area approved at outline stage.

- 6.27 The properties which face on to the new access road have their rear elevations facing the bungalows within Helensdale Close. Concerns have been expressed regarding the potential loss of privacy for numbers 2 and 3 Helensdale Close in particular due to overlooking from the new dwellings. As a result, the slab levels of the new dwellings in this area are to be lowered and the gardens have been reduced in length. This will reduce the overall impact and height of the properties when viewed from Helensdale Close to effectively one-and-a-half storey and enable additional planting along the Helensdale Close boundary which will be retained within the ownership of the College. Other layout changes to bring the proposed dwellings further away from the Helensdale Close boundary are currently being considered by the applicants. The properties in this part of the site will inevitably have an impact on Helensdale Close but the amended proposals will ensure the impact is minimised. Ultimately, it is not considered the impact on the amenity of residents within Helensdale Close and Loder Drive is so significant as to warrant refusal of the application.

Section 106 Matters

- 6.28 The Section 106 requires that 17.5% of the total number of dwellings to be affordable housing all to comprise two bedroom flats with 60% being available for rent and 40% being available for shared ownership. This creates a total of 14 units. Members may recall that the affordable housing percentage was reduced by half to enable additional funds to be released to facilitate the other college developments. The affordable housing is also of a bespoke design and is restricted to persons on the Home Point waiting list with sight loss, partial sight loss or a disability.
- 6.29 The affordable element is in the form of two detached three storey blocks sited along the eastern boundary of the adjoining College facilities with one parking space per unit. The Strategic Housing Officer has expressed some concerns regarding all the affordable units being in a single location. This ordinarily would not be acceptable but given the restrictions on the occupation of the affordable imposed in the Section 106 and the potentially specialist needs of the occupants along with the design of the accommodation it is considered acceptable in this instance for it to be located in a single location. A direct footpath link is also available from the affordable units to remainder of the College facilities where some of the occupants may be in education. The scale of the proposed affordable can also be better assimilated into the adjoining sports development located on the western boundary.
- 6.30 The other Section 106 contributions are to be proportionately increased in line with that agreed at the outline stage. This is £1500 per dwelling for off site highway works and sustainable transport infrastructure and £1000 per dwelling for off site open space, sport and recreation facilities in lieu of the required provision on site. This is below what which has been achieved from other recent residential developments in and around the city. Further contributions have been sought for a new CCTV camera and other off site highway improvements but the applicants have advised that due to the need to maximise the finances obtained from the development, no other contributions can be sustained.

6.31 Given that circumstances have not changed from that when the outline application was considered and approved by the Central Area Planning Sub-Committee last year and the additional contributions are desirable rather than essential, it not considered reasonable to withhold permission and therefore the pro rata increase agreed is considered acceptable and in line with guidance relating to Section 106 contributions.

Other Matters

6.32 The entire development is to be designed and constructed to meet Code Level 3 of the Code for Sustainable Homes in line with that which has been achieved from other recent residential developments in and around the city. This will increase the environmental credentials of the site considerably and particularly the energy efficiency of the houses to reduce the carbon footprint of the development from the start of the construction process through to the future occupation of the houses.

6.33 The relationship and proximity of plot 1 to the existing property fronting Venns Lane adjacent the new access is unacceptable. This property as now been purchased by the developers who are proposing the demolition of the dwelling with a view to a replacement residential development. This will enable a more acceptable juxtaposition to be achieved. The revised legal agreement will also therefore require the demolition of this property prior to occupation of the dwelling on Plot 1 including the requirement to submit an application for a replacement development.

Conclusion

6.34 Comments are awaited from Highways and Conservation with regards to the amended layout and further amended plans revising the designs and materials of some dwellings are awaited. In general, however, the proposals are now considered acceptable in accordance with the adopted Development Plan policies.

RECOMMENDATION

- 1. Subject to no further objection from the Traffic Manager and Conservation Manager by the end of the consultation period and receipt of further amended plans addressing the issues raised in this report;**
- 2. The Head of Legal and Democratic Services be authorised to complete a planning obligation under Section 106 of the Town and Country Planning Act 1990 in accordance with the Heads of Terms appended to this report and any additional matters and terms that he considers appropriate.**
- 3. Upon completion of the aforementioned planning obligation the officers named in the Scheme of Delegation to Officers be authorised to issue a Reserved Matters Approval and Planning Permission subject to the following conditions and any further conditions considered necessary by officers.**

DCCE2007/2467/RM

Informatives:

- 1. N02 - Section 106 Obligation.**
- 2. N09 - Approval of Reserved Matters.**

3. N15 - Reason(s) for the Grant of PP/LBC/CAC.

4. N19 - Avoidance of doubt.

DCCE2007/2469/F

1. A10 (Amendment to existing permission).

Reason: For the avoidance of doubt.

2. E09 (No conversion of garage to habitable accommodation).

Reason: To ensure adequate off street parking arrangements remain available at all times.

3. G40 (Bat/bird boxes).

Reason: In order not to disturb or deter the nesting or roosting of bats which are a species protected by the Wildlife and Countryside Act 1981.

4. The occupation of the dwellings on plots 13 and 14 shall be limited to students at the Royal National College for the Blind unless otherwise agreed in writing by the Council.

Reason: In the interests of highway and pedestrian safety.

Informatives:

1. N15 - Reason(s) for the Grant of PP/LBC/CAC

2. N19 - Avoidance of doubt

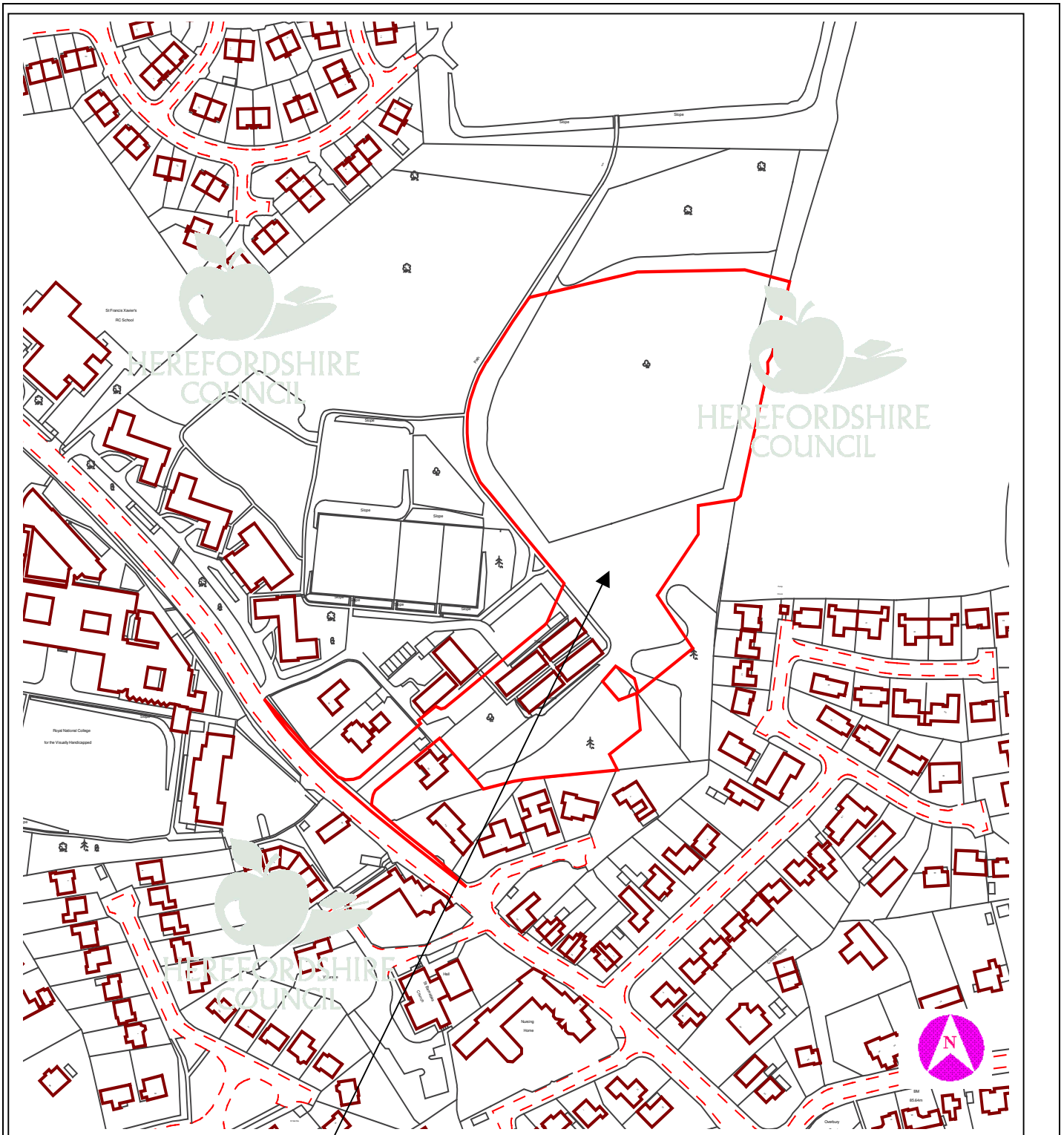
Decision:

Notes:

.....

Background Papers

Internal departmental consultation replies.



This copy has been produced specifically for Planning purposes. No further copies may be made.

APPLICATION NO: DCCE2007/2467/RM

SCALE : 1 : 2500

SITE ADDRESS : Land at Venns Lane Royal National College For The Blind, College Road, Hereford, Herefordshire, HR1 1EB

Based upon the Ordnance Survey mapping with the permission of the controller of Her Majesty's Stationery Office, © Crown Copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings. Herefordshire Council. Licence No: 100024168/2005

DRAFT HEADS OF TERMS
Proposed Planning Obligation Agreement
Section 106 Town and Country Planning Act 1990

Planning Application – DCCE2007/2467/RM & DCCE2007/2469/F

- Residential development of 81 dwellings with associated parking and landscaping 2.3 hectares with associated open space, landscaping and variation of condition 10 of outline planning permission DCCE2006/0099/O.

At Royal National College for the Blind, Venns Lane, Hereford.

1. The developer covenants with Herefordshire Council, in lieu of a deficit in the provision of open space, play and sport facilities provided on site to pay Herefordshire Council a pro-rata increase per dwelling above 70 in accordance with the Section 106 Agreement dated 31st May, 2007 of £1000 per dwelling.
2. The developer covenants with Herefordshire Council, to pay Herefordshire Council a pro-rata increase per dwelling above 70 in accordance with the Section 106 Agreement dated 31st May 2007 of £1500 per dwelling for off site highway works and improved transportation infrastructure to serve the development.
3. Prior to the occupation of the dwelling on plot 1, the existing dwelling fronting Venns Lane immediately south west of the dwelling on plot 1 shall be demolished subject to planning permission having being approved for a replacement development.
4. In the event that Herefordshire Council does not for any reason use the said sum of Clauses 1 and 2 for the purposes specified in the Section 106 Agreement dated 31st May, 2007 within 10 years of the date of this agreement, the Council shall repay to the developer the said sum or such part thereof, which has not been used by Herefordshire Council.
5. The developer shall pay to the Council on or before the completion of the Agreement, the reasonable legal costs incurred by Herefordshire Council in connection with the preparation and completion of the Agreement.
6. The developer shall complete the Agreement by 31st October, 2007 otherwise the application may be registered as deemed refused.

Russell Pryce - Principal Planning Officer

10th October, 2007