

**10 DCCW2007/2664/F - PROPOSED RESIDENTIAL DEVELOPMENT OF TWELVE HOUSES AT LAND ADJACENT PARSONAGE FARM, AUBERROW ROAD, WELLINGTON, HEREFORD, HR4 8AU**

**For: Mr. & Mrs. R. & L. Langford per Burton & Co.  
Lydiatt Place, Brimfield, Ludlow, Shropshire, SY8 4NP**

**Date Received: 21st August, 2007    Ward: Wormsley Ridge    Grid Ref: 49338, 48021  
Expiry Date: 20th November, 2007**

Local Member: Councillor AJM Blackshaw

## **1. Site Description and Proposal**

- 1.1 Parsonage Farm is located on the western side of the Auberrow Road and on the southern outskirts of Wellington.
- 1.2 St. Margaret's Close and Derside Close adjoin the north boundary with open fields to the west and south. Two dwellings adjoin the eastern boundary onto Auberrow Road from which access is proposed. Opposite the proposed access are further dwellings, Erin House and Orchard Gables. The site presently contains a number of agricultural buildings, all in use on this working farm.
- 1.3 The proposal is to remove all of the buildings and replace with twelve dwellings, four of which would be affordable. All of the dwellings have their own dedicated parking and are proposed to be constructed of brick/render under a slate or clay tile roof. Access to the development will be derived by enhancing the existing access track. The public footpath that runs along the entire northern boundary will be widened to 2 metres and finished with compacted rolled stone scalplings.
- 1.4 Extensive tree and hedge planting is included along the boundaries of the site.
- 1.5 This is an allocated residential development site within the Herefordshire Unitary Development Plan 2007, and is located within the Conservation Area.

## **2. Policies**

### **2.1 Herefordshire Unitary Development Plan 2007:**

S1	-	Sustainable Development
S3	-	Housing
DR1	-	Design
H4	-	Main Villages: Settlement Boundaries
H5	-	Main Villages: Housing Land Allocations
H9	-	Affordable Housing
H13	-	Sustainable residential Design
H15	-	Density
H16	-	Car Parking
H19	-	Open Space Requirements

- LA3 - Setting of Settlements
- LA6 - Landscaping Schemes
- HBA6 - New Development Within Conservation Area

## 2.2 Supplementary Planning Document:

Wellington Parish Plan 2003

## 3. Planning History

- 3.1 CW2000/0071/S Portal framed hay/straw and machinery store. Prior Approval - 19th July, 2000.
- 3.2 CW2001/1867/S Proposed bulk feed bin for storage of dairy cow feed. Prior Approval Not Required - 16th August, 2001.
- 3.3 CW2002/3536/F House extension - Approved 13th January, 2003.

## 4. Consultation Summary

### Statutory Consultations

- 4.1 Welsh Water: Raise no objections subject to conditions.

### Internal Council Advice

- 4.2 Traffic Manager: Has reviewed the information submitted which included a Traffic Speed Survey and recommends appropriate conditions together with contributions towards highway improvements under Section 106.
- 4.3 Conservation Manager (Landscape Officer): Observations awaited on the amended proposal.
- 4.4 Conservation Manager (Historic Buildings Officer): Given the landscaping scheme included in the proposal, the presence in the landscape of the current farm buildings and the existing housing development adjacent to the site the proposed development should not adversely affect the existing character of the Conservation Area, which has already been affected by previous housing development.
- 4.5 Public Rights of Way Manager: No objection to amended scheme.
- 4.6 Housing Development Officer: "Strategic Housing supports this planning application in principle, but would comment as follows:-

The four affordable units are accepted as rented, and their position within the site is agreed in principle, but with concerns over the exact layout and design.

At the Inquiry stage, the proposed affordable units were in a staggered formation. The position of unit 4 has now been changed, to the detriment of the overall appearance of the row.

It is also suggested that the frontage of the proposed houses should better reflect that of the open market provision, e.g. apex roofs, in order that they should merge better into the general street scene.

It should be noted that the SPG, supported by the UDP states that the objective is to 'provide a balanced and mixed scheme with no noticeable difference in the quality of the residential environment between the private market housing and the affordable element', and in their revised positions, and current design, the proposed units do not reflect this.

It is also required that the Section 106 Agreement includes the following conditions:-

- Units should be built to Housing Corporation Scheme Development Standards without grant subsidy.
- Units should be built to Lifetime Homes Standards without grant subsidy.
- Applicants will be required to have a local connection to Wellington, and then to the cascading parishes if no tenant from Wellington can be found."

## 5. Representations

- 5.1 Wellington Parish Council: "The Council overall give qualified support to this application although there are minor issues which were highlighted at an open meeting and which are commented upon herewith. Concern was expressed over traffic flow and the narrowness of the access road and the positioning of the exit would, in hours of darkness, shine car headlights directly into and on adjacent property. This could be rectified by dropping the level of drive at the junction with the road.

It was suggested that the parking spaces could be better positioned at the rear of the properties, preferably being garages instead.

Although a play area is not included in the plans it is hoped that this may be an addition.

Councillors were most concerned that street lighting was not introduced throughout the development and that a S106 Agreement be imposed on the affordable housing portion of the development."

- 5.2 River Lugg Drainage Board: Raise issues regarding land drainage to ensure that surface water run-off is limited to green field rates.
- 5.3 Eleven letters of objection have been received, the main points raised are:
1. The entrance should be moved further to the south.
  2. The affordable housing should not be for rent.
  3. The development will increase the risk of flooding.
  4. The development will detract from the setting of the village.

5. Cars exiting the site with full beams will cause light pollution into the houses opposite.
6. The access road will be close to existing houses in Derside and St. Margaret's Close.
7. Extra traffic will cause congestion on Auberrow Road and the main village road.
8. As the new development is adopted we object to street lighting.
9. There is insufficient width for two way traffic on the access road.
10. Existing trees screen the site.
11. The access will be close to the exit to St. Margaret's Close which has poor visibility in both directions.
12. Concerns over domestic waste drainage overloading the system.
13. The development does not preserve or enhance the Conservation Area.
14. There is no play space for children to play.

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**

- 6.1 This site is identified within the Herefordshire Unitary Development Plan 2007 under Policy H5 as a residential development site for twelve houses. It further confirms that access should be by means of the existing farm track and that landscaping will form an important element of the scheme. Therefore it is from this baseline that the planning application has been considered.
- 6.2 The site presently contains a working dairy unit with several large agricultural buildings together with an access onto Auberrow Road. The proposal is to upgrade the access road and move the access point marginally to the south for highway safety reasons. This will mean that the access will be opposite, but between the houses opposite (Erin House and Orchard Gables). Whilst lights from vehicles will be opposite the gap between the houses vehicles will be travelling down hill towards the road and lights will be focussed down and not up. It should also be noted that an extensive roadside hedge exists opposite the access to help shield any stray light. Both these factors should help mitigate any light pollution. The twelve houses, four of which will be affordable, will then be located around the road. All dwellings will have their own dedicated parking.
- 6.3 The housing layout provides for a mix of terraced, link detached and detached dwellings units. As required by the Housing Development Officer, the affordable units are all for rent and comprise 2 no. 2 bed and 2 no. 3 bed units. The Housing Development Officer's concern over the design of the units is noted, however the introduction of false dormers is not considered necessary or appropriate. The terrace has also been broken by stepping one of the units. The design and layout is therefore considered acceptable.

- 6.4 The scheme has been assessed by the Conservation Manager who is satisfied that the proposal will not adversely affect the existing character of the Conservation Area.
- 6.5 The amended plans now provide for the landscaping detail as required by Policy H5 and now incorporates extensive hedgerows and tree planting in and around the development in accordance with the Landscape Officer's requirements.
- 6.6 The access road now also provides for a minimum carriageway width of 4.5 metres together with 2 metre service strips which would have a dual use for pedestrians and vehicles. The visibility splays have been assessed by the Traffic Manager who is satisfied that they meet the requirements for a safe access. This will mean reclaiming part of a cultivated highway verge adjacent to St. Margaret's Close which will also improve visibility to St. Margaret's Close. Auberrow Road has only a limited pavement near its junction with the main village road and accordingly the planning application included a traffic survey in order to assess traffic speeds and the potential to use the highway to provide pedestrian access to the existing footway. This has been assessed by the Traffic Manager who is satisfied that pedestrians can walk safely from the site into the village, subject to improved signage.
- 6.7 In lieu of a small on-site play area the applicants have agreed a contribution towards enhancing play facilities within the village.
- 6.8 The size of the development has also attracted a raft of planning gain contributions to be incorporated into a Section 106 Agreement. The agreed contributions are as follows:
1. £6,000 towards enhancing play area/equipment in the village.
  2. £24,000 towards enhanced educational infrastructure at Wellington Primary School and/or Aylestone School.
  3. £18,000 for off-site highway safety works (including signage).
  4. £12,000 Public Art contribution.
  5. £1,440 waste recycling facilities.
- 6.9 The Draft Heads of Terms are attached as an appendix. The Section 106 Agreement also seeks construction of the dwellings to level 3 of the Code for Sustainable Homes. The applicant's agents have confirmed acceptance of the Draft Heads of Terms.
- 6.10 In conclusion the re-development of this dairy unit for residential development complies with the Herefordshire Unitary Development Plan 2007, it will preserve the character of the Conservation Area and provides a safe access for vehicles and pedestrians. Accordingly the proposal is considered to accord with the aspirations of Wellington Parish Plan and in compliance with the Herefordshire Unitary Development Plan 2007.

## RECOMMENDATION

- 1) **The Legal Practice Manager 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 incorporating any additional matters he considers appropriate.**
- 2) **Upon completion of the aforementioned planning obligation that Officers named in the Scheme of Delegation to Officers be authorised to issue planning**

permission subject to the following conditions and any further conditions considered necessary by Officers:

1. **A01 (Time limit for commencement (full permission)).**

**Reason: Required to be imposed by Section 91 of the Town and Country Planning Act 1990.**

2. **A09 (Amended plans).**

**Reason: To ensure the development is carried out in accordance with the amended plans.**

3. **B01 (Samples of external materials).**

**Reason: To ensure that the materials harmonise with the surroundings.**

4. **F16 (Restriction of hours during construction).**

**Reason: To protect the amenity of local residents.**

5. **F20 (Scheme of surface water drainage).**

**Reason: To prevent the increased risk of flooding by ensuring the provision of a satisfactory means of surface water disposal.**

6. **F22 (No surface water to public sewer).**

**Reason: To safeguard the public sewerage system and reduce the risk of surcharge flooding.**

7. **F48 (Details of slab levels).**

**Reason: In order to define the permission and ensure that the development is of a scale and height appropriate to the site.**

8. **G03 (Landscaping scheme (housing development) – implementation).**

**Reason: To ensure a satisfactory and well planned development and to preserve and enhance the quality of the environment.**

9. **G05 (Implementation of landscaping scheme (general)).**

**Reason: In order to protect the visual amenities of the area.**

10. **H03 (Visibility splays).**

**Reason: In the interests of highway safety.**

11. **H06 (Vehicular access construction).**

**Reason: In the interests of highway safety.**

**12. H13 (Access, turning area and parking).**

**Reason: In the interests of highway safety and to ensure the free flow of traffic using the adjoining highway.**

**13. H17 (Junction improvement/off site works).**

**Reason: To ensure the safe and free flow of traffic on the highway.**

**14. H18 (On site roads - submission of details).**

**Reason: To ensure an adequate and acceptable means of access is available before the dwelling or building is occupied.**

**15. H19 (On site roads – phasing).**

**Reason: To ensure an adequate and acceptable means of access is available before the dwelling or building is occupied.**

**16. H20 (Road completion in 2 years or 75% of development).**

**Reason: In the interests of highway safety and convenience and a well co-ordinated development.**

**17. H21 (Wheel washing).**

**Reason: To ensure that the wheels of vehicles are cleaned before leaving the site in the interests of highway safety.**

**18. H27 (Parking for site operatives).**

**Reason: To prevent indiscriminate parking in the interests of highway safety.**

**19. H29 (Secure covered cycle parking provision).**

**Reason: To ensure that there is adequate provision for secure covered cycle accommodation within the application site, encouraging alternative modes of transport in accordance with both local and national planning policy.**

**Informatives:**

- 1. HN01 - Mud on highway.**
- 2. HN04 - Private apparatus within highway.**
- 3. HN05 - Works within the highway.**
- 4. HN08 - Section 38 Agreement details.**
- 5. HN22 - Works adjoining highway.**
- 6. N19 - Avoidance of doubt.**

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

Decision: .....

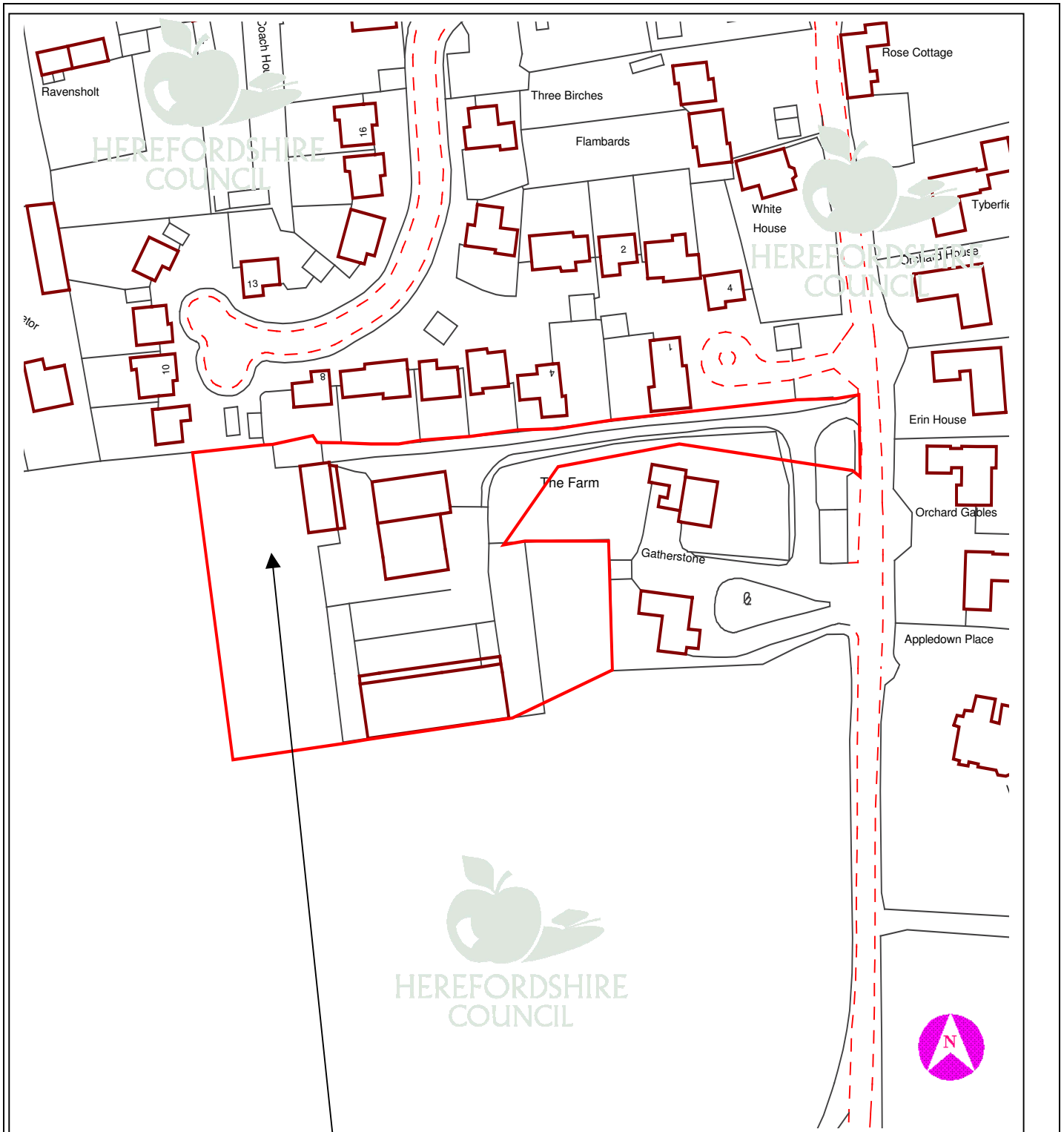
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**Background Papers**

Internal departmental consultation replies.





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**APPLICATION NO:** DCCW2007/2664/F

**SCALE :** 1 : 1250

**SITE ADDRESS :** Land adjacent Parsonage Farm, Auberrow Road, Wellington, Hereford HR4 8AU

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

Planning Application – DCCW2007/2664/F

- Residential development of 12 dwellings

Land adjacent to Parsonage Farm, Wellington. HR4 8AU

1. The developer covenants with Herefordshire Council to pay £6,000 towards the cost of new or enhancement of existing open space, play, sport and recreation facilities in lieu of such facilities being provided on site to be used in the parish of Wellington or other location as may be agreed in writing with Herefordshire Council.
2. The developer covenants with Herefordshire Council to pay Herefordshire Council the sum of £24,000 to provide enhanced educational infrastructure at Wellington Primary School and/or Aylestone High School.
3. The developer covenants with Herefordshire Council, to pay Herefordshire Council the sum of £18,000 for off site highway works and improved public and sustainable transport infrastructure to serve the development (which aren't Section 278 works i.e. essential to facilitate the development).
4. The monies shall be used by Herefordshire Council at its option for any or all of the following purposes: (The list is not in any order of priority)
  - a) Improved bus shelters/stops in the locality of the application site
  - b) Safe Routes for Schools
  - c) Improve lighting and signage to existing highway/pedestrian and cycle routes leading to the site
  - d) Improved pedestrian and cyclist crossing facilities in Wellington
  - e) New On/Off road pedestrian/cycle links to the site
  - f) Traffic calming measures
  - g) Any other purpose falling within the criteria defined in 3 above.
5. The developer covenants with Herefordshire Council to pay Herefordshire Council £12,000 to provide off site public art in lieu of such provision on site to be used for art within the parish of Wellington including artist designed street furniture.
6. The developer covenants with Herefordshire Council, to pay Herefordshire Council the sum of £1440 (12 x £120) for waste recycling facilities which cannot be provided on site to serve the development which sum shall be paid on or before the commencement of development
7. The design and construction of the development shall include energy efficiency measures to reduce the carbon footprint of the Development. The Development shall meet level three of the Code for Sustainable Homes: A step change in sustainable home building practice design produced by The Department for Communities and Local Government dated December 2006.

The developer shall provide a time bound programme of implementation along with measures to enable future monitoring at intervals throughout the construction period until all the Dwellings shall have been completed and occupied. The results of such monitoring shall be provided to the Council in writing at annual intervals during the

course of the Development with a report upon completion of the development detailing the effectiveness of the implemented measures.

8. 35% of the total number of residential units shall be "Affordable Housing" which meets the criteria set out in Section 5.5 of the Herefordshire Unitary Development Plan 2007 and related policy H9 or any statutory replacement of those criteria and that policy. The four affordable units shall be made available for rent. None of the Affordable Housing shall be occupied unless Herefordshire Council has given its written agreement to the means of securing the status and use of these units as Affordable Housing. All the affordable housing units shall be completed and made available for occupation prior to the occupation of more than 50% of the other residential units on the development or in accordance with a phasing programme to be agreed with Herefordshire Council.
9. In the event that Herefordshire Council does not for any reason use the said sum of Clauses 1, 2, 3, 5 and 6 for the purposes specified in the agreement within 10 years of the date of each payment, the Council shall repay to the developer the said sum or such part thereof, which has not been used by Herefordshire Council.
10. All of the financial contributions shall be Index linked and paid on or before commencement of the residential development unless otherwise agreed with Herefordshire Council
11. 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.

Kevin Bishop - Principal Planning Officer

17th September, 2007