

6 DCCW2006/2619/O - RESIDENTIAL DEVELOPMENT (300 DWELLINGS) INCLUDING ACCESS FROM ROMAN ROAD, ESSENTIAL INFRASTRUCTURE, OPEN SPACE, BALANCING POND, LANDSCAPING, ROADS, PARKING, FOOTPATHS, CYCLEWAY AND ENGINEERING, EARTH WORKS AT LAND TO THE NORTH OF ROMAN ROAD, HOLMER, HEREFORD, HR1 1LE

For: Crest Strategic Projects Ltd per D2 Planning, The Annex, 2 Oakhurst Road, Stoke Bishop, Bristol, BS9 3TQ

Date Received: 9th August, 2006

**Ward: Burghill,
Holmer & Lyde**

Grid Ref: 51327, 42272

Expiry Date: 8th November, 2006

Local Member: Councillor Mrs. S.J. Robertson

1. Site Description and Proposal

- 1.1 The site extends to 12.8 hectares of undeveloped agricultural land located on the northern fringes of the city. The site is bordered to the south by the A4103 (Roman Road), the C1127 (Munstone Road) runs along the eastern boundary and unclassified road 72412 (Attwood Lane) borders the western boundary. Adjoining the site and immediately west of Attwood Lane are the Wentworth Park and Cleeve Orchard housing estates and adjoining the south east and south western corners of the site are existing predominantly detached residences including a veterinary surgery and Hopbine Hotel. A number of these existing properties either overlook or have gardens which back on to the development site. South of Roman Road occupying a corner location on the junction with Old School Lane is Pegasus Football Club, adjoining which is Hope Scott House and east of here are existing car garages. Adjoining the north western corner of the site is Holmer Court, a residential care home with the remainder of the boundaries being either enclosed by main roads or agricultural land.
- 1.2 Levels undulate across the site with a general fall towards the north eastern boundary with high points along Roman Road and the north western corner adjacent Holmer Court. The existing physical boundaries of the site are largely enclosed by mature hedges interspersed with mature and semi-mature trees with further hedges/trees subdividing the existing fields within the site. The site itself is largely set out as agricultural pasture land with some areas having been farmed for arable purposes
- 1.3 Running east/west relatively centrally through the site is public footpath HO6 and running along the north western boundary of the site is public footpath HO8A. Also running through the site are overhead power cables which the applicants would place underground if the permission is approved. The site lies outside of the Settlement Boundary for Hereford City as identified by the respective Local Plans and therefore

for the purposes of adopted planning policy falls within the open countryside. However, the site was reinstated as a housing allocation into the Unitary Development Plan by the Planning Inspector and it is on the basis of the emerging documents that the principle of the development has been considered.

- 1.4 Outline planning permission is sought for the construction of 300 flats and houses likely to range in size from 1 to 5 bedroom with the principal vehicular access via Roman Road. At the heart of the development would be an area of open space including equipped play areas. Around the central open space will be clusters or blocks of houses of low, medium and high density connected with a network of roads, cycleways and footpaths. A concept master plan has been provided to illustrate the general site layout. A further area of land to the north of the site is to be used to regulate surface water and will include a balancing pond along with enhanced landscaping. All matters are reserved for future consideration with the exception of the means of access to the site which would be provided by way of a new signalised junction onto Roman Road.

2. Policies

2.1 Planning Policy Guidance:

PPS1	-	Delivering sustainable development
PPS3	-	Housing
PPG13	-	Transport
PPG17	-	Sport and recreation
PPS22	-	Renewable Energy
PPG25	-	Development and flood risk

2.2 Regional Spatial Strategy for the West Midlands

2.3 Herefordshire Unitary Development Plan (Revised Deposit Draft):

S1	-	Sustainable development
S2	-	Development requirements
S3	-	Housing
S6	-	Transport
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
DR7	-	Flood risk
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
T1	-	Public transport facilities

T6	-	Walking
T7	-	Cycling
T8	-	Road hierarchy
T11	-	Parking provision
T14	-	School travel
T16	-	Access for all
LA3	-	Setting of settlements
LA5	-	Protection of trees, woodlands and hedgerows
LA6	-	Landscaping scheme
NC5	-	European and nationally protected species
NC6	-	Biodiversity action plan priority habitats and species
NC8	-	Habitat creation, restoration and enhancement
ARCH1	-	Archaeological assessment and field evaluation
RST1	-	Criteria for recreation, sport and tourism development
RST3	-	Standards for outdoor playing and public open space
RST6	-	Countryside access
RST7	-	Promoted recreational routes
CF1	-	Utility services and infrastructure
CF2	-	Foul Drainage
CF5	-	New community facilities
W11	-	Development - waste implications

2.4 South Herefordshire District Local Plan

GD.1	-	General development criteria
C.1	-	Development within open countryside
C.3	-	Criteria for exceptional development outside settlement boundaries
C.16	-	Protection of species
C.17	-	Trees/Management
C.39	-	New development and energy efficiency
C.39A	-	Renewable energy
C.43	-	Foul sewerage
C.44	-	Flooding
C.45	-	Drainage
SH11	-	Housing in the open countryside
SH12	-	Cross-subsidisation schemes
SH15	-	Criteria for new housing schemes
R.3A	-	Development and open space targets 10 dwellings and over
R.3D	-	Committed payments
R.3E	-	Provision and maintenance of public open space and play areas
R13	-	'Percent for Art'
CF.6	-	Access for all
T.1A	-	Environmental sustainability and transport
T.3	-	Highway safety requirements
T.4	-	Highway and car parking standards
T.8	-	Public footpaths and cycleways
T.9	-	Cycle routes

3. Planning History

3.1 No history of relevance to the application site.

4. Consultation Summary

Statutory Consultations

4.1 Advantage West Midlands:

The Rural Regeneration Zone covers most of the western part of the West Midlands region and includes the application site. The Regeneration Zone is one of 6 across the region, each designated to be a focus for regional investment to help create a diverse and dynamic business base. Hereford City remains the main economic driving force in providing employment opportunities for the county. Workplace and infrastructure provision are key elements of local economic development, as is the balanced provision of good quality housing.

We do not consider the proposal to be an inappropriate use of the site given its location and suitable attributes for such an activity. In term of economic sustainability, this is a reasonably sound proposal in view of supporting existing employment opportunities and the present transport infrastructure capacity can accommodate the resulting pressure. The accessibility to jobs and services from the application site is favourable. It is necessary for a range of housing to be provided within the Rural Regeneration Zone and the site will incorporate a sufficient proportion of lower cost dwellings required for local growth purposes. The Agency does not wish to offer any objection to this application.

4.2 West Midlands Regional Assembly:

The Planning and Compulsory Purchase Act 2004 makes regional planning bodies statutory consultees for regionally significant planning applications allowing them to comment on applications with regard to the general conformity with the Regional Spatial Strategy. In providing an opinion under the provisions of the regional planning bodies conformity protocol, the Regional Conformity Advisor, has co-ordinated the response, undertaken the initial general conformity assessment and provided advice to the Regional Planning Body. Having considered the advice prepared on behalf of the Regional Conformity Advisor we accept and support the views that the planning application is in general conformity with the Regional Spatial Strategy.

4.3 Sport England:

The application is not supported by sufficient information to enable us to make a substantive response. The information with regards to the sport and recreation facilities that will be available to serve the needs generated by the development, how this need has been established and the means by which it is intended that any facilities will be secured and financed along with further information on the footpath and cycle proposals including off site links and the provision to be made for the storage of cycles is required.

This information is currently being prepared for Sport England.

4.4 Health and Safety Executive:

The HSE does not advise, on safety grounds, against the granting of planning permission in this case.

4.5 Environment Agency:

Much of the site is located outside the Flood Plain, however a small area is proposed within the Flood Plain (Zone 3B). Whilst PPG25 does not encourage development within the Flood Plain, as part of the development proposals, it is noted that to

compensate for the fact that some of the built development is located within the Flood Plain, where ground levels are to be raised, other parts of the site are to be lowered. The compensation provides some betterment in the flooding regime to enable us to consider the built development within the existing flood plain area given the additional benefits in terms of biodiversity enhancements and sustainable drainage systems. On this basis, we have no objections, in principle, to the proposed development but recommend planning conditions concerning site levels, surface water drainage, flood storage compensation, pollution prevention and foul drainage.

4.6 Welsh Water:

The proposed development would overload the existing public sewerage system. No improvements are planned within Welsh Water's Capital Investment Programme. We consider any development prior to improvements being undertaken to be premature, and therefore object to the development. It may be possible for the developer to fund the accelerated provision of replacement infrastructure or to requisition a new sewer under Sections 91 - 101 of the Water Industry Act 1991.

In order to progress this proposal the development will be required to fund a hydraulic modelling exercise on the public sewerage system, the conclusion of this study will determine the connection point and/or any improvement works required to accommodate the foul flows from the proposed development.

No problems are envisaged with the waste water treatment works for the treatment of domestic discharges from this site.

4.7 Highways Agency:

We have reviewed the additional information provided by the developer and met with them on the 2nd November. It was agreed that the best way forward to provide mitigation for the increased traffic from the development during the AM and PM peaks would be a Residential Travel Plan. We therefore direct any permission the authority is planning to give includes the following condition:

Development shall not commence until a Residential Travel Plan, including mechanisms for its delivery through a Section 106 Agreement, has been agreed by the Council in consultation with the Highways Agency, acting on behalf of the Secretary of State for Transport.

4.8 Primary Care Trust:

No comments received.

4.9 Central Networks:

No comments received.

4.10 The Ramblers:

It is pleasing to see that existing Public Rights of Way have been recognised and are to be retained in their current locations as part of the proposed development. We are concerned that there may be a possibility some of the footpaths end up as cycleways. This would not be acceptable, footpaths and cycleways need to be kept separate at all times.

Although we welcome the inclusion of the cycleway it is evident that the provision of safe routes within the northern section of the city are non-existent. The lack of safe cycling needs to be addressed as part of this proposal and not used as an excuse in

the future to delete the cycleway from the proposal. Consideration needs to be given to making it impossible for vehicles to be parked on footpaths or cycleways so that users of either are not forced to walk in the road as so often happens, due to lack of consideration for others by drivers. With regard to safe pedestrian routes, its quoted that there is a convenience store, local post office and pub situated within easy reach. I believe these all to be located on the far side of the A49 Trunk Road. A further controlled crossing point over the A49 needs to be provided to make access to these facilities and a safe route for all.

Consideration needs to be given in these days of global warming to the conservation of water. Whether rain water for flushing toilets and the recovery of rain water for gardeners should be considered for these proposed dwellings. Also solar panels either electrical or heat should be considered for this housing stock.

Internal Council Advice

4.11 Traffic Manager:

Access junction into development

The junction proposals submitted, and which have been the subject of a Stage 1 safety audit, are acceptable in principle but we are awaiting the revised drawing. The provision of cycle crossing facilities across Roman Road have not been adequately addressed. The drawing submitted to date does not show the proposed shared pedestrian/ cycle route provision to link on the south side of Roman Road and Old School Lane. The junction drawing does not show necessary Toucan crossing facilities to access this off road route, or take this into account in the Safety Audit. Whilst advance stop lines are shown on the approaches, if the off road route is available, the necessity for these is questionable.

Munstone Road/College Road

The proposed improvements have been assessed for the junction, and it is considered that whilst improvements to the junction are necessary, the proposals submitted might not be what is actually required to address the accident history. The junction improvements are necessitated by the proposed development which, as indicated in the Transport Assessment (Fig 20) results in an 11% increase in traffic at the junction in 2011 am peak, and therefore any works should be by way of a Section 278 agreement and not form part of the Section 106 expenditure. One option to improve the situation is the closure of and re-routing of Munstone Road through the site, which is considered necessary to improve safety at the existing junction. However, there is also the possibility that such closure and re-routing of Munstone Road to exit at a signalled junction with improved access to Roman Road would be more attractive to "rat-running". Crest have carried out studies in respect of rat-running on Munstone Road and these details are required before an assessment can be made.

Attwood Road/ Old School Lane

The proposals for this junction in terms of increasing the exit width of Old School Lane to allow two lanes at the junction, whilst increasing capacity at the junction for vehicles leaving Old School Lane, may have an adverse effect on the safety of the junction, due to the right turning vehicles obscuring the view of left turning drivers. Any alterations which enhance flow characteristic through the junction may change commuter routes between Roman Road and the City Centre with an adverse effect on adjacent residential areas. Therefore any works, as in the case of Munstone Road/College Road junction, should be conditioned as off site highway works to be submitted for approval and constructed at the developers expense. Any form of junction

improvement which increased the accessibility for Attwood Lane traffic is considered undesirable as this could encourage "rat running" from A49 to Roman Road, even with the proposed traffic calming measures in place.

Transport Assessment

I confirm this is acceptable in terms of traffic generation figures and associated analysis provided the site has the sustainable benefits outlined below. The drawings included in relation to junction enhancements/improvements and site access are presently unacceptable and will require further modification.

Highways Contribution

Crest aim to make the development sustainable by enhancing the walking and cycling routes between the development and the City Centre, employment areas, schools, leisure and other facilities and thus reduce the dependence on the private car and provide reduced parking within the development. The agreed contribution of £450,000 should be applied primarily to measures which achieve this aim. Furthermore, the prioritisation and precise uses of this sum should not be decided solely in consultation with local community, but primarily to achieve overall objectives to make the site more sustainable. The proposed measures do not, however, include the improvement of bus services in the area, which were identified in the Transport Assessment (Para 4.6). This is considered essential to ensure choice of travel is available and bus stop provision is achieved within 400m of dwellings. The feasibility of bus stops on Roman Road itself would need to be investigated.

With regard to proposed reduction of the speed limit on Roman Road, this will need to be assessed against newly introduced guidelines to ascertain whether this length of road meets the criteria for a speed limit of 30mph. Traffic calming in Old School Lane and College Road has not been discussed in any detail, but it is not considered a high priority if the off road cycle routes are to be provided.

The proposed uses of the £450,000 can broadly be split into three areas as follows, and should be identified as being used for all or any of the following but the list is not necessarily in order of priority. The timing of the payments would need to be carefully determined, but it is considered that due to the time associated with the provision of the cycle routes etc the bulk of the money should be up front to enable the enhancements to be in place before/as soon as occupation of any of the houses and to ensure travel options for all new residents are available and travel patterns thereby established from the outset. It is pointless having a Travel Plan if the measures are not available.

Enhancements to sustainable transport links:-

1. Off road shared ped/cycle route along the south side of Roman Road from College Road to Holmer Road (excluding the cycleway link to Old school Lane on the south side of Roman Road which forms part of the site access junction Section 278 proposals). Junction improvements at College Road and Old School Lane should not form part of the use of the contribution, and should form part of Section 278 works as previously stated.
2. Improvements to ped/cycle crossing facilities at Starting Gate roundabout.
3. Old School Lane cycle link to railway bridge, upgrade existing path through to Holmer and cycle lane over the bridge.
4. Cycle route linking in with the Herefordshire Gloucester Canal and contribution towards re-instatement of canal west of the tunnel to Newtown Road.

5. Provision of pedestrian/cycleway on A49 Holmer Road south of Starting Gate roundabout

Traffic calming and speed reduction measures:-

1. Traffic calming to Attwood Lane, Munstone Road and Church Way.
2. Reduction of speed limit on Roman Road, subject to meeting criteria.

Public Transport enhancements

1. Contribution to cost of diverting existing routes to the area of the development and bus stop/shelter provision.

Bridge Contribution

The Bridge Contribution should not be restricted to construction only and at least in part should be available for feasibility study/preliminary design work. I would also suggest due to the complexity of the project that a ten-year timescale for expenditure of this sum should be applicable.

Concept Masterplan

The masterplan indicates that the proposed layout would be more of a Home Zone themed development with tight radii at junctions, reduced visibility etc removing car superiority. Such designs are complex and involve a great deal of discussion and fine tuning prior to submission of an application. The developer would be advised to enter into pre-application discussions to agree details at an early stage. Detail of the road layout, parking provision etc would need to be assessed upon submission of the full or reserved matters application and condition will be required to cover these issues.

4.12 Integrated Transport Officer:

The Traffic Assessment identifies a number of possible new pedestrian and cycle proposals. These are a new Toucan Crossing on Roman Road, provision of new pedestrian and cycle access junction from the development site onto Attwood Lane, provision of a new cyclist access onto Munstone Road for recreational use, funding for a segregated cycle route on Roman Road, funding for advisory cycle lane on Old School Lane and Kingsway, reasonable financial contributions towards other general cycle route improvements that will prove advantageous to future residents of the site and appropriate contributions towards the provision of cycle parking improvements at popular destinations such as the station.

The proposed off site cycle network should also include Old School Lane, Venns Lane for access to the colleges and schools and cycle provision should also extend along Roman Road at least as far as College Road. There are also proposals to bring the Sustrans Route into Hereford along Munstone Lane. The Council has also commissioned a feasibility study to extend Great Western Way to Holmer using the service road along Holmer Road. A new cycle lane from the development site along Roman Road to Holmer Road would then link the site to the Great Western Way subject to appropriate crossing facilities. Traffic free cycle routes are also worth investigating to link and the proposed extension of the Herefordshire Gloucestershire Canal from Aylestone Park into Edgar Street Grid area from the site.

4.13 Head of Strategic Housing:

Strategic Housing would be seeking 35% affordable housing from the development of this site in accordance with the SPG Provision of Affordable Housing 2001 (Updated November 2004). This would equate to 105 properties for affordable housing.

Housing needs analysis indicates a split of 75% rented and 25% shared ownership/low cost market.

Strategic Housing finds the proposal unacceptable in relation to the proposed split between rented and shared ownership/low cost market and therefore objects to the application. Paragraph 16 of PPG3 states that decisions about the amount and types of affordable housing to be provided in individual proposals should reflect LOCAL housing need and individual site suitability and be a matter for agreement between the parties. Policy H9 of the UDP states that housing should wherever possible be provided as a mix of affordable housing types having regard to LOCAL needs.

4.14 Head of Environmental Health and Trading Standards Manager:

Numerous complaints have previously been received regarding dust and the use of HGV's along Attwood Lane and I would have concerns for the potential nuisance caused from dust should this road be used as an access route during the construction phase. I would therefore recommend an alternative access route for use for the movement of vehicles on/off site. Conditions are recommended restricting construction and delivery times, incineration of materials on site and minimising air pollution and noise from machinery during the construction phase.

4.15 Land Drainage Engineer:

We have no knowledge of flooding of the main culverts but there is no objection to the ditch and culverts being cleared out which will allow a condition survey to be undertaken and improvements made as necessary. Any drains encountered and severed will have to be re-instated as appropriate. The attenuation pond is acceptable in size but the Council will not be responsible for its maintenance or adoption. The existing road culvert is the principal cause of localised flooding due to its size and condition and this may have to be rectified. The interceptor may also have to be re-located to capture all the site drains.

4.16 Forward Planning Manager:

The allocation for 300 dwellings at Holmer was included in the UDP First Deposit Draft. This was subsequently removed at Revised Deposit Draft stage in preference for the allocation at Bullinghope. This has passed through a Public Inquiry and the subsequent Inspectors Report has recommended the reinstatement of the Holmer site, which has since been approved by Cabinet. The principle of development has therefore been established.

The proposal is for 300 dwellings, which conforms to Plan policy. Policy H9 of the Plan, regarding affordable housing seeks an indicative target of 35% affordable dwellings. The proposals seek to incorporate 105 affordable dwellings, which equates to 35% and thus conforms to Plan policy.

Paragraph 5.4.13 of the UDP regarding Holmer (which was deleted at Revised Deposit stage, but upon its reinstatement still carries relevance) stipulates that to restrict the spread of development and to retain landscape character the sites northern boundary is limited and defined by the local ridgeline where a green corridor and tree cover will be required as part of the comprehensive landscape treatment to screen development from views from the north. The applicants have taken the necessary steps to satisfy this, providing a substantial green corridor / open space and tree cover to the north of the site. Further consultation with the conservation and landscape department would be advisable.

Policy H19, regarding open space requirements, states that schemes of over 60 dwellings require a small children's / infant's play area (properly equipped and fenced; an older children's informal play space; and, an outdoor playing space for youth and adult use and public open space to at least the minimum standard. From the plans provided, it would appear that the applicants have provided all of the above. There is a central public open space which incorporates both a LEAP and a LAP, thus satisfying the first two requirements above. There are concerns regarding the provision of an outdoor playing space for youth and adult use. It is unclear whether contributions have been sought for provision in an alternative location (i.e. Aylestone Park), as this may be a suitable alternative.

The Plan stated that access would be limited to the A4103 Roman Road, which the proposals have conformed to. In the UDP Inspectors Report (para 5.15.32), the Inspector states that the housing development at Holmer should contribute towards the improvement of the road bridge, where at present only a one-way flow of traffic can pass. Further consultation with the transport department would be advisable.

Representations were also received during the consultation period querying the adequacy of existing health, educational and social facilities in the area in light of the potential 300 new dwellings at Holmer. The Inspector states (para 5.15.26) that there is no reason to suppose that new provision or contributions to the expansion of existing facilities could not be sought as part of the development. The Statement of Community Engagement supplied with the application indicates that a number of local residents viewed improved community facilities as a priority. A needs survey for the area in terms of community facilities and education is recommended. It would not be unreasonable to seek further contributions than highways improvements due to the Greenfield nature of the site and low development costs associated with such a site.

Summary

Due to the reinstatement of the Holmer site by the UDP Inspector, the principle of development is acceptable.

4.17 Head of Education:

The provided schools for this site are Broadlands Primary School and Aylestone High School. (The development does not impact either Trinity Primary School or Whitecross High School. As a result, the bridge crossing the Yazor Brook will not be affected and we would not therefore expect any contributions to be made to this area.)

In relation to the development, each house will potentially contribute 0.3 children to the education system, giving a total requirement of 90 education places.

Broadlands Primary School was built for a different era. Staff accommodation is poor. The lack of specialist areas and sizes of classrooms impedes the ability to offer a creative curriculum. There is a lack of storage throughout the school and a shortage of space for SEN and private work. The school currently has surplus capacity, however any additional pupils would add to the congestion already faced by the school in circulation spaces and classrooms.

Broadlands Primary School has two mobile classrooms; due to falling pupil numbers throughout the County, the authority would be planning to remove these classrooms. The estimated number of primary children generated from the development would be 52.5. These children would need two classrooms to be accommodated and therefore presents a need for the mobiles to be retained or replaced with permanent build. The

authority does not view mobile classrooms as suitable premises for long-term education use and therefore funding for a permanent structure would be sought to facilitate the full national curriculum. The school is also planning some building alterations to improve facilities for staff and storage and enhance the education for children.

Aylestone High School has a large number of classrooms, which are considered too small, including specialist spaces. The large number of steps within the school and the disparate nature of the buildings is an issue. There are inadequate library facilities, a lack of study areas and insufficient staff accommodation. There is no sports hall at the school and indoor PE activities take place in small gyms restricting the activities that can be conducted. The school currently has surplus capacity, however any additional pupils would add to the congestion already faced by the school in circulation spaces and classrooms.

The School has eight mobile classrooms; due to falling pupil numbers throughout the County, the authority would be planning to remove these classrooms. The estimated number of Secondary children generated from the development would be 37.5. These children would potentially need two classrooms to be accommodated and therefore presents a need for the mobiles to be retained or replaced with permanent build. The authority does not view mobile classrooms as suitable premises for long-term education use and therefore funding for permanent structures would be sought to facilitate the full national curriculum. Aylestone High School is also planning some building alterations to improve PE, Science and humanities to enhance education for children.

In view of the above details, the Children and Young People's Directorate would be looking for a contribution to be made towards local education in this area which would go towards rectifying some of the issues identified and assist with school buildings alterations. A contribution of £2,000 per dwelling would be sought, relating to all new units.

4.18 Conservation Manager - Landscape and Biodiversity:

I have read the Landscape and Visual Appraisal, Landscape and Ecological Management Plan (terms of reference) and the Arboricultural Assessment including in the appraisal and I am satisfied they have addressed the relevant issues. I support the landscape strategy and landscape management objectives which have been involved in these reports.

I am also satisfied that the development of the Master Plan has been informed by the principles set out in the Landscape and Visual Appraisal. It is also evident that the detailed information from the Arboricultural Assessment concerning trees to be retained and strategic protective measures have been fed into the Master Plan. I have no concerns, at this Master Plan stage, regarding the strategic approach taken to landscape issues.

4.19 Conservation Manager - Ecology:

I have read through the Ecological Section of the accompanying technical appraisal and the updated bird survey. I am satisfied that there has been a thorough and comprehensive ecological survey of the site. As this is an outline application, there will need to be an update of the surveys prior to development commencing. I do have some concerns about the potential impact of the development on the Great Crested

Newts population and further survey work will also be required prior to development and there may be the need for newt proof fencing and a licence.

The habitat retention and enhancement measures recommended within the report are to be commended, along with the creation of a new Bio-diversity Action Plan habitats such as traditional orchard areas. A management plan for the future maintenance of the open areas will need to accompany the application for full planning permission, as described in the Landscape and Ecological Management Plan. I would recommend that the ecological consultants and applicants inform and liaise with the Biodiversity Action Plan Officer at Herefordshire Council. I would also like to see the retention of tree 4 (a dead oak) if possible for its contribution to the nature conservation value of the site. My recommendation is for approval subject to conditions.

4.20 Parks and Countryside Manager:

This development will be catering for a potential number of children in excess of 600, and needs good quality and quantity of equipment suitable for all ages. With this in mind I suggest one large central play area rather than small amounts of equipment dotted about multiple sites is preferable. The play area should contain two distinct zones one for under sixes and the other for over sixes. These facilities are also required as there is not a neighbourhood park for those children to walk safely to in the locality.

4.21 Public Rights of Way Manager:

The proposed development will effect Public Footpaths HO6 and H08A, in particular H06 will be obstructed by the proposals in their current form. The residential medium at the western boundary of the site and one of the focal buildings will effect the line of the footpath recorded on the definitive map and the Town and Country Planning Act diversion order will be required. The developer might prefer to avoid this due to the length of time it takes to process Public Path Orders. If the footpath is to be blocked I am obliged to object to this application.

4.22 County Archaeologist:

The proposed development will lead to a very extensive area of ground disturbance in an area of some broad archaeological potential. However, recent archaeological evaluations of the site itself proved almost entirely negative. In the circumstances I have no objection but given the size of the development envisaged I would consider it reasonable to attach a suitable archaeological condition requiring a small scale watching brief of works.

4.23 Principal Arts Officer:

I suggest two landmark pieces near the entrance to the site along with artist designed street furniture and railings in the central play area, artist designed public rights of way markers for the blancing pond area along with the appropriate commuted sum for maintenance.

4.24 Economic Development Manager:

No comments received.

4.25 Sustainability Manager:

I'd welcome any opportunity both to increase energy efficiency above Building Regulations and to get a proportion of renewable energy generated on site. The 2 issues the developers need to address are

Does this development contribute to/meet the government target of a 60% cut in energy use by 2050 (i.e. by then things need to be running on 40% of what we now use -or it may even be the 1990 baseline)

How will the design of houses enable them to withstand the expected changes in climate for the next 25 and 50 years (in terms of more extreme weather - both hot and wet)

Merton is now seen as quite mainstream with its requirement for 10% of energy from developments over a certain threshold to be from renewable sources. Some authorities are also starting to ask for climate proofing reports. A site waste plan would also be welcomed.

Water is another issue that needs attention. I would suggest that they install water efficient toilets (at least to the standard already set by government for their own buildings) & have water meters. Building in water capture - assuming that dry summer conditions likely to become more frequent. We will not be smugly mains watering our gardens here forever! Reducing rapid runoff of water in intense weather by - for instance- rerouting down pipes into water stores or ground. Installing easily visible electric meters so people can see how much they are using - and how much it is costing them would also be good.

5. Representations

5.1 Holmer and Shelwick Parish Council:

"The Parish Council would point out that this is the largest housing development proposal for many years in this area, and would ask that considerable care is taken with detail and conditioning to be sure that this development is completed satisfactorily and to the best standard that can be achieved for the locality.

The Parish Council considers the application to be premature given that the UDP process is not yet completed, and would have wished that the application came in after the consultation and report process was finished, in order to tie the details of this application into the UDP recommendations and approvals.

However the Parish Council does not wish to be obstructive and given the fact that the Public Inquiry Inspector recommended that this site go ahead and Hereford Council by a large majority also voted for this to be approved, it is pointless opposing the scheme, but the Parish Council wishes to obtain the best deal that can be gained in the interests of their parishioners. The detail observations are as follows and the Parish Council hope that any benefits should also come to the parish area, and not be spread around other areas in the County.

SEWAGE: The area suffers from sub-standard sewage disposal facilities both from the Wentworth Estate and other properties that have septic tanks and soakaways which drain into the development area. The Wenworth Estate was a former Crest development and it is felt that the company should make strenuous efforts to right the poor situation of the past and upgrade the system so that as many people as possible can connect into the new sewage main.

The parish understands that there is to be a working group set up to consider details of the new sewerage arrangements and the parish would seek representation on this group in order to put the local point of view, and be able to supply the local knowledge

necessary in the best interests of local residents. The parish feels that any contributions to the scheme to enhance the sewer should be made by the developer.

TRAFFIC: The parish feels that the considerable amount of traffic generated from this development should be the subject of a study to try and find the best way of distributing traffic from the development and the busy Roman Road and A49 infrastructure. Clearly what happens in one area will have repercussions in another, and only a comprehensive study would identify problems and possible solutions. The parish would like to be included in this study as it has local knowledge that could be of advantage.

The parish does not feel that any improvement could be made at the railway bridge along Roman Road. The contribution from the developer is not enough to do any significant works unless the council is prepared to commit substantial funds to the project which the parish feels is unlikely at this time.

A study of cycle routes and pedestrian routes should also be undertaken to determine the best method of enabling parishioners from this development to access Hereford. This should also consider crossing points and pedestrian controlled crossing of Roman Road and possibly extra facilities for cyclists and pedestrians through the estates to the south of Roman Road.

There should be traffic calming measures taken to slow the speed and volume of traffic using the minor roads in the area. Church Lane, Coldwells Road and Munstone Road suffer from 'rat running' and speeding and consideration of traffic calming should be taken with the traffic study proposed.

PLAY AREAS: The parish would wish that sufficient play space would be made available for the development together with the associated play equipment suitably maintained.

The parish would wish that all the important matters of drainage, roads, education, burial ground etc would be considered first out of any contributions that might be available from the developer and projects within the parish would be considered before any other projects elsewhere. The parish would ask for representations and consultation on any of the bodies studying the proposals so that they can use their local knowledge to the best interests of the parish and to everyone's benefit.

A further letter has been received from the parish council relating to the Section 106 matters arising from the development. The main comments raised are:

Crest have increased the land within the application by 30 - 40% from land allocated by the Inspector's recommendation in the UDP enabling them to provide larger units than would be otherwise possible.

- This development would be acceptable as long as the maximum of 300 units with no 3 storey dwellings would be built. For every dwelling over 300 the developer should be required to pay £75,000 per unit to the parish council.
- Drainage - more details are required prior to a decision being made by the planning authority. The option of adjacent existing properties to connect into the new system should be available after the first dwelling has been commissioned by Crest.

- Education - £600,000 ring fenced for the schools in the Holmer catchment area and overseen by the parish council.
- Pedestrian and cycle links in the locality.
- Public art on the site.
- Recreational facilities - A £50,000 contribution should be made towards the construction of a skate park in Holmer Road and £45,000 towards Pegasus Football Club for surfacing the car-park and an ambulance ramp up to the football pitch. This property is leased from Herefordshire Council and would directly enhance the asset. A contribution should be made towards the resurfacing the all weather pitch at Holmer Road, replacement of the hammer cage and provision of a spectator shelter at the Athletics Club.
- Traffic - No traffic lights should be provided to the new entrance to the development as this will only be required for 45 minutes on weekday mornings to facilitate egress. For the remainder of the day the flow of traffic on the Holmer Road will be stopping, starting, creating unnecessary noise and pollution. A roundabout would be a more practical solution. Munstone Road should be closed to through traffic and the traffic redirected through the fringe of the new development therefore improving the highway safety on the Munstone crossroads.
Burial Ground - The parish is rapidly running out of space in the parish burial ground. There is a possibility of extending the burial ground with extra land which would have to be landscaped and fenced. The parish council would request a £15,000 contribution to set up an extension to the existing burial ground.
- Church Hall - A contribution of £45,000 to extend the existing church hall to cope with the burden of proposed increased population.

The parish council would expect to see these reasonable requests included in the Heads of Terms for the Section 106 Agreement on the successful outcome of the Crest application.

5.2 16 letters of objection and comment have been received. The main points raised are:

- There is already considerable congestion at peak periods in the locality, this development will exacerbate the existing problem.
- Traffic at the Roman Road, Attwood Lane and Old School Lane junctions is at capacity at times with cars regularly queuing along the Roman Road from the Starting Gate roundabout back to College Road.
- The proposed traffic lights system on Roman Road will hinder rather than help traffic flows and add to existing congestion. A roundabout should be constructed instead.
- It is not acceptable for Munstone Road to be closed off and diverted through the estate. Munstone Road is not wide enough to introduce a cycle path. It often floods during heavy rain.
- The railway bridge on College Road near Holmer Trading Estate is totally unsuitable for extra traffic as it is very narrow and there is no footpath and children from site will need to access Aylestone School and the colleges in Folly Lane.
- There is inadequate pavement and pedestrian crossings in the locality.
- The proposed emergency access should be restricted or re-located to prevent any vehicular or pedestrian access onto Attwood Lane which is already overused.

- The development should be made to pay for a new cycle route from the new estate to the city.
- Attwood Lane should be closed off near the old people's home to prevent it being used as a rat run.
- There is no regular bus service or near medical centre or doctors surgery to the site.
- The traffic assessment was based on a traffic survey undertaken in 2003 and traffic levels have significantly increased on Roman Road since this period.
- Any highway financial contribution provided by the developer should not be used to improve the railway bridge on Roman Road as this will lead to further traffic on Roman Road.
- The developer should fund safe pedestrian crossings of the existing Roman Road and College Road road bridges.
- The absence of any apparent economic growth in the immediate vicinity of the development site will lead to further cross town traffic adding to existing congestion and environmental impact.
- The site will create a commuter village for Worcester and add volume to already congested routes.
- The development site floods during heavy rain and there is not capacity within the main sewer to serve the development.
- The site is an Area of Outstanding Natural Beauty with a lot of wildlife, foxes, buzzards etc yet close to the town.
- The development area is a greenfield site outside of the city limits and it would be more appropriate to prioritise development of brownfield land in the city and further infill development.
- The scale of the development is out of keeping with the surrounding area.
- The development will result in direct overlooking of our property and gardens
- The development will result in a significant decrease in the value of our property, completely obliterate existing view across the site and significantly affect our quality of life.
- The Hope Scott House Committee is concerned that the substantial development may have a negative impact on Hope Scott House which provides accommodation for a fairly vulnerable section of the public.
- Contrary to the information in the ecological report, barn owls are present on the site and have been seen frequently this summer.
- Three storey houses and flats will be totally out of keeping with the surrounding area which consists of two storey houses and bungalows.
- We are concerned how light pollution will be minimised.
- We query whether solar panels are to be used to heat water and any surplus returned to the National Grid, will the houses have a water metre, whether grey water can be recycled for toilet flushing, whether toilets will be fitted with short and long flush mechanisms and so on.
- The site provides habitat to more diverse range of bird species than identified by the applicants including starling, house sparrow, bullfinch, yellowhammer, swallows, a diverse population of butterflies and more recently barn owls. These species have not been accurately recorded and any construction activity will destroy their habitat.
- The character and recreational value of the existing footpaths running through the site will be lost.
- The proposed development does not appear on local authority searches.
- The concerns of local people should be taken seriously and carry more weight than that of remote consultants, professionals, architects, planners etc.

- Crest must be forced to maintain existing hedgerows and trees and general flora and fauna within the site.
- The proposed landscape strip alongside Munstone Road should be extended to Greenways to provide a continuous wildlife corridor.
- Street and other lighting should be sensitively designed to minimise impact on the countryside and wildlife.
- Any existing dwellings which have rights to discharge over the development site for foul drainage should be connected to the new public system at the developer's expense.

5.3 A further letter has been received from Holmer & District Residents' Association. The main points raised which aren't covered above are:

- The traffic surveys were undertaken in part March 2003 which was before the widening of Roman Road, improvements to Bridge Sollars river crossing and the opening of Holmer Park Health Fitness Centre. Even these figures indicate that by 2011 Attwood Lane junction would be 5% over capacity and even Munstone Road junction 15% and by 2023 Attwood Lane would be 14% and Munstone Road junction 25% over capacity.
- Much of the likely traffic from the development will travel into the town along Old School Lane and use the College Road Old School Lane Venns Lane junction which is already unable to deal with existing peak traffic flows.
- This number of further houses are unnecessary as Wimpey are already experiencing difficulties in selling houses on the former SAS site.
- If permission is approved the developer should fund improvements to the Munstone College Road junction to discourage rat running along Munstone Road to provide a safer environment for pedestrians and cyclists as well as motorists, similar such improvements should also be undertaken to Attwood Lane junction.
- The developer should provide funds to upgrade the existing footpaths including new signage and stiles.

5.4 Two further letters/reports have been received from Hereford and County Athletics Club and Wheeled Sports for Hereford. The main points raised are:

- The athletics club is run from membership fees only as there is no financial support from the Government and all coaches are volunteers. The number of members is likely to significantly grow with the 2012 Olympics. A shelter for spectators and athletes during events and training sessions is desperately required and therefore a contribution of around £10,000 is required for a new shelter.
- The existing hammer cage is very old and will no longer shortly meet new regulations. The club has some very promising hammer, discus and javelin throwers and it would be a shame to deny them the opportunity to progress to national level as the club has already produced international standard athletes in the past. A contribution of £10,000 is requested.
- The Wheeled Sports for Hereford aim to provide competition standard provision for recreational wheeled sports for the whole city. The facility would cater for skateboarding, rollerskating and BMX riding. These sports can be positive for health as well as providing independence and increasing social skills. Participation in skateboarding for example was up by 129% between 1995 and 2000 whereas participation in football was down 16.7% over the same period.

- Skateboarding in Hereford has been identified as a public nuisance by the public and local businesses as young people have nowhere to enjoy wheeled sports in a safe and legal way. Outline planning permission already exists and the development would take place in two phases with an estimated total build cost of 250,000. £15,000 has already been secured. We therefore request a contribution from Crest of up to £250,000 towards the construction of this facility.

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

6. Officers Appraisal

6.1 In support of the application the developers have provided a number of detailed technical reports. These include Design Statement, Supporting Statement, Transport Assessment, Landscape Visual Appraisal and Ecological Appraisal, a Landscape and Ecological Management Plan, Infrastructure Report, Archaeological Assessment, Flood Risk Assessment and a Statement of Community Engagement. Two public consultation exercises have also been undertaken and a further report provided on the outcome of these events. The contents of these reports will be referred to in the Officer's Appraisal.

6.2 The Council has also undertaken two Screening Opinions as required by the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999 which have concluded that although the development is a Schedule 2 10B infrastructure project, an Environmental Statement is NOT required.

6.3 There are 6 key issues to be assessed in the consideration of this application.

1. The Principle

6.4 The site falls outside of the settlement boundary for Hereford City as identified in the adopted Hereford Local Plan and therefore for the purposes of planning policy, falls within the open countryside. The Hereford Local Plan and South Herefordshire District Local Plan (which the development site falls within) is to be replaced with a Unitary Development Plan. This document is now at an advanced stage of preparation in light of the Inspector's report having been received and therefore it is not only a material planning consideration in the assessment of the development, but can be given considerable weight.

6.5 The first draft of the Unitary Development Plan allocated the site now proposed under this application for residential development. However, the revised deposit draft removed the allocation and proposed a new allocation south of the river known as the Bullinghope site. This was subsequently challenged by the applicant at the Planning Inquiry into the Revised Deposit Draft Unitary Development Plan. The Local Plan Inspector's report was published in June 2006 and recommended that the site be reinstated as a residential allocation in the development plan. The Inspector comments:

... I have considered all the objections to the proposal together with representations in support of the Council's stance. Many points of detail have been raised. I have discussed above those matters that are most likely to have a bearing on the decision.

I support the initial position of the Council. I find that the site is suitable for housing development of the scale envisaged. It is a relatively well-contained site that is seen in the urban context.

- 6.6 The Inspector's recommendations with regard to this site were considered at Full Council on 28th July, 2006 and it was subsequently accepted that the site should be reinstated for residential purposes.
- 6.7 Whilst any development of the site is presently contrary to the adopted development plan policies and therefore must be considered as a departure from the adopted policies, since the Council is not proposing to challenge the Inspector's recommendation to reinstate the site for residential purposes, the principle of residential development on the site can be considered positively. This is supported by the West Midlands Regional Assembly who confirm that development of the site for residential purposes is in general conformity with the Regional Spatial Strategy, which identifies Hereford as a sub regional foci for long-term strategic housing growth. The latest national and regional household projections indicate that the housing requirement in sub regional centres such as Hereford is likely to increase.

2. Access and Traffic Impact

- 6.8 The application is in outline form with all matters, except for the means of access to the site, reserved for future consideration. The development is proposed to be served by new single vehicular access onto Roman Road located around 180 metres east of the junction with Attwood Lane. An emergency access is also proposed from the western boundary of the site onto Attwood Lane but the use of this access will be restricted by bollards to ensure that it is only used for emergency purposes.
- 6.9 Traffic to and from the site will be controlled by a new signalised junction arrangement on Roman Road which will entail some road widening to introduce an additional right/left turn lane in order to minimise the impact on the free flow of traffic on Roman Road. The new access proposal will also incorporate safe pedestrian and cyclist crossing facilities both across Roman Road and across the site access. A Stage 1 Road Safety Audit has also been undertaken of the proposed site access to further investigate and establish whether it would operate satisfactorily and safely. Further works will also be proposed to the Old School Lane junction and Munstone Road/College Road junction to improve the safety of these areas in light of the additional traffic which will be generated by the development. The final detail of the works to these junctions has yet to be agreed but it is recommended that as well as the new site access arrangements, the works to Munstone Road junction in particular should also be undertaken by the developer as this junction is already operating close to capacity.
- 6.10 A number of comments have been received that the site's access should be provided by way of a roundabout on Roman Road along with further roundabouts on the existing junctions at Old School Lane and College Road. These options have been fully investigated by consultants acting on behalf of the developers; independent consultants acting on behalf of the Council and the Highways Agency's consultants and all have concluded that the most appropriate means of providing access to the site is via a signalised junction. All three independent assessments of the development also conclude that the local road network, subject to modifications, does have capacity to accommodate the additional traffic associated with the development.

6.11 The Highways Agency initially had concerns with the capacity of the Starting Gate roundabout which is also operating close to capacity at peak periods and the development will result in 0.65% increase in traffic flows at the roundabout. However, further research and information has been provided and the Highways Agency have now withdrawn their objection subject to the developers providing a residential travel plan delivered through a Section 106 Agreement. Other Section 106 highway related improvements are discussed below under Section 106 matters. The conclusions therefore drawn by the traffic consultants employed by the applicants, the Council's Traffic Manager, consultants employed by the Council and the Highways Agency is that the proposed access arrangements and traffic impact of the development is within acceptable tolerances subject to various works being undertaken.

3. The Concept Master Plan Layout

6.12 A master plan for the development of the site has been provided to illustrate how the site could and is likely to be developed. Whilst the actual development of the site will be controlled by the subsequent reserved matters applications if outline planning permission is approved, the plan provides a good indication as to the key design and layout principles.

6.13 Blocks of housing will be developed around a network of roads. The focus of the development will be a central area of public open space incorporating equipped play areas. This will be extensively landscaped and overlooked by surrounding housing thereby providing natural surveillance. Higher density development is proposed within the central part of the site with medium density along the western boundary with Attwood Lane and part of the eastern boundary with Munstone Road and low density along the northern boundary with the open countryside and the southern boundary with Roman Road. Existing hedgerows and trees along the boundaries of the site will be retained and reinforced with further planting to provide green buffers between the new development and existing residential properties and the open countryside. The existing Public Right of Way running through the site is to be retained and incorporated into the development with funds provided to improve the standard and usability of other off site footpaths which link into the site.

6.14 A pedestrian and cycle friendly environment will be created by limiting traffic speeds to 20mph though creating pedestrian priority areas, the use of different road surface materials to differentiate between the hierarchy of streets, the use of strategically positioned landscaping and open space to create an informal road layout. Emergency access will be controlled via bollards to restrict its use. Alongside the varying density, a number of key locations and frontages will be identified through focal buildings and/or public art to reinforce prominent vistas into and within the site.

6.15 Overall, the concept of the proposed layout will create an interesting residential environment, which minimises the loss of existing trees and vegetation whilst compensating for any loss through reinforcement of other areas with additional planting. This will have the added benefit of safeguarding amenity for existing properties surrounding the site.

6.16 Comments have been received that the scale and particularly height of the development should be restricted to two storeys. This is not considered necessary as the general design of the development including the scale and height of properties is most appropriately dealt with through reserved matters applications. If the scale and

height was considered unacceptable, those applications could be refused. Furthermore, whilst three or even two and a half storey properties on the outskirts of the site are unlikely to be acceptable, it is not considered, in principle, that two and a half or even three storey properties within the high density areas near the centre of the site would be unacceptable. As such, a condition restricting height is not considered necessary.

4. Site Infrastructure including Foul and Surface Water Drainage

- 6.17 All of the principle statutory undertakers have confirmed that adequate supplies exist to serve the development, these being gas, telecommunications, electricity and water. Three overhead 66kv power cables run through the site, which the applicants propose to divert underground around the eastern, northern and western perimeter of the site. An 8-metre wide easement strip must be maintained over the route of the underground cables where new development and extensive landscaping is restricted.
- 6.18 Welsh Water have objected to the application, as there is insufficient capacity in the foul drainage system to accommodate the proposed development. However, it should be noted that Welsh Water do not object to the development in principle but require the upgrading of the existing foul drainage network in the locality to a point where capacity exists. Subject to these works being undertaken, their objection would be overcome. This is confirmed by the fact that Welsh Water did not raise an 'in principle' objection to the allocation of the site in the Unitary Development Plan.
- 6.19 Foul drainage works are likely to entail the provision of an on site pumping station, associated rising main, and an additional off site gravity sewer to an appropriate outfall sewer where capacity exists. Research undertaken by the developers has indicated that capacity is likely to exist around the Kingsway residential estate. The drainage option is therefore pumping sewage through the rising main across Roman Road and into Old School Lane through a gravity system down to Kingsway and beyond. A hydraulic modelling system will be required to fully assess what works are necessary which the developers will fund. Understandably, however, they do not want to undertake the considerable work and expense involved with this without the security of a planning permission. Therefore, foul drainage can be dealt with via a condition of planning permission preventing any works taking place on site until a satisfactory drainage arrangement has been agreed in consultation with Welsh Water and the Council. This is a lawful Grampian condition given that there is a probable solution to the drainage problem.
- 6.20 The applicants are also aware of existing foul drainage problems within the adjoining Wentworth Park residential estate and have confirmed that any new system would be designed to have capacity to accommodate the existing residents of the adjoining residential estate as well as other residents which presently have foul discharge rights across the site. The diversion of foul drainage from the Wentworth Estate to a new separate foul main provided by the developer would also relieve the problems which presently exist with the pumping station at Cleeve Orchard by as much as 70% which may ultimately mean that this pumping station could then be adopted. Therefore, with appropriate new foul drainage infrastructure the present drainage problems in the locality are likely to be resolved.
- 6.21 Surface water drainage is to be addressed through the creation of a surface water balancing pond in an area of land north of the development site. This in effect would be a large soakaway area to regulate the flow of surface water drainage into Holmer

Brook running north of the site. This balancing pond will also ensure that no flood water that may arise currently or be exacerbated by the development will be displaced onto other land or developments in the area. Although the area and balancing pond will remain dry most of the year, it will contain water to a depth of up to one metre in extreme events. A detailed Flood Risk Assessment is provided and the Environment Agency has confirmed no objections to the proposal subject to conditions.

5. Open Space, Landscape and Ecology

- 6.22 The focus of the development will be the area of central open space incorporating two equipped play areas, one catering for children of ages 0-6 and the other catering for older children aged 6-12. The relevant Unitary Development Plan policies require further small equipped play areas around the site. It is considered that the creation of one larger well equipped area of play incorporating other open space accessible by all residents of the estate and other local residents is a more appropriate strategy for delivering the required play facilities and open space. Notwithstanding this the smaller areas that would have been used as small play areas are largely to be retained in strategic locations as landscaped open space.
- 6.23 Other open space is to be provided principally around the perimeters of the site with small landscaped strips between some of the clusters of housing. Two landmark pieces of public art are also to be provided in focal locations, namely near the entrance to the site and within the central open space along with further green art such as interpretation boards within the balancing pond area. The design of some of the street furniture within the central open space can also be of a non standard form. Such features will enhance the residential environment for the benefit of the residents.
- 6.24 Planning policy, due to the scale of the development, alongside that which is proposed on site also requires facilities for youth and adult play. No such facilities have been provided on site and therefore there is a deficiency in relation to that which the recreational policies require. This is dealt with below under the Section 106 requirements. Overall, the strategy for the on site open space and play/recreation facilities is considered acceptable.
- 6.25 The existing boundary trees and hedgerows are largely to be retained and reinforced with further planting, which is welcomed. Furthermore, the existing trees and vegetation within the surface water drainage area are to be enhanced with additional planting including a traditional orchard area. This area will be publicly accessible for existing and proposed residents and whilst it is not proposed that this area will be formally adopted as part of the public open space, it clearly has amenity, recreational and ecological value and is welcomed by both the Council's Landscape Officer and Ecologist as mitigation for the loss of biodiversity resulting from the development.
- 6.26 Extensive ecological surveys that have been undertaken which have identified a number of key species including Great Crested Newts, bats and badgers which are all protected species. The ecological management plan proposed mitigation to safeguard the habitat of the existing wildlife in and around the site. A number of residents have highlighted the recent presence of barn owls on site, which the earlier surveys did not reveal. Further survey work will therefore be required and is recommended by the Council's ecologist prior to commencement of any development and this can be required by condition if permission is approved.

6. Section 106 Matters

6.27 The Heads of Terms for the Section 106 agreement are appended to this report. A summary of the justification for the proposed 106 requirements is detailed below:

a) Affordable Housing

Policy H9 of the Herefordshire Unitary Development Plan requires that 35% of the total number of units on the site are affordable dwellings. The applicants have agreed to this provision. The Council's Strategic Housing Team have objected to the application on the grounds that whilst the proposed mix of affordable housing meets a current need, it does not meet the overwhelming and pressing need. Current Homepoint data which is the agency through which affordable housing is allocated, identifies that the principal need in and around the city is for rented accommodation.

The applicant's original proposal was for the 35% affordable to be split between 50% rented and 50% shared ownership/low-cost market housing. The Head of Strategic Housing has requested a 70:30 split. Following negotiations, the applicants now propose that 65% of the affordable housing be rented and 35% be for shared ownership/low cost market. Whilst this still falls short of the mix required by Strategic Housing, it is not considered that this mix is sufficiently unacceptable to warrant refusal of the application given that there remains a need for shared ownership and low cost market housing as well as rented accommodation. As such this mix of tenure is considered acceptable. This is providing that the low cost market housing is discounted in line with the most up to date figures contained within the Council's Supplementary Planning Guidance on affordable housing. A 30% discount on current market values as has been previously negotiated on other sites is no longer proving to be affordable. The discount and the precise mix of accommodation will be negotiated with the developer as part of the Section 106 requirements if planning permission is approved.

b) Education

The Head of Democratic and Adult Services has requested a contribution of £2,000 per dwelling to be used for improvement of existing facilities within the two schools for the catchment area, namely Broadlands Primary School and Aylestone High School. However, both schools currently have capacity to accommodate the likely children resulting from this development. As a result, the applicant commissioned a specialist education consultant to undertake research.

The consultant advises that it is wrong to only consider schools within the catchment area of the site as parents can now express a preference for any school. He has therefore looked at a much wider impact than the two local schools including St. Francis Xavier's School, Holmer Church of England School, St. Thomas Cantilupe School, Trinity, Lord, Scudamore, St. James Hampton Dene, St. Pauls, Hunderton Junior, St. Martins Primary as well as Aylestone and Broadlands. With the exception of St. Thomas Cantilupe and Hampton Dene, all schools have spare capacity up to January 2006 with the capacity likely to increase over the next two years. Nevertheless the applicants recognise that the development will have an indirect impact on some of the school facilities and therefore propose a contribution of £50,000 to be used for one or more of uses as requested by the Head of Democratic and Adult Services.

c) Community Benefits

Holmer Parish Community Centre along with the Holmer Parish Church burial ground is already operating at capacity and the further population arising from the development will inevitably place greater pressure on these facilities. The applicants have therefore agreed to provide £45,000 towards the construction of an extension of the village hall, planning permission having been approved for this extension in November 2006 along with £15,000 towards an extension of the existing burial ground.

d) Public Art

The public art strategy is discussed above but to ensure that the art is of an appropriate standard, a contribution of £25,000 is proposed which would fund the cost of two key pieces along with other ancillary street furniture and green art.

e) Highways and Transportation

The Local Plan Inspector in assessing the impact of the development on the site stated that the development should contribute towards the cost of improving the existing railway bridge on Roman Road. The traffic assessment undertaken by the developers and further research undertaken by the Council identifies a total cost of providing the new bridge to be around £2.5m, the projected increase in traffic resulting from this development is 5.5% and as such, the developers propose a contribution of £138,000 towards the cost of providing a new bridge. This being the proportionate figure arising from the traffic impact of the development. However, it should be noted that this contribution is to be ring fenced for this purpose only with the requirement for money to be paid back after a period of 10 years.

£450,000 is proposed for off site highway works. It is anticipated that the majority of this money will be used to reduce the need to travel by private motor car by improving travel choice in line with the recommendations made in the applicant's traffic assessment. The list of likely uses is detailed (in no order of priority) in the Heads of Terms but it must be emphasised that the contribution is unlikely to deliver all the suggested improvements.

Other works such as the new site access, emergency access, safe pedestrian and cyclist crossings in the locality of the new access including linkages to the existing footpaths/cycleways in the locality, highway junction improvements to the Munstone Road/College Road crossroads and pedestrian/cycle links through the site connecting with existing facilities are considered essential to facilitate the development and will be carried out by Crest at their expense. Discussions are ongoing between the developer and Traffic Manager as to the works to be undertaken by the developer rather than the Council and the recommendation reflects this position.

To address the Highway Agency's concerns, £20,000 is also proposed for a residential travel plan to be formulated in consultation with the Council and Highways Agency. This will identify clear objectives to influence a lifestyle less dependent upon the private car through a package of measures to encourage and facilitate less car dependant living and a time bound programme of implementation. These measures will include facilities to promote home working including internet access, partnerships with local supermarkets to promote and co-ordinate home

deliveries, provision of travel packs on initial occupation of each dwelling providing details of bus and train timetables, pedestrian and cycle routes.

f) Off Site Sport and Recreation

Policy H19 and RST3 of the Herefordshire Unitary Development Plan provide an indication of what facilities should be provided on a development site of this size. Much of the policy requirements are being satisfied with the exception of the provision of sports and recreational facilities and outdoor playing space for youth and adult use. Policy H19 states that such facilities should normally be provided on site but where this is not practicable, financial contributions to new and improved provision elsewhere in the locality may be made.

Planning Policy Guidance Note 17 requires Local Authorities to undertake an evaluation of existing sport and recreational provision with an assessment of the likely short and medium term needs for further facilities. This has recently been completed and identifies a significant shortfall in supply of playing pitches north of the city. More specifically, the report identified a shortfall of over 10 hectares of usable playing pitches (primarily football and cricket) north of the River Wye within the city. It is acknowledged that there is a shortfall of sports provision on site, alongside an identified existing shortfall of sports pitch provision in the locality. The increased population arising from the development will only place further pressure on existing facilities. The principle of an off site contribution has therefore been agreed with the developers.

Rather than requiring the developer to provide a new pitch on a green field site where there may not be any changing facilities, it is considered more sustainable to improve existing facilities to enable increased usage. The all weather pitch at the Leisure Centre is in urgent need of resurfacing and potentially only has around 18 months further usage. A new surface for this pitch will not only ensure the existing facility remains available for use but will also enable a more intensive use equivalent to the capacity of more than one new full size grass pitch due to new types of surface treatment available. This will ensure the developers are meeting the development plan requirements for sport and recreational provision. A contribution of £165,000 is therefore proposed to enable the full resurfacing of the all weather pitch with any surplus money being used at Hereford Athletics Club to provide a new hammer cage and/or athletics shelter.

The applicants have also agreed to provide a further contribution towards a new skate park facility proposed adjacent to Hereford Leisure Centre. Such a facility will undoubtedly have sporting and recreational benefits for its users, particularly the 12-18 age group who are often forgotten when play provision is being considered and which are not being catered for on site. Neither Government guidance nor the Unitary Development Plan Policies specifically recognise skateboarding, roller blading or BMX riding as a specific form of sporting activity and therefore it is difficult to quantify an appropriate figure. Following negotiations however, £55,000 is proposed towards the cost of this facility, which is considered a reasonable contribution.

g) Foul Drainage

In order to ensure that existing local foul drainage problems are addressed, developers have also agreed that the Section 106 Agreement will also require that

the appropriate infrastructure is in place to allow local residents bordering the site and within the Wentworth Park Estate to connect to the new foul drainage system.

h) Energy Use and the Environment

The environmental impact of development, particularly housing development, is becoming an increasingly strong concern at all levels and the planning system provides an opportunity to make a positive contribution towards reversing the current climate change trends. Policy DR4 of the Unitary Development Plan requires resource use including water and energy to be minimised and maximise resource efficiency including passive energy absorption. Policy W11 of the Unitary Development Plan also requires a waste audit to be provided for developments in excess of 50 dwellings. It was therefore also considered reasonable and necessary for the Section 106 to include a requirement for a strategy to reduce the carbon footprint of the development. This could include measures such as a waste audit, on site waste management and recycling facilities, use of renewable sources of energy, recycling of grey and surface water, use of recycled materials in the construction of the dwellings, installation of energy efficient heating, water and ventilation systems, enhanced design and construction features over and above the Building Regulations requirements and so on.

6.28 These Section 106 requirements and contributions have been formulated following lengthy discussions with the developers and key consultees and informed by representation from third parties as well as the Public Consultation exercises undertaken by the applicants. The contributions are considered reasonable, necessary and in accordance with the requirements of Circular 05/2005 concerning Planning Obligations.

Conclusion

6.29 Whilst there are a number of issues yet to resolve, the application is now considered to be at a stage where a recommendation of approval can be made subject to the resolution of the outstanding matters.

RECOMMENDATION

- 1. Subject to there being no objection from Sport England by the end of the consultation period and the Traffic Managers concerns being addressed.**
- 2. The application be referred to the Government Office for the West Midlands under the Departure Procedures.**
- 3. Subject to the Secretary of State confirming that she does not intend to call the application in, 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 covering the matters detailed in the Heads of Terms appended to this report and any additional matters that he considers necessary and appropriate.**
- 4. Upon completion of the above mentioned Planning Obligation, the Officers named in the Scheme of Delegation to Officers be authorised to issue planning permission subject to conditions.**

Conditions

Due to the scale of the development, the wording of the conditions are still being discussed and agreed with the applicants. However, conditions will be included to cover the following:

- Standard outline conditions regarding commencement and submission of reserved matters details
- Phasing of the development and phasing of the construction of affordable housing
- Access and internal road construction including traffic calming and parking provision
- Off site junction and highway works
- A residential travel plan
- Tree and hedgerow protection and a landscape and biodiversity maintenance and management plan
- Further ecological surveys
- Foul and surface water drainage to include a restriction that no development can commence until the drainage works have been agreed by the Council and Welsh Water
- Restriction on construction times, strategy for minimising dust and noise during construction
- Archaeological watching brief
- Details of boundary treatments, materials, site and slab levels, hard landscaping, lighting
- Specification for the play areas
- Restriction on the number of dwellings to 300

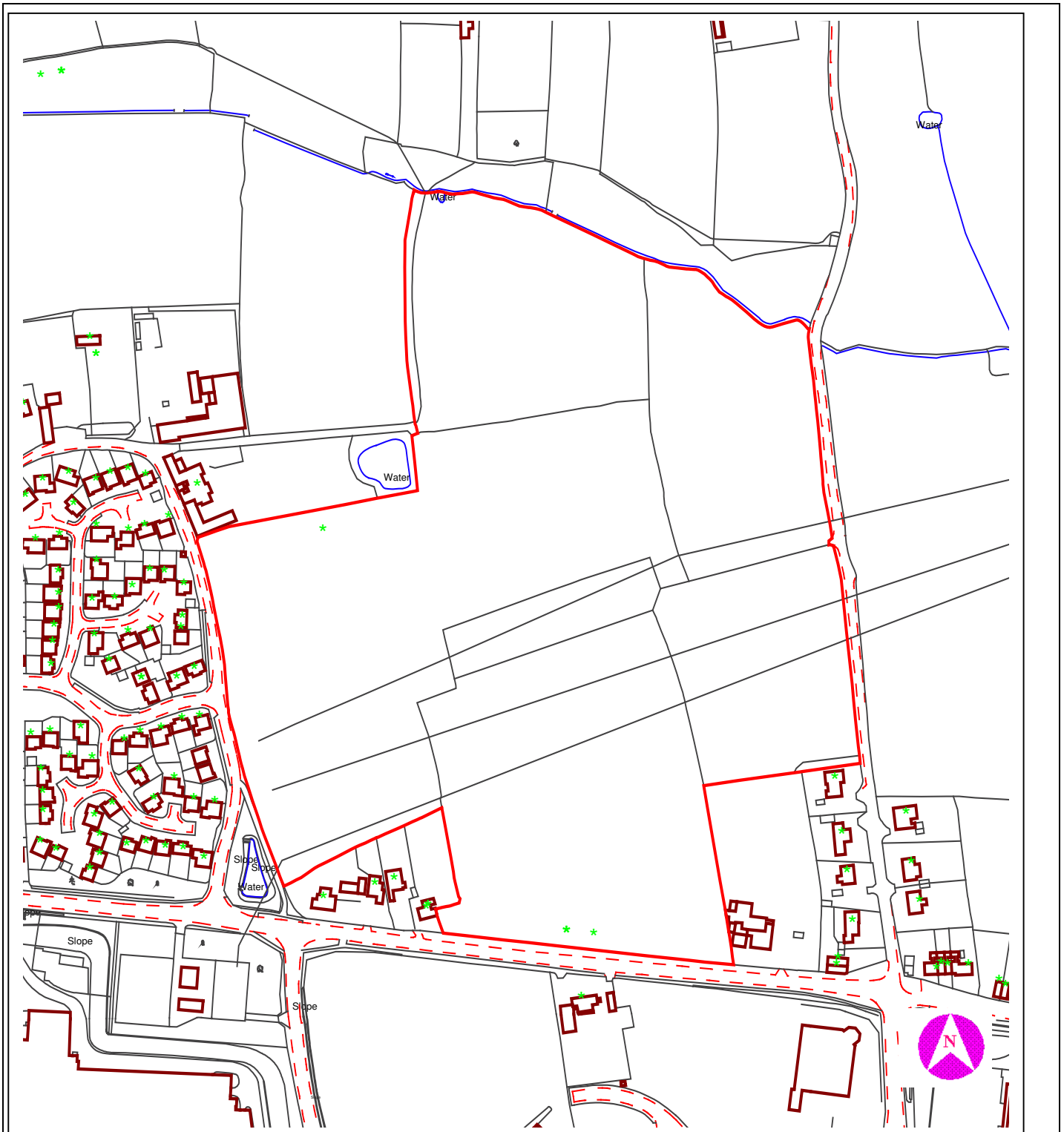
Decision:

Notes:

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Background Papers

Internal departmental consultation replies.



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APPLICATION NO: DCCW2006/2619/O

SCALE : 1 : 3456

SITE ADDRESS : Land to the North of Roman Road, Holmer, Hereford HR1 1LE

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