

9 DCNC2007/0916/RM - THE ERECTION OF 425 DWELLINGS AND THE ASSOCIATED INFRASTRUCTURE, PARKING AND LANDSCAPING AT BARONS CROSS CAMP, CHOLSTREY, LEOMINSTER, HEREFORDSHIRE.

For: Taylor Woodrow Developments Limited per RPS Planning, 155 Aztec West, Almondsbury, Bristol, BS32 4UB

Date Received:
26th March 2007

Ward: Leominster North

Grid Ref:
47092, 58299

Expiry Date:
25th June 2007

Local Member: Councillor J French and Councillor Brig P Jones

This application was deferred by committee on 27th June 2007 following a request from the Local Members that a public meeting be held prior to its determination. A meeting is due to take place on 18th July 2007 and any matters arising from it will be reported verbally to committee.

1. Site Description and Proposal

- 1.1 This is a reserved matters application relating to approximately 12 hectares of land situated at Barons Cross Camp, Leominster. All but one of the buildings previously occupying the site have now been removed.
- 1.2 The site slopes gently from the southernmost boundary to a ridge two thirds of the way up the site. From this point the land then slopes down at a steeper gradient. It forms an 'L' shape and is bounded on 4 sides by mature trees and hedgerows. The main western boundary is open to agricultural land, whilst the southern boundary adjoins an existing residential area. A number of mature trees are randomly dispersed along this boundary.
- 1.3 The proposal is for the erection of 425 dwellings and the submissions deal with all of those matters previously reserved, those being layout, appearance, scale and landscaping. Access was determined under the outline application and does not fall to be re-considered as part of this proposal. A detailed drainage scheme was also agreed at the outline stage and includes a surface water attenuation area (dry pond) on agricultural land on the south side of the A44.
- 1.4 A Masterplan was also submitted with the outline application which indicated the location of blocks of housing and areas of open space. The reserved matters application accords with the principles set out by the Masterplan.

- 1.5 In detail the application proposes the erection of 425 dwellings and equates to 35.4 per hectare. These are a mix of types, 147 flats and 278 houses. The size of the dwellings is broken down as follows.
- 1 bed dwellings 57
 - 2 bed dwellings 154
 - 3 bed dwellings 158
 - 4 or more bed dwellings 56
- 1.6 The application also includes the provision of 140 affordable dwellings, dispersed across the whole of the site. In accordance with the provisions of the Section 106 Agreement signed under the outline application the tenure of these units will be a mix of 41 shared ownership and 99 rented.
- 1.7 A range of designs are proposed, generally comprising a proportion of traditional 2 and 2½ storey houses and 2 and 3 storey apartment blocks. The plans indicate a mix of materials, predominantly brick and tile but also including the use of render on some of the buildings.
- 1.8 Development is focussed around a central area that will provide an equipped area of play (LEAP). A second, more informal area is provided to the northern extremity of the site, with 4 smaller public open spaces within the development. These are also very informal areas and it is not intended to provide formal equipped spaces within them. This has been agreed in negotiation with the Council's Parks and Countrywide Department. Consequently the originally submitted plans have been amended to reflect this.
- 1.9 Detailed landscape proposals have also been submitted and again amended since their original submission following advice from the council's Landscape Officer. The most significant change sees some of the existing trees on the southern boundary to be removed and replaced with more appropriate species for a residential area. The treatment of the smaller public open spaces referred to above has also been a point of debate and amendments again reflect the advice given.
- 1.10 As stated earlier in this report, the matter of access was considered and approved through the outline application. The detailed plans elaborate on car and bicycle parking provisions. On average, 1.8 car parking spaces are provided per dwelling and each has access to its own bicycle parking. In terms of the houses, this is provided through sheds in their back gardens with access directly onto public areas, whilst the flats are served by shared buildings.

2. Policies

- 2.1 Herefordshire Unitary Development Plan
- S1 - Sustainable development
 - S2 - Development requirements
 - DR1 – Design
 - DR2 - Land use and activity
 - DR3 - Movement
 - H2 - Hereford and the market towns: housing land allocations
 - H9 - Affordable housing
 - H13 - Sustainable residential design
 - H15 - Density
 - H16 - Car parking

H19 - Open space requirements
T6 - Walking
T7 - Cycling
HBA4 - Setting of listed buildings
RST3 - Standards for outdoor playing and public open space

2.2 Planning Policy Statement 3 - Housing

3. Planning History

3.1 NC2005/0917/O - Site for the erection of a maximum of 425 dwellings, community building, new vehicular access, foul water pumping station and associated works - Approved 10th October 2006.

3.2 The permission was granted subject to a Section 106 Agreement to cover the issues of affordable housing, education contributions, transport, public open space provision and maintenance and a contribution for the provision of a community building.

4. Consultation Summary

Statutory Consultations

4.1 Environment Agency - Refer to its list of recommended conditions that were imposed on the outline permission. Note that there have been problems employing some aspects of the SuDs scheme and that the off site attenuation pond is designed to cater for a 1% plus climate change event, plus relevant Greenfield runoff rates.

4.2 Welsh Water - No objection on the basis of the conditions imposed on the outline permission.

Internal Council Consultations

4.3 Transportation Manager - Comments have now been received from the Transportation Manager in respect of amended plans dealing with the treatment of the communal cycle parking facilities. No objections are raised on the basis of the amended plans.

4.4 Land Drainage - Based on the information provided there are no relevant issues at this stage regarding the disposal of surface water.

4.5 Parks, Countryside and Leisure Development Manager – I am satisfied that the amendments to the POS LAPs have been made to our satisfaction. The incorporation of play equipment into a single site as requested has been met.

4.6 Conservation Manager – Had we been in a position to start again from scratch would suggest some alternative layout in terms of scale of buildings.

4.7 Forward Planning Manager - No objection

4.8 Strategic Housing – On the basis of amended plans showing the repositioning of 3 affordable units from area G4 to F1, no objections.

4.9 Landscape Officer - Advises of no objection in relation to amended landscape proposals.

5. Representations

5.1 Leominster Town Council

5.1.1 The site should contain a mixture of all types and sizes of housing throughout the site, with a "pepper-potting" technique used to place the affordable housing randomly on the site. If it is possible, the affordable housing should be recommended for allocation to persons with connections to Leominster.

5.1.2 With regard to the bus access to the estate, there must be a foolproof rising bollard scheme in place to ensure that the bus route is not used by unauthorised vehicles.

5.1.3 There must be clear access for vehicles belonging to people from houses with curtilages adjacent to the bus access, including the garage belonging to the occupant of 26 Farmeadow Road.

5.1.4 An up to date traffic flow survey be obtained for The Bargates and surrounding roads. It appears that the application uses data from a 2001 survey which is likely to be outdated.

5.1.5 Consideration be given to the volume of extra waste generated by the 425 dwellings and its disposal. Will local disposal sites and the household "bring" site be able to cope?

5.1.6 The developer should be requested to provide a water butt with each property for softwater collection and storage.

5.1.7 Consideration should also be given to the provision of solar panels or the use of solar roof tiles.

5.2 Comments in relation to the amended plans have been received from Leominster Town Council and in summary these are as follows:

5.2.1 There were no major comments on the amended plans except concern about the possibility of anti-social behaviour in and around the proposed youth shelter, due to its distal location

5.2.2 Requests clarification in relation to the bus gate solution. Have the details of this been agreed?

5.2.3 Welcome the decision to provide water butts but were disappointed that solar panels/tiles were not to be incorporated as it is thought that this would be an appropriate in a development for the 21st century.

5.3 CPRE - Object to the application. A brief should be prepared for this and the Barons Cross Garage site that gives due consideration to traffic movements and, most importantly, gives proper regard to Policy H13 of the UDP and the contribution that such a large development can make to meeting carbon reduction targets and other conservation needs.

5.4 Leominster Civic Society

- 5.4.1 Object to the application on the grounds of poor design and insufficient regard for the County's aims of sustainability.
- 5.4.2 The design appears to have no inherent relationship to local character or distinctiveness. In the Society's view a major development in Leominster in the 21st Century should have been able to create a distinctive and attractive character not reliant on apparently random and general, rather than local, 'historic' details.
- 5.4.3 The proposal has also been produced during the period when we could have expected the UDP's first principle of 'sustainability' to be influencing every development in the County. We do not feel the emphasis on provision of communal bike sheds, particularly ones to store numbers in the region of 15, 24 and 40, is a realistic contribution.

5.5 Ramblers Association

- 5.5.1 This is a large development that will have a significant effect on Leominster, concerned that children resident on the site will have to cross town to go to school.
- 5.5.2 What safety precautions are to be installed to allow adjacent main roads to be crossed?
- 5.5.3 What provision is being made to enable children to cycle safely into town?
- 5.5.4 As there will be increased traffic generated, what will be done to alleviate the concentration of vehicles and their pollution and noise on the routes through town?

5.6 Herefordshire Green Party Leominster Branch – object on failure to meet highest possible standards of energy efficiency and increase in traffic. Requests for information on energy efficiency remain unanswered. This information should be made public and should exceed Building Regulation requirements.

5.7 Correspondence has also been received via e-mail from Dr Peter Linnell that has been forwarded to all members of the committee. Some of the points raised are as follow:

- 5.7.1 Within the outline consent for this development it is still possible for TW and it's public sector partners in this project to design and build a flag ship housing scheme relevant to the needs of the occupiers, both private and rented, by providing houses which use a minimal amount of fuel for space heating simply by good design and orientation.
- 5.7.2 By providing a Combined Heat and Power system, (a proven technology available off the shelf), energy demand for domestic hot water can be massively reduced as well as providing an amount of onsite generated electricity reducing reliance on the external grid. Such a system should be built to utilise a range of bio fuels available locally with long term contracts to ensure security of supply.

5.7.3 If TW were to adopt this opportunity to create a genuinely forward looking future proof housing development it would bring with it the following benefits

- A model project for private and social housing which could be rolled out to other sites.
- An opportunity to establish long term energy crop supply contracts to ensure security of fuel supply to the CHP plant.
- Creation of a local skills base familiar with methods and materials ready for future changes to building and housing regulations.
- Major contribution to the county's (and TW's) carbon reduction duty.

5.8 Eight letters of objection have been received from the following:

P R Wellings, 169 Bargates
M Storey, 168 Godiva Road
A D Weale, Woodlands, Ginhall Lane
Mr J Foley, 464 Buckfield Road
Mr C F Hinsley, Leahurst, Ryelands Road
Mr P Barker, 26 Far Meadow Road
Mr T Jessop, Ebnal Farm
Mrs A Edwards, 59 Buckfield Road
A Adams, The Folly, Luston

In summary the points raised are as follows:

5.8.1 Concerns about increased traffic movements and congestion.

5.8.2 Safety issues for cyclists. Should be a designated route into town.

5.8.3 Developers should be asked to contribute to a by-pass.

5.8.4 Ginhall Lane and Buckfield Estate are likely to become rat-runs.

5.8.5 The development will result in the loss of significant trees.

5.8.6 The 'special' bus gate still shows no restrictive barrier or rising bollards.

5.8.7 Two and three storey apartment blocks in phase 5 of the development will be on a ridge and unduly prominent. They will have an overbearing effect and overlook existing properties.

5.8.8 The development is not sustainable.

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

6. Officer's Appraisal

6.1 The principle of residential development on the site is accepted by virtue of the fact that it is an allocated site in the UDP and that it benefits from an outline planning permission for a maximum of 425 dwellings. The current proposal accords with these basic principles.

- 6.2 A number of matters were dealt with in detail by the outline application, and most significant in terms of the objections that have been raised to this application are the issues of increased traffic movements, provision of cycling/pedestrian routes and generally highway safety.
- 6.3 The developer was able to demonstrate to the satisfaction of the committee that the existing road network, subject to improvements, is capable of accommodating a residential development of up to 425 dwellings. Highway contributions made under the section 106 Agreement are to cover matters such as improved cycle and pedestrian links to and from the site to the town centre and improvements to highway safety such as the introduction of traffic calming measures. The outline application was also accompanied by an Environmental Statement that dealt with the issue of pollution along Bargates. Again the Section 106 Agreement includes contributions towards improvement works.
- 6.4 Therefore objections raised in relation to highway safety and increases in traffic movement and pollution have been previously considered and are not for re-assessment as part of this application.
- 6.5 Similarly an objection raised by one local resident regarding the removal of a mature Ash tree to facilitate the means of access to the site relates to a matter previously considered under the outline application.
- 6.6 The key issues to be considered in terms of this application are as follows:
- Design/layout
 - Sustainability
 - Landscaping
 - Residential Amenity
 - Public open space provision
- 6.7 Design/Layout
- 6.7.1 The layout of the development accords with the Masterplan that was prepared by the developers, following a public consultation exercise and prior to the submission of the outline planning application. The current application has been criticised for the lack of a development brief, a document that is mentioned in some detail in the text to the housing policies of the UDP, and reads as follows:
- 6.7.2 The overall proposal will be guided in more detail through the preparation of a development brief covering this and the adjacent garage site (see below). The brief will serve to specify a range of overall requirements to be provided by the scheme as a whole. As well as the transport measures set out above, the Plan proposal will require provision of a range of housing types and sizes to meet local housing needs, including those for affordable housing and to meet the needs of specific grounds such as older people; open space provision and landscaping, and inclusion of community facilities to meet identified needs including provision for 'early years' education. Development of this site is also constrained by the capacity of the public sewerage system. Should this site be developed in advance of Welsh Water's Capital Investment, developers may be required to fund improvements.
- 6.7.3 The Masterplan covered all of the issues raised in this text, with the exception of the development of the adjacent garage site. It is understood that the

developers are not involved with this site. Nevertheless the Masterplan effectively serves as a development brief for the site and a preparation of one at this stage would be a duplication of work that has already been completed.

- 6.7.4 Leominster Civic Society consider the proposal to be poorly designed, and that the apartment blocks are 'awkward' and 'clumsy' by virtue of the combination of hipped roofs and gable ends. They opine that buildings are ungainly and have little natural relationship to one another.
- 6.7.5 The applicant's have provided detailed street scenes across the whole of the site and your officers do not concur with the views expressed by the Civic Society. The development is appropriately designed in its context. It uses 'landmark' buildings at strategic points, such as the opposing building upon entering the site, and those positioned at road junctions on the main route through. It takes advantage of views out of the site through the orientation of dwellings, particularly along the western boundary, but also within the northern-most part of the site. These areas also see the lowest densities per hectare, with the higher density elements concentrated in the more central areas.
- 6.7.6 The buildings do contain a range of architectural details, but this serves to add interest to elevations that would otherwise appear rather bland. Conditions to deal with the precise choice of materials and the setting back of windows to give elevations a greater depth can be imposed to secure the appearance of the development as a whole.

6.8 Sustainability

- 6.8.1 There are different aspects to this issue worthy of mention. First is the fact that the development is proposed on a brownfield site and therefore does not entail the loss of 'virgin' land.
- 6.8.2 Second are the pedestrian and cycle links that are to be created in order to give greater accessibility to the town centre, including routes to schools in the locality. Allied to this is the provision of cycle storage facilities for every unit of accommodation on the site and the provision of a bus route through it, and improved service. These provide genuine alternatives to car use.
- 6.8.3 The final aspect is one of energy and water conservation. Policy H13 of the UDP makes reference to both and suggests that developments should address both. The policy is very general and does not offer any details as to what will be requested from developers in order to comply with this. The accompanying text to the policy suggests that a supplementary planning document will be prepared to give further guidance. To date no such document has been prepared. The developers have undertaken to provide 50% of the dwellings with water butts and have also advised that 50% will be constructed to EcoHomes rating 'very good'. Despite the comments of the Green Party, the local planning authority has no power to insist that developers exceed current Building Regulation requirements.
- 6.8.4 It is your officer's opinion that the developer has taken reasonable steps to address the criteria highlighted by Policy H13 of the UDP without specific supplementary advice on the matter, it would be unreasonable to refuse the application on such grounds.

6.9 Landscaping

6.9.1 As noted at paragraph 1.9 the detailed landscape proposals have been amended since their original submission. This followed the initial comments of the Council's Landscape Officer who had expressed some reservations about the proposals, particularly about the choices to retain some inappropriate species and remove others which would conceivably be retained. This is most apparent along the southern boundary where it was originally intended to retain a series of Sycamore and Lombardy Poplar trees that are not actually considered to be appropriate in a residential context. The revised plans see these trees removed and an undertaking from the developer to replace them with more appropriate species in the first planting season following the approval of the reserved matters application. This could be satisfied with a suitably worded condition and is considered to be a reasonable approach to ensure that a conflict does not arise between the built development and the trees that surround it.

6.9.2 Other areas of concern relate to the proximity of new dwellings to existing trees and a failure to give sufficient room for Root Protection Areas (RPAs) as calculated using BS5837: Trees in Relation to Construction 2005. Similar concerns were raised in relation to the routes of some footpaths underneath the canopies of existing trees.

6.9.3 All of these issues have been addressed through amendments to the originally submitted plans in negotiation with the Landscape Officer and are now considered to be acceptable.

6.10 Residential Amenity

6.10.1 The impact on residential amenity on both the residents to the south of the application site and within the site itself have been carefully considered by your officers. The back to back distance between the dwellings on Far Meadow Road and the proposed dwellings on the site is at a minimum 22 metres, but more commonly between 25 to 30 metres. This is more than sufficient in terms of residential design standards to provide acceptable levels of privacy and amenity, and it is noted that no significant objections have been raised in this respect.

6.10.2 Within the site, amendments have been made to the position of a small number of dwellings where there did appear to be an issue of overlooking.

6.11 Public Open Space

6.11.1 The Section 106 Agreement required the provision of play equipment within the Local Areas of Play (LAPs). The advice now being given by the Parks, Countryside and Leisure Development Manager is that the Council does not wish to see these areas equipped and that such provisions should be concentrated on the centrally positioned Local Equipped Area of Play (LEAP). Whilst contributions for the maintenance on these areas would remain unchanged, the developer has requested that the Agreement is amended in order that the references to the provision of equipment in the LAPs are deleted. This will require a Deed of Variation to be completed but, in light of the advice that is now being given, this does not appear unreasonable.

6.12 In conclusion it is your officer's opinion that the proposal accords with the basic principles set out by the Masterplan as approved under the outline planning

permission. The detailed designs of the buildings are acceptable in terms of their appearance and relationship to their surroundings and the scheme accords with the relevant UDP policies. Subject to the Deed of Variation of the Section 106 Agreement described above and conditions, the application is acceptable and is therefore recommended for approval.

RECOMMENDATION

- 1. The Legal Services Practice Manager be authorised to complete a Deed of Variation to the planning obligation under Section 106 of the Town & Country Planning Act 1990 signed under planning application reference DCNC2005/0917/0. The Deed of Variation shall refer specifically to the deletion of the requirement for Local Areas of Play (LAPs) to be equipped.**
- 2. Upon completion of the aforementioned Deed of Variation, the officers named in the Scheme of Delegation to Officers be authorised to issue planning permission, subject to the following conditions:**
 - (i) A09 (Amended plans)
Reason: To ensure the development is carried out in accordance with the amended plans.**
 - (ii) B01 – Samples of external materials.
Reason: To ensure that the materials harmonise with the surroundings.**
 - (iii) C04 - Details of window sections, eaves, verges and barge boards
Reason: To secure the appearance of the development as a whole.**
 - (iv) E09 - No conversion of garage to habitable accommodation.
Reason: To ensure adequate off street parking arrangements remain available at all times.**
 - (v) Landscaping along the southern boundary of the site shall be carried out in accordance with the details shown on Drawing no. ACJ 4851/310 Rev.D received by the local planning authority on 6th June 2007. The approved landscaping shall be carried out in the first planting season following the date of this permission
Reason: In the interests of the residential amenity of adjoining dwellings.**
 - (vi) Prior to the commencement of development, details for the provision of water butts shall be submitted to and approved in writing by the local planning authority. The provision shall be for a minimum of 50% of the residential units hereby approved.
Reason: In order to achieve a sustainable form of development.**

INFORMATIVES

- 1. The attention of the applicant is drawn to the conditions on the outline planning permission granted on 10th October 2006. Reference No. DCNC/0917/0. This application for the approval of reserved matters is granted subject to these conditions.**

2. N15 – Reason(s) for the Grant of PP/LBC/CAC

3. Avoidance of doubt.

Decision:.....

Notes:

.....

Background Papers

Internal departmental consultation replies.



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

APPLICATION NO: DCNC2007/0916/RM

SCALE : 1 : 2500

SITE ADDRESS : Barons Cross Camp, Cholstrey, Leominster, Herefordshire

Based upon the Ordnance Survey mapping with the permission of the controller of Her Majesty's Stationery Office, © Crown Copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings. Herefordshire Council. Licence No: 0024168/2005