

**9 DCCW2008/2608/O - PROPOSED REDEVELOPMENT TO ERECT FOUR DWELLINGS AT ATTWOOD FARM, ATTWOOD LANE, HOLMER, HEREFORD, HEREFORDSHIRE, HR1 1LJ**

**For: Mr. S. Pullen per John Phipps, Bank Lodge, Coldwells Road, Holmer, Hereford, HR1 1LH**

**Date Received: 17 October 2008**      **Ward: Burghill, Holmer & Lyde**      **Grid Ref: 50994, 42301**

**Expiry Date: 12 December 2008**

Local Member: Councillor SJ Robertson

**1. Site Description and Proposal**

- 1.1 Attwood Farmhouse is located on the southern side of Attwood Lane immediately to the east of Attwood Lea and opposite Palmers Court East to the north. Wentworth Park residential estate forms the east and southern boundaries. The site consists of a two storey brick former farmhouse with brick outbuildings. A substantial brick wall forms the roadside boundary.
- 1.2 The proposal, in outline form, is to demolish all the outbuildings and farmhouse and replace with four dwellings. An indicative scheme was submitted and amended during the processing of the application which identifies two dwellings fronting Attwood Lane and two dwellings behind. Access would be to the western side of the site off Attwood Lane. However, it is only the principle of development for which permission is sought. Access, appearance, landscaping, layout and scale are for reserved subsequent approval.
- 1.3 Proposed drainage for one dwelling connected to the main sewer with the remaining three on septic tank.

**2. Policies**

2.1 National Planning Policy:

PPG3                      -            Housing

2.2 Herefordshire Unitary Development Plan 2007:

Policy S1                -            Sustainable Development  
 Policy S2                -            Development Requirements  
 Policy S3                -            Housing  
 Policy DR1              -            Design  
 Policy DR5              -            Planning Obligations  
 Policy H1                -            Hereford and the Market Towns: Settlement Boundaries and Established Residential Areas  
 Policy H14              -            Re-using Previously Developed Land and Buildings  
 Policy H15              -            Density

### 3. Planning History

- 3.1 DCCW2008/0759/O Proposed redevelopment to erect four dwellings. Withdrawn 8 May 2008.

### 4. Consultation Summary

#### Statutory Consultations

- 4.1 Dwr Cymru Welsh Water: Confirm no objection subject to condition. It is noted that three of the dwellings will have private drainage.

#### Internal Council Advice

- 4.2 Traffic Manager: No objections subject to a 2 metre wide grass verge at front of site together with other conditions and S106 contribution for footway provision and traffic calming in Attwood Lane and improvements to sustainable transport facilities.
- 4.3 Conservation Manager: No response.
- 4.4 Children's & Young People Directorate: Confirm a need for contribution in accordance with the SPD Planning Obligations.
- 4.5 Parks & Leisure Services Manager: Confirm a need for contributions in accordance with the SPD Planning Obligations.
- 4.6 Building Control Manager: "With reference to the above proposal I would make the following comments in relation to drainage:-
1. The suitability of a septic tank will be subject to a percolation test to establish the porosity of the ground.
  2. The septic tank should be sited at least 7 metres from the dwelling.
  3. The spreader system from the septic tank should be sited within the curtilage of the property and will also be subject to a percolation test to establish the area of soakaway required. They should also be sited to avoid potential settlement of foundation (normal approx. 5 metres from the dwelling)."

### 5. Representations

- 5.1 Holmer & Shelwick Parish Council: No response.
- 5.2 Five letters of objection were received on the original plan and two additional letters were received on the amended plan. The main points raised are:-
1. New dwellings would overlook adjoining property with the consequent loss of amenity and privacy. This applies during construction and occupation.
  2. Attwood Lane is used as a 'rat run' and is too dangerous to allow further development.
  3. Access from Attwood Lane onto Roman Road at peak times is virtually impossible.
  4. Most dwellings in the area do not have facing windows.

5. Trees would be lost.
6. A noise restriction should be placed on the development.
7. Septic tanks and drainage pipes will be close to adjoining boundaries.
8. Health and safety considerations during construction, particularly with dwellings close to boundaries.
9. The farmhouse should be retained as it is an old house.
10. There is limited vision at the access.
11. The tranquility of the adjoining cul-de-sac will be detrimentally impacted upon by the new development.
12. New development will bring added pressure on water and sewerage.
13. The ecological survey identifies that bats are nesting/living at the property and feed from the surrounding area, therefore the developer should be forced to leave as many of the hedges and trees.
14. Why develop to such a high density?

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

## **6. Officer's Appraisal**

- 6.1 This site is located within the settlement boundary for Hereford City as confirmed by the Herefordshire Unitary Development Plan and is also identified as an established residential area. Therefore the principle of residential development is acceptable subject to access, impact on adjoining residential amenity, drainage, ecology and Planning Obligations.

### Access

- 6.2 The indicative plans identify that the existing access can be improved to meet the standards required by the Traffic Manager to ensure a safe access is created. This will entail the re-construction of the existing roadside boundary wall and a 2 metre wide grass verge. This will provide a safe access and not be detrimental to highway safety. Concerns have been raised regarding the adequacy of Attwood Lane and its use as a "rat run", particularly at peak times. The highway contributions associated with this application and other developments in the area all seek to provide traffic calming for Attwood Lane and will help to reduce and slow traffic. It is therefore considered that the improved access and increased traffic can be accommodated on Attwood Lane.

### Residential Amenity

- 6.3 The amended indicative plans confirm that acceptable separation distances can be achieved not only between new properties but also existing dwellings. The separation distances from main windows on the new dwellings are approximately 22 metres. Regarding the existing dwellings either side and to the rear, there is no direct window

to window conflict. When the Reserved Matters are submitted, care will need to be taken in the design and layout to maintain this situation. However, the indicative plans do identify that a scheme for four dwellings can be constructed on-site without detriment to adjoining residents. Whilst dwellings will be built close to boundaries, this in itself would not be a reason to refuse permission.

#### Drainage

- 6.4 The existing dwelling is on mains drainage connected to Wentworth Park. The proposal is that one of the dwellings will be connected to the mains whilst the other three will have septic tanks similar to other properties in the area. The additional dwellings cannot connect to the mains as there is no capacity. Building Control have confirmed that septic tanks would be acceptable and Welsh Water have raised no objection.

#### Ecology

- 6.5 The ecological survey submitted with the application confirms that bats use the farmhouse as a bat roost and therefore bat roosting sites will need to be incorporated into the new build.

#### Planning Obligation

- 6.6 The Council's SPD Planning Obligations requires that contributions are made to reduce the impact of the development on local facilities. In this respect contributions have been agreed for highways, education and recreation. The Draft Heads of Terms is included as an appendix.

#### Conclusion

- 6.7 The site is located within an established residential area as identified within the Herefordshire Unitary Development Plan. The indicative plan indicates that an acceptable development can be undertaken without detrimental impact on highways and residential amenity, therefore the proposal is considered to be acceptable and accord with the Development Plan.

### **RECOMMENDATION**

**That planning permission be granted subject to the following conditions:**

1. **A02 (Time limit for submission of reserved matters (outline permission)).**

**Reason: Required to be imposed by Section 92 of the Town and Country Planning Act 1990.**

2. **A03 (Time limit for commencement (outline permission)).**

**Reason: Required to be imposed by Section 92 of the Town and Country Planning Act 1990.**

3. **A04 (Approval of reserved matters).**

**Reason: To enable the local planning authority to exercise proper control over these aspects of the development and to secure compliance with policy DR1 of the Herefordshire Unitary Development Plan.**

- 4. A05 (Plans and particulars of reserved matters).**

**Reason: Required to be imposed by Section 92 of the Town and Country Planning Act 1990.**

- 5. B07 (Section 106 Agreement).**

**Reason: In order to provide enhanced sustainable transport infrastructure, educational facilities and improved play space in accordance with Policy DR5 of the Herefordshire Unitary Development Plan 2007.**

- 6. H09 (Driveway gradient).**

**Reason: In the interests of highway safety and to conform with the requirements of Policy DR3 of Herefordshire Unitary Development Plan.**

- 7. H13 (Access, turning area and parking).**

**Reason: In the interests of highway safety and to ensure the free flow of traffic using the adjoining highway and to conform with the requirements of Policy T11 of Herefordshire Unitary Development Plan.**

- 8. H27 (Parking for site operatives).**

**Reason: To prevent indiscriminate parking in the interests of highway safety and to conform with the requirements of Policy DR3 of Herefordshire Unitary Development Plan.**

- 9. K4 (Nature Conservation – Implementation).**

**Reason: To ensure that all species are protected having regard to the Wildlife and Countryside Act 1981 (as amended), the Conservation (Natural Habitats, & c) Regulations 1994 (as amended) and Policies NC1, NC5, NC6 and NC7 of Herefordshire Unitary Development Plan.**

**Informatives:**

- 1. N19 - Avoidance of doubt - Approved Plans.**
- 2. N15 - Reason(s) for the Grant of PP/LBC/CAC.**

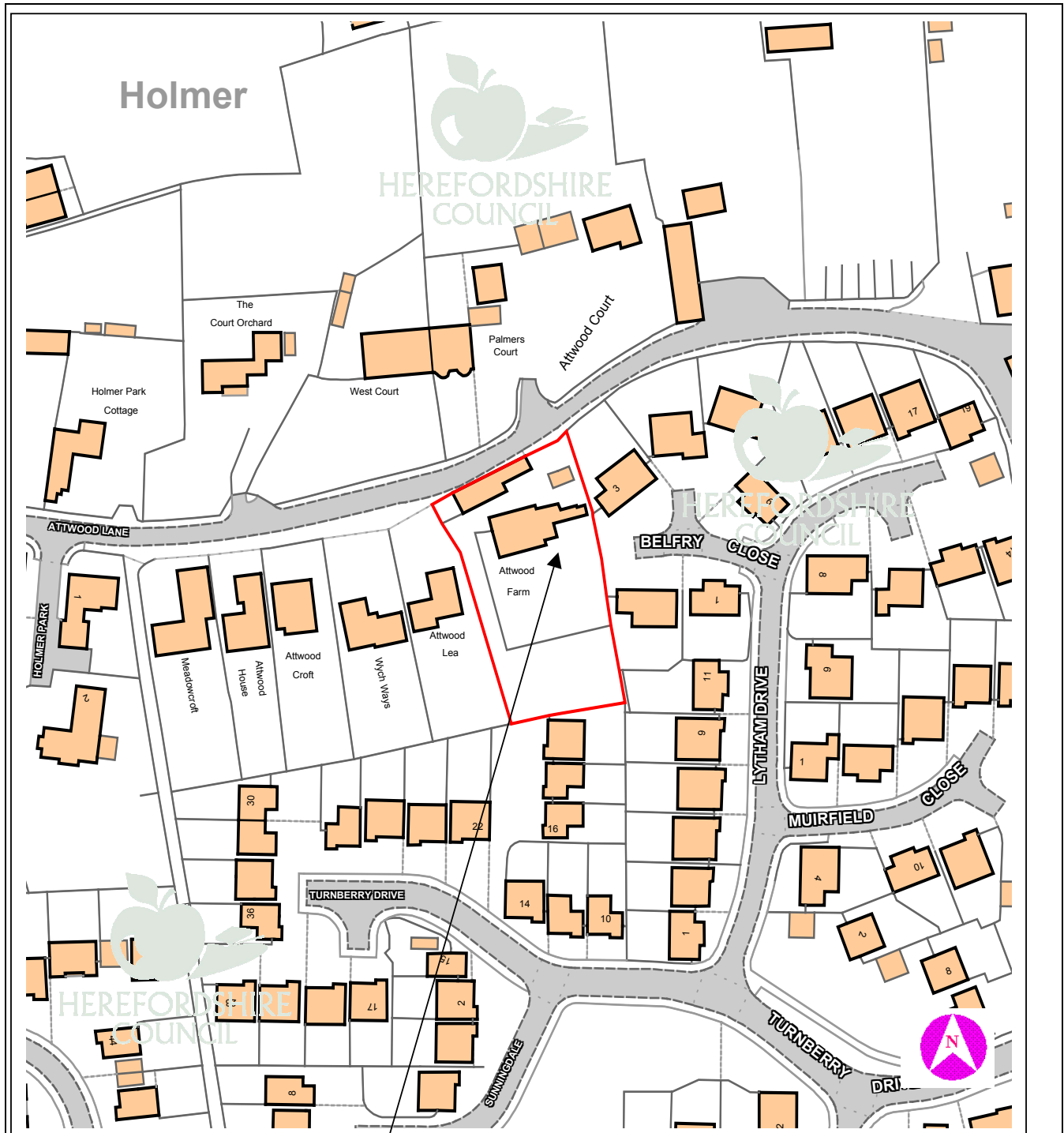
Decision: .....

Notes: .....

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**Background Papers**

Internal departmental consultation replies.



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**APPLICATION NO:** DCCW2008/2608/O

**SCALE :** 1 : 1250

**SITE ADDRESS :** Attwood Farm, Attwood Lane, Holmer, Hereford, Herefordshire, HR1 1LJ

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# HEADS OF TERMS

## Proposed Planning Obligation Agreement

### Section 106 Town and Country Planning Act 1990

Planning Application – DCCW2008/2608/O

Residential development of 4 dwellings

Attwood Farm, Attwood Lane, Holmer, Hereford.

1. The developer covenants with Herefordshire Council to pay £951 towards the cost of new or enhancement of existing open space, play, sport and recreation facilities in lieu of such facilities being provided on site to be used in the parish of Wellington or other location as may be agreed in writing with Herefordshire Council.
2. The developer covenants with Herefordshire Council to pay Herefordshire Council the sum of around £2,016 (in accordance with the Sport England Sport Facility Calculator) for enhancement of existing sports facilities in the locality of the application site, which sum shall be paid on or before the commencement of the residential development.
3. The developer covenants with Herefordshire Council to pay Herefordshire Council the sum of £9,003 to provide enhanced educational infrastructure at Whitecross Sports College.
4. The developer covenants with Herefordshire Council, to pay Herefordshire Council the sum of £7,740 for off site highway works and improved public and sustainable transport infrastructure to serve the development (which aren't Section 278 works i.e. essential to facilitate the development).
5. The monies shall be used by Herefordshire Council at its option for any or all of the following purposes: (The list is not in any order of priority)
  - a) Improved bus shelters/stops in the locality of the application site
  - b) Safe Routes for Schools
  - c) Improve lighting and signage to existing highway/pedestrian and cycle routes leading to the site
  - d) Improved pedestrian and cyclist crossing facilities in Holmer and Hereford
  - e) New On/Off road pedestrian/cycle links to the site
  - f) Traffic calming measures
  - g) Any other purpose falling within the criteria defined in 3 above.
6. In the event that Herefordshire Council does not for any reason use the said sum of Clauses 1, 2, 3 and 4 for the purposes specified in the agreement within 10 years of the date of each payment, the Council shall repay to the developer the said sum or such part thereof, which has not been used by Herefordshire Council.



7. The developer covenants with Herefordshire Council to pay Herefordshire Council an additional administration charge of 2% of the total contributions detailed in this Heads of Terms to be used toward the cost of monitoring and enforcing the Section 106 Agreement.
8. All of the financial contributions shall be Index linked from the date of the planning permission and paid on or before commencement of the residential development unless otherwise agreed with Herefordshire Council
9. The developer shall pay to the Council on or before the completion of the Agreement, the reasonable legal costs incurred by Herefordshire Council in connection with the preparation and completion of the Agreement.

Kevin Bishop - Principal Planning Officer

19 January 2009