

**9 DCCW0009/1678/RM - RESIDENTIAL DEVELOPMENT OF 300 DWELLINGS INCLUDING ACCESS FROM ROMAN ROAD, ESSENTIAL INFRASTRUCTURE, OPEN SPACE, BALANCING POND, LANDSCAPING, ROADS, PARKING, FOOPATHS, CYCLEWAY AND ENGINEERING EARTH WORKS. AT LAND TO THE NORTH OF ROMAN ROAD, HOLMER, HEREFORD, HEREFORDSHIRE, HR1 1LE**

**For: D2 Planning Limited, 1st Floor, 4 Stoke Lane, Westbury-On-Trym, Bristol, BS9 3DL**

**Date Received: 31 July 2009**

**Ward: Burghill,  
Holmer and Lyde**

**Grid Ref: 351327, 242272**

**Expiry Date: 30 October 2009**

Local Member: Councillor SJ 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 (within the parish of Holmer). 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. 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 predominantly detached residences including a veterinary surgery and the Hopbine Hotel. The majority of these properties have gardens which back onto the development site. South of Roman Road on the junction of Old School Lane is Pegasus Football Club, east of which is Hope Scott House and car garages beyond. Adjoining the north western corner of the site is Holmer Court 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 and high points along Roman Road and the north western corner adjacent to Holmer Court. The existing physical boundaries of the site are largely enclosed by mature hedges and dispersed with mature and semi-mature trees with further hedges/trees sub-dividing the existing fields within the site.
- 1.3 Running east to 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 currently running through the site are overhead power cables which the applicants proposed to divert underground.
- 1.4 The site falls within the settlement boundary for Hereford City as identified within the adopted Herefordshire Unitary Development Plan 2007. Outline planning permission was approved on 28 July 2008 for the construction of 300 dwellings including access

from Roman Road and essential infrastructure, open space, balancing pond, landscaping, roads, parking, footpaths, cycleway and engineering earthworks.

- 1.5 This application now seeks Reserved Matters approval following on from the outline for the layout, scale, appearance and landscaping of the development. The means of access was approved at the outline stage and comprises a single point of vehicular access directly onto Roman Road with traffic flows controlled by a new three way signalised junction. The development comprises a mixture of 1 and 2 bed apartments and 2, 3, 4 and 5 bedroom houses with 35 % of the total comprising affordable units.

## 2. Policies

### 2.1 Planning Policy Statements:

PPS1	-	Delivering Sustainable Development including Supplement on Climate Change
PPS3	-	Housing
PPS9	-	Biodiversity and Geological Conservation
PPG13	-	Transport
PPG17	-	Sport and Recreation
PPS25	-	Development and Flood Risk

### 2.2 Herefordshire Unitary Development Plan 2007:

S1	-	Sustainable Development
S2	-	Development Requirements
S3	-	Housing
S6	-	Transport
S7	-	Natural and Historic Heritage
S8	-	Recreation, Sport and Tourism
S10	-	Waste
S11	-	Community Facilities and Services
DR1	-	Design
DR2	-	Land Use and Activity
DR3	-	Movement
DR4	-	Environment
DR7	-	Flood Risk
DR14	-	Lighting
H1	-	Hereford and the Market Towns: Settlement Boundaries and Established Residential Areas
H2	-	Hereford and the Market Towns: Housing Land Allocations
H9	-	Affordable Housing
H13	-	Sustainable Residential Design
H15	-	Density
H16	-	Car Parking
H19	-	Open Space Requirements
T6	-	Walking
T7	-	Cycling
T8	-	Road Hierarchy
LA3	-	Setting of Settlements
LA5	-	Protection of Trees, Woodlands and Hedgerows
LA6	-	Landscaping Schemes
NC1	-	Biodiversity and Development
NC5	-	European and Nationally Protected Species
NC6	-	Biodiversity Action Plan Priority Habitats and Species

- NC7 - Compensation for Loss of Biodiversity
- NC8 - Habitat Creation, Restoration and Enhancement
- RST3 - Standards for Outdoor Playing and Public Open Space
- W11 - Development of Waste Implications
- CF1 - Utility Services and Infrastructure
- CF2 - Foul Drainage
- CF4 - Renewable Energy

2.3 Supplementary Planning Document - Planning Obligations

**3. Planning History**

- 3.1 DCCW2006/2619/O - Residential development (300 dwellings) including access from Roman Road and essential infrastructure, open space, balancing pond, landscaping, roads, parking, footpaths, cycle way and engineering earthworks. Outline planning permission approved 28 July 2008.

**4. Consultation Summary**

Statutory Consultations

4.1 Welsh Water:

No objections subject to the conditions and restrictions within the Section 106 concerning foul and surface water drainage being complied with.

4.2 Natural England:

It is Natural England's opinion that the Great Crested Newt mitigation and enhancement proposed is inadequate. The development site provides the best available terrestrial habitat for newts in the vicinity of the identified breeding pond and Natural England is not satisfied that newts would commute to the balancing pond. It is more likely that newts would use adjacent gardens which could result in an increase of mortality rates putting this small size population at risk. The information provided is insufficient to determine whether Great Crested Newts would be adversely impacted or whether mitigation, compensation and enhancement is adequate and subsequently whether a licence could be obtained.

The current design of the balancing pond area does little to benefit the biodiversity. The dry or seasonally wet bowl may be difficult to manage meaning the habitat is likely to become rank grassland offering minimal biodiversity benefits. The design also reduces recreational opportunities divided by the area. The design should therefore be reconsidered. Natural England currently objects to the development due to its adverse impact to the protected Great Crested Newt population and their habitat.

4.3 Sport England:

No objection.

4.4 Environment Agency:

No objection subject to the conditions of the Outline Planning Permission being complied with.

4.5 Highways Agency:

Although the reserved matters refer to scale, the proposal still comprises 300 dwellings, of which 105 are affordable units. In addition, the layout plans show that the site is sustainable and has pedestrian and cycle ways provided. In conclusion, there are no changes in the impact of the development and as a result we have no objections.

4.6 Ramblers Association:

The removal of the stiles at each end of the public right of way go a long way to satisfying the requirements of the Disability Acts but we question whether some form of barrier is required to stop people inadvertently stepping out onto Attwood Lane or Munstone Road and to prevent vehicular access. Any closing of any of the public rights of way in the vicinity of the site will be vehemently opposed.

4.7 Central Networks:

No objection.

4.8 Police Architectural Liaison Officer:

There are no major concerns with any development within this area of the city given that it is a low crime/anti social behaviour area the opportunity should be taken to design out the potential for any of these related issues for the future it is therefore recommended that the development is designed to achieve the Secured by Design standard.

4.9 Open Spaces Society:

No comments received.

4.10 Herefordshire Nature Trust:

Comments awaited.

Internal Council Advice

4.11 Traffic Manager:

No objections to the principle of the layout but minor design changes are required to some of the footpath/cycle links, allocation of parking, areas to be adopted, and clarification of access to parking spaces.

4.12 Public Rights of Way Manager:

It is noted that previous comments have been taken into account in the layout of the development and the proposal would not appear to affect the peace and enjoyment of Public Footpath HO6 which passes east/west through the centre of the application site and Public Footpath HO8A which passes north to south through the northern end of the site. As such the Public Rights of Way Manager has no objection to the application.

4.13 Forward Planning Manager:

The development accords with the principles of the Unitary Development Plan and therefore there is no objection.

Parks and Countryside Manager

The layout and specification for the play equipment is as previously agreed and therefore is acceptable. The applicant could consider dispersing the junior play equipment around all the public open space.

- 4.14 Strategic Housing Manager:  
Strategic Housing support the application in its current form to provide 105 affordable units for rental and shared ownership tenure.
- 4.15 Head of Environmental Health and Trading Standards:  
Comments awaited.
- 4.16 Conservation Manager - Archaeology:  
No objection.
- 4.17 Conservation Manager - Ecology:  
I am broadly satisfied with the levels of survey and the mitigation strategies – the Landscape and Ecological Management Plan will need to be revised and resubmitted identifying changes in dates and timings. However I am aware that Natural England has raised concerns regarding the proposed Great Crested Newt mitigation plans. Until these concerns have been addressed I would be unable to support the application.
- 4.18 Conservation Manager – Landscape:  
No major amendments or revisions from the scheme discussed prior to submission are proposed and in principle the scheme remains wholly acceptable. In terms of the distribution and type of green space and infrastructure provided in this development, the scheme should be considered as exemplary.
- The retention of existing features of environmental and biodiversity interest help to assimilate the development into the surrounding landscape, and these are connected to and link habitats and non-vehicular access routes across and through the site. The proposed tree protection, Arboricultural Method Statement, the Landscape and Ecological Management Plan and Landscape Masterplan and detailed landscaping proposals are acceptable.
- The proposed planting will be long-lived and present a major contribution to the environmental quality of the area. The structure of landscaping allows for the free movement of people and wildlife around and within the site with an emphasis away from the motor car. The more formal areas of open space are well-considered and utilise quality materials. Overall the scheme will integrate well into the surrounding landscape with little impact on the visual quality of the area, although northern boundary to the city will appear changed.
- In summary, this development, based on a principle of designing and locating dwellings within a structure of green spaces and environmental resources, substantial areas of open space, represents an exemplary scheme.
- 4.19 Drainage Engineer:  
We are satisfied with the proposed surface water discharge rate and balancing pond storage capacity and agree that the existing culvert under Munstone Road should be cleared to improve capacity. The flood plain area lost is compensated on a level by level basis. We are satisfied with the principle of the surface and foul water drainage. However, final confirmation is required from Welsh Water concerning the public foul sewer and SUDS drainage detail in relation to surface water drainage.
- 4.20 Minerals and Waste Officer:  
No comments received.

## 5. Representations

### 5.1 Holmer and Shelwick Parish Council:

The Parish Council strongly objects to the application for the following reasons;

#### Drainage:

- Due to the dysfunctional existing drainage system in the surrounding area, conditions should be imposed preventing development commencing until the foul sewer into which the development is proposed to connect has been upgraded, is proven to have sufficient capacity and is adopted.
- The Parish Council is seriously concerned about the adequacy of the proposed solution to the drainage problems.

#### Road System:

- The traffic lights on Roman Road should be phased with the lights over the railway bridge.
- A 30mph limit on Roman Road and Attwood Lane should be introduced.
- Due to likely increased traffic in the area the existing road networks including Munstone Road, Coldwells Road and College Road railway bridge should be reviewed.
- The proposed cycleway should merge with the existing footpath by the existing balancing pond in Attwood Lane and not merge directly onto Attwood Lane.

#### Section 106 Monies

- In view of recent accidents, the £25,000 allocated for public artwork should be diverted to upgrade the Glenthorne Road pedestrian crossing to a traffic light controlled crossing and install a traffic light controlled crossing on the A49 by Church Way.
- Education money should be allocated to Holmer School as this is the catchment school for the development.
- Further money should be allocated to provide an off road parking area alongside the A49 to service the burial ground.

#### Building Design

- Full three storey houses are inappropriate in what is a rural area and elevated against the northern back-drop.

#### Construction traffic access

- All access should be from Roman Road during construction with no access from Munstone Road or Attwood Lane and the existing gates should be blocked up prior to development.

#### Lighting

- There should be no street lighting on the northern side of the development as this would cause light pollution in open countryside and would have a detrimental impact on the character of the area.

Also accompanying the Parish Council comments is a list of comments made by local residents during the public meeting under the headings of drainage, road system, Section 106 money, building design, construction, traffic, access and other matters.

### 5.2 Hereford City Council:

One access is inadequate and an additional access for emergency vehicles should be included. Renewable energy should be integral to the site and homes should be zero rated for Co2 emissions, ie with solar panels as standard. More social housing should be only for rent rather than shared ownership with fewer flats and more 2/3 bedroom properties. All routes and pathways should be well illuminated.

5.3 24 letters and e-mails of objection and comment have been received primarily from local residents including a petition from residents of Attwood Lane and Churchway. The main points raised are:

- Increased use of Attwood Lane/Church Way and Munstone Road as a rat run through to the Leominster Road.
- Localised speed limits should be introduced.
- 300 houses are excessive for the site.
- The localised road network will come to a standstill.
- Any Section 106 money should be used to resolve the College Road railway bridge, Venns Lane/Old School Lane, College Road junction and increased traffic on Roman Road and the Starting Gate roundabout but no money used for the Roman Road railway bridge.
- The existing drainage network is already overloaded.
- The capacity of the existing sewer should be assessed before any new flows into it are permitted.
- Considerable disruption to Roman Road during construction
- Further improvements to the road bridge, the railway bridge on Roman Road should be carried out before development.
- The existing gate opposite 1 & 2 Turnberry Drive should be removed and a security fence erected before work commences.
- All houses must be sited at least 30 metres away from Turnberry Drive with new trees planted along the boundary.
- The proposed road improvements achieved through the Section 106 are wholly inadequate to resolve traffic problems in the area.
- The existing sewerage system should be fully adopted before any development commences.
- A nearby employment site could be compulsory purchased and used to provide community facilities and a new pumping station to serve the development
- Existing roads should be illuminated particularly where no footpaths exist
- The sustainability performance of the development and dwellings is totally inadequate and a central energy option should be required.
- Housing should be accommodated on brown field land as required by Government policy.
- The developer should be required to meet a high level of the Code for Sustainable Homes and the standard should not be retro fitted.
- Independent specialists should be appointed to assess the adequacy of the proposed drainage.
- The drainage solution is unacceptable.
- On 10 occasions in the last year the existing system as overflowed causing raw sewage to flow on the public highway.
- Crest have an obligation imposed within the deeds of nearby properties to secure the adoption of the existing system.
- New traffic signals or roundabouts should be considered on the A4103 at the existing junctions at Attwood Lane, Old School Lane and Cleeve Orchard along with localised traffic calming.
- The gated access onto Munstone Road should be permanently closed.

- The existing footpath onto Attwood Lane should be moved closer to Roman Road.
- Work is required to both Wentworth Park and Cleeve Orchard Pumping Stations before development commences.
- Our bedrooms will be overlooked by the proposed new dwellings.
- Private foul drainage soakaways cross the application site replacement facilities should be provided.
- Pavements along Munstone Road should be considered.
- The developer could contribute more to mitigate the loss of habitat for wild birds as a result of the development.
- The grass cutting should be on a longer rotation.
- Twenty nest boxes for barn owls and kestrels should be donated to local landowners.
- The balancing pond should be fenced off to prevent public access.
- Swift access blocks and sparrow terrace boxes should be incorporated into the design of the houses.
- Existing hedgerows should be allowed to mature in thickets.
- The green infrastructure corridor should be widened with plenty of dense planting.
- A wet meadow should be developed around the balancing pond.
- Pollarded trees should be allowed to mature.
- A financial contribution is required towards the cost of the increased demand on policing infrastructure that the new development will create.

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

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

6.1 The issues to be considered in the assessment of the application are as follows:

1. The Principle
2. Layout
3. Design and Housing Mix
4. Highways and Accessibility
5. Open Space
6. Drainage
7. Section 106 including affordable housing
8. Other Matters.

### The Principle

6.2 Policy H2 of the Herefordshire Unitary Development Plan allocates the land at Holmer for residential with an estimated capacity of 300 dwellings. During the course of the adoption of the Unitary Development Plan outline planning permission was also submitted for the residential development of the site and subsequently approved last year.

6.3 As required by Policy H2, the outline application includes a new single means of access to serve the development directly off Roman Road. Therefore, the principle of developing the site for 300 houses along with the proposed means of access and the junction design is now approved and accords with the requirements of Policy H2.

### Layout



- 6.4 The principles of the layout follow the master plan submitted with the outline application and subsequently approved as part of that permission. This being small groups of houses served by a combination of formal highways with pavements, shared surfaces and private drives. The layout follows the landscape constraints of the site with the majority of existing hedgerows and mature trees being retained within and around the site. The houses are generally sited along road and pavement edge with parking achieved to the rear where possible. Within the centre of the site is an area of formal public open space incorporating play areas enclosed by existing hedgerow and framed by higher density housing graduating to a lower density of development around the peripheries of the site. The northern quarter of the site is set out to a new balancing pond which will provide flood storage compensation, a sustainable surface water drainage system for the site and the added benefit of informal recreation and biodiversity enhancement.
- 6.5 The format of this layout respects the semi-rural context of the site and surroundings whilst also respecting existing built form to the south and west. For example, the siting of dwellings along Roman Road have been set back with a density and spacing of development that follows the notional building line and character of development along this part of Roman Road. Elsewhere, properties are stepped away from the outer boundaries by over 25 metres in parts which will create an enclosure of green infrastructure around the majority of the site.
- 6.6 In terms of existing amenity, properties are generally stepped away from the boundaries to the south with a back to back garden arrangement which achieves reasonable separation distances thereby avoiding any unacceptable overlooking. A small number of plots are being reviewed to further protect the amenity enjoyed by existing residents and amended plans are awaited. The standard of amenity for new properties is also relatively high with all houses having a proportionate private garden whilst the flats have use of communal areas for storage of refuse, bicycles, clothes drying etc. Property to property distances are also acceptable within the development.
- 6.7 Additional interest to the layout is also proposed through the introduction of public squares/green spaces at strategic focal points around the site. These spaces are enclosed by a higher density building alignment with prominent landscape features. These spaces not only assist in breaking up the layout and extent of housing but also provide the opportunity for the introduction of public art in line with the requirements of the outline permission and the Section 106 Agreement.
- 6.8 The design of the layout ensures the development will integrate with the existing rural setting of the site whilst creating a legible framework of development that will achieve a quality and sustainable residential environment for future occupants.

#### Design and Housing Mix

- 6.9 Twenty different house and flat designs are proposed ranging in size from 1 and 2 bedroom flats to 2 to 5 bedroom houses. This range of house designs and sizes will cater for all levels of affordability and accommodation requirements. The lead for the designs has been taken from typical Herefordshire vernacular, in particular Georgian and Victorian architecture and detailing found within the city. This being simple balanced elevations with predominantly pitched roofs and symmetrical fenestration. Additional detailing is achieved with dormer windows, stone cills and arched brick lintels, fanlights and different porch styles, string courses and quoin detailing. The designs in general, including ancillary features such as boundary treatments of traditional railings and brick walls, will create a development that identifies with

Herefordshire's vernacular as required by policy H13 of the Unitary Development Plan.

- 6.10 The materials proposed are predominantly red brick with some rendered elevations and painted brickwork with a mixture of slate grey and brown double roman tile roofs. Concerns exist with some of the brick choices but the general palate of materials is considered acceptable.
- 6.11 The scale in terms of building height is predominantly two storeys with some three storeys around the central open space and key corner plots. The mass of the larger blocks has been broken up with different roof heights and dormer detailing along with articulation of the elevations with different materials and projecting elements.
- 6.12 The entrance into the site will be framed by three storey angled properties to create a sense of enclosure which is maintained throughout the rest of the development. Minor concerns exist regarding the design of some of the three storey units fronting the open space and the transition between three and two storey designs elsewhere and these issues are currently being addressed by the applicants.
- 6.13 Concerns have been expressed by residents and the Parish Council regarding three storey development on the site. Three storey was presented as part of the outline application and nearly all of the three storey properties are located centrally within the site. Consequently, the impact of the additional height will not be discernable from outside of the site and from higher levels to the north; three storey will assimilate into the wider roof scape. It is therefore not considered unacceptable.
- 6.14 As well as the mix of house sizes, 35% of the properties will be affordable housing which equates to 105 units and this is secured by the Section 106 Agreement. The affordable housing is a mixture of one and two bedroom flats and two, three and four bedroom houses with the tenure split between 60% social rented and 40% shared ownership. The mix of affordable housing is supported by the Strategic Housing Manager.
- 6.15 This will create a sustainable mixed community particularly as the affordable housing is to be distributed amongst the general market housing and phased across the entire development. The number of affordable flats is a concern but this was agreed at the outline stage in order to negotiate a higher percentage of social rented provision and the Strategic Housing Manager does not object to this mix. The mix of housing, both general market and affordable is therefore considered acceptable as required by Policies H9 and H13 of the Unitary Development Plan.

#### Highways and Accessibility

- 6.16 A single means of access will serve the development off Roman Road and this was approved at the outline stage. Traffic will be controlled by a three way signalised junction incorporating a right turn lane for traffic travelling from the east and two queuing exit lanes within the site for traffic travelling east and west. This junction will allow traffic flows on Roman Road to be prioritised along with traffic flows through the Starting Gate roundabout to be controlled by both Herefordshire Council and the Highways Agency. To achieve this a Residential Travel Plan was completed at the outline stage and forms part of the Section 106 Agreement which enables the Council to restrict traffic flows from the site if the agreed targets are not achieved.
- 6.17 The design of the internal road network is a mixture of standard tarmac highway with pavements either side, block pavior and shared surface with an informal alignment of

roads incorporating sharp bends to assist in keeping traffic speeds low whilst also according with the adopted Highway Design Guide. The existing public right of way network running through the site will be maintained and enhanced with a network of new footpath links and cycleways throughout the site connected to existing footpaths creating a very permeable development. Informal footpaths will also be created around the perimeter of the site and within the balancing pond area to provide further walking opportunities. A section of the new cycleway through the site will also become part of the National SuStrans Cycle Route.

- 6.18 Parking is generally on plot with an average provision of one space plus a garage per property. Notwithstanding the parish council request, it is intended that all highway routes will be illuminated given the scale of the development and the need to create a secure and safe environment for future residents. The Traffic Manager has requested minor revisions to parts of the layout and clarification of the parking ratio in some areas but the general access and movement strategy within and around the site is considered acceptable.

#### Landscape, Open Space and Ecology

- 6.19 The layout of the development has been designed around the existing landscape features with nearly all mature hedgerows within the site and all hedgerows around the perimeter of the site being retained. In addition, the existing network of hedgerows are interlinked with a green infrastructure corridor around the perimeter of the site to enhance the connectivity of the green spaces. Further informal landscaping and recreation will be available along the northern part of the site where the balancing pond is proposed. The scheme is considered to be a very good example of how to achieve green infrastructure and linked landscape corridors within an urban development and the landscape areas including the proposed new planting and landscape management strategy is fully supported by the Conservation Manager (Landscape).
- 6.20 Centrally within the site is an area of formal public open space incorporating fully equipped play areas. The play area is split into two play zones, one area designed for children under six and the other for children above this age. Specification of the play equipment accords with the Council's requirements and is located in an accessible location available for use by residents of the new development as well as other local residents within neighbouring estates. The area of formal public open space is below that required by the adopted Unitary Development Plan policies but this principle was accepted at the outline stage with mitigation achieved by way of a contribution for off site play, sport and recreation facilities.
- 6.21 The site is relatively rich in ecology with protected species having been found either on or within close proximity of the site. Full ecological and specific protected species surveys have been undertaken along with a Landscape and Ecological Mitigation and Management Plan. The retention of all existing green infrastructure will maintain commuting corridors for existing wildlife and the introduction of new tree and shrub planting and species rich grassland buffers provide additional foraging habitats for nesting birds. The balancing pond area to the north will provide further biodiversity opportunities through the creation of a marshy grassland habitat and a stepped ditch system providing opportunities for reptiles, otters and water voles. Subject to health and safety and adoption considerations, the balancing pond is being reviewed to establish whether it could be designed to achieve a more permanent wetland habitat as requested by Natural England. The applicants are currently considering this option. The timings within the Landscape and Ecological Management Plan also require updating which is being addressed.

- 6.22 In general, the provision made for existing ecology along with the creation of new habitats and wildlife corridors acceptably addresses the requirements of the development plan policies concerning this matter. One exception to this is the impact of the development on the small localised population of Great Crested Newts and particularly their habitat. Natural England currently object to the application due to the loss of the newt habitat. A new habitat will be created within the balancing pond but this is some distance away and the applicant's ecologist along with Natural England and the Council's Ecologist are looking at the options for mitigation in respect of newts. An update on this will be provided at Committee.
- 6.23 Hereford Ornithological Society have also requested that the developer contributes around 20 bird nesting boxes to local landowners and this request has also been put to the developer. The landscape, open space, play and ecological considerations are generally therefore acceptable subject to the resolution of Natural England's objection.

#### Drainage Strategy

- 6.24 There was much discussion during the course of the outline application and subsequently regarding the provisions made for foul drainage to serve the development. This has also generated a considerable amount of concern and objection in respect of the current application. Welsh Water originally objected to the outline application due to inadequate foul drainage capacity in the area. As a result, the applicants commissioned a drainage study carried out by Welsh Water's consultants to consider the options. The conclusions of this study agreed by Welsh Water are that drainage from the site can be pumped to the existing pumping stations within neighbouring estates with the final flow controlled at 13 litres per second. The normal course of action would be for drainage to be controlled by condition but due to the localised problems and concerns over drainage, a specific Schedule is included in the Section 106 Agreement requiring the final details of the drainage to be submitted for the approval of Herefordshire Council and Welsh Water prior to the commencement of the development.
- 6.25 To facilitate the proposed drainage option the existing drainage infrastructure including the existing pumping stations need to be upgraded to an adoptable standard. The applicants have confirmed that these works are in the process of being carried out and they are hopeful that the existing infrastructure will be of a standard suitable for adoption by Welsh Water before the end of 2009. Therefore, work is under way to upgrade the existing infrastructure to achieve its adoption. Furthermore, the final technical details of the new foul drainage infrastructure to serve the development will have to be agreed before development commences and no dwelling can be occupied until the agreed infrastructure is in place.
- 6.26 It is therefore considered that sufficient controls exist over the development to ensure that appropriate new drainage is provided and the existing drainage is upgraded to resolve existing problems. The Parish Council have requested that a condition be imposed on the reserved matters preventing any development commencing until the existing infrastructure is adopted. It is not considered that such a condition would accord with Circular 11/95 concerning the use of conditions on planning permissions as it would be reliant on third party agreement which is outside the control of both the applicants and the Council. Such a condition is therefore not recommended. Ultimately, it is considered that appropriate controls over drainage exist through the Section 106 Agreement.

- 6.27 A sustainable surface water drainage strategy is proposed with flows regulated through the balancing pond prior to discharge to a local watercourse. Permeable surfaces will be used where possible and water butts provided for each property to encourage rainwater harvesting. This system is supported by the Environment Agency and the Council's Drainage Engineer.

Section 106 Matters

- 6.28 A detailed Section 106 Agreement was agreed at the outline stage which achieves 35% affordable housing across the development along with a range of contributions for off site community infrastructure. It should be noted that the Section 106 was negotiated and agreed in advance of the adoption of the Supplementary Planning Document on Planning Obligations. A summary of the contributions are as follows:

- £100,000 for Education of which £50,000 is specifically for Barrs Court Special School.
- £45,000 towards an extension of Holmer Parish Hall.
- £15,000 to facilitate the extension of the Holmer Parish Church burial ground.
- £25,000 for public art.
- £138,000 towards the cost of a replacement bridge on Roman Road or for other sustainable transport infrastructure improvements in the area.
- £450,000 for off site highway works and sustainable transport improvements with 13 specific uses identified including reductions in speed limits for Roman Road, traffic calming on Attwood Lane, Munstone Road and Coldwells Road and new pedestrian and cycle links including safe crossings between the site and other parts of the city.
- £187,500 for off site sport and recreation including facilities at Hereford Athletics Club.
- £55,000 towards Hereford Skate Park.

- 6.29 The Parish Council have identified a list of local priorities for the use of some of this money which generally all fall within the terms of the Section 106. The money provided and secured through the Section 106 Agreement will address a number of concerns of existing residents particularly concerning traffic flows, speeds and general highway and pedestrian safety issues. The Police have also requested a contribution towards the cost of providing Policing infrastructure in the city. A contribution cannot be secured via Reserved Matter permission and contributions for the Police were specifically excluded from the adopted Supplementary Planning Document. It is therefore not reasonable to seek such contributions at this stage.

- 6.30 The Section 106 Agreement also requires that all dwellings are designed to meet Eco Homes 'Very Good' standard. In addition, each dwelling is required to exceed the dwelling emission rate set by the current Building Regulations by a minimum of 13% through a combination of measures such as improved insulation and general U values for walls, floors, roofs and windows, improved air tightness and high efficiency boilers.

- 6.31 In terms of waste management, the Section 106 Agreement requires each dwelling to be provided with three containers for storage of recyclable waste with a minimum total capacity of 30 litres along with external space to accommodate the storage of recycling and wheelie bins. The Section 106 also requires each dwelling to be provided with an external composting container along with energy efficient appliances.

Conclusion

6.32 The proposals accord with the principles set out in the outline planning permission in terms of the layout, housing mix, design, landscaping, open space and ecology. Several minor changes to the layout are required to address concerns of officers and the Traffic Manager along with third party concerns including Natural England’s objection. Subject to these matters being resolved including the submission of amended plans, the proposal will create a high quality sustainable development that will integrate with both the existing urban context to the west and south and the rural context to the north and east. Furthermore, the development will achieve safe and convenient movement patterns within and to the site along with an interesting arrangement of accommodation that respects existing amenity whilst creating an attractive residential environment for future occupants.

**RECOMMENDATION**

**Subject to the resolution of the objection from Natural England and subject to the submission of amended plans addressing the concerns of officers and the Traffic Manager, the officers named in the Scheme of Delegation to Officers be authorised to issue reserved matters approval subject to the following conditions and any additional conditions considered necessary by officers:**

- 1. **F16 No new windows in specified elevation.**
- 2. **Vehicular access to the site during the construction phase shall be via the proposed new access onto Roman Road only and there shall be no other vehicular access to the site during the construction of the development.**

**Reason: In the interests of highway and pedestrian safety, to safeguard the amenity of local residents and to comply with Policies DR2 and DR3 of the Herefordshire Unitary Development Plan.**

**Informatives:**

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

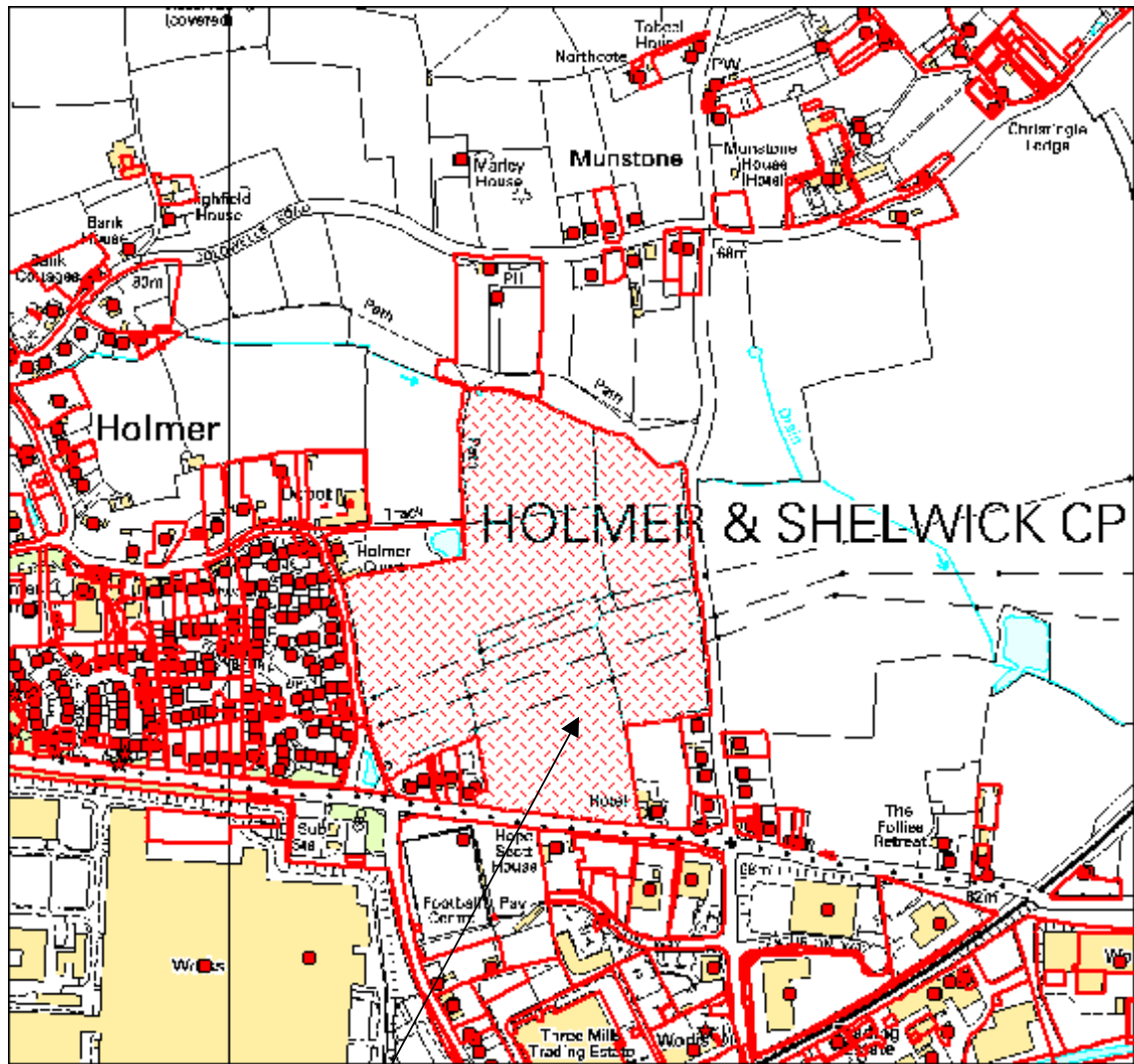
Decision: .....

Notes: .....

.....

**Background Papers**

Internal departmental consultation replies.



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**APPLICATION NO:** DCCW/091845/RM

**SITE ADDRESS :** LAND TO THE NORTH OF ROMAN ROAD, HOLMER, HEREFORD, HEREFORDSHIRE, HR1 1LE

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