

MEETING:	PLANNING COMMITTEE
DATE:	15 MAY 2013
TITLE OF REPORT:	130060/F - ERECTION OF 14 NO. SEMI-DETACHED AND DETACHED DWELLINGS AT LAND SOUTH OF GREYTREE ROAD, GREYTREE, ROSS ON WYE, HEREFORDSHIRE For: K W Bell Group Ltd per Walter Stuart, Treetops Studio, Sevenleaze Lane, Edge, Stroud, Glos GL6 6NJ
WEBSITE LINK:	https://www.herefordshire.gov.uk/planningapplicationsearch/details/?id=130060

Date Received: 8 January 2013 **Ward: Ross-on-Wye West** **Grid Ref: 359774,225086**
Expiry Date: 9 April 2013
Local Members: Councillors CM Bartrum and R Mayo

1. Site Description and Proposal

- 1.1 The application site is accessed from Greytree, an unclassified road (u/c 70604). The 0.49 hectare site is hedgerow lined along the unclassified road and on the southern side there an embankment covered by blackthorn and hawthorn. The A40(T) is located to the south which slopes down towards the south west and is almost contiguous with the level of the A40(T). It is in the south western corner of the site that a bund is proposed.
- 1.2 The application site is 32 metres wide at the north eastern end adjoining Belle Vue. It is proposed to erect 14 dwellings (12 will be detached and a pair of semi-detached dwellings. All the dwellings have principal elevations facing northwards towards properties on the opposite side of Greytree. The dwellings on the opposite side of the road are a mixture of two –storey dwelling. Plots 1- 4 share one access point which is opposite the access into Third Avenue. Plot 1 has been sited south eastwards into the site so that the adjoining bungalow (Belle Vue) to the north east retains a south westerly aspect across the parking and turning areas.
- 1.3 The next access point is 28 metres down slope and serves Plots 5-9. Three dwellings have integral garages (Plots 5-7). Plots 8 and 9 will share a double garage sited forward of Plot 9. The dwellings are between 8.2 and 8.3 metres high and sited between 17 to 19 metres back from the highway.
- 1.4 The remaining 5 detached dwellings Plots 10-14 will be served by an access point opposite Fourth Avenue. Four of these will have integral garages and Plot 14 will have a detached garage. These dwellings are between 8 metres and 8.5 metres high. The dwellings (Plots 10-14) are again sited between 17 and 19 metres back from the roadside. There are spaces provided between the three areas delineated above for visitor parking. There will be planting between the three parking area and along the road frontage. A mixed native species hedgerow is proposed to be planted along the roadside boundary It replaces the existing mixed species hedgerow that will be removed in order to provide a 2 metre wide footpath and the requisite visibility for each of the three site entrances.

- 1.5 The plans originally submitted proposed traffic calming measures together with a parking bay area between Third and Fourth Avenues. This also resulted in the frontage being set back over a middle section of the development site. This has been revised such that the highway verge is straightened thereby providing 1 to 2 metres extra turning space on the site and the removal of the parking bay between Third and Fourth Avenues. A wider footpath has been provided in its place adjoining existing properties. The objective of this amendment was to seek to address local concerns about the extent and impact of traffic management on Greytrees and to maximise visibility for each of the three new access points without compromising the existing visibility at the Third and Fourth Avenue junctions.
- 1.6 This application was accompanied by a Design and Access Statement, a Transport Statement, Ecology Report, Landscape and Visual Appraisal, a Noise Assessment and confidential Viability Appraisal. The covering letter refers to reductions in the bund, revisions to Plot 1's relationship to Belle Vue. It is stated in the Noise Assessment documents that noise from the A40(T) will be mitigated by bunding on the south western area of the site. This bund has been reduced in scale from that proposed with an earlier refused application in order to reduce the visual impact of the bund and acoustic fencing.

2. Policies

2.1 National Planning Policy Framework:

The following sections are of particular reference:

- Introduction - Achieving sustainable development
- Section 6 - Delivering a wide choice of high quality homes
- Section 7 - Requiring Good Design
- Section 8 - Promoting healthy communities
- Section 11 - Conserving and enhancing the natural environment

2.2 Herefordshire Unitary Development Plan:

- S2 - Development Requirements
- DR1 - Design
- DR2 - Land Use and Activity
- DR3 - Movement
- DR4 - Environment
- DR5 - Planning Obligations
- DR13 - Noise
- DR14 - Lighting
- H1 - Hereford and the Market Towns: Settlement Boundaries and Established Residential Areas
- H2 - Hereford and the Market Towns: Housing Land Allocations
- H13 - Sustainable Residential Design
- H15 - Density
- H16 - Car Parking
- H19 - Open Space Requirements
- LA1 - Areas of Outstanding Natural Beauty
- LA2 - Landscape Character and Areas Least Resilient to Change
- LA3 - Setting of Settlements
- LA5 - Protection of Trees, Woodlands and Hedgerows
- LA6 - Landscaping Schemes
- T6 - Walking
- T8 - Road Hierarchy
- T11 - Parking Provision

Further information on the subject of this report is available from Mr A Prior on 01432 261932

- NC1 - Biodiversity and Development
- NC4 - Sites of Local Importance
- NC7 - Compensation for Loss of Biodiversity
- NC8 - Habitat Creation, Restoration and Enhancement
- CF2 - Foul Drainage

The Unitary Development Plan policies together with any relevant supplementary planning documentation can be viewed on the Council's website by using the following link:-

<http://www.herefordshire.gov.uk/housing/planning/29815.aspp>

2.3 Supplementary Planning Documents:

Landscape Character Assessment
Planning Obligations

2.4 Other Guidance:

Annual Monitoring Report
Strategic Housing Land Availability Assessment

2.5 The Unitary Development Plan policies together with any relevant supplementary planning documentation can be viewed on the Council's website by using the following link:-

<http://www.herefordshire.gov.uk/housing/planning/29815.aspp>

3. Planning History

- 3.1 S/121045/F Erection of 14 semi-detached and detached dwellings – Refused and Appeal by way of Public Inquiry pending.

4. Consultation Summary

Statutory Consultees

- 4.1 Welsh Water has no objections subject to conditions being imposed relating discharge of foul and surface water discharges

Internal Council Advice

- 4.2 Transportation Manager has no objections in response to the revised plans subject to the imposition of conditions
- 4.3 Conservation Manager (Landscape) states that the Landscape and Visual Appraisal submitted follows recommended guidelines. Accept notwithstanding contribution of open space the visual analysis particularly as regards the limited distant views of the site. The linear form takes account of the site. More landscaping required close to plot 14 and the bund. Need to know about construction of bund.
- 4.4 Conservation Manager (Ecology) states that the boundary of the Local Geological Site (LGS) does not overlap with the application site . Conditions should be imposed providing measures to protect the LGS together with those to be detailed in a method statement for habitat and management enhancement.
- 4.5 Environmental Health & Trading Standards Manager (Pollution) has no objections to the mitigation measures as regards the bund and barrier.

- 4.6 Environmental Health & Trading Standards Manager (Contaminated sites) states that the site is within 250 metres of a former landfill site and therefore a desk top study and risk assessment should be undertaken before works are undertaken.
- 4.7 Countryside & Parks Manager states that that the provision of off- site contributions towards play areas on the other side of the A40(T) is acceptable given the proximity of the play areas to the proposal site. The contributions should be made via a Section 106 agreement.

5. Representations

5.1 Ross and Rural Parish Council object

At the Ross Rural Parish Council meeting on 30 January 2013 the Councillors resolved to object to planning application no. S130060/F, erection of 14 semi-detached and detached dwellings at Greytrees, Ross on Wye.

The main reason for the objection is that the density of housing is considered to be out of keeping with that of the surrounding residential area.

In addition to this, other concerns were expressed by local residents regarding:

- The potential traffic impact and the fact the associated traffic calming measures have yet to be detailed as part of this application.
- The impact of the proposed noise screening measures and the risks these will affect the stability of the soft bedrock which underlies the area.
- The absence of any play provision within the scheme, which were incorporated in the original proposal considered by the Parish Council.

There was a high turn out of local residents at our meeting and very strong views were expressed about the potential impacts of such an intensive housing development and the associated loss of a valued green space.

The view was expressed that there are a number of housing sites already approved, in the Ross urban area, which could accommodate the housing needs of the town without the need to develop a new site.

5.2 59 letters of objection have been received. In summary the points raised are as follows:

Greenfield site in AONB, brown field sites should be chosen over this significant open green space according to UDP Inspector also LA1, LA2, LA6 and HBA9 applicable

- Site identified in SHLAA report lower down slope, not this one.
- Not overcome previous reasons for refusal
- Linear green buffer zone
- Still contrary to Policy LA1 i.e. protection of AONB paramount
- Contrary to Ross & Rural Town Plan
- Linear green buffer zone
- Precedent for further development
- Too many houses out of keeping
- Over density of Greytrees area by 10 dwellings
- Need affordable houses. Good quality starter homes

- Possible to provide 5 bedrooms in some houses
- Loss of privacy and enjoyment of property
- Open space provision not an option. Contrary to Policy H19
- Loss of day-lighting and impact on solar panels
- Too much traffic now : 2 schools nearby
- Conflict of existing access points opposite entrances to Third and Fourth Avenues and parked cars
- Parking provision inadequate need more space for visitors, otherwise will spill out onto spine road
- Threatens wildlife
- Drainage problems with run-off will be exacerbated
- Part of Local Geological Site
- Damage to soft bed rock from baffles.

5.3 The consultation responses can be viewed on the Council's website by using the following link:-

<http://news.herefordshire.gov.uk/housing/planning/searchplanningapplications.aspx>

Internet access is available at the Council's Customer Service Centres:-
www.herefordshire.gov.uk/government-citizens-and-rights/complaints-and-compliments/contact-details/?q=contact%20centre&type=suggestedpage

6. Officer's Appraisal

6.1 The key considerations in the determination of this application are as follows:

- 1) The Principle of the Development
- 2) The NPPF and Housing Land Supply
- 3) Landscape Impact
- 4) Layout and Design
- 5) Highways Matters
- 6) Infrastructure

The Principle of Development

6.2 The site is wholly within the defined settlement of Ross-on-Wye and therefore is by definition a sustainable location where there is a presumption in favour of residential development unless other material considerations indicate otherwise. In this case the main considerations are with regard to the impact that the development would have in the landscape, which in this instance forms part of the designated Wye Valley Area of Outstanding Natural Beauty; the ability of the local road network to accommodate the traffic generated by the development without undue consequences for highway safety and lastly the impact that the new development would have on the amenity of residents in the locality.

6.3 The Core Strategy is not sufficiently advanced to be given due weight in the consideration of this application, in any case there are no specific policies or proposals that relate to this particular site. The National Planning Policy Framework (NPPF) came into force in March 2012. Paragraph 215 of the NPPF clarifies that due weight can still be given to the relevant UDP policies for a period of 12 months from the date of adoption of the NPPF providing those policies are broadly consistent with the NPPF.

The NPPF and Housing Land Supply

- 6.4 At the heart of the NPPF is a general presumption in favour of sustainable development and applications for housing should be considered in this context. The NPPF requires that local planning authorities should identify a rolling five year supply of deliverable housing land to ensure choice and competition in the market. Additionally, the NPPF requires an additional buffer of 5% (increased to 20% if a planning authority has persistently under delivered housing land). On the basis of the evidence available to date, it is considered that the requirement for a 5% buffer is applicable to Herefordshire, although this assumption is the subject of challenge by developers.
- 6.5 The Council's Annual Monitoring Report (AMR) which monitors housing land availability is currently indicating of a shortfall of approximately 216 units which equates to a 4.6 year supply. This shortfall also does not account for the requirement to maintain the additional 5% buffer which would amount to a further 140 units. The data collection for the 2011/2012 period has commenced and this will provide a more up to date land supply position and it is anticipated that the shortfall will increase thereby lending greater weight to the granting of permissions for sustainable residential development.

Landscape and Visual Impact

- 6.6 The site is within the designated Area of Outstanding Natural Beauty (AONB) and it is acknowledged that it makes a positive contribution to the amenity of this part of the AONB by providing a green wedge between the built up area of Greytree and the A40. The proposed development will have an inevitable localised impact but not one that can reasonably be regarded as harmful to the intrinsic natural beauty of the landscape given the urban context of the site and its relationship with the A40. Furthermore it is considered that the localised impact can be successfully mitigated through buffer planting along the roadside frontage and between the new dwellings and three proposed access points. The revised linear layout also maintains a green wedge, albeit much narrower within the rear gardens of the proposed dwellings. This is reflected in the comments of the Conservation Manager, which in conjunction with the strong presumption in favour of sustainable development are such that a refusal on the grounds of landscape impact could not be reasonably sustained.
- 6.7 The previously submitted and refused proposal for 14 dwellings was not accompanied by a Landscape and Visual Appraisal or an Ecological Appraisal and as such it was concluded that these key issues could not have been properly considered in the development of that proposal. Furthermore the dwellings proposed in the refused scheme were not laid out in a linear form in response to the topography but included a terrace of tall dwellings on the south western end of the site. This has been remedied with a simpler approach to the built form that reflects the linear configuration of Greytree and linking residential roads and a reduction in the bund area. It is considered that this proposal has addressed one of the primary reasons for refusal and therefore this revised proposal, in terms of its small scale, layout and mitigation measure accords with Policies LA1, LA2, LA5 and LA6 of HUDP.

Layout, Design and Density

- 6.8 The proposal, given its modest scale, provides a housing scheme with an appropriate mix of housing types. The linear layout now adopted is more responsive to the local topography and with appropriate landscaping will provide for a suitably scaled extension to the established residential development in the Greytree area that follows the essentially linear pattern of housing. There is also considered to be sufficient spacing between properties and those facing the development site along Greytree such that adverse overlooking or loss of amenity would not arise.

- 6.9 There is some variation in the house types which reflects the mix of house types and materials already evident on the locality. The external materials are not detailed at this stage, the use of a facing brick and/or a rendered finish would be appropriate, together with a darker coloured roof tile in order to assist in assimilating the new dwellings into the local context. This can be made the subject of a planning condition.
- 6.10 The plot nearest to Belle Vue has been re-sited further into the site in order to reduce the impact on the aforementioned bungalow upslope from it. It is considered that the relationship is acceptable given that Belle Vue will have a clear view south westwards over the parking /turning areas of the 14 dwellings below it. The existing dwelling will not be unduly overlooked and will not be adversely overshadowed.
- 6.11 The development of 14 dwellings on a site of just under 0.5 hectares equates to a density per hectare of 28 dwellings which is very much at the lower end of the density range anticipated in existing urban areas and consistent with the density of existing development within the Greytrees area. Therefore, it is considered that this revised application addresses the previous reason for refusal and would accord with Policies DR1, DR2, H13 and H15 of HUDP.

Highways Matters

- 6.12 This is considered to be one of the major issues raised in objections received from local residents and the Parish Council. The primary issue is considered to relate to the speed and volume of traffic. It is evidently the case that traffic is generated in relation to the primary and senior schools to the north east. This is though only at peak periods and it is considered that the unclassified road is capable of accommodating the additional traffic without undue consequences for highway safety in the locality. The revised plans remove the parking bay on the northern side of Greytrees, which was the subject of objections in relation to the refused proposal and an earlier proposal of the current scheme. There is also considered to be sufficient off road parking and turning facilities in accordance with Policy H16 of HUDP. The provision of a wider footpath on the northern side of the road and the improvements to visibility along the site frontage have addressed the earlier concerns raised by the Transportation Manager. Accordingly whilst the concerns of local residents about additional traffic movements are acknowledged, these are not substantiated in relation to any evidence demonstrating that there will be an adverse effect on highway safety. The revised proposal provides acceptable visibility and does not compromise the continued use of existing road junctions. Accordingly, the proposal accords with Policies H16, DR3, T8 and T11. of HUDP.

Infrastructure

- 6.13 Welsh Water has confirmed that subject to conditions including controlling the separation of foul and surface water drainage from the site, no objections are raised. It is not considered that there are any matters relating to drainage, as stated in representations received that cannot be addressed by the imposition of conditions recommended by Welsh Water and therefore, the development accords with Policies CF2 and DR4 of HUDP.

Other matters

Section 106 Agreement/Play Facilities

- 6.14 This proposal has not been the subject of a draft Planning Obligation, the applicant has instead made a case for not paying contributions, on the basis of the viability of the development. This has been considered in detail by the Planning Obligations Manager who advises that the assessment provides sufficient justification for setting aside the normal S106 requirements that would pertain to a scheme of this scale. Accordingly the proposal accords with the specific provisions of the Councils SPD and the NPPF which calls for a realistic approach to be adopted in relation to securing contributions where convincing evidence on viability is

provided. Notwithstanding the above, in recognition of the lack of on-site recreational facilities, the applicant has agreed informally to make a contribution of £5000.

- 6.15 It is understood that there are extant Action Plans for sites at Mayhill and Rope Walk between 5 to 15 minutes for older children respectively and it is on the basis of securing this contribution that a Section 106 Agreement is considered reasonable and necessary and to accord with Policy H19 of HUDP

Biodiversity

- 6.16 The proposal site is used for grazing and therefore has limited botanical interest. Whilst, it is regretted that roadside hedgerow will need to be removed in order to facilitate development of the site, it is accepted that the new native species of hedgerow proposed along the roadside together with additional planting elsewhere will provide mitigation and arguably some enhancement for this loss of biodiversity. This will be secured by the imposition of conditions providing an enhancement and management scheme relating to this new planting. Therefore, the proposal accords with Policies NC1, NC4, NC7 and NC8 of HUDP.

Local Geological Site

- 6.17 Representations have been received from local residents and the Herefordshire and Worcestershire earth Heritage Trust in relation to the covered and exposed bed rock adjoining the south western corner of the site. The Conservation Manager has confirmed that the application site does not overlap or conflict with this Local Geological site, but that a full working method statement should be provided as part of a pre-commencement planning condition. This will safeguard the integrity of the site and therefore there are not considered to be reasons for resisting residential given these safeguards

Conclusion

- 6.18 Paragraph 14 of the NPPF states that there is a presumption in favour of sustainable development which should be seen as a golden thread running through both plan making and decision-taking. In terms of the latter, this means approving development proposals that accord with the development plan without delay; and where a development plan is absent, silent or relevant policies are out-of-date, permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF as a whole; or specific policies in the NPPF indicate development should be restricted.
- 6.19 It has already been established that there is currently a deficit in housing land supply, which is a material consideration that should be accorded significant weight in relation to this site which lies within the identified settlement boundary for Ross-on-Wye. The proposed development, whilst modest in scale, will contribute to the current shortfall in terms of the delivery of additional housing and it is accepted that the development is sustainable in terms of location of the site, proximity to services and facilities and accessibility by non car based transport modes. The local concerns regarding the loss of open space are acknowledged but it is not considered that the site would have a significant adverse impact in the local context, including residential amenity or indeed on the wider character of the AONB. The development is served by means of access that will not have an adverse impact on highway safety and furthermore, given the acknowledged viability considerations makes an appropriate contribution towards off-site play provision in the locality.

RECOMMENDATION

That subject to completion of a Section 106 planning obligation in relation to play space contributions, the Officers named in the Scheme of Delegation be authorised to grant planning

permission subject to conditions noted in the report and subject to any further conditions considered necessary by Officers:

1. A01 Time limit for commencement (full permission)
2. B02 Development in accordance with approved plans and materials
3. B07 Section 106 Agreement
4. F08 No conversion of garage to habitable accommodation
5. H03 Visibility splays
6. H05 Access gates
7. H09 Driveway gradient
8. H11 Parking - estate development (more than one house)
9. H13 Access, turning area and parking
10. H17 Junction improvement/off site works
11. H21 Wheel washing
12. H27 Parking for site operatives
13. H29 Secure covered cycle parking provision
14. I44 No burning of materials/substances during construction phase
15. I48 Contents of scheme to deal with contaminated land
16. I49 Implementation of measures to deal with contaminated land
17. I51 Details of slab levels
18. K4 Nature Conservation – Implementation
19. Prior to commencement of the development, a full working method statement, including measures to protect the Local Geological Site should be submitted to and be approved in writing by the local planning authority, and the work shall be implemented as approved.

Reason: In order to maintain the integrity and visual amenity of the site and to conform with Policy NC1 of Herefordshire Unitary Development plan.

20. L01 Foul/surface water drainage
21. L02 No surface water to connect to public system
22. L03 No drainage run-off to public system
23. L04 Comprehensive & Integrated draining of site

Reasons for Approval

1. In reaching the decision to grant planning permission, regard has been had to the relevant policies in the Herefordshire Unitary Development Plan and the National Planning Policy Framework. The local planning authority was also mindful of other supplementary planning guidance.

The National Planning Policy Framework requires the council to maintain a 5 year supply of deliverable housing land and where this requirement is not being met, the relevant plan policies concerning the supply of housing land should not be regarded as up to date.

The development offers the benefits in terms of the additional housing within the next five years; is sustainable in terms of the location of the site, its proximity to existing

Further information on the subject of this report is available from Mr A Prior on 01432 261932

services and facilities and accessibility by non-car based modes of transport. The amended proposal provides for an improved relationship with existing development and it is not considered that the development will have an adverse impact in this part of the designated Area of Outstanding Natural Beauty, in view of its small scale and limited prominence in long term views with its localised impact appropriately mitigated by additional landscaping. These measures will also provide some biodiversity enhancement on the site. The bund and associated works will not have an adverse impact on a local geological site. The need to deliver additional housing land and the requirement to consider new residential development in the context of a presumption in favour of sustainable development along with the benefits of the development outweigh the localised impacts identified. The development is considered to comply with Policies S2, DR1, DR2, DR3, DR4, DR5, DR13, H1, H2, H13, H15, H16, H19, LA1, LA2, LA3, LA5, LA6, T6, T8, T11, NC1, NC4, NC6, NC8 and CF2 of the Herefordshire Unitary Development Plan.

Informatives:

1. The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against planning policy and any other material considerations. Negotiations in respect of matters of concern with the application (as originally submitted) have resulted in amendments to the proposal. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.
2. HN01 Mud on highway
3. HN04 Private apparatus within highway
4. HN05 Works within the highway
5. HN07 Section 278 Agreement
6. HN28 Highways Design Guide and Specification
7. N02 Section 106 Obligation
8. N02A Section 106 Obligation
9. N03A Adjoining Property Rights
10. N04 Rights of way
11. N16 Welsh Water Informative

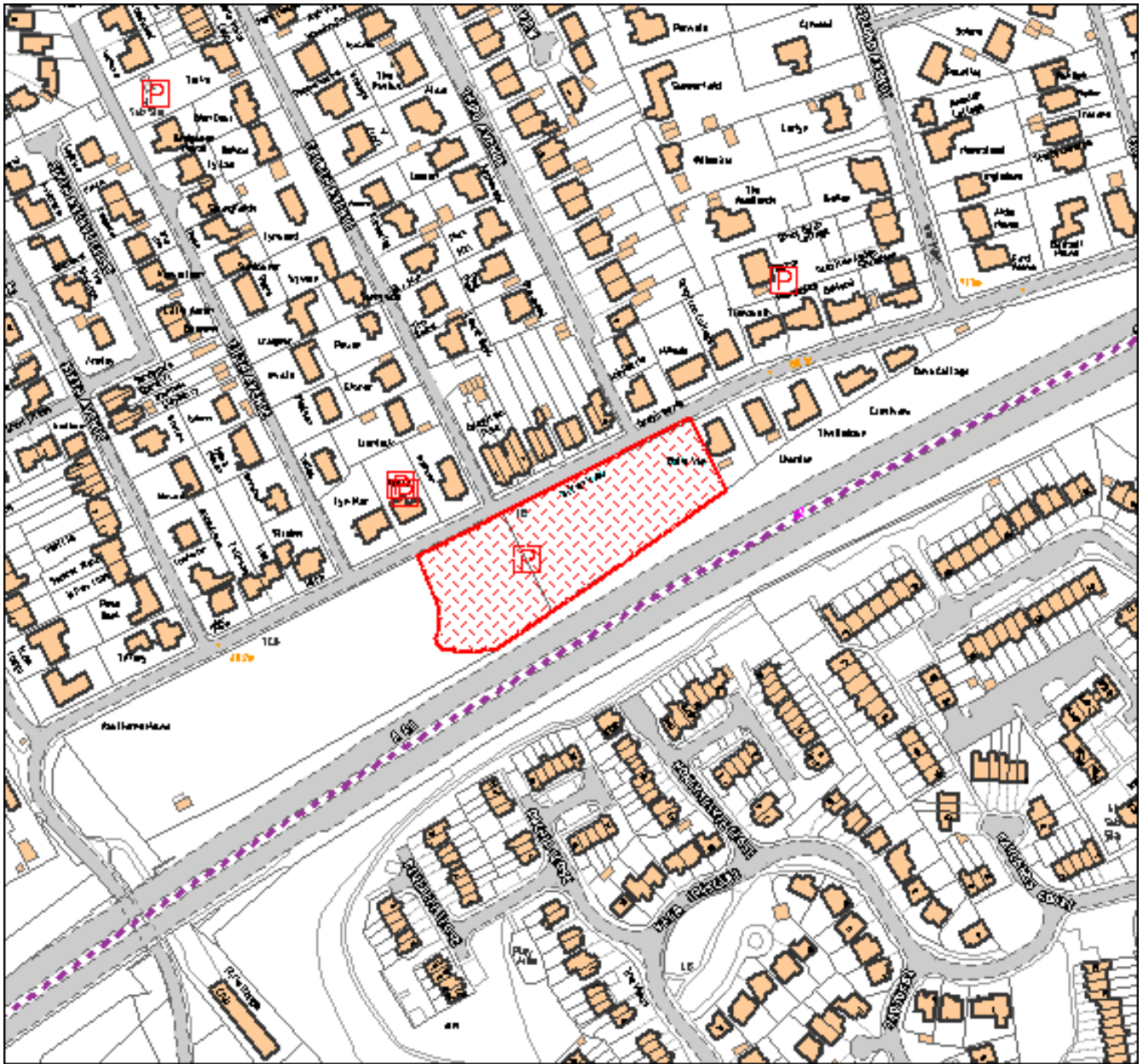
Decision:

Notes:

.....

Background Papers

Internal departmental consultation replies.



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

APPLICATION NO: 130060/F

SITE ADDRESS : LAND SOUTH OF GREYTREE ROAD, GREYTREE, ROSS ON WYE, 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: 100024168/2005

Further information on the subject of this report is available from Mr A Prior on 01432 261932