

2 DCCE2004/0095/RM – PROPOSED RESIDENTIAL DEVELOPMENT MIX OF 2, 3, 4 AND 5 BED HOUSES, FLATS, BUNGALOWS, CAR PARKING/GARAGES, ROADS AND SEWERS THERETO AND LANDSCAPING

PHASE 1 LAND OFF BULLINGHAM LANE, BRADBURY LINES, HEREFORD

For: George Wimpey South West Ltd., per Mr. C.M. Sackett, Mason Richards Planning, 155 Aztec West, Almondsbury, Bristol, BS32 4NG

**Date Received: 19 January, 2004 Ward: St. Martins & Hinton Grid Ref: 50899, 38181
Expiry Date: 15th March, 2004**

Local Members: Councillors Mrs. W.U. Attfield, A.C.R Chappell and R. Preece

This application was deferred by Members at the Sub-Committee meeting on 5th May, 2004 to seek reinstatement of the pedestrian/cycle link between the site and Bradbury Close. The link has now been reinstated with barriers at each end to limit use to pedestrian and pedal cycles. Members will be updated at the meeting of further representations received as a consequence of further consultations. The report has been changed to take account of the amendment.

1. Site Description and Proposal

1.1 The application site comprises part of the former Bradbury Lines military camp which is situated towards the southern edge of Hereford City. In January 2004 outline planning permission was given to erect 160 dwellings on "Phase 1" of the overall camp. Phase 1 is located adjacent to established residential development in Ross Road, Bradbury Close, Garrick Avenue and Web Tree Avenue.

1.2 This application comprises the first reserved matters following the outline planning permission and provides details of the siting, means of access, design and external appearance of 90 houses, including 29 affordable houses for rent and 10 low cost market affordable houses. The housing mix is as follows:

| | 1 Bed | 2 Bed | 3 Bed | 4/5 Bed |
|-------------------------------|-------|-------|-------|---------|
| Private housing | 0 | 7 | 10 | 34 |
| Low Cost Market Housing | 0 | 6 | 4 | 0 |
| Affordable Housing (for rent) | 0 | 15 | 10 | 4 |
| Total | 0 | 28 | 24 | 38 |

- 1.3 Vehicular access to the Phase 1 development is from Bullingham Lane only. The outline planning permission and Master Plan envisaged a pedestrian, cycle and emergency vehicle access from Bradbury Close and this has now been reinstated following objection to its removal by the Sub-Committee. A new, larger turning head would be provided at the end of Bradbury Close with four new houses served from it, including driveways.
- 1.4 This part of Phase 1 includes three children's play areas, as required by the outline planning permission.

2. Policies

2.1 Hereford Local Plan:

ENV7 - Noise
ENV8 - Contaminated land
ENV14 - Design
H3 - Design of new residential development
H4 - Residential roads
H5 - Public open space provision in larger schemes
H12 - Established residential areas
CAL15 - Long distance views
NC6 - Criteria for development proposals
T11 - Pedestrian provision
T12 - Cyclist provision
R2 - Deficiencies in public open space provision
R4 - Outdoor playing space standard
R5 - Loss of outdoor playing space
R6 - Provision of outdoor playing space
R8 - Children's play areas

2.2 Herefordshire UDP (Deposit Draft):

S1 – Sustainable development
S2 – Development requirements
S3 – Housing
DR1 – Design
H1 – Hereford and the market towns

3. Planning History

- 3.1 CE2001/2756/O - Site for mixed use development to provide housing, open space, community and local retail uses (Phase 1) - approved 19 January 2004.
- 3.2 CE2001/2757/O - Site for mixed use development to provide housing, open space, community and local retail uses (Phases 1, 2 and 3) - Sub-Committee resolution to approve subject to Section 106 agreement 1 December 2003.

4. Consultation Summary

Statutory Consultations

- 4.1 Dwr Cymru Welsh Water: recommend conditions as outline planning permission.

Internal Council Advice

- 4.2 Head of Engineering and Transportation: no objection subject to detail amendments to internal layout.

Regarding drainage, ultimately the proposed drainage system for the overall site would limit rates of discharge into the existing drainage system to that of the existing camp site with an attenuation system designed to deal with a 1 in 100 year storm period. The applicant has indicated that attenuation would possibly be achieved by the installation of oversized pipes, manholes and a final control chamber. The design is currently being considered.

- 4.3 Head of Strategic Housing Services: The provision of 39 affordable houses as identified for Phase 1 (under this application) is supported in principle, although subject to a further 19 affordable houses being provided as part of Phase 1b. The proposed mix provides a range of housing which is supported.
- 4.4 Head of Culture, Leisure and Education for Life: Detailed comments regarding layout of play areas.
- 4.5 Head of Conservation: landscaping approach is disappointing and does not equate to Master Plan concepts.

5. Representations

- 5.1 Hereford City Council: Concern that storm and foul sewer water disposal is adequately catered for in the development proposals.
- 5.2 Lower Bullingham Parish Council: The parish feel overwhelmed by the detail of the application and feel unable to comment on these details, which are really within building regulations, and detail planning which will have been discussed with officers and approved under the powers that these officers have.

The parish council were more concerned with the layout of the site in regard of open space, play space and environmental protection. This would have been made easier if a simple plan of the whole site was produced to give indications of the siting of major components of the site. The parish council is still concerned about the adequacy of the sewage system and the amount of traffic that will be generated by this development.

However it recognizes that these matters have already been decided and it is pointless to protest further.

- 5.3 Letters of representation have been received from 10 nearby residents (2, 5, 6, 7, 11 (x2), 12, 16 and 18 Bradbury Close; 50 Web Tree Avenue; and 205 Ross Road), summarised as follows:
- noise and disturbance to residents in Bradbury Close from users of pedestrian/cycle/emergency access to site;
 - extra vehicles in Bradbury Close will cause nuisance;
 - use of no man's land to rear of properties in Bradbury Close, Ross Road and Web Tree Avenue unclear;
 - loss of bird nesting areas;
 - house designs out of keeping with Bradbury Close;
 - concerned at proposals for slip road by Bradbury Close.
- 5.4 The full text of these letters can be inspected at Central Planning Services, Blueschool House, Blueschool Street, Hereford and prior to the Sub-Committee meeting.

6. Officers Appraisal

- 6.1 This application comprises the first reserved matters following the grant of outline planning permission in January 2004. The outline planning permission has established the principle of residential development on the site, including the specific number of units and the implications for highway safety and drainage. The main issues now are the acceptability of the design and layout of the development, the mix and form of the units, the standards of privacy for both existing and proposed houses and the acceptability of the highway and drainage details.
- 6.2 The layout is fairly typical of any modern housing development with a range of house types set around local distributor roads and cul-de-sacs. The housing mix includes 2, 3, 4 and 5 bedroom units with a bias towards larger units in the private market housing. Notwithstanding this, the mix is considered to be acceptable, providing suitable accommodation on this part of the overall camp site adjacent to the predominantly three bedroom established housing in Ross Road, Bradbury Close, Garrick Avenue and Web Tree Avenue.
- 6.3 Privacy margins between units on the site and with adjacent existing properties are considered to be acceptable. To ensure a smooth transition with established surrounding development, all existing artificial banks within the application site would be removed and ground levels reduced to original levels, including with Web Tree Avenue. The areas of former "no mans' land" at the edges of the camp with Ross Road and Bradbury Close are not affected by the proposals.
- 6.4 The outline application incorporated a pedestrian/cycle/emergency link between the site and Bradbury Close. This was deleted following considerable objection on amenity and security grounds from the residents of Bradbury Close and the lack of any actual technical need or demonstrable benefit from a pedestrian/cycle link in this location. Following the Sub-Committee's concern at the deletion of the link it has been reinstated. Barriers are proposed at either end to limit access to pedestrians/pedal cyclists only. The existing, sub-standard turning head at the end of Bradbury Close is proposed to be replaced by a larger turning head which would allow safe turning of larger vehicles. Four new houses would be served off this turning head with access via Bradbury Close. The four houses are considered appropriate, providing a proper "end" to the road. Traffic generation from just four units would not adversely affect the residential amenities of the close. The design of

the units is contemporary but not unacceptable within the context of established development in the locality.

- 6.5 The outline application established that existing infrastructure in Hoarwithy Road in particular is capable of accommodating both foul and surface water discharges from Phase 1. Notwithstanding this, the application contains full details of the layout of services for approval. These are currently being considered by the Drainage Engineer as part of separate application DCCE2004/0094/RM.
- 6.6 The road layout is satisfactory and in accordance with local design guides. Junction improvements with Bullingham Lane and Ross Road already have the benefit of permission and the details now submitted broadly follow these agreed designs. The roundabout junction between the site and Bullingham Lane is slightly enlarged although this raises no amenity issues. Conditions on the outline application require all off-site road works to be carried out prior to the occupation of any part of the development. These off-site works include an improved pedestrian crossing point and link on Ross Road by Bullingham Lane and an improved crossing point by Bradbury Close. No changes are proposed to the Ross Road service road as part of this application.
- 6.7 Although the applicant has requested for landscaping to be considered at this stage, no landscaping scheme has been submitted and so this detail remains reserved. The layout includes adequate margins and spaces for new planting.
- 6.8 The layout includes three (3) toddler play areas as required by the outline planning permission. At this stage there is no requirement for the applicant to supply details of equipment, etc., on these areas. There is, however, adequate space to satisfy Council standards.
- 6.9 39 of the houses comprise affordable units in accordance with the Section 106 agreement (a further 19 affordable units will be provided on Phase 1b). The mix and layout is in accordance with the Head of Strategic Housing Services requirements.
- 6.10 Conclusion

This first phase of the development satisfies policy requirements in accordance with the original master plan and outline planning permission. Later phases will require an improved mix and it is recommended that this is drawn to the applicant's attention by way of an informative note. Subject to this, planning permission is recommended.

RECOMMENDATION

That planning permission be granted subject to the following conditions:

- 1 Notwithstanding the details shown on Drawing No. 3795/24107/100B, 1.8 to 2.0 metre high close-boarded fences shall be erected on the boundary of the application site with adjoining properties in Ross Road, Bradbury Close, Garrick Avenue and Web Tree Avenue unless otherwise agreed in writing with the local planning authority. These fences shall be erected prior to the commencement of any building works on the site.**

Reason: To safeguard the amenities of adjoining properties.

- 2 The new turning head at the end of Bradbury Close shall be constructed, surfaced and drained to the satisfaction of the local planning authority prior to the occupation of units 19, 20, 21 or 22.

Reason: In the interests of highway safety.

Informatives:

- 1 The applicant's attention is drawn to Condition Nos. 6, 14, 27, 29, 30, 31, 32 and 36 which require further details to be submitted prior to commencement of development.
- 2 The applicant's attention is drawn to Condition No. 26 which requires all construction traffic to use Bullingham Lane only. No construction traffic should enter or leave the site via Bradbury Close.
- 3 This planning permission is pursuant to a planning obligation under Section 106 of the Town and Country Planning Act 1990.
- 4 This permission does not imply any rights of entry to any adjoining property nor does it imply that the development may extend into or project over or under any adjoining boundary.
- 5 Your attention is drawn to the Party Wall Act 1996. The Act will apply where work is to be carried out on the following:
- Work on an existing wall or structure shared with another property
Building a free standing wall or a wall of a building up to or astride the boundary with a neighbouring property
Excavating near a neighbouring building.
- The legal requirements of this Act lies with the building/site owner, they must find out whether the works subject of this planning permission falls within the terms of the Party Wall Act. There are no requirements or duty on the part of the local authority in such matters. Further information can be obtained from the DETR publication The Party Wall Act 1996 - explanatory booklet. Copies are available from the Planning Reception, Blueschool House, Blueschool Street, Hereford.
- 6 The applicant is advised that later phases should include a greater proportion of smaller (1 and 2 bedroom) units together with single storey accommodation to ensure a balanced mix of house types in accordance with PPG3.

7 The decision to grant planning permission has been taken having regard to the policies and proposals in the Hereford Local Plan set out below, and to all relevant material considerations including Supplementary Planning Guidance:

- ENV7 - Noise
- ENV8 - Contaminated land
- ENV14 - Design
- H3 - Design of new residential development
- H4 - Residential roads
- H5 - Public open space provision in larger schemes
- H12 - Established residential areas
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- NC6 - Criteria for development proposals
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This informative is only intended as a summary of the reasons for grant of planning permission. For further detail on the decision please see the application report by contacting Reception at Blueschool House, Blueschool Street, Hereford (Tel: 01432-260342).

Decision:

Notes:

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Background Papers

Internal departmental consultation replies.