

8 DCCW2004/1429/F - CONSTRUCTION OF 22 DWELLINGS COMPRISING 13 HOUSES AND 9 FLATS AT BARTON YARD, REAR OF J. SAINSBURY PLC, HEREFORD, HR4 0AG

For: South Shropshire Housing Association per J.B.D. Architects, Mortimer House, Holmer Road, Hereford, HR4 9TA

Date Received: 20th April, 2004 Ward: St. Nicholas Grid Ref: 50339, 39752

Expiry Date: 15th June, 2004

Local Members: Councillors Mrs. E.M. Bew and Miss F. Short

1. Site Description and Proposal

- 1.1 The application site is located on land to the rear of the recently extended Sainsbury's supermarket and to the north of Barton Road to the west of Hereford city centre. The site was formerly a car parking area associated with the supermarket and is immediately to the east of the Great Western Way which forms an important pedestrian and cycle link to the city centre and adjoins the former B.T. telephone exchange to the west. Access to the site is obtained via Barton Yard to the rear of Sainsburys.
- 1.2 This application seeks full planning permission for the erection of 22 dwellings comprising of 13 houses and 9 flats. All of the accommodation is provided in two separate blocks, one of which to the southern part of the site has a east to west orientation and the other adjoining the Great Western Way has a north south orientation. Vehicular access and car parking is provided in a courtyard area with 23 spaces indicated. A small proportion of the application site (southeast corner) lies within the Central Conservation Area. The scheme is solely for affordable housing which includes a mix of subsidised and low cost market housing.

2. Policies

2.1 Planning Policy Guidance:

PPG1	-	General Policy and Principles
PPG3	-	Housing
PPG13	-	Transport
PPG15	-	Planning and The Historic Environment
PPG24	-	Planning and Noise

2.2 Hereford and Worcester County Structure Plan:

Policy H2B	-	Housing Requirements
Policy H2C	-	Housing Requirements
Policy CTC9	-	Development Requirements
Policy CTC15	-	Conservation Areas
Policy CTC18	-	Development in Urban Areas

2.3 Hereford Local Plan:

Policy H3	-	Design of New Residential Development
Policy H6	-	Amenity Open Space Provision in Smaller Schemes
Policy H8	-	Affordable Housing
Policy ENV9	-	Energy Conservation
Policy ENV14	-	Design
Policy ENV17	-	Safety and Security
Policy CON12	-	Conservation Areas
Policy CON13	-	Conservation Areas – Development Proposals
Policy CON14	-	Planning Applications in Conservation Areas
Policy T12	-	Cyclist Provision

2.4 Herefordshire Unitary Development Plan (Revised Deposit Draft):

Policy DR1	-	Design
Policy DR2	-	Land Use and Activity
Policy S1	-	Sustainable Development
Policy S2	-	Development Requirements
Policy S3	-	Housing
Policy HBA6	-	New Development in Conservation Areas
Policy H9	-	Affordable Housing
Policy H13	-	Sustainable Residential Design
Policy H15	-	Density
Policy H19	-	Open Space Requirements

3. Planning History

- 3.1 CW1999/3090/O Site for residential development. Approved 19th October 2001.

4. Consultation SummaryStatutory Consultations

- 4.1 The Environment Agency - the Agency has no objection in principle to the proposed development but recommends conditions.
- 4.2 Welsh Water - Welsh Water has no objections to the proposed development subject to conditions.

Internal Council Advice

- 4.3 Head of Engineering and Transportation - request additional information on sustainable access issues to enable a more detailed assessment of the scheme.
- 4.4 Public Rights of Way Officer - no objections.
- 4.5 Strategic Housing Manager - the Strategic Housing Services fully support this application for the provision of affordable housing to meet housing need in Herefordshire and we have been working with South Shropshire Housing Association from the outset to bring this scheme forward.

The ownership of the land is in the process of being transferred to Herefordshire Council from J. Sainsburys Plc as part of the negotiations to dispose of the former Grimmer Road depot. Once this has been completed the land will then be transferred to South Shropshire Housing Association for the provision of affordable housing. Herefordshire Council will be part funding the scheme with capital resources.

Strategic Housing will seek to ensure the allocation of the properties will be done through a partnership arrangement with Home Point Herefordshire and South Shropshire Housing Association via Choice Based Lettings.

- 4.6 Head of Environment Health and Trading Standards - very strong concerns are raised regarding potential noise arising from the deliveries to Sainsburys Supermarket immediately to the north of the development. It is understood that there are no restrictions on the hours of deliveries at Sainsburys. The proposal of flats that are two storeys high means there are both living and sleeping areas directly facing the delivery yard.

During a site inspection a delivery vehicle arrived at Sainsburys, noise levels could be described as intrusive and this of course could be worse during night time. A refusal could be justified on the potential impact of noise. If however members are minded to approve the application, I would suggest the following conditions attached to any planning consent.

Development shall not begin until a scheme for protecting the proposed dwellings from noise from the Sainsburys delivery yard has been submitted to and approved in writing by the local planning authority. All of the works of the approved scheme shall be completed prior to the first occupation of any of the dwellings.

Reason: In the interests of residential amenity of the future occupiers of the proposed development.

5. Representations

- 5.1 Hereford City Council - has no objections.
- 5.2 Hereford Civic Society - wish to lodge an objection to the development on the basis that the site is not suitable for this type of development with poor access, high density and appalling appearance. It is not considered a suitable area for development and there is no suitable open space and very limited gardens. The proposed fence around the site will give the appearance of prison and the architectural approach is not what is needed in the centre of the city. We would recommend this application is refused.
- 5.3 Conservation Area Advisory Committee (CAAC) - the design is considered monolithic and does nothing to enhance the area in fact does just the opposite. From Barton Road the site was looked upon by vehicular and pedestrian traffic and is considered a recipe for a slum area in a few years. There is no way it fits into a Conservation Area.

Doubts were expressed about the feasibility of housing in this area trapped between the high bank of Barton Road and the superstore. A mix of town house development giving a lower density would be the only suggestion that could be made and a recommendation of refusal is put forward.

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 The key issues for consideration in determining this application are:

- The principle of the proposed residential development.
- The design, siting and layout of the site having regard to adjoining uses and a Conservation Area.
- Access and transportation issues.
- Drainage and flooding issues.

6.2 The adopted Hereford Local Plan does not allocate this land for any specific use and it is shown as “white land” where any application for development should be treated on its merits. The land is similarly identified in the emerging Unitary Development Plan. Residential development on brownfield land within city centre locations is considered acceptable and there is no policy objection to a residential use on this site. In this case outline planning permission was granted on the 19th October, 2001 for residential development under reference CW2001/3090/O.

6.3 This scheme is solely for affordable housing and will therefore be suitable for people not easily able to compete in the housing market and schemes for this form of development are generally encouraged to increase the County’s stock of affordable housing. The scheme makes efficient use of the land and is an appropriate edge of centre brownfield site close to shops, local facilities and with access to the public transport network.

6.4 With regard to the siting, design and layout of the site the proposal is a modern design which adopts energy efficient principles in accordance with the emerging Unitary Development Plan policies. Two three storey blocks are proposed with each containing a mixture of three bedroomed dwellings and two bed flats. The site was previously used by J. Sainsbury’s as a car park and is currently vacant. It abuts and is partly within the western boundary of the Central Conservation Area and to the east faces the boundary of the Broomy Hill Conservation Area. Its levels are significantly below that of Barton Road and Barton Manor, a Grade II Listed Building is situated a short distance from the eastern boundary of the site. The levels of the site compared to those to the south and east in particular are such that the scale of the proposed three storey development will not be fully appreciated either within or adjacent to the Conservation Areas.

6.5 Two blocks of similar architectural style are proposed, one of which runs east to west and is sited along the southern boundary of the site and the other running north to south in orientation will be sited against the Great Western Way. At the point where the buildings meet they have an apsidal (semi circular) form which will give a strong visual interest to views from Barton Road and the approach on the Great Western Way to the south. A mixture of brick render and timber are used in the elevations which help break the mass of the structure. Officers have expressed some concern with regard to the scale of the proposed building adjoining the Great Western Way and amended plans have been submitted which add a more architectural interest when viewed from the north (Sainsbury’s car park). It is still however considered that more relief could be added to the elevation adjoining the Great Western Way and amended plans are suggested in this respect. The design approach adopted is

similar to that at Coningsby Court on Coningsby Street which is a recently completed scheme of affordable housing within the city centre.

- 6.6 On access and transportation issues, car parking provision is provided at one space per unit which in principle is considered acceptable in this location. Concerns have been expressed by the Transportation Unit with regard to the proposed access arrangements and additional information has been requested from the applicant in this respect. Regard must however be had to the previous grant of outline planning permission which showed car parking layout with a higher number of spaces. The site relates well to the city centre and adjoins the Great Western Way giving good cycle and pedestrian links both north and south of the site. Subject to the concerns of the Transportation Unit being addressed, no objections are raised on this issue.
- 6.7 Both the Environment Agency and Welsh Water have confirmed no objection to the development on this site and there is no record of any flooding or land drainage issues on the land.
- 6.8 One area of concern which has been highlighted as part of the consultation process relates to the building's relationship with the Sainsbury's delivery yard at the recently extended store. The Council's Environmental Health Officer has expressed strong concerns with regard to potential disturbance from delivery vehicles which are uncontrolled in terms of time and may well cause disturbance for future residents of the site. Whilst mitigation can be addressed through an appropriate planning condition, given that outline planning permission was previously granted on the site, it would be difficult in dealing with a residential scheme for development to refuse permission on this basis. Furthermore, the orientation of the buildings is such that the majority of properties in this scheme will be sited a significant distance from the activities to the rear of the Sainsbury's store.
- 6.9 In conclusion it was considered this scheme is in principle acceptable subject to the conditions set out below and will provide a very valuable contribution to the city's affordable housing provision.

RECOMMENDATION

That planning permission be granted subject to the following conditions:

- 1. A01 (Time limit for commencement (full permission)).**

Reason: Required to be imposed by Section 91 of the Town and Country Planning Act 1990.

- 2. B01 (Samples of external materials).**

Reason: To ensure that the materials harmonise with the surroundings.

- 3. Prior to the commencement of development, architectural details of the proposed balconies including a sample of the proposed finish shall be submitted to and approved in writing by the local planning authority.**

Reason: To ensure a satisfactory form of development.

- 4. C11 (Specification of guttering and downpipes).**

Reason: To safeguard the character and appearance of the Conservation Area.

5. E16 (Removal of permitted development rights).

Reason: Having regard to the design of the development approved and to ensure the character and appearance of the Conservation Area is preserved or enhanced.

6. F13 (Scheme to protect new dwellings from road noise).

Reason: To protect the residential amenities of the future occupiers of the properties.

7. F18 (Scheme of foul drainage disposal).

Reason: In order to ensure that satisfactory drainage arrangements are provided.

8. F27 (Interception of surface water run off).

Reason: To prevent pollution of the water environment.

9. G01 (Details of boundary treatments).

Reason: In the interests of visual amenity and to ensure dwellings have satisfactory privacy.

10. G04 (Landscaping scheme (general)).

Reason: In order to protect the visual amenities of the area.

11. G05 (Implementation of landscaping scheme (general)).

Reason: In order to protect the visual amenities of the area.

12. G31 (Details of play equipment).

Reason: To ensure the play area is suitably equipped.

13. 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.

14. H29 (Secure cycle parking provision).

Reason: To ensure that there is adequate provision for secure cycle accommodation within the application site, encouraging alternative modes of transport in accordance with both local and national planning policy.

Informatives:

1. HN02 - Public rights of way affected.

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

Decision:

Notes:

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Background Papers

Internal departmental consultation replies.