

11 DCNE2004/2771/F - ERECTION OF 18 NO. DWELLINGS AT LAND OFF NEW MILLS WAY / FROME BROOK ROAD, LEDBURY**For: St. John Kemble Housing Association per Roger P. Dudley & Assocs, Bartleet House, 165A Birmingham Road, Bromsgrove, Worcestershire, B61 0DJ****Date Received: 28th July 2004****Ward: Ledbury****Grid Ref: 70437, 38348****Expiry Date: 22nd September 2004**

Local Members: Councillors B.F. Ashton, D.W. Rule M.B.E. & P.E. Harling

This planning application was deferred at the last meeting to enable further discussions to take place with agents concerning the maintenance of the play area.

The applicants now propose to delete the play area and utilise the space for additional car-parking.

The removal of the play area is strictly contrary to policy, however Member's concerns regarding the future maintenance cost were noted and accordingly this has been removed from the proposal.

1. Introduction

- 1.1 This 0.5 hectare site is located at the junction of Frome Brook Road and New Mills Way, Ledbury. This application forms the last residential development site on New Mills and comprises 18 dwellings, infants play area and car parking.
- 1.2 All of the development is two storey and consists of 9 x 3 bedroom dwellings, 5 x 2 bedroom dwellings and 4 x 2 bedroom flats.
- 1.3 Access to the site is off Frome Brook Road and provides for a 5.5 m access road with pavements either side. The layout provides for corner units at the estate road junction with Frome Brook Road and the corner of the site with New Mills Way. Internally the remainder of the development front onto the new access road. Development surrounding the site comprises two storey housing to the east, bungalows and community centre to the south, two storey housing to the west access New Mills Way. The north consists of the structure parking area in front of two storey housing.
- 1.4 An infants play area measuring 6m x 10m is located between plots 11-18 with parking for those units either side.
- 1.5 External materials will be brick and tiles to match the adjoining development.
- 1.6 To support the development a Design Statement has been submitted with the application.

2. Policies

PPG 1 – General Policy and Principles
DPPG 3 - Housing

Hereford and Worcester County Structure Plan

Policy H13 – Location and Growth
Policy CTC9 – Development Requirements

Malvern Hills District Local Plan

Housing Policy 2 – Development in Main Towns
Housing Policy 11 – Affordable Housing for Local People
Housing Policy 17 – Residential Standards
Environmental Policy 12 – Disposal of Foul Sewage, Trade Effluent and Surface Water
Recreational Policy 24 – Recreational Open Space Standards
Recreational Policy 25 – Recreational Open Space Provisions
Recreational Policy 26 – Maintenance of Public Open Space and Children’s Play Areas
Ledbury Housing Policy 1

Herefordshire Unitary Development Plan (Revised Deposit Draft)

Housing Policy 2 – Housing land allocations
Housing Policy 9 – Affordable Housing
Housing Policy 15 – Density
Housing Policy 16 – Car Parking
Housing Policy 19 – Open Space Requirement
Recreation Policy RST – Standards for outdoor playing and public open spaces

3. Planning History

MHD1055/94 – Variation of condition 3 of MH320/89 to extend time limit for submission of Reserved Matters to 25.3.2001. Approved together with modifications to New Mills Section 106 Agreement 29.3.96.

MH320/89 – Residential development, industrial development, community hospital, ancillary roads, sewers, open space, landscaping. Allowed on appeal 9.8.90.

4. Consultation Summary

Statutory Consultations

4.1 Severn Trent Water raise no objections.

Internal Council Advice

4.2 The Head of Engineering and Transportation recommends conditions.

4.3 Strategic Housing Services comment as follows: “Strategic Housing Services has worked in partnership with West Mercia Housing Group to bring this scheme to the Planning Application stage, and supports the scheme proposals to provide 18 affordable homes on this site.

The Council currently owns the land involved, which is subject to a Section 106 Agreement to provide affordable housing on the site as a part of the planning gain derived from a previous development in the area. The Council is working to transfer the land involved to West Mercia Housing Group to enable the affordable housing to be provided.

The scheme originally envisaged and tendered for amongst the Council's RSL partners would have provided 22 units, 16 for rent and 6 for shared ownership, on an area a little larger than now actually available. The current application, if approved, will provide 18 affordable homes in Ledbury, 14 for rent and 4 for shared ownership. This scheme has funding allocated to it from the Housing Corporation of approx £600,000, funding which must be committed through a start on site being made in this financial year

Any homes built would meet Housing Corporation Scheme Development Standards, including an EcoHomes 'GOOD' rating, and meet Lifetime Homes standards, .The affordable units would be allocated through Home Point, Herefordshire."

- 4.4 Head of Environmental Health and Trading Standards – no objection subject to working hours condition.
- 4.5 Head of Conservation – Mitigation needed in event of slowworms being present can be covered by condition.

5. Representations

- 5.1 Ledbury Town Council comment as follows: "Members thought that this application was well designed and laid out, however, it was felt that the flats (plots 7-9) would be better situated if turned slightly so as the rear angle runs parallel to the fencing at the back of the property."
- 5.2 45 letters of objection have been received, of which 36 are identical. The main points raised are as follows:

- a) Loss of Privacy and Overlooking

The design results in a significant loss of privacy to adjoining residents, particularly on the eastern side of the proposed two storey flats and bungalows to the south.

- b) Loss of Amenity

The existing development is of a high quality, which includes the provision of integrated open space and significant landscaping and planting. No such provision is made within these plans. The density of the development exacerbates the lack of space.

- c) Buffer Strip

A significant buffer strip was made on Area 15 opposite and this should be reflected in this proposal.

- d) Highway Safety

The density will cause a significant increase in traffic and a danger to cycle users who will cross the entrance. No visitor parking is proposed.

e) Ecological Survey

We are aware that reptiles and amphibians live on site yet there is no mention of an Ecological Survey in the Design Statement.

f) The flats are located on the highest part of the site and will therefore dominate the skyline.

g) The active frontage onto New Mills Way should be removed to prevent parking on New Mills Way.

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

6. Officers Appraisal

6.1 The main issues in consideration of this proposal are:

1. The principle of development.
2. The layout, design and density in relation to the character of the area.
3. Highway safety and car parking provision.
4. Play Area.
5. Ecological Matters.

1. The Principle of Development

This planning application provides for the last residential development site on the New Mills Estate. The land was set-aside within the original master plan for development of the site for social housing and this application by St John Kemble Housing Association complies with that criteria. A Section 106 Agreement will be recommended to ensure the dwellings are retained for affordable housing.

2. The Layout, Design and Density in relation to the Character of the Area

The New Mills Estate has a mix of dwelling types and density. The density proposed for this site equates to approximately 36 dwellings per hectare which sits at the lower end of the recommended densities of 30-50 units identified in PPG3. The development to the east comprising detached dwellings equates to a density of 25 units to the hectare. To the north a mix of terraced and semi-detached units equates to 31 dwellings per hectare.

It is therefore considered that the proposed density of 36 dwellings to the hectare comprising terraced, semi-detached and four flats is acceptable, being compatible with surrounding development and within PPG3 guidelines.

The layout has been created to provide for active frontages onto the adjoining structure planting areas, and corner units to enhance the entrances into the development off Frome Brook Road and New Mills Way. Furthermore the location of the semi-detached dwellings on the eastern boundary provides for visual spaces through the development.

The design statement submitted with the application has identified features typical for housing development in Ledbury and these have been provided for in the submitted plans. They include the use of red brick facades with vertical sash cottage style windows, stone sills and feature brick soldiers. In addition, chimneys and render add individual character.

The layout has been amended slightly with the enclosure of the active frontage onto New Mills Way to enclose the development and prevent usage of New Mills Way as a potential parking area. In addition the flats located on plots 7-10 have been orientated marginally away from the houses to the east, in line with the Town Council comments. Concerns regarding the flats are noted however bedrooms are provided on the rear with the active spaces of lounge and kitchen located at the front of the units. In addition it should be noted that they are located approximately 25 m away from the nearest dwelling to the rear. Regarding the levels these will be conditioned to ensure that the buildings are sited appropriately. Finally reference has been made to the 'buffer zone' created on area 15, the bungalows to the south, however a 0.4 hectare area was required by the master plan hence its retention on that site. There is no requirement on this site.

3. Highway Safety and Car Parking Provisions

The Council's Head of Engineering and Transportation has confirmed that the layout is acceptable and provides adequate car parking for each of the dwellings. One visitor car parking space was identified but has been removed as this is not required. All of the houses have 2 parking spaces whilst the flats have one space each. There is no policy requirement to provide further car parking spaces.

4. Play Area

An infant play area is proposed in compliance with recreation policies of the Malvern Hills District Local Plan and this will be included within the Section 106 Agreement for it to be transferred to the Council for its future maintenance.

5. Ecological Matters

Similar concerns were identified when the site for the bungalows to the south was developed. The Council's Ecological Officer investigated and was satisfied then that there was no protected species on the land. However, the Ecologist has again been requested to inspect the site and a verbal update will be given at the meeting.

6. Conclusion

The density, scale, design and layout of this area is considered to comply with the terms of the Master Plan for New Mills, Malvern Hills District Local Plan and Government advice contained in PPG1 and 3.

The development will provide an attractive combination of dwelling types and design which will compliment the existing development and complete the development of the New Mills Estate.

RECOMMENDATION

THAT:

The County Secretary and Solicitor be authorised to complete a planning obligation under Section 106 of the Town and Country Planning Act 1990 to:

- a) Affordable Housing**

and any additional matters and terms as she considers appropriate

Upon completion of the aforementioned planning obligation that the officers named in the Scheme of Delegation to Officers be authorised to issue planning permission 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 A09 (Amended plans)**

Reason: To ensure the development is carried out in accordance with the amended plans.

- 3 B01 (Samples of external materials)**

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

- 4 F16 (Restriction of hours during construction)**

Reason: To protect the amenity of local residents.

- 5 F20 (Scheme of surface water drainage)**

Reason: To prevent the increased risk of flooding by ensuring the provision of a satisfactory means of surface water disposal.

- 6 F48 (Details of slab levels)**

Reason: In order to define the permission and ensure that the development is of a scale and height appropriate to the site.

- 7 G01 (Details of boundary treatments)**

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

- 8 G02 (Landscaping scheme (housing development))**

Reason: To ensure a satisfactory and well planned development and to preserve and enhance the quality of the environment.

9 G05 (Implementation of landscaping scheme (general))

Reason: To ensure the play area is suitably equipped.

11 H05 (Access gates)(15 metres)

Reason: In the interests of highway safety.

12 H11 (Parking - estate development (more than one house))

Reason: In the interests of highway safety and to ensure the free flow of traffic using the adjoining highway.

13 H18 (On site roads - submission of details)

Reason: To ensure an adequate and acceptable means of access is available before the dwelling or building is occupied.

14 H21 (Wheel washing)

Reason: To ensure that the wheels of vehicles are cleaned before leaving the site in the interests of highway safety.

15 H27 (Parking for site operatives)

Reason: To prevent indiscriminate parking in the interests of highway safety.

Informatives:

- 1 N15 - Reason(s) for the Grant of PP/LBC/CAC**
- 2 HN05 - Works within the highway**
- 3 HN08 - Section 38 Agreement details**
- 4 HN10 - No drainage to discharge to highway**
- 5 HN19 - Disabled needs**

Decision:

Notes:

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Background Papers

Internal departmental consultation replies.