

**6 DCCW2004/3085/F - 32 DWELLINGS AND ASSOCIATED WORKS AT LAND AT ATTWOOD LANE, HOLMER PARK, HEREFORD****For: Persimmon Homes (South Midlands) Ltd. per Hunter Page Planning Ltd., Thornbury House, 18 High Street, Cheltenham, GL50 1DZ****Date Received: 9th September 2004****Ward: Burghill,  
Holmer & Lyde****Grid Ref: 51083, 42401****Expiry Date: 4th November 2004**

Local Member: Councillor Mrs. S.J. Robertson

**Introduction**

The determination of this application was deferred at the meeting of the Central Area Planning Sub-Committee on 15th December 2004 in order to carry out a site visit.

Further to this, the attached report has been updated to take account of concerns raised during the meeting. Unfortunately it has not been possible to incorporate the formal responses from the Chief Forward Planning Officer and the Head of Community and Economic Development in view of the timescales involved. These responses will be reported verbally at the meeting on 12th January 2005.

**1. Site Description and Proposal**

- 1.1 The application site lies to the north of Attwood Lane, Holmer between Holmer Nursing Home and Attwood Court.
- 1.2 Planning permission is sought to construct 32 dwellings, 10 of which will be affordable together with a small on-site play area. The application also includes works to Attwood Lane in the form of traffic calming measures.
- 1.3 The 10 affordable dwellings will be 2 x 2 bed low cost dwellings, 4 x 3 bed for rent, 2 x 3 bed for shared ownership and 2 x 4 bed for rent. The open market housing comprises 8 x 3 bed and 14 x 4 bed. Five dwellings are 2½ storey in height. Foul drainage is proposed via the main sewer.
- 1.4 The layout which comprises a mix of dwellings from detached, semi-detached and terraced, provides for frontage development onto Attwood Lane with access coming into the site near Holmer Court Nursing Home. A T-junction would be created at this point with traffic having to stop on Attwood Lane before either entering the housing site or continuing down to Roman Road.
- 1.5 Open fields abut the north and west of the site with Holmer Nursing Home to the south together with Wentworth Park housing estate. Attwood Court abuts the eastern side.

- 1.6 This 0.98 hectare site comprises previously developed land with the current uses comprising a gravel distribution company, a tyre repair and fitting centre and a scaffolding firm.

## 2. Policies

### 2.1 Planning Policy Guidance:

- PPG1 - General Policy and Principles
- PPG3 - Housing
- PPG4 - Industrial and Commercial Development and Small Firms
- PPG13 - Transport

### 2.2 South Herefordshire District Local Plan:

- Policy SH1 - Housing Land Study
- Policy SH4 - Housing Land Adjacent to Hereford City
- Policy SH12 - Cross Subsidisation Schemes
- Policy ED4 - Safeguarding Existing Employment Premises
- Policy GD1 - General Development Criteria
- Policy C1 - Development within the Open Countryside
- Policy C40 - Provision of Essential Services
- Policy C43 - Foul Sewerage
- Policy C45 - Drainage
- Policy R3A - Development and Open Space Targets for 10 Dwellings and Over
- Policy R3D - Commuted Payments
- Policy R3E - Provision and Maintenance of Public Open Space and Play Areas
- Policy R5 - Improvements to Existing Recreation Land and Public Open Space
- Policy CF1 - Retention and Provision of New Community Facilities
- Policy T3 - Highway Safety Requirements
- Policy T4 - Highway and Car Parking Standards
- Policy T5 - Traffic Management

### 2.3 Herefordshire Unitary Development Plan (Revised Deposit Draft):

- Policy S1 - Sustainable Development
- Policy S2 - Development Requirements
- Policy S3 - Housing
- Policy S8 - Recreation, Sport and Tourism
- Policy S11 - Community Facilities and Services
- Policy DR1 - Design
- Policy DR2 - Land Use and Activity
- Policy DR3 - Movement
- Policy H1 - Hereford and the Market Towns: Settlement Boundaries and Established Residential areas
- Policy H2 - Hereford and the Market Towns: Housing Land Allocation
- Policy H3 - Managing the Release of Housing Land
- Policy H9 - Affordable Housing
- Policy H13 - Sustainable Residential Design
- Policy H14 - Re-using Previously Development Land and Buildings

Policy H15	-	Density
Policy H16	-	Car Parking
Policy H19	-	Open space Requirement
Policy E5	-	Safeguarding Employment Land and Buildings
Policy RST1	-	Criteria for Recreation, Sport and Tourism Development
Policy CF2	-	Foul Drainage
Policy CF5	-	New Community Facilities

### 3. Planning History

- 3.1 CW2002/1738/F Change of use to storage yard for retail use (retrospective application). Withdrawn 31st July 2002.
- 3.2 DCCW2004/182/F Construction of 32 dwellings and associated works. Withdrawn 9th September 2004.

### 4. Consultation Summary

#### Statutory Consultations

- 4.1 Welsh Water - recommend approval subject to appropriate conditions ensuring connection to the main sewer for foul drainage and separate surface water drainage system.

#### Internal Council Advice

- 4.2 Head of Highways and Transportation - recommends permission subject to appropriate conditions and contribution towards traffic calming measures.
- 4.3 Director of Education - the provided schools for this site are Broadlands Primary and Aylestone High Schools. Both schools are close to capacity and any additional children entering the area would prevent us from removing temporary classrooms that we may otherwise be able to do, or put us into a situation where we have to create permanent builds.
- The Education Directorate would therefore be looking for a contribution to be made towards education in the area.
- 4.4 Chief Forward Planning Officer – comments are awaited and will be reported at the meeting.
- 4.5 Head of Community and Economic Development – comments are awaited and will be reported at the meeting.
- 4.6 Head of Strategic Housing Services comments that the 10 affordable houses should be 2 x 4 bed houses for rent, 4 x 3 bed houses for rent, 2 x 3 bed houses for shared ownership and 2 x 2 bed houses for shared ownership. Low cost market housing is not considered appropriate.

### 5. Representations

- 5.1 Holmer Parish Council - the Parish object on the following grounds:-

1. At present three Companies who employ in excess of 35 people occupy the site. It is not vacant and is used for employment. Under the UDP the land is set aside for employment (Policy E5) and therefore should not be considered for residential. Bearing in mind employment land has already been deleted from the UDP - Roman Road (Policy E4) the north side of Hereford cannot afford to lose any more employment land. It is indicated in the applicant's Planning Statement 5.3 "shape new development patterns in a way which minimises the needs to travel" loss of employment land would involve nearby residents travelling to other employment land.

The Parish would expect the Forward Planning Dept., to recommend refusal for this application as it contradicts the UDP which they have prepared.

2. There is no nearby infrastructure to take foul drainage or storm water and there is no mention in the Planning Statement as to how the developer intends to circumvent this problem.
  3. At present there is a substantial line of tree planting which is down for removal, although it is indicated in the planning application form that no trees are to be removed. These trees create a barrier to the site and maintain the street vista when driving along Attwood Lane.
  4. It is appreciated that the "rat run" along Attwood Lane needs to be addressed, but providing raised platforms and footways would change a rural situation into an urban estate. It is indicated on the layout drawing that a footpath would be provided adjacent to Holmer Court Rest Home and we would query whether this is permissible in terms of ownership as no Certificate B has been issued on Holmer Court.
  5. The introduction of street lighting on this ridge line would ruin the rural feel in this area.
  6. The layout drawings indicates that Plots 1-6 are shown fronting Attwood Lane some two metres back from the carriage way, which would not be very appropriate for a rural street scene. The layout drawing also shows an easement for an off-site pumping station measuring 6 metres wide and extending into the adjacent land to the north. Is this a provision for further development?
- 5.2 Holmer and District Residents' Association together with 15 letters of objection have been received. The main points raised are:
1. The proposed density of 32 dwellings per hectare is considerably greater than the adjoining residential development.
  2. The development is on the edge of high quality countryside where density should be decreased. The developers have imposed a uniform density with the tallest houses to the rear.
  3. Some of the dwellings rise to 3 storeys and these would be out of keeping with the predominantly one and two storey housing.
  4. Areas of the site have been filled making land levels higher.

5. There are footpaths nearby which will give views of the site yet no screening is proposed.
  6. The insertion of 32 dwellings adjacent to low density development would not provide a transition zone.
  7. There is limited open space provision on-site with older children likely to use surrounding fields to the detriment of a site of archaeological importance located nearby.
  8. It is possible that contaminated material will need to be removed from the site, but no reference is made only that clay and soil will be removed.
  9. Drainage both foul and surface water could be a problem. Foul drainage is a major issue in the area and if drainage into the brook to the rear occurs this adversely floods in times of heavy rainfall.
  10. Residents shall be given the opportunity to choose external materials.
  11. It is considered that the scale and density would destroy the character of the area and set a precedent for treating other sites in the vicinity.
  12. Attwood Lane is heavily trafficked and used as a "rat run" and although business traffic will be reduced 32 houses will increase the traffic situation.
  13. This area dictates executive housing not Housing Association dwellings.
- 5.3 Holmer Court Nursing Home - in principle supports the development but are concerned regarding the traffic implications and impact on the ramped access to their property.
- 5.4 A letter of objection has been received from A.R. Hirst, Company Director of W & J Scaffolding Ltd. The following concerns are raised:-
- contrary to the aims of protecting safeguarded employment land in the UDP and to provision of the current South Herefordshire District Local Plan.
  - site currently employs a total of 41 people which will be lost emphasising the importance of this site for employment purposes.
  - alternative site to relocate to have not met requirements. Potential of finding a similar site are very slim jeopardising the success of an important local business.
- 5.5 Two letters of support have been received from Pegasus Juniors Football Club and Paul Keetch, M.P. expressing the importance of the financial contribution proposed to improve the Old School Lane site.
- 5.6 The agents have also submitted an extensive planning and highways supporting statement which has been further enhanced by submission of a design statement. Additional plans relating to the details of traffic calming measures and confirmation has been received that the mix of affordable housing proposed by the Head of Strategic Housing Services is acceptable.

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 main issues in considering this application are:

1. The Principle of Development
2. Density, Design, Scale and Affordable Dwellings
3. Foul and Surface Water Drainage
4. Highway Safety
5. Other Material Considerations

### 6.2 The Principle of Development

In order to assess the acceptability of the proposed development it is important that the proposal is consistent with all tiers of planning policy including local and national planning policy.

PPG1 promotes a planning framework which seeks to shape new development patterns in a way which minimises the need to travel. In this respect the site is located within the urban fringe of Hereford with accessibility to existing infrastructure, public transport and employment areas. Therefore development of the site would minimise the need to travel.

PPG3 promotes and gives priority to the re-use of previously developed land (Brownfield sites) particularly where they are located within the guidance contained in PPG1.

In addition PPG3 emphasises the importance of designing residential development that will improve the quality and attractiveness of a residential area. The development has been designed with a "Home Zone" concept which places the needs of pedestrians and residents before ease of traffic movement thereby creating a residential environment that is not dominated by the demands of the car.

Proposed changes to PPG3 have been out to consultation which expired in October this year. Although only in draft they can be regarded as a material consideration. The draft further emphasises the need to allow development of brownfield sites.

PPG13 further supports the redevelopment of the site as it is located within a sustainable location ideally placed to take advantage of the existing infrastructure.

The Herefordshire UDP has passed through its initial consultation processes and is heading towards a Public Inquiry in 2005. Policies within the Plan are relevant to this site and need to be considered.

Firstly, it should be noted that the site is within the defined settlement boundary for Hereford and is identified as being part residential and part employment. Employment Policy 5 seeks to safeguard employment land and buildings unless there are substantial benefits to residential or other amenity in allowing alternative forms of

development. The removal of the employment use of the site would bring a benefit to the surrounding residential development by removing a non-conforming use or potential use as an authorised employment site. In addition the development of the site will enable works to be undertaken on Attwood Lane to reduce its use as a "rat run" between the A49 and A4103 roads. Also the introduction of mains drainage could provide an alternative means of foul drainage disposal to other dwellings in Attwood Lane. Additional benefits will be the removal of commercial vehicles from Attwood Lane and improved footway network.

In line with national policies the UDP Policy S3 supports maximising the use of Brownfield sites and that these sites are developed prior to greenfield land (Policy H3). Policy ED5 of the South Herefordshire District Local Plan further supports the development of the site. It is therefore considered that these are tangible benefits which could be derived from confirming that the principle of developing the site complies with existing and emerging planning policy. The inclusion of the whole site within the settlement boundary for Hereford City and part of its allocation for housing would leave only 0.5 hectares of employment uses adjacent to residential development. A piecemeal approach could deliver a poor layout and limited benefits. This proposal provides a comprehensive approach to the development of the site. The employment land loss is considered minimal (0.5 hectares) in relation to the employment sites in the area.

### 6.3 Density, Design, Scale and Affordable Housing

PPG3 advises that new development should be built to a density of 30-50 to the hectare. The UDP further emphasises that within Hereford the level should be at least 50 dwellings per hectare in the town centre and other sites at least 30 dwellings per hectare. The development site equates to 32 dwellings per hectare and clearly sits at the lower end of the density criteria. In this respect the lower density development that surrounds the site justifies this reduced level of provision together with the impact on highway safety if a greater density was proposed.

The design and layout reflects the character of the houses in the area. Five 2½-storey houses are located within the 32 dwellings proposed, the remainder being 2 storey. The layout reflects the home zone approach with an integral open space and play area which is overlooked by dwellings to provide supervision and security. The layout also provides for frontage development along Attwood Lane and the change of priority along Attwood Lane ensures that approaches to the development provide a focal point to the entrance. Another key feature is the prominence of the dwellings within the street scene with car parking spaces and garages located to the rear of the plots further emphasising the home zone approach where the dominance of the car is reduced.

The density includes the provision of 10 affordable dwellings which are catered for in a mix of low cost, rent-shared equity and range from 2 to 4 bed dwellings. The design, layout, scale and affordable provision is therefore considered to comply with national policy adopted and emerging policy of the South Herefordshire District Local Plan and Unitary Development Plan.

### 6.4 Foul and Surface Water

There is presently no mains drainage on the site, however there is the potential to achieve connection. Welsh Water have confirmed that they are agreeable to a

condition preventing development of the site until such time as mains drainage is available. The adjoining Wentworth Park development has an unadopted sewer. Persimmon have shown their willingness to requisition a sewer and undertake necessary improvement works under sections 98 and 101 of the Water Industry Act 1991. These works will be paid for by Persimmon once they have obtained planning consent. An appropriate "Grampian" condition preventing development as recommended by Welsh Water will safeguard mains drainage to the site. This would alleviate the drainage problems in the area and could possibly provide mains drainage to other dwellings in Attwood Lane.

#### 6.5 Highway Safety

Attwood Lane is used as a "rat run" between Roman Road and the A49 Hereford-Leominster road. This development seeks to change the priority of Attwood Lane together with other traffic calming measures located at either end. This will provide tangible benefits to the residents and reduce its use as a "rat run". The developers have also offered £8,000 towards the traffic calming measures which the Head of Highways and Transportation considers is acceptable.

#### 6.6 Other Materials Considerations

In addition to the £8,000 offered for off-site highway improvements the developers have also agreed to provide £1,000 per dwelling (£32,000) to cover educational needs and £20,000 to Pegasus Juniors Football Club to complete the development of Old School Lane Playing Field. This contribution links the concerns raised in the consultation process of provision of sporting facilities for the older children. It is also the nearest recreational site and is supported by Herefordshire Football Partnerships Committee who identifies the potential for this funding. It should be noted that this payment would enhance Council owned land presently leased to Pegasus Juniors Football Club.

#### 6.7 Summary

The development of this site located within the settlement boundary as identified in the Unitary Development Plan will provide tangible benefits to the locality by providing a conforming land use, highway benefit, educational support and enhanced recreational provision. The loss of 0.5 hectares of employment land is considered minimal. The development will provide a comprehensive development approach with benefits to highway safety, residential amenity and recreational provision.

### **RECOMMENDATION**

**That**

**1) The County Secretary and Solicitor be authorised to complete a planning obligation under Section 106 of the Town and Country Planning act 1990 to**

- (1) Affordable housing**
- (2) Contribution to education (£32,000)**
- (3) Contribution to highway improvements (£8,000)**
- (4) Contribution to redevelopment of Old School Lane (£20,000)**

**and any additional matters and terms as she considers appropriate.**



2) 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. A06 (Development in accordance with approved plans).

Reason: To ensure adherence to the approved plans in the interests of a satisfactory form of development.

3. B01 (Samples of external materials).

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

4. No development shall commence on site until mains drainage is available on site.

Reason: To ensure an appropriate means of foul drainage.

5. F16 (Restriction of hours during construction).

Reason: To protect the amenity of local residents.

6. 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.

7. F22 (No surface water to public sewer).

Reason: To safeguard the public sewerage system and reduce the risk of surcharge flooding.

8. F44 (Investigation of contaminated land).

Reason: To ensure that potential contamination of the site is satisfactorily assessed.

9. F46 (Implementation of measures to deal with contaminated land).

Reason: To ensure contamination of the site is removed or contained.

10. 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.

11. G01 (Details of boundary treatments).

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

- 12. G02 (Landscaping scheme (housing development)).**

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

- 13. G03 (Landscaping scheme (housing development) – implementation).**

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

- 14. G05 (Implementation of landscaping scheme (general)).**

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

- 15. G30 (Provision of play area/amenity area).**

**Reason: To ensure a reasonable standard of amenity for future occupants of the development.**

- 16. G31 (Details of play equipment).**

**Reason: To ensure the play area is suitably equipped.**

- 17. G32 (Landscaping to include amenity land).**

**Reason: To ensure a reasonable standard of amenity for future occupants of the development.**

- 18. G33 (Details of walls/fences (outline permission)).**

**Reason: In the interests of residential and visual amenity.**

- 19. No dwellings shall be occupied until the traffic calming measures for Attwood Lane have been implemented in their entirety.**

**Reason: In the interest of highway safety.**

- 20. 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.**

- 21. 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.**

- 22. 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.

- 23. H19 (On site roads – phasing).

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

- 24. H21 (Wheel washing).

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

- 25. H27 (Parking for site operatives).

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

- 26. Prior to work commencing on site details of site workers accommodation and offices shall be submitted for approval in writing by the local planning authority. The units shall be positioned in accordance with those details.

Reason: In order to protect the residential amenity of residential properties.

**Informatives:**

- 1. HN01 - Mud on highway.
- 2. HN04 - Private apparatus within highway.
- 3. HN05 - Works within the highway.
- 4. HN07 - Section 278 Agreement
- 5. HN10 - No drainage to discharge to highway.
- 6. N15 - Reason(s) for the Grant of PP.

Decision: .....

Notes: .....

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**Background Papers**

Internal departmental consultation replies.