

11 TANYARD LANE DEVELOPMENT BRIEF**Report By: Forward Planning Manager****Wards Affected**

Ross-on-Wye East

Purpose

To inform members of the consultation process undertaken on the Tanyard Lane Development Brief and to consider the proposed amendments that have been made to the brief as a result of the consultation feedback that has been received.

Background

A draft development brief has been prepared to guide the future development of the Tanyard Lane site which is located in Ross on Wye and forms a housing allocation for 150 units within the emerging Unitary Development Plan (UDP). The brief has been prepared jointly between the Council and developers for the site. The brief will provide additional information to supplement the policies of the plan.

It should be noted that this development brief in no way undermines objections already made to this UDP allocation. To the contrary, it helps to clarify and address some of the design and site layout issues that are of concern to some local people. It is anticipated that all objections relating to Tanyard Lane will be debated at the inquiry. These objections centre on the following issues: access/traffic, flooding, affordable housing, landscape, design, greenfield/brownfield issues, and capacity of the local infrastructure. The brief looks to progress and develop proposals in the plan and attempts to address detailed site issues raised to development of this site.

Planning Committee on the 16th July, approved the draft brief for consultation purposes. The consultation process which included an exhibition and two public meetings has now been completed and the amended development brief accompanies this report.

It was originally the intention to adopt this development brief as supplementary planning guidance. However, ODPM are advising that following commencement of the Planning and Compulsory Purchase Act in September, it is no longer appropriate to adopt new Supplementary Planning Guidance. Therefore it is proposed that this brief be approved by the Council as providing further supplementary information which supports the proposal contained within the UDP.

The Development Brief

The aim of the brief is to:

- Establish the development framework in a positive and enabling manner providing a development concept early in the development plan process.

- Identify development requirements before land values are set to ensure the delivery of viable schemes
- Provide greater certainty
- Promote good design standards and address plan policy issues

The brief, which is attached, includes details on the following information:

- Planning Policy
- Site Analysis
- Design Context
- Development strategies and Masterplan which includes details on site layout

The brief also includes details of planning obligations which will be sought from the development which relate to:

- Affordable housing provision
- Maintenance of open space
- Off site transportation measures
- Provision of formal play areas
- Contributions to education facilities
- Provision of children play areas.

Consultation

The development brief consultation period took place over a three week period starting on the 23rd August and culminated on the 15th September with a Local Area Forum Meeting. This meeting allowed members of the public to meet Planning Officers and representatives of the developers to discuss any concerns they had in relation to the brief. Prior to this meeting an exhibition was held at Swan House promoting the proposals contained within the development brief and a press release was published encouraging local people to have their say. A comment book was also made available at the exhibition for feedback.

In response to public requests a further public meeting took place on the 22nd November. This meeting provided an opportunity for developers to explain how the brief would be amended to take on board concerns raised through the consultation period. In addition Welsh Water representatives attended and were able to respond to matters relating to sewerage which continue to cause significant concern for local people.

As well as the exhibition and public meetings, Ross Town Council and Ross and Rural Parish Council were sent copies of the brief and were invited to make comments. In addition as road capacity, flooding and sewerage were key issues of local concern the Highways Agency, Environment Agency and Welsh Water were also sent a copy of the draft brief and asked to comment on the document. It was not felt necessary to consult further as the draft

brief has already undergone an internal officer consultation and the housing proposal is progressing through the UDP process.

The consultation raised 45 responses and these have been summarised and are provided at Appendix 1.

Consultation Response

When considering the comments made it is important to remember the role of a development brief. A development brief provides a stepping stone between a plan proposal and a detailed planning application providing a development concept for the design and layout of the scheme. During the consultation process this did sometimes cause confusion amongst the public who became frustrated at the lack of information in terms of how the proposal would directly impact in detail on their property.

The consultation responses have been summarised into the following 11 main areas:

- Principle of development on the site
- Impact of proposals on adjoining residential properties.
- Housing numbers, housing type, density and impact of 2/3 storey development
- Sewerage/flooding concerns
- Capacity of the local infrastructure
- Transport/ access issues
- Management issues
- Noise issues
- Pedestrian Links
- Landscaping/ maintenance issues and boundary treatments
- Design

Specific responses were received from the Highways Agency, Environment Agency and Welsh Water. None of these agencies object to the development. They do however make detailed requirements that the developer will need to comply with.

Welsh Water

Welsh Water have not objected to this proposal and have identified that developers may be required to fund any improvements to the sewerage system if the site is brought forward prior to Welsh Water undertaking the works. This is identified on page 8 and in the Unitary Development Plan. However the brief now includes further detail on this within the section of the brief which deals with site analysis.

Environment Agency

The Environment Agency has stipulated clear requirements that this development must meet and these have been included fully within the brief.

Highways Agency

The Highways Agency has not objected to the principle of the proposed development, subject to the submission of a detailed planning application supported by a transport assessment

Summary of main amendments to the brief

As a result of all responses received, the following amendments have been made to the brief:

- Additional western boundary treatment details have been included to protect residential amenity.
- The pedestrian route from the proposal into Rudhall Meadow has been deleted.
- In order to protect the residential amenity of residents living in bungalows adjoining the northern boundary of the site, the brief has been amended to include an amenity protection zone within which only single storey development could be built. The brief also includes a cross reference to the related text in the UDP.
- Again, to protect resident's amenity the hedgerows on the northern boundary will be retained and maintained. The details of the maintenance requirements being addressed through the planning application process.
- The brief clarifies wording to address people's concerns over the impact of 2/3 storey developments within the site. The wording confirms that these developments will not occur to the detriment of existing residents.
- The brief is comprehensive in how it deals with flood alleviation measures in line with the requirements of the Environment Agency. However, it needed to be strengthened in terms of Welsh Water requirements relating to sewerage. This has been undertaken to reflect the text included within the UDP.
- The brief includes a definition of what is meant by a key/focal building.
- The brief will continue to state that views along Arundel Close across to Penyard Park will be protected. However, it should be noted that this may be done through layout and not a realignment of the road.
- The brief has been strengthened to state that as part of a transport assessment developers will need to address capacity issues and undertake mitigation measures at the Overross roundabout to the satisfaction of the Highways Agency.
- The brief makes reference to the need to undertake a noise assessment as part of a detailed planning application and include any necessary mitigation measures that may be required to be undertaken.

- Concern was raised over the safety aspects of the balancing ponds. The ponds are being designed to have very shallow edges to enable easy access. The brief now includes details specifying that further management issues will need to be agreed at the planning application stage.
- The brief now makes reference to the fact that the details relating to site access arrangements and emergency vehicles access will be agreed at the planning application stage.

Appendix 1 provides more information on the amendments that have resulted to the brief.

RECOMMENDATION

THAT the changes outlined above are approved and that the Tanyard Lane Development Brief be adopted as supplementary information to the emerging Unitary Development Plan.

Background paper

Tanyard Lane Development Brief

Appendix 1

Development Brief consultation comments

| Comment | Response |
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| Concern at the impact and proximity of the high density, three storey development proposals on properties at Rudhall Meadow and Brooklands which will affect residential amenity. | The brief has been revised to improve the boundary treatment between properties in Rudhall Meadow/Brooklands and the new development to ensure that the amenity of existing residents is protected. In addition wording has been included within the development brief identifying that 2/3 storey developments will not occur to the detriment of existing residents amenity. |
| Concern at the proposed pedestrian access and impact on amenity of residents in Rudhall Meadow. The land in Rudhall Meadow, which will provide the pedestrian link through into the Tanyard Lane site, is in private ownership. | The proposed pedestrian access into Rudhall Meadow will be deleted. |
| Concern over impact of development on car parking provision in Ross on Wye. | The brief provides direct pedestrian/cycle access from the development along Tanyard Lane and into the town centre to encourage residents to use these modes of transport rather than using the car. It is not proposed to provide additional car parking in the town centre. |
| Concern over the impact of boundary hedging and safeguards to keep hedging at a reasonable height to maximise light into existing properties. | Significant attention has been given to boundary treatments to help ensure that the residential amenity of existing residents is protected. The brief has been amended to identify that the hedgerows on the northern boundary should be retained and maintained. The details of the maintenance requirements will be addressed through the planning application process. |
| Concern regarding the impact of the extra vehicles and people from this development on existing infrastructure, dentists, schools, shops etc. | Planning obligations will be negotiated as part of this development to ensure adequate facilities exist to accommodate this proposal. The development brief provides details as to the areas to be covered by planning obligations which include financial contributions to off site transportation measures, provision of open space and education improvements and the provision of affordable housing to meet local housing requirements. |
| Wish to see the trees retained | As many existing trees and hedges as possible are to be retained within the proposals as well as new additional planting. |
| Concern regarding the access from the A40 and the capacity of the Overross roundabout which is | A Transportation Assessment will be undertaken as part of this development and will accompany a planning application for the site. This is identified on |

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| <p>already dangerous. Traffic lights are needed on the Overross roundabout. Roads currently chaotic without additional traffic.</p> | <p>page 10 of the brief. However, in principle, the Highway Agency and the highways authority have given support for an access from the A40 into the site and in addition developers will be required to undertake works to the Overross roundabout. These requirements have been included within the Unitary Development Plan. The development brief text has been expanded to cover this issue.</p> |
| <p>150 houses are too many, a third of that number would be better and these should be bungalows.</p> | <p>The Unitary Development Plan identifies the need to build additional houses in Ross on Wye to meet the county's housing needs up until 2011. It is considered that this 8 hectare site is more than capable of accommodating the 150 units identified through a carefully designed scheme and lies well within central government guidelines on density requirements. A mix of housing types is required to meet a range of housing needs.</p> |
| <p>Page 60 of the Consultation draft is not reflected on the plan as only the views along Blenmeim Close are being preserved. Development land south of Arundel Close should be re-shaped to preserve the view along Arundel Close.</p> | <p>The development brief will be revisited to ensure that existing views along Arundel Close towards Penyard Park are maintained. This will involve an assessment of levels following on from further topographical survey work. To achieve protection of views the internal road arrangements need not be realigned.</p> |
| <p>There is no planned access into the caravan park.</p> | <p>The development brief goes as far as it can in providing the opportunity for a future caravan access. It is not the responsibility of this development to fund an access road into a privately run caravan park.</p> |
| <p>Scheme doesn't fit in with other developments in the area. Ross is a town. A village setting has no place in this area.</p> | <p>The development brief includes a whole section on design context looking at the local character and distinctiveness of Ross on Wye and uses information gathered from this exercise to inform the design proposals of this development brief.</p> |
| <p>Was the event publicised in the Ross Gazette?</p> | <p>The whole consultation exercise as well as the exhibition and LAF meeting details were advertised in the Ross Gazette featuring in an article on the front page of the 26th August edition and was followed up by an additional article in the Hereford Journal. In addition the LAF meeting were separately advertised.</p> |
| <p>Understood that the first row of dwellings adjacent to Blenheim Close were to be bungalows but it</p> | <p>The development brief has been amended to include an amenity protection zone along part of the northern boundary within which only single storey development</p> |

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| appears from plans that this is not the case. A row of bungalows would be more sympathetic to existing properties. | could be built. The brief also includes a cross reference to the related text in the UDP. |
| Housing is important particularly affordable housing. The proportion of affordable housing is too low, should be perhaps 100. | The Unitary Development Plan requests that 35% of the properties to be built on this site will need to meet local affordable housing requirements. It would not be financially viable to seek more than this particularly bearing in mind the other planning obligations being sought from this site in relation to off site transportation measures, provision of open space and education improvements. |
| Concern regarding the impact of construction vehicles on historic garden wall on Tanyard Lane. Vehicles should be prevented from using Tanyard lane for access to prevent damage to the wall. | Page 20 of the brief refers to the need to retain the boundary wall. Protection of the wall during construction works will be undertaken. |
| Concern regarding the noise levels from the A40. To address this issue the speed limit should be reduced and the road resurfaced. | A Noise Impact Assessment will accompany a future planning application for the site. This will address traffic noise on the A40. The brief has been amended to identify that appropriate mitigation measures will be implemented as guided by the noise assessment. |
| Walkway between the development and Ross Court would be welcomed. | Support noted. |
| Concern regarding the impact of 3 storey dwellings. | The use of three storey dwellings within estates assists in breaking up rooflines and helps provide visually attractive and interesting townscapes. However this must not be to the detriment of existing residents. The development brief has been looked at very carefully to ensure protection of residential amenity. |
| Affordable housing is a misnomer; concern this will mean cheap built quality and high density. | The affordable homes will be provided to ensure that they meet the local affordable housing requirements of Ross on Wye. The affordable homes will be built to a high standard of design. |
| Agree with pedestrian access as only access to town is via busy Ledbury Road. | Support noted. |
| Concerned the idea of a village square is cosmetic, as all vehicles have to go through the square. | The village square proposal provides a welcome gateway feature into the scheme. |
| Concern drainage ponds could be a hazard. | The requirement to provide balancing ponds forms part of the surface water limitation scheme which is required by the Environment Agency. However, the |

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| | safety issues regarding the proposed ponds are important management issues and the brief has been amended to state that these will need to be agreed through the planning application process. |
| Proposed access to caravan park is incorrectly marked, the roundabout should lower down the A40 with an access road into the top corner of the caravan park. | Developers have given consideration to a roundabout access located further south to provide a more direct access into the caravan park, however, there are difficulties with this. This issue is being further investigated with the developers. |
| The central pond is located directly on the line of the site water supply and outgoing sewage rising main for the caravan park which would be exposed by any excavation and must therefore be re-routed and their continuation safeguarded. Similarly the site telephone system enters the caravan park site via the existing bridge and must be maintained. | This information will be passed onto developers. |
| Proposed roundabout is an acceptable approach to accessing the site. | Support noted. |
| Concerned about flooding and the water table and surface water run off. | The Environment Agency has stipulated clear requirements that this development must meet and these have been included fully within the brief. |
| There should be no access onto Court Rd. estate, pedestrian or vehicular. Pedestrian connection through to Arundel Close will make further rat run for cyclists who already cause mayhem. | The consultation exercise has attracted mixed reaction to the provision of pedestrian accesses with some local residents seeing the benefit of a more direct and attractive walk into the town centre. On balance the brief has retained this access arrangement. |
| Query emergency access point, how will other vehicles be stopped | The details of controlling the emergency access point will be dealt with at the planning application stage. |

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| <p>Concern about the impact of sewage from new development on the already problematic estate. No further development should be agreed until Welsh Water has sorted out and addressed the whole problem of pipes particularly in the Court Road, Tanyard Lane, Ledbury Road area, some of which is Concerned that raw sewage is entering the River Wye, designated as a SAC.</p> | <p>Welsh Water have not objected to this proposal and have identified that developers may be required to fund any improvements to the sewerage system if the site is brought forward prior to Welsh Water undertaking the works. This is identified on page 8. However, further details on this have been included in the brief. In addition Welsh Water have submitted a bid to OFWAT to undertake works to overcome the sewerage outfall problems experienced in Ross and a decision on this bid is awaited.</p> |
| <p>Alternatives to access the site are available through the existing residential road network.</p> | <p>Access into the site from the A40 provides the most suitable access option with minimal impact on existing residents and existing roads. The use of existing residential roads which adjoin the site would have significant impact on residential amenity, would feed directly onto the Ledbury road and in addition there is uncertainty as to whether the existing residential roads have been designed to accommodate the additional traffic which would be generated from the development.</p> |
| <p>Access to Caravan Park will enable residents from the park to walk anywhere onto the new development.</p> | <p>It is not considered that visitors to the caravan park will want to gain access into a housing estate. It is expected that they will be drawn towards the facilities and services of the town centre which lies in the opposite direction.</p> |
| <p>Concern that the roundabout will open up land to the east for development.</p> | <p>The settlement boundary is clearly drawn in the Unitary Development Plan to reflect the limits of development which illustrates land to the east of the bypass as being protected as open countryside.</p> |
| <p>Brief does not provide a detailed layout to enable full consideration.</p> | <p>The development brief is not a detailed planning application. It provides a stepping stone between a proposal in a plan and a full application. The development brief goes as far as it can in providing broad guidelines on design and layout.</p> |
| <p>Uncertainty about the status of the development brief.</p> | <p>Once adopted the brief will form a supplementary document to the UDP providing additional information to support the text in the UDP.</p> |
| <p>Concerned about employment opportunities for new residents.</p> | <p>The Unitary Development Plan includes a new 10 hectare employment proposal at Land at Model Farm, Ross on Wye to provide additional employment opportunities.</p> |

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| <p>Objects to access from bypass as this as already a dangerous road.</p> | <p>The new roundabout on the A40, which will provide the access into the site, will be a traffic calming measure in terms of reducing speeding traffic along this road. The design will be aligned to encourage traffic to slow down as it approaches the roundabout.</p> |
| <p>Concern regarding the noise levels from the construction of the development.</p> | <p>Clearly during the construction stage noise will be an issue. This is a fact of development. However, everything will be done to try and reduce impact on existing residents. For example, the planning permission can include conditions to control operation hours on site.</p> |
| <p>Access onto the A40 will result in longer travelling distances into the town centre increasing pollution levels. Access onto the A40 will create a ghetto.</p> | <p>It is hoped that these longer travelling distances will encourage people to use the convenient and easy pedestrian and cycle access which is being proposed along Tanyard Lane into the town centre.</p> |
| <p>Welcomes the linear park and flood ponds, however, seeks clarification as to how this relates to the wider flood scheme which will control the Rudhall Brook.</p> | <p>The flood proposals for this scheme are in total isolation to the wider flood proposals which are currently being progressed for the town. Due to the uncertainty of when either of the schemes were going to be implemented it has not been possible to dovetail the two proposals. As a result the Environment Agency have identified specific requirements that this scheme must meet which are referred to in the development brief.</p> |
| <p>Have alternative means of accessing the Tanyard Lane site been totally discussed following in depth analysis including traffic impact and highway design considerations.</p> | <p>All access options were considered and it was concluded that access into the Tanyard Lane site off the A40 was the most appropriate for the proposal.</p> |
| <p>Are the planning obligations agreed? Does this include improved sewerage disposal measures? Is the construction of a 'gateway Access new roundabout off the relief road both a Herefordshire Cabinet objective and Herefordshire Council policy?</p> | <p>The list of agreed planning obligation areas are included at page 10 of the brief. In relation to sewage disposal Welsh Water have not objected to the proposal and have stated that developers will be required to fund any improvements if the site is brought forward prior to Welsh water undertaking the works. This has been included within the UDP and strengthened in the brief.</p> <p>The Council supports the access arrangements as detailed in the brief.</p> |

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| <p>There is little evidence that planned or windfall housing targets in the UDP will be achieved without the early release of more sites.</p> | <p>The Unitary Development Plan identifies the need to build additional houses in Ross on Wye to meet the county's housing needs up until 2011. Sites have been identified to ensure that along with windfall opportunities that these requirements will be met.</p> |
| <p>Need some idea how social housing is to be integrated and mixed in the whole development and the housing mix proposed. Need some clearer picture of layout, density, and house types.</p> | <p>The development brief is not a detailed planning application. It aims to provide additional information to the plan proposal. It is considered that the level of detail contained within this brief is sufficient.</p> |
| <p>The release of greenfield land is contrary to Government policy.</p> | <p>Part of this site is termed brownfield/previously developed land. In respect of the UDP the approach taken has been first to assess those dwellings that could be provided on 'brownfield' sites and only then to look at 'greenfield' land. This reflects Government policy.</p> |
| <p>Refers to a letter from the Highways Agency which states that they would not support any development that would have an adverse effect on the safety or capacity of the trunk road. Have the HA been approached since 2002? Is the A40 to be detrunked?</p> | <p>The Highways Agency does not object to the principle of the proposed development, subject to the submission of a detailed planning application supported by a transport assessment. It is anticipated that the A40 will be detrunked by summer 2005.</p> |
| <p>Sloping nature of ground does not cater for proposed off- site amenity and play grounds.</p> | <p>Play areas will be incorporated within the proposals for the site. Off site playing fields are identified within the planning obligations which are listed on page 10 of the brief.</p> |
| <p>Concerned about the capability of the attenuation ponds and seeks information on the intensity, duration and probability of occurrence of the rainfall that has been assumed as well as some idea of the quantity of hard surfaces.</p> | <p>The details of the flood alleviation proposals will need to be agreed to the satisfaction of the Environment Agency.</p> |