

**13 DCCE2005/1230/RM - CONSTRUCTION OF 129 DWELLINGS, PROVISION OF PUBLIC OPEN SPACE, AND ASSOCIATED WORKS. SITE ADJACENT 104 BULLINGHAM LANE, HEREFORD, HEREFORDSHIRE, HR2 7RY**

**For: Laing Homes Midlands Ltd, Foxley Tagg Planning Ltd. 37 Rodney Road, Cheltenham, Gloucestershire, GL50 1HX**

**Date Received: 18th April, 2005    Ward: St. Martins & Hinton    Grid Ref: 50903, 37939**  
**Expiry Date: 13th June, 2005**

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

**1. Site Description and Proposal**

- 1.1 The site forms part of the former SAS Camp known as Bradbury Lines south of the city and is split into three separate parcels of land, Areas A and B are immediately east of the Bullingham lane and Area C lies to the west of Bullingham Lane. South of the site is the railway line, bordering the south western corner is Glenmore mobile home park and to the north west are existing semi-detached and terraced properties. Levels are generally flat with the exception of the south western corner where the levels rise steeply towards the mobile home park. There are a number of semi-mature trees within and bordering the three parcels of land comprising the site.
- 1.2 Outline planning permission for a mixed use development to provide housing, open space, community and local retail facilities was issued on 10th February, 2005 following Committee approval in December 2003. The master plan associated with the outline proposed that the site as a whole would be developed in three phases, two permissions totalling 160 dwellings were approved in June 2004 comprising Phase 1 and delegated approval was granted at Central Area Planning Sub-Committee on 29th June, 2005 for a further 135 dwellings under Phase 2A.
- 1.3 This application is essentially Phase 2B and is for the construction of a further 129 dwellings and apartments. It includes details of the siting, design and external appearance of the properties along with the areas of open space and landscaping, internal infrastructure and associated vehicular parking areas. A separate application for the principal infrastructure routes through the site was approved on 27th June, 2005 and a further application for the Bullingham Lane roundabout is currently with the authority but is undetermined. The housing mix is as follows:

	1-bed	2-bed	3-bed	4-bed	5-bed
Private housing	3	12	35	21	12
Affordable housing (for rent and shared ownership)	3	15	7		
Low cost market housing	9	12			
TOTAL	15	39	42	21	12

## 2. Policies

### 2.1 Planning Policy Guidance:

- PPS1 - Delivering Sustainable Development
- PPG3 - Housing

### 2.2 Hereford Local Plan:

- ENV7 - Noise
- ENV9 - Energy conservation
- ENV14 - Design
- ENV16 - Landscaping
- H3 - Design of new residential developments
- H4 - Residential roads
- H5 - Public open space provision in larger schemes
- H7 - Communal open space
- H8 - Affordable housing
- H12 - Established residential areas – character and amenity
- H14 - Established residential areas – site factors
- T11 - Pedestrian provision
- T12 - Cyclist provision
- T13 - Pedestrian and cycle routes
- R4 - Outdoor playing space standards
- R8 - Children's play areas
- NC6 - Criteria for development proposals
- NC7 - Development proposals – habitat creation and enhancement
- NC8 - Protected species

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

- S1 - Sustainable development
- S2 - Development requirements
- S3 - Housing
- S6 - Transport
- S7 - Natural and historic heritage
- DR1 - Design
- DR2 - Land use and activity
- DR3 - Movement
- DR4 - Environment
- DR13 - Noise

- H1 - Hereford and the Market Towns: settlement boundaries and established residential areas
- H2 - Hereford and the Market Towns: housing land allocations
- H9 - Affordable housing
- H13 - Sustainable residential design
- H15 - Density
- H16 - Car parking
- H19 - Open space requirements
- T6 - Walking
- T7 - Cycling
- T11 - Parking provision
- RST3 - Standards for outdoor playing and public open space
- NC5 - European and nationally protected species
- NC6 - Biodiversity action plan priority habitats and species
- NC7 - Compensation for loss of biodiversity

### **3. Relevant Planning History**

- 3.1 CE2001/2757/O - Site for mixed use development to provide housing, open space, community and local retail uses at land at Bradbury Lines, Bullingham Lane, Hereford. Outline planning approved 10th February, 2005.
- 3.2 DCCE2005/1463/RM - Principal roads and drainage infrastructure (Phase 2). Reserved Matters approval 27th June, 2005.
- 3.3 DCCE2005/1961/RM - Construction of roundabout and access road. Application undetermined.

### **4. Consultation Summary**

#### Statutory Consultations

- 4.1 Welsh Water: Recommends conditions concerning foul and surface water drainage.
- 4.2 Network Rail: No objections subject to various issues being considered including the erection of the 1.8 metre high trespass resistant fence along the site boundary with the railway line, development should be at least 2 metres away from the boundary fence with the railway line, the design of the dwellings should take account of railway noise, and Network Rail should be advised of any change in ground levels and drainage arrangements adjacent to the railway line.
- 4.2 Environment Agency: No objections.
- 4.3 Highways Agency: The Agency initially objected to the application as they had concerns over the capacity of the principal junction to the site off the A49 to accommodate the number of dwellings proposed and envisaged for the site as a whole. Following further discussions the Highways Agency comment as follows:

"I confirm the Highways Agency has now received and had an opportunity to review the additional information submitted by the applicants consultants and we are now satisfied that the additional assessment undertaken by HSL comply with our previous recommendations in terms of trip rates and revised junction modelling. As a result of

this we are content that the degree of saturation at the junction is shown to be less than 90%, meaning that the junction can accommodate the development traffic linked to this application.

Internal Council Advice

- 4.4 Traffic Manager: Generally no objections to the internal road layout, parking provision and pedestrian/cycle routes. Comments are awaited on the amended plans, minor amendments may be necessary.
- 4.5 Conservation Manager: There are no objections to the archaeological and ecological aspects of the development.
- 4.6 Landscape Officer: I am disappointed that Areas A and B of this application take no account of the overall landscape strategy and concept that was agreed at the outset of the development. We were originally very supportive of the outline application which demonstrated a strong landscaping design concept and conceptual framework and I would have expected this application to have resulted in a stronger landscape design reinforcing the original landscape strategy. Instead the landscape strategy is almost unrecognisable and the overall concept has been entirely lost. The main concerns are:
1. The road layout does not conform to the original strategy of radial routes from the central formal open space;
  2. The formal avenue planting along wide radial routes has been lost;
  3. The peripheral screening planting in Area A has been omitted;
  4. Many existing trees originally shown to be retained are to be removed;
  5. The indicative planting is entirely inadequate both in respect of quantity and location.
- These comments apply to Areas A and B, there is no objection to Area C. Comments are awaited on the amended plans.
- 4.7 Environmental Health and Trading Standards Manager: No objections subject to a scheme being submitted to protect the dwellings affected by noise disturbance from the railway line.
- 4.8 Drainage Engineer: Consultant Engineer HSL have identified the site as being part of the overall development and as such the drainage requirements have been taken into account and included within the appropriate surface water drainage strategy. I have no objections or further comments to make on the proposals."
- 4.9 Forward Planning Manager: Paragraph 5.4.7 of the UDP (Revised Deposit Draft) highlights requirements of any proposals submitted for the development site including open space, community facilities and affordable housing. Any development will be expected to deliver 36% of affordable housing. Regarding density, Policy H15 seeks a target of at least 30 dwellings per hectare. The proposed development of 130 units on 2.78 hectares equates to 46.7 dwellings per hectare which is in accordance with the local and national planning policy. However, the outline application submitted for the development as a whole contained a developers master plan outlining a total of 500 dwellings, which reflects the allocation of 500 dwellings within the specified policy H2. Given that this figure of 500 was one set out by the developers as part of the original overall application along with open space and community facilities, the densities on the piecemeal reserved matters applications will need to be carefully assessed to ensure conformity with the outline permission.

Policy H19 regarding open space requirements stipulates that residential development would be required to incorporate outdoor playing space and public open space in accordance with the minimum standards set out in Policy RST3. The scheme is in excess of 60 dwellings, proposals will be expected to be provided with a small childrens infants play area properly equipped and fenced, and an older childrens play space, and outdoor playing space for youth and adult use and public open space to at least the minimum standard.

- 4.10 Strategic Housing Manager: We are looking for a wide range of house types similar to that provided in Phase 1 to meet the range of needs of the people of Herefordshire. The overall numbers of affordable homes follows the requirements of the Section 106 Agreement associated with the outline planning permission. The proposed mix is not yet detailed enough for agreement, we need further details of the number of bedrooms and persons to be housed in the apartments. There is also a distinct lack of two bedroom bungalows which are needed in Hereford. We are concerned with the location of the affordable housing and we would want to see the affordable spread across all three sites. Comments awaited on the amended plans.
- 4.11 Parks and Countryside Manager: No comments received.

## **5. Representations**

- 5.1 Lower Bullingham Parish Council: The Parish Council is concerned with the density of the development and the impact of traffic in the locality. Despite the submissions made in the report, practical observations suggest that there will be a substantial traffic impact we would oppose this application at this level of density. We also like the application submitted on the whole of the site and not piecemeal parts as this one is.
- 5.2 Hereford City Council: No objections subject to there being no unnecessary destruction of trees.
- 5.3 Three letters of objection have been received from D. Blackstone & Son, Glenmore Park, 293 Ross Road, Hereford; B.H. Williams, 40 Glenmore Park, 40 Ross Road, Hereford; B. Howey, 24 Glenmore Park, Ross Road, Hereford. The main points raised are:
- We object to the housing being built directly against Glenmore Mobile Home Park.
  - A green area should be incorporated between the boundaries which would be socially and environmentally acceptable to residents of the park.
  - There are slow-worms at the end of the existing orchard south of Glenmore Park and the application site. These are a protected species and should be thoroughly investigated before any development is allowed.
  - Having two storey dwellings so close to the boundary will take away our light and privacy and view which we have enjoyed for 17 years.
- 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 The application site has the benefit of Outline Planning Permission and is also allocated within the Unitary Development Plan for residential development. As such

the principle of the development is acceptable. The key issues for consideration are as follows:

1. Density and traffic impact;
2. Layout, design and materials;
3. Housing mix and affordable housing;
4. Infrastructure;
5. Open space and landscaping;
6. Conclusion.

### **Density and Highway Impact**

- 6.2 The development proposes the construction of 129 dwellings and apartments at a net density of 47 units per hectare. Policy H15 of the Unitary Development Plan requires the efficient use of previously developed land and sets an indicative minimum net density of 30 dwellings per hectare rising up to 50 dwellings per hectare on town centre sites. This density is at the upper limit of what was envisaged at the outline stage and what is appropriate for the site given its location being on the southern fringes of the city. However, the density is uplifted by the number of proposed apartments and consequently, the density is considered reasonable and in line with the relevant policy.
- 6.3 Members should be aware that the master plan envisaged that the site would be developed for 500 houses and this figure is identified within Policy H2 of the UDP. Whilst the total number of approved and proposed dwellings does not exceed the figure of 500, Wimpey's being the site owner have identified that the site has additional capacity through developing at a higher density and reducing the amount of open space. Both approved and proposed schemes are now working towards the development of around 600 units for the site as a whole. Neither the outline planning permission or legal agreement identifies the specific number of units or density and therefore there is some flexibility over the numbers. This is subject to firstly, a satisfactory residential environment being created in terms of the layout, housing, scales, design and materials, infrastructure, level of open space and secondly, an acceptable Traffic Assessment to demonstrate that the local road network and principle junction to the site can accommodate the vehicle movement associated with 600 units.
- 6.4 The Highways Agency and Traffic Manager initially had concerns regarding the capacity of the A49 Bullingham Lane junction to accommodate the density proposed. However, the Highways Agency has now withdrawn their objection and formally confirmed that from a traffic assessment point of view, the site can accommodate approximately 600 units.

### **Layout, Design and Materials**

- 6.5 The layout has been redesigned to address the concerns of your Officers, Traffic Manager and the Landscape Officer. The principal theme of the layout is that properties generally front on to, and address the roads, central park and other open space with parking and gardens to the rear. This will assist in creating a sense of place and community for the residents and lead to more interesting street scenes. The properties bordering the central park within Areas A and B are orientated so as to overlook the park with a mix of house designs, materials and scales. The same layout principles have been adopted for Area C with houses being sited around, and overlooking a centrally located green.

- 6.6 A number of the gardens are relatively small and no private amenity space is proposed for the apartments. However, in order to achieve a more efficient use of the site, private amenity space must be sacrificed. This approach would not always be acceptable but as all of the housing is within a short walk of the central park and other play/sport facilities, this is considered acceptable in this instance.
- 6.7 The objectors concerns regarding the possible impact of the development on their amenity are noted. However, there will be no direct overlooking or unacceptable window to window relationships with properties, which border the mobile home park. Furthermore, the levels within the south western corner of the site are considerably lower than existing levels within the mobile home park where the objectors reside and therefore, subject to the dwellings being constructed at lower levels, there will be no loss of light and unlikely to be a significant interference with their outlook. A slight amendment to the layout and relationship between plot 66 and 104 Bullingham Lane is required in order to minimise the impact of the new dwelling on the amenity of existing property and the applicants have agreed to the necessary amendment but amended plans are awaited.
- 6.8 A 5 metre wide strip of land adjoining the railway line will also remain undeveloped as it was identified at the outline stage that there are slow worms present in this area. Furthermore, a Reptile Mitigation Strategy has already been submitted and approved by English Nature and the Council's Ecologist to ensure that the slow worms and their habitat are not adversely affected by the development.
- 6.9 20 different house types are proposed including one and two bedroom apartments, two-and-a-half and three storey town houses as well as more conventional dwellings in the form of detached, semi-detached and terraced properties. The design and scale of a number of the units was initially considered to be unacceptable. Negotiations have taken place to reduce the height and particularly the visual mass of the apartments to create more acceptable street scenes and harmonious relationships between properties. The changes undertaken now also ensure that the scales are commensurate with that which has already been approved and built under Phase 1.
- 6.10 The elevational treatment of the apartments has been amended to incorporate a greater degree of architectural symmetry and balance. The designs now have a Georgian appearance which will complement this higher density part of the site and add to the mix of house types across the development as a whole. The designs elsewhere take a more conventional form fairly typical of this scale of development. However, a relatively broad mix of materials is proposed including buff and red brick, render, soft wood boarding and red and black/grey pitched tiled roofs. The specific materials will be controlled by conditions attached to the outline planning permission.

#### **Housing Mix and Affordable Housing**

- 6.11 A broad housing mix is proposed comprising one, two, three, four and five bedroom units. The highest proportion is made up of two, three and four bedroom properties but this proposal also incorporates a larger number of apartments. The general mix of house types is considered acceptable.
- 6.12 36% of the total number of units are to be affordable dwellings as required by the Section 106 Agreement associated with the outline application. This equates to a total of 46 units in the form of 36 apartments and 10 houses all within Area B. Strategic Housing are still evaluating the specific mix of affordable housing in terms of the size,

type and location of each unit. The affordable housing is proposed to be taken over by Marches Housing Association who have identified a specific need in Hereford for apartments, which are a more affordable option. This mix of affordable housing has not been proposed elsewhere on the site and therefore subject to the approval of the Strategic Housing Officer, a high proportion of apartments is considered acceptable.

### **Infrastructure**

- 6.13 Much of the internal road network will not be adopted and the maintenance will be controlled by management companies set up by the developers. This offers a greater degree of flexibility over the road layout and enables the more unsightly parts of the development such as communal parking areas and garaging to be concealed behind the frontage properties. An average of 1.2 parking spaces per dwelling is proposed which is acceptable to the Traffic Manager and falls within guidance set out within Policy H16 of the UDP.
- 6.14 All three sites are relatively permeable with footpath and cycle links between and through the areas to be developed linking in with the central park. This will ensure that even the dwellings furthest away from the central park will be easily and safely accessible by foot or bicycle. The principal footpath/cycle way corridor through Area A is also overlooked by proposed dwellings providing natural surveillance allowing the safe use of this link both day and night. The principal infrastructure linking the three areas comprising this application has now been approved and again, a pedestrian friendly environment with slow traffic speeds has been a priority. With regards to drainage, Welsh Water have not identified any capacity issues with regards to foul drainage and surface water infrastructure is considered satisfactory to the Council's Drainage Engineer.

### **Open Space and Landscaping**

- 6.15 The landscaping proposals have been amended to reflect that envisaged by the master plan at outline stage and whilst comments on the amended plans are still awaited it is suggested that the revisions address the Landscape Officers concerns. The properties which front on to the central park have been set back a minimum of 4 metres from the edge of the pavement in order to create a softer transition from the central park to the high density housing. The shared pedestrian/cycle link through Area A has been formalised to create a tree lined avenue effect planted with Hornbeams. When mature, these will enhance the green avenue appearance and enable the pedestrian and cycle link to be clearly legible. Minimal landscaping is proposed within Areas A and B besides that described above. However, the changes to the layout have been specifically undertaken to ensure the development is more in line with the original landscape strategy and therefore, a slightly lesser amount of open space and soft landscaping is accepted within these two parcels. The level of open space within Area C is in line with the outline planning permission. The Green will become the focal point for the development overlooked by all the properties which surround it. A landscaped area adjacent to Bullingham Lane is also proposed in order to continue the green buffer, which presently exists between the road and existing properties. This will also soften the views in to Area C both along Bullingham Lane and from the main development site.
- 6.16 The open space in Area C will incorporate an equipped toddlers play area. The outline planning permission identified a total of 10 suitably equipped toddlers play areas to be provided across the development as a whole in addition to the central open space and



multi-user games area. As Area C is the furthest away from the central park, the provision of a play area within this area only is adequate. It is unfortunate that some of the existing trees previously identified as being worthy of retention could not be retained as part of the development. However, planting schedules have been submitted for Areas A, B and C and the Landscape Officer is currently assessing these. It will be important to ensure and require that the new planting and particularly tree species are of an adequate size and in appropriate locations to compensate for the loss of the existing trees that are being removed.

**Conclusion**

6.17 The amended layout is subject to a re-consultation exercise and in light of the late receipt of the plans; comments are still awaited from key consultees including Parish Council, adjoining residents, the Transport Manager, Landscape Officer and Strategic Housing. Nevertheless, the general principles identified on the amended plans are considered acceptable and satisfy the necessary policy requirements and guidance contained within PPG3 concerning the creation of mixed sustainable communities.

**RECOMMENDATION**

**That subject to no further objections raising additional material planning considerations by the end of the consultation period the Officers named in the Scheme of Delegation to Officers be authorised to issue planning permission subject to the following conditions/notes and any additional conditions/notes considered necessary by Officers.**

- 1 The applicants attention is drawn to conditions attached to Outline Planning Consent Ref. CE2001/2757/O which require further details to be submitted and agreed prior to commencement of development.**
- 2 N02 - Section 106 Obligation**
- 3 N15 - Reason(s) for the Grant of PP/LBC/CAC**

Decision: .....

Notes: .....

.....

**Background Papers**

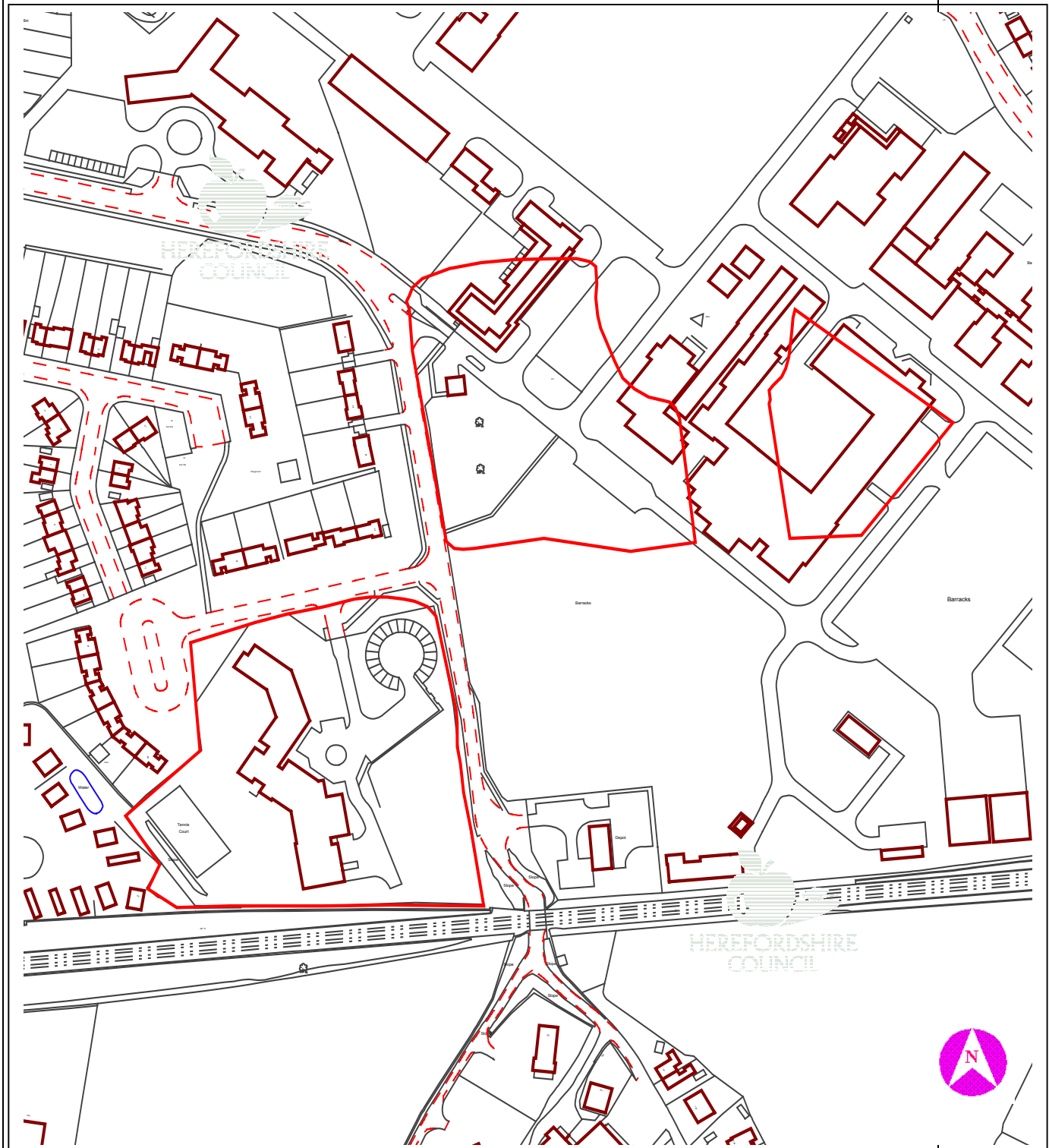
Internal departmental consultation replies.



HEREFORDSHIRE  
COUNCIL

Planning Services

Blueschool House  
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Hereford  
HR1 2ZB



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**APPLICATION NO:** DCCE2005/1230/RM

**SCALE :** 1 : 2500

**SITE ADDRESS :** Site adjacent 104 Bullingham Lane, Hereford, Herefordshire, HR2 7RY

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