

**11 DCNW2005/0688/F - RESIDENTIAL DEVELOPMENT SCHEME OF 14 NO HOUSES, INCORPORATING 2/3 AND 4 BEDROOM SEMI-DETACHED TWO STOREY DWELLINGS OFF A4110 LAND ADJACENT TO KINGSMEADOW, WIGMORE****For: Hornchurch Construction Co Ltd, Johnson Blight & Dees, Mortimer House, Holmer Road, Hereford, HR4 9TA****Date Received: 2nd March, 2005****Ward: Mortimer****Grid Ref: 41682, 68616****Expiry Date: 27th April, 2005**

Local Member: Councillor Mrs. L.O. Barnett

**1. Site Description and Proposal**

- 1.1 The application site comprises an unused 0.387 hectare plot of land that lies between the A4110 and the Kingsmeadow housing estate to the south of the main part of the village of Wigmore. The site was allocated for employment land in the Leominster District Local Plan but has not been developed. Access to the site is via an existing highway which leads to the Teme Valley Youth Centre at the south end of the site. The site is set down considerably from the A4110 and a mature hedgerow screens the site significantly.
- 1.2 The proposed development is for the erection of 14 dwellings including 2 four bed dwellings, 8 three bed and 4 two bed dwellings. The 4 two bed dwellings would face onto the main Kingsmeadow road and the remaining dwellings would face the existing access road. Each of the three and four bed dwellings would have access to a detached garage. The 4 two bedroom dwellings have been set aside for the affordable housing provision on this site and have 8 car parking spaces allocated for their use.

**2. Policies****2.1 Government Guidance**

Planning Policy Guidance 3: Housing

**2.2 Leominster District Local Plan**

Policy A2(C) – Small Scale Development within Defined Settlements Boundaries

Policy A24 – Scale and Character of Development

Policy A54 – Protection of Residential Amenity

**2.3 Herefordshire Unitary Development Plan (Deposit Draft)**

Policy H4 – Main Villages

Policy H13 – Sustainable Residential Design

Policy H15 - Density

Policy HBA4 – Setting of Listed Buildings

### 3. Planning History

- 3.1 NW2003/0720/F - Site for residential development - refused 22nd April 2003 for the following reason:

“The proposal would result in the loss of allocated employment land to a non-employment generating use that would be contrary to Policy E3 of the Hereford & Worcester County Structure Plan and Policies A27 and MOR1 of the adopted Leominster District Local Plan (Herefordshire).”

### 4. Consultation Summary

#### Statutory Consultations

- 4.1 Severn Trent Water - has no objections but recommends conditions.

#### Internal Council Advice

- 4.2 The Traffic Manager requests conditions be included in the permission and that a S106 agreement is entered with a developer contribution of £1500 per dwelling towards highway schemes such as:

Sealing of Youth Club Car Park  
Contribution towards skate park  
Providing signs for youth club  
Contribution towards public transport  
Provide cycle parking at school  
Provide cycle parking at youth centre

- 4.3 The Forward Planning Manager comments as follows:

#### **Hereford Local Plan**

The Northern Parishes Local Plan included the undeveloped area of Kingsmeadow as the new employment area for the village. This is the designation in Leominster District Local Plan, the Statutory Local Plan for the area. The only part of it that has been developed is the Teme Valley Youth Centre at the south end, which was approved on appeal in 1998 (officers had recommended approval). The owners have been seeking residential permission and an outline planning application for residential development was refused in 2003 (Code NW2003/0720/O) as contrary to policies A27 and MOR1 of that plan, and Policy E3 of the UDP Draft Deposit.

#### **Unitary Development Plan**

The designation was retained in the Deposit Draft UDP, but members deleted the designation in the Revised Deposit Draft. No alternative allocation was placed on the land, which remains in the Settlement Boundary. The employment designation no longer exists in the Revised Deposit Draft and no objections have been received to its proposed deletion.

As a site within the Settlement boundary with no designation, either industrial or residential use would appear to be acceptable in principle in accordance with the Revised UDP. The housing proposal would have the status of a large windfall site for

14 houses. Under the UDP it would stand to be determined against Policy H4, which allows windfalls in accordance with housing design and other policies of the plan. Policy H9 requires affordable housing at an indicative rate of 35% on sites of 6 or more dwellings for windfalls in H4 settlements. The proposal contains none. However the Affordable Housing Policy of the UDP is subject to objection, and the equivalent policies of the adopted Leominster District Local Plan should prevail. Policy A49, concerning affordable housing on large housing sites including windfalls, provides for the Local Planning Authority to negotiate an element of affordable housing where "a lack of affordable housing can be demonstrated". It goes on to say that sites of over 0.5 ha or 15 dwellings shall be evaluated for their suitability to meet needs of the locality and surrounding area. The proposal is for 14 houses on 0.26 ha, so evaluation may not be necessary.

### **Summary**

It appears that whilst there is no allocation on the Wigmore site, development of a residential nature could be acceptable under Revised Deposit Draft UDP Policy. Under the adopted Leominster District Local Plan, development of a residential nature may still be held contrary to policy for similar reasons as to those of the 2003 application refusal.

#### **4.4 The Strategic Housing Manager makes the following comments:**

Strategic Housing Services supports the application for the provision of 4 affordable dwellings on this site, taking into account the position as regards the emerging UDP. However, there are concerns about the "segregation" between the market and affordable housing provision. The proposals, as they stand, do not encourage the formation of an inclusive community on the development, and therefore, further discussions on this point would be welcome between the Registered Social Landlord (RSL), the Council and the developer. In addition, discussions are required on the tenure of the affordable homes proposed and the way in which the proposed 4 x 2 bed homes would be managed to ensure they would be accessible to small households.

#### **4.5 The Education Asset Management Officer makes the following comments:**

The provided schools for this site are Wigmore Primary and Wigmore High Schools. Although there is currently some space in the Primary School, Wigmore High School is already exceeding capacity and any additional pupils would add to the congestion in the school.

At Wigmore Primary School, classrooms are small and withdrawal areas are multi-use spaces. The hall is used as a major thoroughfare providing access to all areas of the school. The stage is on a split level to the hall causing problems for the school and is also used as a multi-use space. There is a general lack of cloakroom space for pupils and the existing areas double as entries to the toilet areas; for two cloakroom areas, the sink for practical work within the classrooms is contained adjacent to the hanging of coats and bags and poses health and safety issues as well as being inconvenient for the classrooms and difficult to supervise. One cloakroom area also acts as an external exit to a classroom and is located via some steps in the classroom. Storage is an issue at the school as most routes into classrooms and toilet areas are also designated as open storage areas due to a lack of specific storage areas throughout the school. The disabled toilet door also blocks the main corridor in the school when it is open.

At Wigmore High School, there is considered to be a lack of storage at the school for the curriculum and insufficient resource areas. There is inadequate circulation throughout the school and inadequate pupil facilities especially toilet areas and cloakrooms for the number of pupils on roll. There is a problem with temperature regulation throughout the school especially with the IT rooms; this is hindered further by the south facing aspect of the school. Most classrooms are small, particularly technology which also have non-standard shaped classrooms making supervision difficult. Staff facilities are inadequate with small offices and toilet areas that are difficult to access.

Children's Services would therefore be looking for a contribution towards Education in the area that would go towards rectifying some of the issues identified above. A contribution in the region of £1,000 per house would be sought i.e. £14,000.

- 4.6 The Conservation Manager raises no objection subject to the retention of the hedge to the boundary with the A4110.

## 5. Representations

- 5.1 Parish Council raises objection TO not the proposal as follows:

A better alternative would be the erection of fewer but larger houses to meet the needs of growing families already resident in Kings Meadows/the area to avoid the necessity to upgrade existing housing facilities by extensions. At the same time, the mound of earth at the back of existing houses on the site could be levelled/removed and further, smaller housing erected in its place - possibly to accommodate the needs of young people wishing to remain in the area.

- 5.2 Letters of representation have been received from:

Veronica Edwards, Oaklea, Kingsmeadow, Wigmore  
Ivan and Cathleen Jones, Croft View, 2 Bury Court Park, Wigmore  
Jill Fieldhouse, Pear Tree Farm, Wigmore

The objections can be summaries as follows:

- a) Not enough space to build 14 houses
  - b) Four no Three or four bedroom houses would be more acceptable and would reduce the environmental impact and improve quality of life for residents
  - c) The use of brick would be more appropriate
  - d) Little public transport serving Wigmore
  - e) Increase in traffic and not enough parking spaces
  - f) Lack of facilities on Wigmore to cope with additional housing
  - g) Insufficient car parking
  - h) Light pollution - can additional street lighting be avoided
  - i) Impact on flooding of area
  - j) Concern over loss of hedgerow
  - k) Density of development is too high leading to poor quality of life
- 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 for consideration in the appraisal of this application are:

- a) The principle of residential development
- b) The provision of affordable housing
- c) The character and appearance of the development
- d) Highway safety and parking
- e) Financial contributions for highways and education

6.2 The acceptability of the principle of development has been summarised in the comments of the Forward Planning Manager above. The site clearly lies within the Settlement Boundary and it has been accepted that due to the lack of objection to the removal of the employment land allocation and the status of the Unitary Development Plan, the use of the site for residential purposes would be deemed acceptable.

6.3 Policy H9 of the Unitary Development Plan (Revised Deposit Draft) and guidance contained within the Supplementary Planning Guidance on Affordable Housing (November 2004) advises that residential developments of 6 units or more provide an element of affordable housing on site. Although Strategic Housing does not support the 'segregation' of dwellings, the proposed affordable units would be well related to other open market houses on the estate and as such is sufficiently inclusive. The affordable units would subsequently be transferred to a Housing Association. As such this proposal in terms of the type, size and tenure of units is considered acceptable in accordance with Policy H9 of the Herefordshire Unitary Development Plan.

6.4 The proposal is to accommodate 14 dwellings on a site of 0.387 hectare. This would provide a density of 36 dwellings per hectare, within the suggested densities of 30 – 50 dwellings per hectare contained in PPG3 – Housing. The agent has, on officer request, included 2 four-bedroom dwellings in the scheme, a direct response from local concerns about lack of availability of four bed dwellings in the area. The design of the dwellings is similar to that approved elsewhere on the Kingsmeadow development and is considered to be acceptable. Although residents feel that the development is cramped it complies with the policies and guidance set out in the Development Plan and Government Guidance. There are no issues of overlooking which would cause concern warranting the refusal of permission.

6.5 The site lies adjacent to the Conservation Area and benefits from a mature hedgerow running along the length of the boundary adjacent to the A4110. This hedge is to be retained and a condition to this effect is recommended. Further landscaping will also be required to enhance the appearance of the development.

6.6 Local residents have raised concerns relating to off road parking and potential conflict with road users. Each dwelling has two off road car parking spaces (inclusive of garages) and this is considered acceptable. A condition ensuring that parking space is retained and that garages are not converted to residential accommodation is recommended. The Traffic Manager raises no objection in principle but seeks a financial contribution. Having assessed this in relation to the size of development and the projects that could be funded it is deemed that these are not reasonably related to the development and as such cannot be justified having regard to guidance on the securing of planning gain.

- 6.7 As detailed in the response from education, a financial contribution of £1000 per dwelling is requested. This has been justified and is deemed to be a request that is reasonably related to the development. As this is a financial contribution this will be included in the S106 Agreement.
- 6.8 To conclude, the principle of residential development on this site is not contested. The density of development is appropriate and within government guidelines. The design and siting of the dwellings is also acceptable and the transportation manager raises no objection. A section 106 is required in order to secure the required affordable housing and financial contributions towards school improvement in the village. As such the proposed development is considered to conform with national guidance and local plan policy and approval, subject to a Section 106 agreement is recommended.

**RECOMMENDATION:**

- 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 (set out heads of agreement) 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:**

**Note to Applicant:**

- i) **This permission is granted pursuant to an agreement under Section 106 of the Town and Country Planning Act 1990.**
  - ii) **That the officers named in the Scheme of Delegation to Officers be authorised to amend the above conditions as necessary to reflect the terms of the planning obligation.**
- 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 - **A07 (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 - **G04 (Landscaping scheme (general))**  
**Reason: In order to protect the visual amenities of the area.**
  - 5 - **G05 (Implementation of landscaping scheme (general))**

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

- 6 - G09 (Retention of trees/hedgerows)

Reason: To safeguard the amenity of the area.

- 7 - E08 (Domestic use only of garage)

Reason: To ensure that the garage is used only for the purposes ancillary to the dwelling.

- 8 - The development hereby permitted shall not commence until drainage works for the disposal of both surface water and foul sewerage have been carried out in accordance with the details to be submitted to and approved by the Local Planning Authority in writing.

Reason: To ensure that the development is provided with a satisfactory means of drainage as well as to reduce the risk of creating or exacerbating a flooding problem and to minimise the risk of pollution.

- 9 - No conversion of garage to habitable accommodation

Reason: To ensure adequate off street parking arrangement remain available at all times.

**Informatives**

- 1 - ND03 - Contact Address
- 2 - HN01 - Mud on highway
- 3 - HN04 - Private apparatus within highway
- 4 - HN05 - Works within the highway
- 5 - HN10 - No drainage to discharge to highway
- 6 - N15 - Reason(s) for the Grant of PP/LBC/CAC

Decision: .....

Notes: .....

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**Background Papers**

Internal departmental consultation replies.