

14 DCCE2006/0099/O - CONSTRUCTION OF HALLS OF RESIDENCE, SPORTS AND COMPLEMENTARY THERAPY BUILDING, CREATION OF FLOODLIT OUTDOOR SPORTS PITCH, RESIDENTIAL DEVELOPMENT ON 2.3HA AND ASSOCIATED OPEN SPACES, LANDSCAPING, INFRASTRUCTURE, ACCESS ROADS, FOOTPATHS AND CYCLE PATHS AT ROYAL NATIONAL COLLEGE FOR THE BLIND, COLLEGE ROAD, HEREFORD, HR1 1EB

For: Royal National College for the Blind, per Montagu Evans, 44 Dover Street, London, W15 4AZ

Date Received: 11th January, 2006 Ward: Aylestone Grid Ref: 51794, 41363
Expiry Date: 8th March, 2006
BVPI Expiry Date: 12th April, 2006
Local Members: Councillors D.B. Wilcox and A.L. Williams

UPDATE REPORT

1. Members may recall that this application was considered at the Central Area Planning Sub-Committee on the 5th April, 2006 where delegated authority was given to approve the application subject to, amongst other things, the details of the affordable housing being agreed and finalised. The previous Committee Report is appended to this update and an extract from the minutes is detailed below.

That subject to the type, mix and method of delivering the affordable housing being agreed with Strategic Housing, Planning Services and the applicants in consultation with the Chairman and Local Ward Members.

2. Policy H9 of the Revised Deposit Draft Unitary Development Plan requires that 35% of all residential schemes of 15 or more dwellings to be affordable housing. However, due to the wider public, social, educational and economic benefits of the scheme as a whole and the need to recoup as much money as possible from the sale of the residential site, a figure of 17.5% affordable was negotiated and agreed which equates to a total of 12 affordable units based on a total number of 70 dwellings.
3. Of the 17.5% the applicants are proposing that 60% of the units are to be made available for households with at least one member with sight loss and the remaining 40% for households with at least one member with a disability all allocated through the Council's Homepoint allocation system. The affordable housing is proposed to be provided by the Thomas Pocklington Trust who operate in the same manner as a Registered Social Landlord but are specifically focused and funded to meet housing needs for people with sight loss and other disabilities and do not provide general needs affordable housing. As the proposed affordable housing does not incorporate any general needs affordable housing it does not accord with Council's Supplementary

Planning Guidance and consequently the Head of Strategic Housing Services maintains an objection to the proposal.

4. Based on figures as at 6th May, 2006, there are 1073 people on the Homepoint waiting list requiring accommodation in Hereford City, 690 of which are within the highest priority (gold) banding. Of that 690, two are registered as having sight loss or partial sight loss within the gold banding and 23 are registered as having a disability. This means that only 3.6% of all people requiring accommodation in Hereford City within the gold banding would be eligible for the affordable accommodation being proposed. Whilst it is therefore likely that sufficient occupants who accord with the restrictions submitted by the applicant could be found, people with sight loss or a disability will be positively prioritised ahead of others on the waiting list who may be in greater and more urgent need of accommodation.
5. The accommodation is to be of a bespoke design tailored specifically for the needs of the blind and partially sighted, which the applicants consider would enhance the stock of available affordable housing in Herefordshire. A further compromise has been suggested to provide six general needs affordable units for rent and six units targeted specifically and only for the blind and partially sighted or people with a disability. However, the applicants do not accept this mix of housing as the current provider does not/cannot provide general needs affordable housing. This therefore means that a further registered social landlord would have to provide the general needs affordable units, which may complicate the management of the overall scheme and would affect the value of the development land and consequently, the money available to be channelled into funding the other developments proposed under this application.
6. This is now the only outstanding issue in respect of the application. As the affordable provision does not accord with relevant supplementary planning guidance and an objection is maintained from Head of Strategic Housing Services and the matter has been brought before Members to consider the options available.
7. The key question therefore remains whether there exist such special circumstances that both the lesser provision of 17.5% affordable units already agreed and the specialist accommodation proposed is an acceptable provision or whether the failure to provide a proportion of general needs affordable housing is a matter warranting the refusal of planning permission.
8. In recognition of the likely sensitivity of this outstanding matter it is referred back to Committee for consideration. The recommendation below is made in accordance with current Herefordshire Council housing and planning policies. If Members are happy to regard this case as an exceptional case of sufficient merit taking into account all the issues raised when they last considered it then the alternative course of action would be to vary the Heads of Terms of the agreement in accordance with the applicants request and resolve to grant planning permission subject to conditions as previously reported and the Section 106 Agreement as amended.

RECOMMENDATION

1. **That if the six general needs affordable units for rent cannot be provided as part of the affordable package the application be refused under delegated powers as being contrary to the November 2004 Supplementary Planning Guidance entitled 'Provision of Affordable Housing' and Policy H9 of the Herefordshire Unitary Development Plan (Revised Deposit Draft).**

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1. Site Description and Proposal

- 1.1 The site is located northeast of Venns Lane, approximately 100 metres southeast of the junction with College Road, north of the city centre. The site forms part of the campus associated with the Royal National College for the Blind. Much of the site is designated as a Site of Importance for Nature Conservation within both the Local Plan and Unitary Development Plan with the trees (except the orchard) also being protected by a group Tree Preservation Order No. 138.
- 1.2 Three detached three storey brick buildings front Venns Lane which are occupied as halls of residence for the college students along with a single storey portacabin structure used for teaching. In the southern corner of the site also fronting Venns lane are three detached dwellings owned by the college and occupied residentially by students or staff. To the rear of buildings fronting Venns Lane is an outdoor all weather football pitch and two tennis courts which are now temporarily being used for the siting of five chalets used as further student accommodation. South of the temporary chalets are a range of single storey buildings which are used for ancillary teaching and storage purposes. The remainder of the grounds and application site is set out to woodland, orchard and grassland.
- 1.3 Bordering part of the northwestern site boundary is St. Francis Xaviers Primary School with Field Grove View housing estate occupying the remainder of this boundary. To the north are existing playing fields and much of the eastern boundary borders the Aylestone Park recreational development. Immediately south and southeast is Helensdale Close and Loder Drive housing estates.

1.4 The application is described as a hybrid application which is essentially an outline application incorporating full details of some elements of the proposal. The application encompasses the following:

1. A 56 bed three storey student halls of residence also incorporating a new landscaped area for students - full details of this are provided.
2. A sports and complementary therapy centre incorporating a Paralympic size indoor blind football pitch with seating for around 280 spectators and associated changing facilities, gym, complementary and hydrotherapy facilities, sports teaching facilities, offices, restaurant, viewing terrace and small plaza - full details are provided.
3. Outdoor all weather floodlit football pitch – full details are provided.
4. A new pedestrian entrance to the student accommodation and sports facility off Venns Lane with a new vehicular access, again off Venns Lane to serve the whole development - full details are provided.
5. Private residential development of 2.3 hectares which is in outline form with all matters reserved for future consideration except for means of access.

2. Policies

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|-----|-------|---|--|
| 2.1 | PPS1 | - | Delivering Sustainable Development |
| | PPG3 | - | Housing |
| | PPS9 | - | Biodiversity and Geological Conservation |
| | PPG13 | - | Transport |

2.2 Hereford Local Plan:

- | | | |
|--------------|---|---|
| Policy ENV9 | - | Energy Conservation |
| Policy ENV14 | - | Design |
| Policy ENV15 | - | Access for All |
| Policy ENV16 | - | Landscaping |
| Policy ENV17 | - | Safety and Security |
| Policy ENV18 | - | External Lighting |
| Policy H3 | - | Design of New Residential Development |
| Policy H4 | - | Residential Roads |
| Policy H5 | - | Public Open Space Provision in Larger Schemes |
| Policy H7 | - | Communal Open Space |
| Policy H8 | - | Affordable Housing |
| Policy H12 | - | Established Residential Areas – Character and Amenity |
| Policy H13 | - | Established Residential Areas – Loss of Features |
| Policy H14 | - | Established Residential Areas – Site Factors |
| Policy H21 | - | Compatibility of Non-Residential Uses |
| Policy CON21 | - | Protection of Trees |
| Policy CON22 | - | Urban Forestry Management |
| Policy CON23 | - | Tree Planting |
| Policy CAL19 | - | Countryside Management |
| Policy NC3 | - | Sites of Local Importance |
| Policy NC4 | - | Designation of Local Nature Reserves |
| Policy NC5 | - | Wildlife Network |

Policy NC6	-	Criteria for Development Proposals
Policy NC7	-	Development Proposals, Habitat Creation and Enhancement
Policy NC8	-	Protected Species
Policy NC9	-	Infrastructure Works
Policy NC10	-	Management Agreement
Policy NC11	-	Access to Wildlife Sites
Policy NC12	-	Community Involvements
Policy T2	-	Highway and Junction Improvements
Policy T3	-	Traffic Calming
Policy T11	-	Pedestrian Provision
Policy T12	-	Cyclist Provision
Policy T13	-	Pedestrian and Cycle Routes
Policy R4	-	Outdoor Playing Space Standards
Policy R6	-	Provision of Outdoor Playing Space
Policy R7	-	Improvements to Public Facilities
Policy R8	-	Children's Play Areas
Policy R12	-	Development Proposals for Indoor Sports Facilities
Policy SC3	-	Facilities for the Disabled
Policy SC6	-	Permanent Educational Accommodation

2.3 Herefordshire Unitary Development Plan (Revised Deposit Draft):

Policy S1	-	Sustainable Development
Policy S2	-	Development Requirements
Policy S3	-	Housing
Policy S6	-	Transport
Policy S7	-	Natural and Historic Heritage
Policy S8	-	Recreation, Sport and Tourism
Policy S11	-	Community Facilities and Services
Policy DR1	-	Design
Policy DR2	-	Land Use and Activities
Policy DR3	-	Movement
Policy DR4	-	Environment
Policy DR5	-	Planning Obligations
Policy DR14	-	Lighting
Policy H1	-	Hereford and the Market Towns, Settlement Boundaries and Established Residential Areas
Policy H2	-	Hereford and the Market Towns, Housing Land Allocations
Policy H3	-	Managing the Release of Housing Land
Policy H9	-	Affordable Housing
Policy H13	-	Sustainable Residential Design
Policy H15	-	Density
Policy H16	-	Car Parking
Policy H19	-	Open Space Requirements
Policy T6	-	Walking
Policy T7	-	Cycling
Policy T8	-	Road Hierarchy
Policy T11	-	Parking Provision
Policy T16	-	Access for All
Policy LA5	-	Protection of Trees, Woodlands and Hedgerows
Policy LA6	-	Landscaping Schemes
Policy NC1	-	Biodiversity and Development
Policy NC4	-	Sites of Local Importance

Policy NC6	-	Biodiversity Action Plan Priority Habitats and Species
Policy NC7	-	Compensation of Loss of Biodiversity
Policy NC8	-	Habitat Creation, Restoration and Enhancement
Policy NC9	-	Management Features of the Landscape Important for Fauna and Flora
Policy HBA9	-	Protection of Open Areas and Green Spaces
Policy RST1	-	Criteria for Recreation, Sport and Tourism Development
Policy RST3	-	Standards for Outdoor Playing and Public Open Space
Policy RST7	-	Promoted Recreational Routes
Policy RST10	-	Major Sports Facilities
Policy CF5	-	New Community Facilities

3. Planning History

- 3.1 HC950227PF Refurbishment and extension to existing student halls of residence. Approved 19/7/1995.
- 3.2 HC970307PF Proposed temporary residential accommodation of modular design comprising 21 bedrooms for a period of three years. Approved 11/9/1997.
- 3.3 CE2000/1135/F Proposed temporary residential accommodation of modular design comprising warden accommodation and 40 student bedrooms for a period of three years. Approved 19/7/2000.
- 3.4 CE2003/2294/F Temporary location of five residential caravans. Approved 10/9/2003.
- 3.5 CE2005/1792/F Temporary siting of 6 timber chalet mobile homes to accommodate 20 students and wardens office for three years. Approved 26/7/2005.
- 3.6 Several other applications over the last 10 years or so involving works to the trees protected by the Tree Preservation Order.

4. Consultation Summary

Statutory Consultations

- 4.1 Environment Agency: No objection.
- 4.2 English Nature:
It is difficult to comment until all the survey work has been completed, though the evidence presented points to a site with relatively little ecological value.

The policy point over the orchard as a SINC needs further exploration; the continued lack of adequate benchmarking to assess the real and current ecological value of this SINC series needs to be explored as a background topic. The evidence presented perhaps leads one to question the validity of this designation at this site. I rather disagree with the point made about 40-50 year old orchards not being part of the BAP. A counter argument might be that such trees are just starting to move into an interesting phase within their lifespan, and that they will provide a resource for the future. It would be interesting to explore the idea of actually moving a proportion of the

orchard trees to another site, or within the same site, so that this process of maturity is allowed to continue. Replacement with new stock sets the clock back some 50 years otherwise. There appears to be no fundamental discussion about variation of the layout minimising orchard-take and this debate ought to take place.

The alleged continued assault by the ground staff on the deadwood resource suggests that what little saproxylic vertebrate interest that may exist on this site is compromised. I would not be surprised that bats feed over this site, but its proximity to open country, and its small size, would seem to rule it out as being critical. The reptile issue does need further exploration.

The important winning point for this scheme will be the landscape restoration and after-planting, as the College then has an opportunity of making substantial ecological gain within their holding. Revision of the management strategy, consolidation of the boundary features, more work on enhancing orchard trees and grassland management are some of the topics that should be presented to the Council when the final plans are presented.

In conclusion, at the moment, I can see little objection to the concept but feel that more work ought to be carried out to minimise impact on the orchard. English Nature will respond on the results of the rest of the survey and the detailed plans if consulted.

- 4.3 CAGE: No comment.
- 4.4 Welsh Water: No objection subject to conditions.
- 4.5 Herefordshire Nature Trust: No comments received.

Internal Council Advice

- 4.6 Drainage Engineer:
"The Flood Risk Assessment and Surface Water Drainage Management document refers to surface water from the site being accommodated within an existing 300mm diameter public storm water sewer, flows being attenuated to greenfield run-off rates. These rates and methods of attenuation should be subject to the approval of Welsh Water."
- 4.7 Traffic Manager:
As regards the Transport Assessment, the parking management plan should form part of the application as it will justify how the proposed levels of parking will work. The assessment of the existing signals also needs re-visiting with a shorter cycle time.

As regards the proposed traffic calming on Venns Lane, we would accept traffic calming for the length of Venns Lane as shown on the submitted drawing, but this would need a further feature nearer to the Venns Lane/ College Road junction. The anticipated cost of these works is around 65,000. It would be also necessary to calm the proposed straight access road to the site, to keep traffic speeds down and to give visually impaired people a safe place to cross the access road. The proposed relocation of the signalised crossing is expected to cost a further 25,000. As the existing pelican crossing is to be moved further away from the College Road/Venns Lane junction, and due to the increased traffic from the proposed development, enhancement of the signals will be required, and it is anticipated this will cost in the region of 15,000. Total contribution required is £105,000

There are concerns that the visibility splays shown are substandard even for 20mph and that the traffic calming is stated as designed to calm traffic speeds to 20mph, although drivers could still legally do 30mph and that this length of road should be subject to a 20mph speed limit to reinforce the traffic calming. This would require a traffic order which obviously has timescale implications for the application, and could not be conditioned. A drawing showing what visibility splays for the residential access could be obtained from 3.0m and 2.4m set back is also required.

4.8 Conservation Manager:

At the presentation and site meeting we were lead to believe that part of the reason for this work was because of the aim to attract participants of the Olympics and Paralympics to use the facilities. This had hinted that we would be receiving an interesting contemporary design to showcase both the architects work and Hereford to a wider group of individuals. It is therefore disappointing that the design of what would appear to be one of Hereford's major new buildings has adopted the design approach of most space for least cost resulting in a bland, dreary composition lacking visual interest. We therefore believe that the proposal is a major missed opportunity, which would leave the site with an unrealised potential and that a more interesting design solution should have been reached.

The proposed sport centre would appear to have adopted a functionalist aesthetic approach to the design. This has resulted in a hall, which would not appear out of place in an industrial estate and completely fails to respond to its surroundings. The service area has had some design elements introduced with the vertical banding containing the windows similar to the surrounding post modern accommodation. We would not question the logic of taking the visual cues from the existing housing but we believe that this gives the building a dated appearance. Whilst this part of the proposed building could therefore be stated to blend in with the surrounding 1970's structures we would have hoped that a bolder approach could have been taken which looked forwards rather than backwards.

The housing block would not be out of place in the proposed location, however it would be unlikely to be given support were it to be located within a Conservation Area.

CABE design guidance booklet Better Civic Buildings and Spaces states that "Design is more than just beauty, it is an integral part of the success of any project." We believe that this as a proposal is a major opportunity to take a creative leap which has been missed. However given the scale, mass and location it would have negligible visual impact on the city as a whole and therefore we would not object to the scheme.

4.9 Landscape Officer:

I am supportive of the proposals for the provision of student accommodation, complementary therapy building, sports facilities and the ancillary external works that accompanies them. The applicants have ably demonstrated the anticipated impact of these buildings and the landscape design works proposed to integrate the new development with the retained existing features. I fully support the landscape proposals, although there are a number of details that I wish to clarify and that can be dealt with by condition.

However, I am still unable to support the principle of residential development on the orchard area. I understand the financial reason for this but I cannot support a proposal that is contrary to policy. The emerging UDP Policy NC6 seeks to protect habitats listed in the Herefordshire BAP, of which traditional orchards such as this are one. The

site is also a Site of Importance for Nature Conservation, and therefore subject to protection under emerging UDP Policy NC4 and Policy NC3 of the Hereford Local Plan.

Notwithstanding this objection in principle, if Members are minded to approve the application, you should be aware that the new orchard planting proposed at Aylestone Hill would provide adequate mitigation and habitat compensation, subject to detail that could be conditioned.

4.10 Ecology:

I oppose this application on the principle of its conflict with destructive development of the SINC in accord with my previous comments of 6th May 2005 which state:

".....the loss of any portion of the SINC would significantly fragment the habitats for bats, erode the landscape connectivity and degrade the habitats upon which they rely. If development occurs within the SINC it would be difficult to see how loss of biodiversity could be compensated for under NC7 of the UDP. All species of bat and their roosts are, of course, protected under the Wildlife and Countryside Act 1981, the Conservation (Natural Habitats) Regulations 1994 as well as in policies within the Local Plan and UDP together with requirements of PPG9. This site is also part of a larger green habitat network or wildlife corridor and as such is covered under UDP Policy HBA9 Protection of Open Areas and Green Spaces.

It acts as a 'green lung' to the city, with this green corridor stretching out into the open countryside. The Council recognises that such features such as orchards (termed landscape features in the European Habitats Directive) are important to biodiversity. The protection of landscape features and habitat networks is supported by PPG9 (paragraph 15). This should confirm the site's status as a Site of Importance for Nature Conservation and, as a site of local importance, in conformity with NC4."

This situation is especially reinforced by the publications PPS9 in August 2005 which seeks ecological enhancements which were not forthcoming in the original enquiry last year.

However, the application does contain a supplementary ecological assessment of the site and outlines possible mitigation and compensation which involves retention of "selected trees along the northern edge of the orchard" and proposes a new planting equivalent in area to the lost orchard. There has been an effort to accommodate concerns relating to the site's future management. If Committee Members are inclined to approve this application, I would expect the applicants to provide substantial details of: future management arrangements, selection of apple varieties appropriate to Herefordshire and the locality in compensation for the loss of orchard, commuted costs etc. and the manner in which community/educational opportunities may be exploited through this mitigation and compensation. My expectation would be that the SINC would be significantly enhanced both in its wildlife and societal value through planned and dedicated future management.

4.11 Forward Planning Manager:

The current college site is located within the city settlement boundary as defined by the Hereford Local Plan. The land has no allocated land use designation, but is specified as being a Site of Importance to Nature Conservation. (SINC).

Policy SC6 of the Plan states that "Development proposals for permanent classrooms or other educational provision will be permitted provided that they are in accordance with relevant policies of this plan." All of the facilities except for the private residential development could be considered under educational provision.

The proposed development is located on an area specified as a Site of Importance to Nature Conservation (SINC). Policy NC3 stipulates that such habitats will be protected wherever possible and the potential development of such sites should be considered against the particular scientific importance of the site. The masterplan for the redevelopment provides an assessment of the ecological value of the site. It appears from the information provided that the land proposed for private housing development would involve the loss of a largely unvalued (in the developers terms) orchard area which potentially would not cause any large scale loss of higher category trees.

The proposals contain an element of residential development, incorporating approximately 70 units. This development covers an area of 2.3ha, incorporating the site of the existing complementary therapy and maintenance buildings, existing hardstanding and the existing orchard. Policy H8 of the Hereford Local Plan seeks to secure a mix of housing types, placing particular emphasis on affordable housing. The policy states that the Council should seek to negotiate with private developers for the inclusion of an element of affordable housing provision in suitable schemes. There is no threshold for inclusion set within the policy; however, Circular 6/98, which seeks an inclusion for developments exceeding 15 dwellings, supersedes the Plan. There is no provision of affordable housing included in the proposals. During negotiations with the developers, they stipulated that the financial viability of the scheme (college redevelopment) was driven by the income generated by the private residential development, and any provision of an affordable element in the residential scheme would jeopardise the viability of the rest of the development. No evidence of this has been submitted to Forward Planning.

Policy H5 of the Plan states that new residential developments of over 50 dwellings should incorporate 0.2ha of public open space. The design statement submitted includes the provision of 0.45ha of public open space, it therefore conforms to this policy.

Unitary Development Plan

The College site is located within the city settlement boundary on 'white land'. Policy CF5 of the UDP stipulates that proposals which would result in the provision of new or improved community facilities or the enhanced use of existing facilities will be permitted where they:

1. are appropriate in scale to the needs of the local community and reflect the character of the location;
2. are located within or around the settlement they serve;
3. would not significantly impact upon the amenity of neighbouring residents; and
4. incorporate safe and convenient pedestrian access together with appropriate provision of car and cycle parking and operational space.

The College serves a wide community, attracting students from across the country. The scale of the development to the needs of the local community would therefore appear to be appropriate. Although established residential areas surround the site, it is not considered that the redevelopment of the college would affect residential amenity in any other way than it may at present. The site benefits from excellent pedestrian access together with good public transport links.

The land incorporated into the masterplan for the intention of development is located on white land designated as a SINC. Such sites of local importance are subject to Policy NC4, which stipulates that development that could directly or indirectly adversely affect a SINC will not be permitted unless the reasons for the development clearly outweigh the need to safeguard the nature conservation value of the site. It is worth noting that an objection to the designation of the whole of this area as a SINC was received at UDP consultation stage. The draft version of the Inspector's Report has been submitted to the Council, and the final version may be available before this application is decided. It is however, considered unlikely that the designation of the SINC will be removed.

The masterplan states that the private residential development is intended to assist in the early funding of the principal masterplan elements, and for this reason there is no affordable housing provision included within the scheme. It is unclear if this reason could be considered as justification for such a development. Policy H9 of the UDP seeks an indicative target of 35% affordable dwellings for all housing developments exceeding 15 or more dwellings. For a scheme of 70 dwellings this would equate to approximately 25 affordable units. There are no such units proposed within the scheme.

Policy H15 seeks a density of at least 30 dwellings per hectare. From the design statement provided it states that the total net housing development area for housing and associated open space to be 2.272, equating to a density of 33 units/ha, which conforms to policy.

The design statement outlines the suggested housing layout and mix of housing types. From the illustrations it would appear that there are 60+ dwellings that could be described as family houses (2, 3, 4, 5 bedroomed properties). Policy H19 of the Plan, regarding open space requirements, states that for developments in excess of 60 family dwellings, schemes are required to provide a small children's/infant's play area, properly equipped and fenced; an older children's informal play space; and, outdoor playing space for youth and adult use and a public open space to at least the minimum standard. From the design statement it appears that a fenced area is provided for small children but states that it is non-equipped. There are two informal open spaces provided but they appear to be more token gestures as opposed to well-planned spaces. There is no provision of youth/adult play space, but contributions to the Aylestone Park development are likely to be acceptable.

Summary

The two main issues from a policy stance are the development on land designated as a SINC, and a lack of affordable housing provision in the private residential scheme. Conservation/ecology would need to be consulted regarding the perceived value of this site, and how detrimental the potential development may be to its value. The redevelopment of the college may be considered as a development that clearly outweighs the need to safeguard the nature conservation value of the site, but unless

the residential element can be justified, then this may not. The lack of affordable housing provision is also an issue that requires justification. I believe that a confidential financial appraisal of the scheme has been made available to Development Control, which should help to ascertain this information.”

4.12 Parks Development Manager:

This site is adjacent to Public Open Space and any open space within the site would be a valuable addition to the Aylestone Park visually. The most sensitive area for retention would be the woodland along the northern boundary of the site and I would request that as much of this is retained as possible. As the outline proposal for housing does not allow for a play area to be provided on site we would require a suitable contribution equal to £1000 per house, to be available for a play area to be constructed in Aylestone Park, after consultation with local people.

4.13 Strategic Housing Manager:

If Planning Committee is minded to approve this application, in accordance with the Council's SPG on the provision of affordable housing and the emerging UDP, Strategic Housing would be seeking 35% of the total residential provision to be built as affordable housing.

4.14 Head of Education:

The provided schools for this site are Broadlands Primary, St. Francis Xaviers RC Primary and Aylestone High. Whilst all three schools presently have capacity for further children, all three schools have problems with their basic infrastructure which would be compounded by the increased pupil numbers. The Children's Services Directorate therefore will be looking for a contribution for education going towards rectifying some of the issues at each of the schools of £1000 per dwelling.”

5. Representations

5.1 Hereford City Council:

- a) Notes that an element of affordable dwellings is not incorporated.
- b) Considers that an access from Venns Lane is unsuitable.
- c) Suggests that an agreement under Section 106 might be sought for highway improvements.
- d) Has no objection to sports development at the site.
- e) Has concern at the number of residential units likely to be provided. The proposed development of the ecologically sensitive open land is a matter of major concern and therefore for the above reasons recommends refusal of the application as submitted.

5.2 Hereford Access for All Committee: No objection.

5.3 Seven letters of objection/comment have been received from local residents, one of which has been written on behalf of five residents in Loder Drive adjoining the site and another from Aylestone Park Association. The main points of objection are:

1. Much of the proposed development area is possibly the largest and most important surviving area of woodland, mature trees and orchard within the city boundary. The loss of this scenic green area and valuable wildlife reserve would be tragic.
2. The housing area and roads intrude too far into the unique scenic parkland.
3. Loss of any trees protected by Tree Preservation Order should be resisted.
4. The existing woodland area should be extended rather than removed.
5. The site is not suitable for affordable housing, but if affordable housing is necessary it should be kept far away from Loder Drive and Helensdale Close.
6. There would be increased noise pollution from the development.
7. There will be loss of privacy as many of habitable windows face onto the housing development site.
8. The development will substantially increase traffic levels on Venns Lane which already experiences high levels of traffic congestion.
9. Parking facilities within the site are insufficient.
10. Increased levels of activity, noise and disturbance together with increased levels of pollution from the traffic will adversely affect the flora and fauna of the locality.
11. Insufficient thought has been given to the environment and the loss of bird population in particular within the site.
12. The proposed floodlights for the sporting facilities would totally disrupt the existing residential area and would be totally out of keeping.
13. The development does not accord with the current approved planning policies, the proposed Unitary Development Plan policies or the Government's declared policies on the disposal of educational/open space.

5.4 Other comments.

1. The area known as "the secret garden" is important for tree conservation and protection of the parkland and wildlife within the site. The current proposed layout would create an ecological pinchpoint detrimental to the ethos of the Council's policy of sustainable ecology. Moving the housing development further away from this boundary would enhance the garden and its wildlife and meet local residents concerns by lessening visual intrusion.
2. Any trees protected by Tree Preservation Order which have to be removed should be replaced all trees to be retained should be appropriately fenced and protected prior to commencement of work.
3. The new orchard should contain mature trees (7-10 years old) and maintained by the developer along with the remainder of the woodland.
4. Only pedestrian access should be permitted into the park with new paths completed at the developers expense.
5. The eastern boundary of the housing development with the park should be at least 30 metres wide.
6. The developer of the housing estate should pay a maintenance contribution for the existing and new ecological areas along with the new Aylestone Park sculpture.
7. Soil and waste which has been dumped around protected trees over the years should be removed and any waste as a result of development should be removed off site.
8. Housing densities should be low

5.5 A further letter of support has been received from Herefordshire Sports Council.

1. The College already brings great benefits to Hereford City and the county in both economic and social terms beside its national and worldwide reputation. The current application would improve its facility and enhance its acknowledged position as a leader for specialist education of blind and partially sighted people.
2. If Herefordshire is to benefit from the 2012 Paralympic Games the Royal National College for the Blind will be at the forefront of providing coaching and training arrangements for representative teams from Great Britain and visiting nations.
3. It is evident that Herefordshire's community already enjoys immeasurable benefits from the presence of the college and the further proposals will provide an even greater boost to the economy and community life for the county.
4. The Council should view the application with a true sense of foresight, vision, generosity and partnership as the ambitious and exciting development can only be pursued if maximum economic value of surplus land can be realised and ploughed into the development scheme.
5. It would be in the best interests of Herefordshire if the application were approved with the least possible restrictive terms.

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 comprises a number of separate developments and for ease of assessment; each will be dealt with separately. The applicant's agents have also provided a number of reports and additional information to support the application as follows:

- Design Statement
- Transport Assessment
- A Landscape and Visual Assessment
- An Ecological Assessment
- Flood Risk Assessment and Drainage Management Plan
- A Statement of Community Involvement
- An Outline Tree Survey
- A Tree Survey Report
- Briefing Paper to justify the lesser provision of affordable housing

These documents will be referred to during the course of the appraisal.

Student Accommodation

- 6.2 A new three storey-detached building located to the rear (east) of the existing student accommodation is proposed comprising of 56 bedrooms and a wardens flat on three floors. The scale is similar to the existing halls of residence with the overall height to the ridge being almost identical. This has the benefit of not only reducing the impact of the halls of residence within the site but also from long distance views, means the building will be almost entirely screened by existing developments. The building takes a "U" shaped form giving the appearance of three separate blocks, which assists in breaking up the overall mass. The accommodation is double fronted facing both eastwards towards the remainder of the woodland and westwards in order to interact with the existing accommodation and provide a private and safe outdoor green area for the students. The overall aim being to create a student village environment. Largely traditional materials are proposed, namely brick, fair-faced block in sections below

aluminium windows with a slate roof. This is to ensure the building harmonises with the existing accommodation block whilst also containing some contemporary detailing in keeping with its architectural era.

- 6.3 The building will result in the loss of a grassed area used as an informal recreational area by students, which is a little unfortunate. However, this area has no formal protection within the Development Plan as open space or for ecological purposes and a new formal landscaped student plaza area will be created in replacement. Existing trees in the north-western corner of the site bordering the primary school are to be retained and supplemented by additional planting in order to further screen the building from the school and residents within Field Grove View housing estate to the north. On the basis of the above, no objection is therefore raised to the new student accommodation block.

Sports and Complementary Therapy Centre

- 6.4 This building is predominantly proposed to be on the site of the existing all weather football pitch and tennis courts, southeast of the site of the new student accommodation. The building will again be detached on three floors comprising a Paralympics sized indoor blind football pitch with seating for around 280 spectators and associated changing facilities, fully equipped gym, complementary and hydrotherapy facilities for teaching and use by the public, sports teaching facilities, offices, restaurant and viewing terrace over the external sports pitch. The facilities within this building will primarily be for the use by the college but some public use will be available particularly for sporting events, conferences and in connection with specific courses taught to assist the students with their social interaction with the public.
- 6.5 Although the building is substantial in scale (5,550 sq. metres floor area and 15 metres to the ridge), the siting has been carefully selected to make use of the different ground levels, which slope from east to west. This enables a cut and fill excavation to be undertaken giving the appearance that the building is only two storeys from Venns Lane. The overall mass of the building is also diluted as a result of its design and angled form. The principal entrance is parallel to, and addresses Venns Lane with the main sports facilities and football pitch being angled in a northerly direction towards the woodland and new outdoor football pitch. The extent of roof has also been broken up through it being stepped at two heights with raised canopy features to add further interest and conceal the air conditioning vents. In setting the building down at a lower level, with the exception of the principal entrance, only limited views from Venns Lane and the wider area will be available of the overall scale of this building.
- 6.6 The pallet of materials will be similar to that proposed for the accommodation block, namely brickwork and fair-faced block work in square module with sections of profile metal cladding for the sports hall, planar glazing to the gym and profile standing seam roof. The mix of materials will give the building a vertical emphasis, which is considered necessary given its scale in footprint terms. Therefore, whilst the building is of a substantial size, for the above reasons it can be accommodated on the site without impacting unacceptably on the immediate and wider environment.
- 6.7 The northern elevation of the sports building will also incorporate a fully glazed gym with a first floor terrace area overlooking the new outdoor sports pitch. This will measure around 45 metres in length by 25 metres in width and will have an all weather surface enclosed with fencing and floodlit. Details are awaited of the fencing and

specification of floodlighting. As with the accommodation block and sports building, this will be largely concealed at a lower level by existing/proposed buildings and mature trees and therefore, subject to there being no unacceptable light pollution from the floodlighting, this is also considered acceptable.

New Vehicular and Pedestrian Access, Parking and Landscaped Areas

- 6.8 An existing single storey building (Northwood teaching block) is to be demolished to create a new principal pedestrian access off Venns Lane to both the sports building and existing/new accommodation blocks. Traffic calming in the form of a 75mm. high raised speed table along with a new pedestrian crossing with traffic lights and speed cushions are proposed on Venns Lane. From this point a 5metre wide path will lead directly to a covered bridge walkway and the fully glazed entrance to the sports centre. This not only creates a focal point to the development when viewed from Venns Lane but also provides a clear and safe pedestrian access and visual link between the proposed development and the remainder of the college campus on the western side of Venns Lane.
- 6.9 Other pedestrian routes link into the main path to provide access to the student village area and parking for the sports centre. The objective being to create small areas, each with a different identity defined through the use of varying materials and soft landscaping. This is particularly important as large open spaces can be particularly disorientating for the visually impaired. Materials such as tactile directional paving, lighting bollards, strategically placed furniture, lighting stacks and planting create an informal but clearly legible pedestrian environment for both students and visitors to the sports centre.
- 6.10 An existing detached garage and portacabin currently used for complementary therapy purposes are to be removed to create a new vehicular access off Venns Lane to serve both the sports centre and proposed housing development. In support of the highway issues, a traffic assessment has been provided. The required visibility standard for the new access cannot be achieved based on the current speed limit of 30mph on Venns Lane. To overcome this problem traffic calming measures are proposed along Venns Lane for the frontage of the application site to reduce traffic speeds down to 20mph. The required highway works are likely to include a raised table pedestrian crossing point, the reworking of the signals at the junction between Venns Lane and College Road along with speed cushions at strategic locations along the site frontage. Although the final details are yet to be agreed, the principle of these measures are supported by the Traffic Manager but further information is awaited on these matters.
- 6.11 Located directly off the new access and south of the sports centre is the proposed parking and bus drop-off points. A total of 78 parking spaces are proposed to serve the sports centre and other college facilities on the eastern side of Venns Lane. Whilst this provision is below the required standard for a development of this size, the sports centre will largely be for private use and therefore will not generate a continual parking requirement. Nevertheless, events and sporting competitions will take place periodically which will lead to a requirement for additional parking particularly with the indoor seating area for 280 spectators. Therefore, rather than providing a large expansive car park leading to the loss of further trees, the college are proposing a Parking Management Plan to make other car parks within the college campus available when special events are taking place. This may also include a private bus service along with clear signage to make visitors aware of the location of the overspill car parks. The final details of the Parking Management Plan are awaited. The site is also

relatively sustainable in terms of its location and the availability of non-car based modes of transport and is within walking distance of the city centre and associated rail and bus stations. Therefore, the lower parking provision is not considered unacceptable providing the appropriate Parking Management Plan is finalised alongside a Travel Plan.

Private residential Development

- 6.12 This part of the proposal is in outline form with all matters except the means of access reserved for future consideration. However, the Design Statement formulates a number of development principles, which will control the layout of the private residential development. This is proposed to take place along the eastern boundary of the college campus bordering existing residential estates to the southeast and Aylestone Park development to the east. The majority of the site is currently set out to orchard, which is designated as a Site of Importance for Nature Conservation. The planning considerations associated with the loss of the SINC are discussed in 6.?? below.
- 6.13 The principles of the residential layout detailed in the Design Statement have been formulated around the existing site characteristics. These being the topography as ground levels fall by some 20 metres from south to north, the existing wooded environment within and around the housing site and neighbouring land uses. The development proposes clusters of housing built on the pavement edge with private gardens to the rear of the houses. Existing mature trees will be retained where possible around the principal access road, which will lead to a small area of open space incorporating a local area of play. This will create a heart to the development with natural surveillance being provided by surrounding properties overlooking the open space.
- 6.14 Existing mature trees will be retained along the south-eastern and eastern boundary to provide a green buffer zone between existing residences and Aylestone Park. Roads around the fringes of the development will largely be limited to private drives in order to create an informal appearance and a new pedestrian access will be provided from Venns Lane through the development into Aylestone Park. The density of the development is envisaged to be at the lower end of that recommended within Planning Policy Guidance Note 3 at around 35 properties to the hectare, which would equate to around 70 units on the site as a whole. In this context, a lower density is considered more appropriate in order to preserve the green environment. The principles behind the possible residential layout are well thought out and accord with the Development Plan policies and Government guidance.

Loss of part of the SINC (Site of Importance for Nature Conservation)

- 6.15 A detailed Ecological Assessment and Tree Survey Report has been provided to address and justify the loss of part of the SINC that would result if the housing development is permitted. There is a presumption against the loss of such designations within Policy NC3 of the Hereford Local Plan and NC4 of the Unitary Development Plan unless the reasons for development clearly outweigh the need to safeguard the nature conservation value of the site. Policy NC7 of the Unitary Development Plan requires that compensation for the loss of biodiversity, which must be at least proportionate to the scale of the loss or impact on the areas of ecological value. However, Policy NC4 of the UDP has been modified by the Planning Inspector to state that the loss of SINC's will not be permitted unless it can be demonstrated

there would be no harm to the substantive nature conservation value of the site, or that appropriate mitigation and compensatory measures can be taken in accordance with Policy NC7, or the reasons for a development clearly outweigh the needs to safeguard the nature conservation value of the site.

Both the Council's Landscape Officer and Ecologist object in principle to the loss of the orchard area comprising part of the SINC. English Nature do not, however, adopt the same, in principle, objection. To address the concerns of the Council's officers and the policy requirements, the applicants are proposing a compensatory or replacement orchard which is proposed to take place within the Aylestone Park development, bordering the eastern boundary of the application site. This will include, where possible, and as suggested by English Nature, the translocation of the existing orchard trees. Along with the replacement orchard, a short, medium and long-term management regime for the remainder of the SINC is proposed to improve the structural and species diversity across the site. The college would manage all of the SINC including the proposed new orchard with the majority also remaining within the college ownership. The management regime will include the thinning of some existing trees to reduce the tree density and encourage natural regeneration and a shrubbery under storey, thinned trees to be used to create log piles to act as refuges and feeding areas, ring barking selected trees to kill the trees whilst leaving them standing to provide deadwood, to retain large areas of existing grassland along with the planting of new grassland with a wildflower and grass seed mix, existing hedgerows to be retained and sympathetically managed and new supplemental planting of native shrubs and trees to compensate for the loss of existing trees to be removed.

- 6.16 It is clearly regrettable to see the loss of any biodiversity habitat, however, based upon the information provided within the ecological reports the site proposed for the residential development is considered to be the area of least ecological value. Furthermore, the proposed new orchard in replacement of that lost along with the new management regime should ensure that the biodiversity of the SINC as a whole will not be diminished and in the long term, will be enhanced. As such the principle of the loss of part of the SINC is accepted.

Affordable Housing

- 6.17 No affordable housing was originally proposed but following ongoing discussions between the applicants, their agents and the Local Planning Authority, 17.5% of the total number of units within the housing development is now proposed to be affordable housing. The affordable housing would be of a bespoke design focussed on meeting the needs of the blind, partially sighted and disabled people of Herefordshire. However, the affordable housing will still be provided in partnership with a registered social landlord and subject to the usual local occupancy restrictions controlled by Homepoint. Comments are awaited from the Strategic Housing Manager as to whether this form of specialist affordable housing accords with the restrictions within the Council's Supplementary Planning Guidance on affordable housing although it is understood that a local need exists for such accommodation.
- 6.18 Policy H9 of the Unitary Development Plan sets an indicative target of 35% for all windfall sites in excess of 15 units or half a hectare in area. As such the planning policy requirement for this site is for 35% of the total number of units to be affordable housing. However, policy H9 also states that in considering the suitability of sites to provide affordable housing, regard will be given to:

1. The proximity of local services and facilities and access to public transport.
2. Whether there will be particular costs associated with the development of the site.
3. Whether the provision of affordable housing would prejudice the realisation of other planning objectives that need to be given priority in development of the site.

The site is acceptable in principle for housing in terms of its proximity to local services and facilities and accessibility to non-car based modes of transport. There are also no particular site development costs such as contaminated land or flooding issues associated with developing the site. Therefore, in order to justify a lesser provision of affordable housing, the applicants have provided a report to demonstrate why equal priority in this instance should be given to the realisation of the other elements of the proposal. The benefits of the new college facilities outlined in the report are as follows:

1. The facilities will constitute a substantial and unparalleled inward investment into Hereford.
2. Facilities will form the central development in the bid for Hereford to become an Olympic and Paralympics training venue from 2009 to 2012.
3. The new facilities will raise the profile of Herefordshire by providing excellence in education and sport.
4. Facilities at the new sports and complementary therapy centre will benefit local people.
5. The grant of planning permission will ensure the future of the Royal National College in Hereford.
6. The provision of the new halls of residence should be accepted by the Council as affordable housing as it provides specialist low cost housing provision for the students at the college.
7. While being only a proportion, the sale of the private residential land would provide a fundamental component in the funding strategy and in particular would be one of the earliest sources of funding which is essential to kick-start the whole project.

6.19 In summary, without the residential development the college facilities cannot be provided and the full receipt from the sale of the housing site will be used to assist the funding of the new college facilities. A requirement for further affordable housing would reduce the value of the residential land, reducing the contribution that it makes to the funding of the new facilities and ultimately jeopardising the provision of these facilities. Furthermore, the college have stated that if the college were unable to secure the new facilities, it would need to reconsider its future in Hereford. In financial terms, the provision of the new halls of residence and sports centre will cost £15.2 million plus VAT as appropriate. The sale of the residential land without the provision of any affordable housing would be £5 million. The college therefore still has to obtain at least a further 10 million pounds from other sources such as the lottery, Learning and Skills Councils, Trusts and Foundations, corporate sector and so on as they have no funds of their own.

6.20 The college undoubtedly is an important educational, economic, social and community asset to the city and Herefordshire as a whole and the principle of the development proposed under this application is generally fully supported by the Development Plan policies and Government Guidance. The student accommodation cannot be considered as affordable housing as suggested by the applicant's agent, as this is not available for occupation by anyone in Herefordshire on the priority housing lists. There remains a high demand for further affordable housing within the city and Herefordshire

as a whole with waiting lists growing annually. However, this is a unique proposal and on balance, the realisation of the development and the benefits it will bring to the County is considered of equal importance to the need to provide the full policy target of affordable housing. As such the provision of 17.5% is considered reasonable.

Planning Obligation Requirements

- 6.21 The following has been agreed in principle with the applicants in order to facilitate the development, if approved. Although a financial contribution has been requested by education, it is not considered necessary in this instance as there is capacity in all the local schools to accommodate the children that would emanate from the housing development and there are no short term improvements to the infrastructure triggered by the likely additional pupil numbers.
1. £105,000 towards traffic calming measures on Venns Lane, new pedestrian crossing and relocation of the signals, and enhancement, retiming of the existing signals College Road/Venns Lane junction.
 2. Between £61 and £70,000 towards the maintenance of the on-site open space and local area for play and the provision of off-site recreational facilities within Aylestone Park development due to the deficit in on-site open space.
 3. The provision of public art within the public realm areas associated with the sports centre.
 4. The planting and maintenance of the new area orchard to compensate for the loss of the existing orchard within the SINC to include new appropriately surfaced footpath(s) to provide pedestrian links with Aylestone Park .
 5. The long-term maintenance regime for the maintenance and enhancement of the remainder of the SINC.
 6. 17.5% of the total number of the units to be affordable housing provided in partnership with a registered social landlord. All of the above to form part of a legal agreement under Section 106 of the Town and Country Planning Act 1990.

RECOMMENDATION

That subject to the applicants providing the additional information requested by the traffic manager and further details/plans of the outdoor football pitch

The Legal Practice Manager be authorised to complete a planning obligation under Section 106 of the Town and Country Planning Act 1990 to incorporate points 1-6 of paragraph 6.15 above and any additional matters he consider appropriate

The planning obligation shall be completed by the 10th April 2006 and upon completion of the aforementioned planning obligation that officers named in the scheme of delegation to officers be authorised to issue planning permission subject to conditions.

As the application is a hybrid application, two different sets of conditions are required. The wording of the conditions is still being discussed and agreed with the applicants. However, conditions will be included to cover the following:

The halls of residence, sports developments and new pedestrian and vehicular access

Conditions regarding commencement of the development, phasing, materials, landscaping and its maintenance, tree protection, slab levels, floodlighting, opening hours, access and road construction, parking provision, foul and surface water drainage, earthworks and waste disposal, restriction on construction times, provision of public art,

Housing Development

Standard outline conditions regarding commencement and submission of the reserved matters details, phasing of the development and phasing of the construction of the affordable housing, access construction and internal road construction including traffic calming, tree and hedgerow protection, new orchard planting, foul and surface water drainage, maintenance of landscaping, footpath construction, restriction on construction times, boundary treatments, specification for the local area of play,

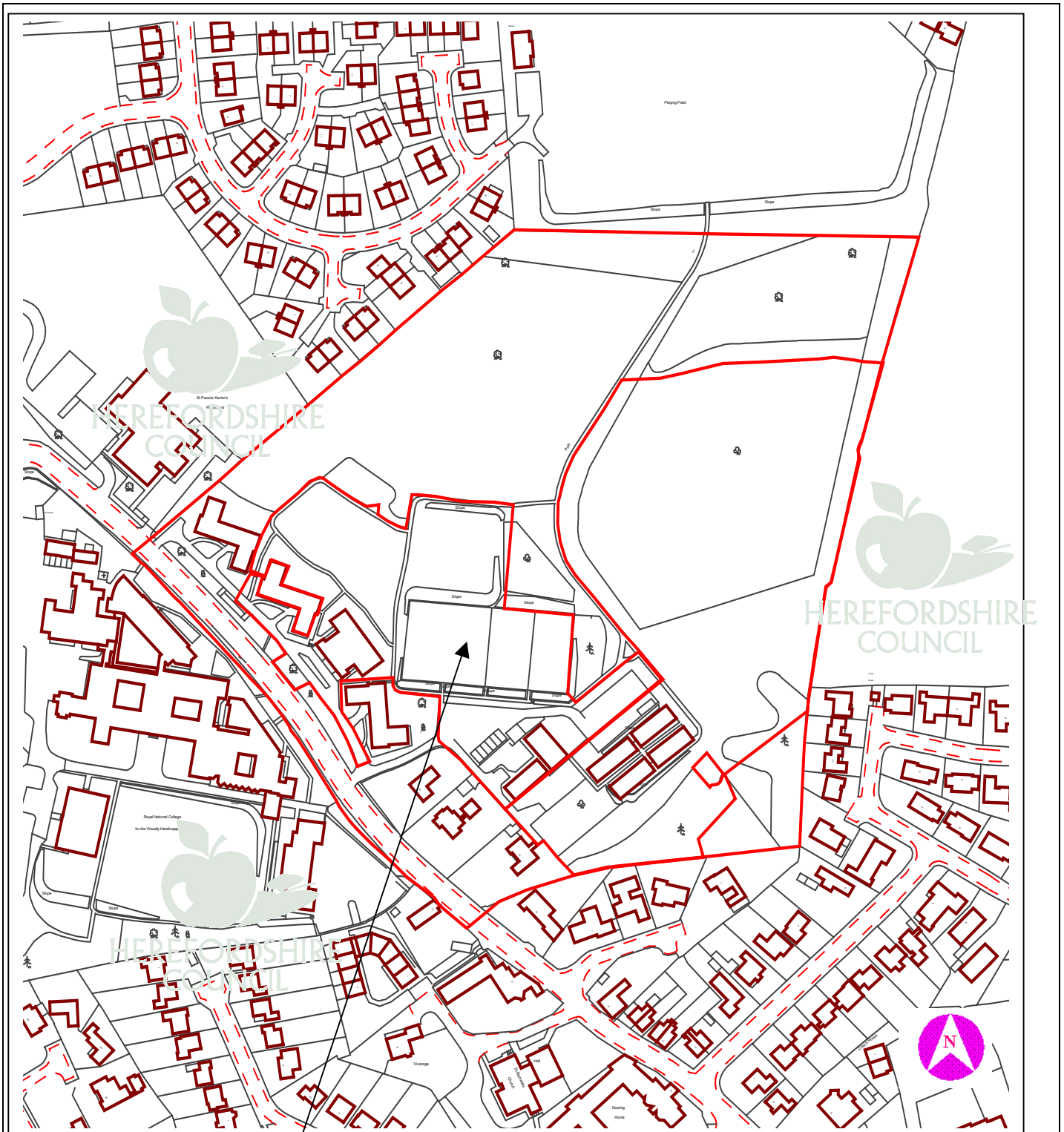
Decision:

Notes:

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Background Papers

Internal departmental consultation replies.



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APPLICATION NO: DCCE2006/0099/O

SCALE : 1 : 2500

SITE ADDRESS : Royal National College For The Blind, College Road, Hereford, Herefordshire, HR1 1EB

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