

Supporting Statement

Land at Calvert Lane

Hull

**On behalf of
BRB (Residuary) Limited**

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1.0 INTRODUCTION

- 1.1** This statement has been prepared on behalf of British Rail Board (Residuary) Limited (BRB) to support the outline planning application for the redevelopment of land at Calvert Lane, Hull for residential development up to 158 dwellings. All matters are reserved for subsequent approval except access, which is to be considered as part of this application. The scheme is articulated in the accompanying indicative site layout plan and the Design and Access statement.
- 1.2** This statement provides a description of the proposed development and assesses the merits of the scheme in the context of the relevant national, regional and local planning policy guidance; and other material considerations.
- 1.3** The following statement demonstrates that the proposed development has considerable merit in planning terms, will regenerate a brownfield vacant site adjacent to an established residential and mixed use area. It will result in significant benefits to the immediate surrounding area including the provision of a wider choice of housing than that which currently exists. It will promote regeneration and renaissance in Hull helping to make it a more vibrant and attractive place in which to live, work and spend leisure time. As such, it accords with the Development Plan and should be granted planning permission.

2.0 SITE AND SURROUNDINGS

- 2.1** The site is located approximately 1.8 miles west of Hull City Centre boundary. The application site lies to the west of Calvert Lane.
- 2.2** The southern half of the site is roughly a rectangular parcel of land with an existing access onto Calvert Lane. The site is cleared vacant brownfield land, which was formerly occupied by Jewson's the Builders Merchants and prior to this a railway coal siding. All buildings with the exception of a corrugated iron structure have been removed from the site. The concrete floor slab of previous buildings remains in situ. Surrounding this southern half of the site is palisade fencing some 2.5m high. This currently prevents public access onto the site.
- 2.3** The northern half of the application site is greenfield. It is bisected by the former railway embankment. To the north is the former railway line which is used by dog and recreational walkers and is designated as a Site of Nature Conservation Interest (SNCI). It lies between 5 -7m above Calvert Lane and thereafter further west the level reduces AOD for a significant portion of the site and varies between 4 and 5m AOD. There are numerous self seeded trees, bushes and brambles throughout this part of the application site. To the south the area is currently fairly inaccessible. It lies at an average elevation of 3m AOD below the northern most section and is overgrown with trees, bushes and brambles.
- 2.4** An important Local Centre abuts the site to the north and there are numerous shops which are located within this centre.
- 2.5** These shops and other services include: fish and chip shops, a taxi firm, baker, takeaways, a laundrette, hairdressers, accountancy firm, Methodist Church, Bank, Vacant Kwik Save Store with associated parking to the rear, a sandwich shop, estate agents, a chemist, off-license, pet shop, newsagents, betting shop, butchers, jewellers and a public house The Hastings.
- 2.6** Opposite the Calvert Lane frontage is a car sales showroom, a plumbing centre and kitchen shop as well as semi-detached and terraced two storey housing.
- 2.7** Mature trees border the area to the south of the former Jewson's builders' merchants fronting Calvert Lane.
- 2.8** Immediately south of the application site is a flat grassy area which was formerly used by

- the local schools as playing fields but has not been used for such activities for some time and now lies vacant and overgrown. The area is used unofficially by local residents and dog walkers, with no official public access. It is bounded by palisade fencing to all sides.
- 2.9** Beyond the former playing fields to the south are a pair of semi-detached houses, Middleton Barracks (TA Centre), a fire station, a police station and an area of open space. Behind the army barracks is a tall residential tower block some 16 storeys in height.
- 2.10** To the west is an area of overgrown grass, trees and bushes, beyond which is a housing estate.
- 2.11** The site is in a highly accessible area. To the south of the site there is a bus shelter less than 300m away on Calvert Lane, adjacent to the junction with Anlaby Road. There are several buses which run from this site including the number 60 and 61 which run to Cottingham. The 62 goes to Setting Dyke, and the 64 goes to Cottingham, Castle Hill Hospital and Willerby. All four services also run to Hull Paragon Interchange (the major new bus and train station).
- 2.12** There is also a bus shelter on Spring Bank West some 200m from the site where several buses operate a regular service to Hull Paragon Interchange.
- 2.13** There is are also bus shelters on Anlaby Road providing a frequent service to Hull Paragon Interchange as well as regular services to the Infirmary. Bus routes serving these bus stops include the routes 2,151, 152, 153, 154, 155 and N2.
- 2.14** Consequently, there are several bus stops and local shops within a 5 minute walk time. In addition, 'on road' cycle lanes and bus/cycle lanes are situated along Anlaby Road. There is also an off road cycle track off Spring Bank West that can easily be accessed from the site.
- 2.15** Opposite Hull Trinity Rest Homes on Anlaby Road is Eastfield Primary School. Less than 450m from the Calvert Lane frontage is Cherub Nurseries (a children's nursery) which is situated on Anlaby Road.

3.0 Planning History

3.1 There are many previous planning applications on this appraisal site. The most relevant are detailed below.

- **16026** – Outline application for adjacent supermarket. Refused 3.3.72.
- **00024176** – WM Morrison's Supermarkets plc applied for an outline application to erect a retail food store and Petrol filling station with new access road and car park 750 spaces, relocation of coal merchant uses, landscaping works, alteration to Calvert Lane and roundabout at junction of Spring Bank West and Calvert Lane. The Council minded to grant the application in the summer of 1994. The application was 'called in' by the Secretary of State who refused the application on 3.4.95.
- **94/01095/PF** – Carrying out of operations to clear and re-grade land including works to railway bridges to form development site. Approved 20.7.01.
- **01/01276/PF** – Use of site as builders merchants (temporary) including use of land for open storage of builders materials, erection of portable buildings for use as office and mess room, erection of store. Approved 7.11.01.
- **01/01277/PF** – Use of site and erection of buildings to form builder's merchants without complying with condition 10 of previous approval. Approved 6.2.02.
- **04/00111/FULL** - Continued use of site as builder's merchants (renewal of temporary permission expiry date 31.1.04). Granted 9.3.04.
- **06/00245/FULL** – Application to renew temporary permission for builder's merchants. Refused 5.4.06 due to the retention of the builders merchants being contrary to Policy H2 and H3 which allocate the site for residential development. In addition non-residential development would prejudice the aims of the Structure Plan and Local Plan which seek to direct residential development to previously sites allocated in the local plan. The development is also out of character with the predominately residential area and constitutes a poor standard of development contrary to Policy BE1 of the Local Plan.
- **07/00292/OTHER** – (Enforcement Action) Continued use as a builders merchants following refusal of planning permission (case closed no further action

taken).

4.0 PLANNING AND REGIONAL PLANNING POLICY

National Planning Guidance

- 4.1 The following section demonstrates the substantial support in planning policy for the scheme.
- 4.2 The Planning and Compulsory Purchase Act 2004 Section 38 (6) states that applications should be determined in accordance with the development plan unless material considerations indicate otherwise.
- 4.3 The key relevant national planning policy for the site is provided in PPS3: Housing, PPG17: Planning for Open Space, Sport and Recreation; PPG13: Transport and PPS25: Development and Flood Risk.

PPS1: Delivering Sustainable Development (2005)

- 4.4 PPS1 sets out the Governments objectives for the planning system. It places sustainable development at the heart of Government Planning Policy.
- 4.5 This is achieved through a combination of making suitable land available for development that: enhances peoples' quality of life; sustains economic growth; protects and enhances the natural, historic and built environment; promotes high quality development and design; efficient use of resources; and supports communities by contributing to the creation of safe, sustainable, liveable and mixed communities with good access to jobs and key services for all members of the community.
- 4.6 PPS1 [paras 23 & 27] considers the implementation of sustainable economic development to ensure inter alia the provision of sufficient, good quality, new homes at an appropriate mix in suitable locations to ensure that everyone has the opportunity of a decent home in locations that reduce the need to travel and which meet the expected needs for housing.
- 4.7 In the accompanying document to PPS1, 'The Planning System: General Principles' it states that the development plan provides the essential framework for planning decisions. When conflicts between plan policies arise, decisions should be taken in the light of all material considerations, including local priorities and needs, guided by relevant national policies [para 7].

PPS3: Housing (2006)

- 4.8** PPS3 states that the Government's key housing goal is to ensure that everyone has the opportunity of living in a decent home, which they can afford in a community they want to live [para 9].
- 4.9** In support of its objective of creating mixed and sustainable communities, the Government's policy is to ensure that housing is developed in suitable locations which offer a range of community facilities with good access to jobs, key services and infrastructure. It states that the priority for development should be previously developed land, especially vacant and derelict sites and buildings [para 36].
- 4.10** The guidance states that the national annual target for brownfield housing land is that at least 60% of new housing should be on previously developed land [para 41]. A mix of different households such as families with children, single person households and older people is encouraged [para 20].
- 4.11** PPS3 emphasises the need to achieve high quality housing, especially design quality. Local authorities must '*identify and maintain a rolling five-year supply of deliverable land for housing*' [para 7]. This supply should be available, suitable and achievable [para 54].
- 4.12** They should also '*identify a further supply of specific, developable sites for years 6-10 and, where possible, for years 11-15*' [para 55]. PPS3 stresses that sites must be 'developable' and deliverable', and there must be 'a flexible, responsive supply of land'; with annual monitoring [para 52].

PPS9 Biodiversity and Geological Conservation (2005)

- 4.13** PPS 9 was published in 2005, it provides guidance on the Government's objectives with regard to conserving and protecting the diversity of England's wildlife and geology. The objectives of this PPS include the following:
- Ensuring that biological and geological diversity are conserved and enhance as an integral part of the social, environmental and economic development.
 - Sustaining and improving where possible the quality and extent of natural habitat and geological and geomorphological sites; the natural physical processes on which they depend and the populations of naturally occurring species which they support.

- Enhancing biodiversity in green space and among developments so that they are used by wildlife and valued by people.
 - Ensuring that developments take account of the role and value of biodiversity in supporting economic diversification.
- 4.14** Paragraph 1 iv aims to prevent planning decisions from harming biodiversity and geological conservation interests. If significant harm is envisaged the Local Planning Authority will need to be satisfied that the development cannot be reasonably located on any alternative sites that would result in less or no harm. If no alternatives are available before planning permission is granted adequate mitigation measures must be put in place. If significant harm cannot be prevented or mitigated against appropriate compensation measures should be sought. If none of these can be provided planning permission should not be given.
- 4.15** PPS9 advocates the use of previously developed land ahead of greenfield land as it reduces the amount of countryside and undeveloped land that needs to be used.

PPG13: Transport

- 4.16** This guidance aims to reduce travel demand through spatial planning of new development and in particular to reduce car dependency and promoting alternative modes of transport. It advocates that development should be carried out on previously developed land in urban areas with good public transport links where there are opportunities to walk and cycle before using undeveloped land. Making efficient use of the land is encouraged by providing a housing density of between 30 and 50 dwellings per hectare to avoid the inefficient use of land [para 13-16].
- 4.17** The objectives of PPG13 include accommodating housing principally within existing urban areas, and planning for increased intensity of development for both housing and other uses at locations which are highly accessible by public transport, walking and cycling [para 6].

PPG17: Planning for Open Space and Recreation

- 4.18** Under PPG17 there is a general presumption against development on existing open space, sports and recreational land unless an assessment can clearly demonstrate that the open space is surplus to requirements (para 10).

- 4.19** PPG17 seeks to avoid any erosion of recreational function as well as maintaining or enhancing the character of open spaces (para 17).
- 4.20** PPG17 encourages opportunities to improve the value of existing facilities. It seeks to improve existing open space and facilities such as through better accessibility, better use of the open space and creating open space from vacant land (para 18).

PPS25: Development and Flood Risk (2006)

- 4.21** The aims of planning policy on development and flood risk are to ensure that flood risk is taken into account at all stages in the planning process, directing development away from areas at highest risk [para 5]. The aims are to appraise, manage and reduce the risk of flooding [para 6], steering new development to areas at the lowest probability of flooding (Zone 1).
- 4.22** The guidance seeks flood risk assessments to be carried out in areas at risk of flooding. A sequential risk-based approach to determining the suitability of land for development in flood risk areas is advocated at all levels of the plan making process (para 15).
- 4.23** The Flood Zones are the starting point for the sequential approach. PPS25 states that in areas at risk of flooding, preference should be given to locating new development in Flood Zone 1, with Flood Zone 1 (low probability of flooding in any year < 1 in 1000 or <0.1%) being all the land falling outside Zones 2 and 3. If there is no reasonably available site in Flood Zone 1, the flood vulnerability of the proposed development (see table D.2, Annex D) can be taken into account in locating development in Flood Zone 2 (medium probability of flooding in any year 1 in 100 and 1 in 1000 annual probability of river flooding) and then Flood Zone 3 (high probability of flooding 1 in 100 or greater annual probability of river flooding). Within each flood zone new development should be directed to sites at the lowest probability of flooding from all sources.
- 4.24** Development in Flood Zone 3 requires a flood risk assessment to be carried out and for more vulnerable land uses such as residential an exception test is required which demonstrates that the development provides sustainability benefits to the community, that there are no reasonable alternative sites on developable previously developed land and that the development will not increase flood risk elsewhere.

5.0 DEVELOPMENT PLAN

Introduction

- 5.1** The development plan as defined by the Planning and Compulsory Purchase Act 2004 comprises The Yorkshire and Humber Plan Regional Spatial Strategy to 2026, and the adopted Hull Local Plan.

Hull Local Plan (May 2000)

- 5.2** Kingston Upon Hull City Council Local Plan was adopted in May 2000 and contains the Council's strategy for the physical development of the Borough. Under the provisions of the Planning and Compulsory Purchase Act 2004 the policies were saved for a period of 3 years, which expired in September 2007. Hull City Council received Direction from the Secretary of State that many of its policies could be extended beyond this time. The saved policies will therefore remain in force until such time as it is updated and replaced by Local Development Framework documents.
- 5.3** The key relevant saved policies are detailed in the following paragraphs.
- 5.4** The southern section of the application site is allocated for 115 residential dwellings (3.1ha) under Policy H3 (ii) Table 2. This is based on an average density of 37 dwellings per hectare taking into account the need for Urban Greenspace.
- 5.5** The northern part of the application site is designated as Existing Urban Greenspace which should be retained under Policy NE1 of the Local Plan. It is also designated as a Green Network under Policy NE13.
- 5.6** Policy NE1 seeks to protect the area from development if it would lead to a loss of sporting or recreation facilities, if it would have an adverse effect on nature conservation; if it would lead to the loss of a link between the other areas of Urban Greenspace or if it would have an adverse effect on the amenity or character of an area including the loss of important views.
- 5.7** However, Policy NE3 permits the development of Urban Greenspace under very special circumstances where it can be demonstrated that the Urban Greenspace can be replaced within the locality with a site of equivalent community benefit, or, if this is not possible to improve an existing Urban Greenspace within the locality to provide equivalent community benefit.

- 5.8** The Green Network is protected from development which would seriously adversely affect its continuity and value under Policy NE13.
- 5.9** The northern part of the application site is also designated as a site of Nature Conservation Interest under Policy NE14 (a) of the Local Plan. Development on sites of Nature Conservation Interest will only be permitted if it can be demonstrated that the identified nature of the conservation value is not adversely affected.
- 5.10** Policies H4 and H5 relate to affordable housing provision. The Council seeks to ensure an adequate supply of land for affordable housing. If a need is demonstrated the Council will seek an appropriate proportion of affordable housing by negotiation.
- 5.11** Policy UR1 encourages development which assists urban regeneration. Its objectives include encouraging the improvement of employment, social housing and the built and natural environment and bringing vacant and derelict land back into effective use. Land reclamation for forms of Urban Greenspace such as recreation and open space will be encouraged.
- 5.12** The Council also seeks to provide a cycle track and footpath on the northern section of the application site under Policy M12 of the Local Plan in order to encourage more people to walk and use cycles instead of cars.

RSS for Yorkshire and Humber (May 2008)

- 5.13** RSS for Yorkshire and Humber was published in May 2008. It provides a framework for the development and investment in the region until 2026.
- 5.14** Policy YH1 encourages sustainable development and supports investment and activity. The policy also seeks to avoid increasing flood risk, to manage land and river catchments for flood mitigation, generate renewable energy, enhance biodiversity and increase tree cover.
- 5.15** Policy YH2 relates to climate change and resource use and seeks to limit green house gas emissions by inter alia: increasing population, development and activity in cities and towns, and encouraging redevelopment of previously developed land. The policy also encourages the planning for the successful adaptation to the predicted impacts of climate change by inter alia minimising threats from and impacts of coastal erosion, increased flood risk, increased storminess, habitat disturbance, increased pressure on water resources, and supply and drainage systems.

- 5.16** Policy YH4 relates to regional Cities (such as Hull) and states that they should be the prime focus for housing, employment, shopping, leisure, education, health and cultural activities and facilities in the region. They should be transformed in to attractive, cohesive and safe places where people want to live, work, invest and spend time in.
- 5.17** The policy aims to provide (inter alia) more modern and a wider range of housing and employment premises, and create new and improve existing networks, corridors and areas of green space. It seeks more than 50% of new housing to be focused in the regional and Sub regional cities and towns.
- 5.18** Housing development is encouraged in Hull in order to reduce the amount of development in East Riding in coordination with the Pathfinder Programme.
- 5.19** Policy YH7 seeks a sequential approach to the location of development. The priority for development will be to the re-use of previously developed land and buildings, before other suitable infill opportunities within the relevant city or town.
- 5.20** The RSS supports improving low demand neighbourhoods and the provision of more affordable homes. It also encourages the provision of more networks of urban greenspace and ecological corridors, more green recreational opportunities within cities and towns and greater tree cover.
- 5.21** Policy ENV11 supports economic development in and around Regional Cities such as Hull. The policy also seeks to provide, safeguard and enhance high quality facilities for sports and recreation and to develop walking and cycling routes and green infrastructure, especially through Hull and other Regional and Sub Regional Cities.
- 5.22** Policy E2 states that the centres of Regional Cities and Sub Regional Cities and Towns should be the focus for offices, retail, leisure, entertainment, arts, culture, tourism and more intensive sport and recreation across the region. The centres of District Centres within Regional Cities should be the focus for local services and facilities.
- 5.23** Policy H1 sets the housing provision for the region. The annual average housing provision for Kingston Upon Hull is set at 880 dwellings between 2008-2026.
- 5.24** Policy H2 relates to the managing, supply and delivery of housing. It prioritises housing development on brownfield land and seeks to ensure a 15 year supply of land for housing, including a five year supply of specific, deliverable sites.
- 5.25** Policy H4 relates to affordable housing and suggests a provisional estimate of up to 30%

to be provided in Hull.

- 5.26** Policy HE1 sets out the Humber Estuary Sub Area Policy. It states the roles and functions of places including transforming the role of Hull as a Regional City such as by transforming residential areas to create a better mix of housing and quality environments. Decisions should safeguard the sub-areas main economic assets and settlements from tidal and fluvial flooding, including managed realignment. The regionally significant investment priorities are recognised as securing rapid urban renaissance in Hull, managing and minimizing the risk of flooding from the Humber and associated river and drainage systems to Hull and to secure a healthy housing market for all tenures in Hull and the surrounding area.

Other Planning Guidance

SPG Note 24: Nature Conservation and Development (May 2000)

- 5.27** The purpose of this Note is to provide information, guidance and advice on nature conservation to (inter alia): protect wildlife and its inhabitants and natural features; minimise the impact on wildlife where development is unavoidable; guide new development with appropriate advice on new habitat conservation, creation and management.
- 5.28** Both Sites of Nature Conservation Interest (SNCI) and green Network areas are reservoirs of biological diversity from which wild plants and animals can colonise other parts of the City. They are also of recreational, scientific, cultural, educational and amenity value. Developers are advised to discuss their proposals for development if they are likely to affect an SNCI or Green Network with officers of the Council.
- 5.29** Development breaking up the continuity of the Green Network will be resisted. Development taking place on or adjacent to them should leave a gap of at least 15m to allow movement along the corridor. Opportunities should be taken to enhance the wildlife value of existing open corridors.

Gateway Pathfinder

- 5.30** The whole of the City of Hull has been designated as a pathfinder area. Hull is suffering from low demand, low value and vacant properties with high crime rates as well as population decline in favour of neighbouring areas such as East Riding.
- 5.31** Gateway, the Housing Market Renewal Pathfinder is charged with revitalising Hull's

housing market.

- 5.32** The Gateway programme aims to improve the residential offer at the core of the city-region, with housing contributions targeted at key economic groups, including families graduates and knowledge workers.
- 5.33** The key areas which are being focused upon for regeneration include the west of the city centre, where a major regeneration programme is situated in Newington and St Andrews. The boundary of which is beyond Calvert Lane to the east. Development which poses a risk to the vision for Newington and St Andrews will be resisted.
- 5.34** Developments outside the boundaries of the regeneration scheme are more likely to be supported if they propose something which the regeneration scheme will not provide.

Housing Strategy (2008)

- 5.35** The Citywide Housing Strategy was adopted in July 2008. It is a material consideration in the determination of planning applications and provides the context and basis of future planning priorities adopted as part of the Hull Local Development Framework. There are two main objectives associated with the housing strategy: building a balanced housing market and building stronger communities.
- 5.36** The housing strategy supports the provision of a good choice of type, size, tenure, quality and affordability of housing. The strategy encourages housing development which will attract key groups of workers and businesses needed for economic growth including families, graduates and creative and knowledge industries.
- 5.37** The Housing Strategy indicates that there is a significantly low supply of detached and semi-detached properties in Hull and an oversupply of terraced housing in the Boothferry ward (the location of the application site). As a consequence large family housing is encouraged close to work locations and good transport infrastructure.
- 5.38** The Spatial Strategy Plan is set out in the Housing Strategy. It envisages the local centre at Spring Bank West/Calvert Lane to be a district centre to serve groups of neighbourhoods.
- 5.39** The Strategy encourages the provision of a good range of affordable housing in order to encourage residents to remain in Hull. The Strategy states that the Housing Market Assessment indicates that a gross new average annual dwelling requirement is estimated

at between 847 and 1253 new homes per annum compared to 880dpa as set out in the RSS. The Council's aim is to achieve 1253 new dwellings per annum.

- 5.40** The Housing Strategy seeks an affordable housing target of 20% for the City over the long-term.

Local Development Framework

- 5.41** The preparation of the Hull Development Framework is underway and will eventually replace the Local Plan. The Hull Development Framework will contain the future core policies for the Borough. It is in the early stages of preparation. The Issues, Options and Preferred Option have been published and consultation has taken place. The Core Strategy Preferred Options are envisaged to be published for consultation in March 2010, with adoption currently expected in January 2011.
- 5.42** The Newington and St Andrews Area Action Plan is more advanced, the Examination in Public took place at the end of September 2009 and the Inspectors report is expected in December 2009/January 2010.
- 5.43** The Strategic Housing Land Availability Assessment is currently being worked on and due for completion towards the end of 2009.

6.0 Development Proposals

- 6.1** This application is an outline application for the erection of up to 158 dwellings on the land at Calvert Lane, Hull with all matters reserved except for access. Therefore this application seeks the principle of development at this location and whether the proposed access is acceptable in relation to the highway.
- 6.2** This section will outline the key elements of the application proposals and their relationship and compatibility with the characteristics of the site.
- 6.3** The submitted indicative planning layout has been prepared to support the proposals. The layout illustrates the possible development and the type and number of dwellings the application site could accommodate given the site constraints. It highlights the approximate location of the dwellings and the routes, open spaces and Locally Equipped Area of Play (LEAP) within the proposed development.
- 6.4** The indicative planning layout has been devised to take full account of the surrounding area whilst ensuring a development in accordance with local and national design guidance. The layout shows how a mix of 158 dwellings can satisfactorily be accommodated on the site. The detailed design, siting external appearance and landscaping are reserved for subsequent approval at the reserved matters stage.
- 6.5** The scheme proposes a high quality development incorporating much needed family housing. The indicative planning layout shows a combination of 2, 3 and 4 bed housing predominately semi-detached and mews/terraced housing. The houses will be a maximum of 2.5 storeys. This mix will contribute towards increasing the quantity and quality of larger private dwellings in Hull. The density achieved based on this indicative layout is approximately 41 dwellings per hectare which reflects national guidance.
- 6.6** The indicative layout accommodates car parking spaces, including integral and attached garages and dedicated parking areas. The layout also shows private gardens and illustrates where the access point to the proposed development will be situated off Calvert Lane. The proposed vehicular access will be situated in the same location as the existing access.
- 6.7** A proposed LEAP is proposed to be located to the north/north west section of the site which is designated as Existing Urban Greenspace on the Proposals map. However, this area is not currently accessible to the general public nor is it easy to get to. Opening up

this area to form a LEAP would provide a benefit for the local area by providing an area of equipped play where currently there is a deficiency.

7.0 Planning Matters

Introduction

7.1 In accordance with Section 38 (6) of the 2004 Planning Compulsory Purchase Act regard is to be had to the Development Plan for the purpose of any determination to be made under the Planning Acts and must be in accordance with the plan unless material considerations indicate otherwise.

7.2 It is considered that the proposed development raises the following planning matters:

- Is the proposed development acceptable, in principle, on the application site having regard to the development plan and national policies?
- Is the proposed development likely to have an adverse impact on the surrounding area?
- Is the proposed development acceptable in terms of scale, density, layout and other relevant standards of the Local Planning Authority?

7.3 The following sections deal with each matter in turn.

Acceptability of Housing

7.4 The principle of housing accords with the Development Plan and is acceptable in principle for the reasons provided below.

7.5 The majority of the application site is allocated for residential housing. An indicative number of 115 dwellings are shown in the Local Plan under Policy H3 (ii) Table 2 of the Local Plan. It must therefore follow that the Council have already accepted the principle of housing in this location and that residential development in this location is appropriate.

7.6 With the allocation of the majority of the site for residential development the Council have already accepted that housing is an appropriate use within the application site. Indeed, the reasons for the builders merchants being refused further temporary planning permission related to the allocation of the site for housing and that non-residential development would prejudice this site from coming forward for housing development. Therefore residential development on this site is acceptable in principle.

7.7 There is a small area of the site (some 0.5ha) which has also been included in the proposals which are not part of the residential allocation site but lie to the north west/west

- of this allocation. This area of the site is characterised by dense impenetrable scrubland which is for the most part inaccessible to the general public. The proposals map has designated this area as Urban Greenspace, a Green Network and a site of Nature Conservation Interest.
- 7.8** The Ecological Assessment carried out by TEP notes that the linear plantations to the north of the proposed dwellings, with the associated scrubby areas and open species poor grassy areas, form a primary wildlife corridor. However, the proposed dwellings in the Urban Greenspace and Green Network forming the north west part of the application site do not encroach detrimentally into this wildlife corridor as illustrated in the Ecological Assessment. Development on sites of Nature Conservation Interest will only be permitted if it can be demonstrated that the identified nature of the conservation value is not adversely affected. The application would not detrimentally affect the wildlife corridor in this area and therefore is not in conflict with Policy NE14 (a) of the Local Plan.
- 7.9** The proposed houses and amenity space outside of the housing allocation will provide interconnectivity between the development and Urban Greenspace opening up this area to greater access by the general public where currently there is little direct, easy access into this Urban Greenspace and as such enhancing the community benefit. Indeed, a LEAP is proposed in this area which is characterised by dense impenetrable scrubland. Providing this recreational facility in this area will improve the Urban Greenspace in this location.
- 7.10** Under Policy M12 of the Local Plan there is support for a cycle track and footpath along the former railway embankment. The applicant's are currently in consultation with Sustrans in relation to providing a cycle path. The standard and exact route of this path will be determined at the detailed planning application stage. The proposed scheme therefore meets the aspirations of Policy M12 of the Local Plan and provides further interconnectivity with the development and the wider area.
- 7.11** The application complies with Policy NE1 of the Local Plan. The proposed scheme would provide a LEAP and therefore would increase the amount of recreation facilities within the area. The application provides the opportunity to link the development site to the wider area including adjacent areas of Urban Greenspace. It would not have an adverse effect on the amenity or character of the area. The application site is located within the urban area of Hull, with residential dwellings to the east, north and south. Furthermore, the scheme will provide the opportunity of a cycle path, the full details as already indicated above, will be considered at the detailed planning stage.

- 7.12** The scheme will redevelop a largely vacant, previously developed, wasted resource and bring the site into efficient use, enabling an area of Urban Greenspace to be more accessible to the general public. It would not lead to the loss of important views. Therefore the proposed scheme complies with Policy NE12 of the Local Plan.
- 7.13** The application also meets the criteria set out in Policy NE3 of the Local Plan which permits the development of Urban Greenspace where it can be demonstrated that the Urban Greenspace can be replaced within the locality with a site of equivalent community benefit. The proposed scheme will provide areas of accessible amenity space, a LEAP and the opportunity to provide a cycle track along the former railway. Currently access to this Urban Greenspace is limited. As such, this improved provision will be in accordance with the requirements of Policy NE3.
- 7.14** The provision of some residential dwellings to the north west part of the application site will not detrimentally affect the Green Network and its continuity and value. Footpaths will be created linking areas of the Green Network to the north, south, east and west. Therefore, the continuity and value of access into this Green Network area will not be lost and the scheme will not be in conflict with Policy NE13 of the Local Plan.
- 7.15** The application site extends to some 6.5ha in total. However, only approximately 50% of this site area is proposed for residential dwellings. 3.4ha on the land is allocated for housing in the Local Plan and a further 0.5ha is designated as existing Urban Greenspace, a Green Network and a site of Nature Conservation Interest. This represents a small part of the site, and enables the rest of the application area to be used as amenity space, a LEAP and improves the links into this Urban Greenspace and Green Network, making it more accessible to the general public.
- 7.16** Although this land is currently private, there is a public footpath which runs between the back of the houses on Dunston Road and the embankment towards the amenity space to the north of the application site. Over time the general public have made desire lines in to the application site in order to gain access on to the former railway line to the south across this private land and the existing amenity space to the north of the application site.
- 7.17** The remaining part of the site, which mainly incorporates the former railway line and its embankment, as well as the proposed Local Equipped Area of Play is proposed to be improved amenity space improving the access into this Site of Nature Conservation Interest.
- 7.18** The whole site is located in a sustainable location within the urban area of Hull. The

application site comprises, for the most part, previously developed land (a former coal storage depot and more recently a builder's merchants). It is within 60m of a local centre on Spring Bank West/Calvert Lane which comprises a range of shops and services. This cluster of shops and businesses is identified on the Proposals Map as an Important Local Centre.

- 7.19** The application site is in a highly accessible location. There are three bus stops located within a 5 minute walk of the application site. On Calvert Lane adjacent to the junction with Anlaby Road the 60 and 61 bus routes serve this stop and run to Cottingham. The 62 goes to Setting Dyke, and the 64 goes to Cottingham, Castle Hill Hospital and Willerby. All four services also run to Hull Paragon Interchange.
- 7.20** On Spring Bank West some 200m from the site several buses operate a regular service to Hull Paragon Interchange.
- 7.21** There is also a bus shelter on Anlaby Road adjacent to the Hull Trinity Trust Rest Homes providing a frequent service to Hull Paragon Interchange as well as regular services to the Infirmary. Bus routes serving this bus stop include the routes 2, 151, 152, 153, 154, 155 and N2.
- 7.22** There are on road cycle lanes and bus/cycle lanes situated along Anlaby Road. There is also an off road cycle track off Spring Bank West that can easily be accessed from the site.
- 7.23** Opposite Hull Trinity Rest Homes on Anlaby Road is Eastfield Primary School. Less than 450m from the Calvert Lane frontage is Cherub Nurseries (a children's nursery) which is situated on Anlaby Road.
- 7.24** Under Policy H1 (a) residential development will be permitted if its location and detailed planning considerations are acceptable such as: the impact on local amenity; impact on the built and natural environment; parking and access; and the traffic generation and road safety.
- 7.25** As required by Policy H1 (a) of the local plan the site is in an established residential area, is of a similar scale and as such will not affect the character of the surrounding area. There are sufficient privacy distances between existing and proposed properties to prevent a loss of amenity for either the existing or the proposed occupants of the new dwellings.
- 7.26** There will be no adverse traffic generation and road safety created by this proposed

development. The Transport Assessment carried out by Singleton Clamp provides details on the local highway network and examines the capacity of the existing highway network in relation to existing demand. The Highways report indicates that a development of 158 dwellings will have no material traffic impact on the performance of the nearby junctions if certain mitigation measures are put in place (as set out in the Transport Assessment). This will allow the operation of these junctions to be no worse than that which currently exists.

- 7.27** The traffic impact of the development at the Calvert Lane/Anlaby Road junction can be accommodated with minimal adjustment to the junction by the existing operating system (SCOOT).
- 7.28** The study identified the desirability for a right-turn lane to accommodate traffic entering the site.
- 7.29** The Transport Assessment noted that the roundabout junction of Calvert Lane/Spring Bank West is often congested during peak periods with queues on several arms of the junction. Off site improvements will be made to the Calvert Lane and Spring Bank West arms of the junction including a short two lane approach will be constructed on Calvert Lane to offer increased capacity.
- 7.30** The capacity analysis of the Transport Assessment noted that an average of 2 vehicles per minute will be assigned onto Calvert Lane due to the proposed development, which equates to low anticipated travel demand. More remote from Calvert Lane the anticipated development traffic would have no noticeable impact.
- 7.31** In light of the identified improvements the proposed scheme is predicted to add 61 and 59 total two-way movements during the AM and PM peak hours respectively at the Calvert Lane/Calvert Road/Spring Bank West/Willerby Road Roundabout. This level of flow generated by the development represents an increase of just 1% in overall traffic flow. As such, the increase in flow will not be noticeable.
- 7.32** At the Site Access/Calvert Lane junction, this junction would operate well within capacity with minimal queues experienced in the AM and PM peak scenarios for the modelled years of 2010 and 2015.
- 7.33** The Transport Assessment noted that the development traffic would only have a marginal impact upon the overall operation of the junction at Calvert Lane/North Road/Anlaby Road

- compared to the base situation and that minimal adjustments would be needed to the existing SCOOT system operating at this junction.
- 7.34** The Transport Assessment reviewed the accident records for the last three years and found that the only common feature to the accidents tended to be driver behaviour. The report found there to be no design defects at any of the junctions and as such the Transport Assessment considers that the proposed development would not affect the future propensity for accidents to occur at the junctions within the application area.
- 7.35** The highways report also states that a single access can serve the development without detriment to highway safety. The proposed parking is shown on the indicative site layout plan and illustrates that off-street parking comprising integral and detached garages will be part of the scheme sufficient to prevent unacceptable on-street car parking in the area.
- 7.36** The application proposals will provide a wider choice of housing and types of tenure than that which currently exists in the area. This is in line with the Housing Strategy which states that there is a significantly low supply of detached and semi-detached properties in Hull. As a consequence, large family housing is encouraged close to work locations and good transport infrastructure. The application proposals meet the Council's aim to provide larger family housing through the proposed number of detached and semi-detached housing within this scheme. The proposals demonstrate that up to 97 three and four bed family housing can be provided on the site.
- 7.37** The proposed scheme also accords with the Regional Spatial Strategy for Yorkshire and the Humber. Policy YH4 seeks that cities such as Hull should be the prime focus for housing, with the aim to provide more modern and a wider range of housing. The application site is within the City of Hull and the proposals will provide more modern and a wider range of housing than that which currently exists in line with Policy YH4 of the RSS.
- 7.38** The application site is a vacant, brownfield site in a sustainable and accessible area to jobs and services. As such it accords with PPS1, PPS3, PPG13 and RSS policies YH7 and YH1.
- 7.39** The site is surrounded by residential dwellings to the east, south and west. As such, housing would make good use of the land, rather than the current vacant, wasted resource which currently exists on the site. The site is also within a few minutes walk of the Important Local Centre where there are a number of shops, services and facilities. The redevelopment of this site will help promote regeneration and renaissance in Hull and

help make it a more attractive and vibrant place in which to live, work and spend leisure time in accordance with RSS ENV11.

7.40 The scheme will provide an efficient use of the available land especially through the proposed density of 41dph (incorporating the proposed housing land only). It will also contribute positively to the appearance of the site and the character of the surrounding area and will remove a vacant, wasted resource for the surrounding occupants of the residential dwellings and help support the local shops and services in the Local Centre to the north of the site. As such, the proposal accords with PPS3 and Local Plan policy H1 (a).

7.41 In accordance with the provisions of RSS DP1, DP2, DP4, DP5 and DP7 the proposal:

- i) Concentrates new housing development within the built-up area of Hull and delivers environmental improvement through the redevelopment of a vacant, brownfield site ameliorating the image of the area and using land resources efficiently;
- ii) Provides high quality residential development;
- iii) Fosters sustainable relationships between homes, workplaces and regularly used services and facilities;
- iv) Promotes physical exercise through opportunities for sport and formal/informal recreation, walking and cycling;
- v) Promotes sustainable patterns of development, thereby ensuring that new residents will have access to services and facilities by foot, bicycle or by public transport; and
- vi) Has high regard to local distinctiveness in the layout and design of the scheme.

7.42 There are no apparent environmental or physical constraints that would prevent housing development which cannot be mitigated against.

Impact on the Surrounding Area

7.43 The proposed development of the site will result in a beneficial impact up on the surrounding area, removing a largely vacant, brownfield wasted resource which is inaccessible. Its redevelopment for housing will provide an efficient use of a scarce resource. The scheme will include much needed family accommodation which is known to be in short supply, as stated in the Housing Strategy.

7.44 The proposals will provide a wider choice of housing than that which currently exists in the

area. It will introduce a mixture of two bed apartments and houses and three bed semi-detached and mews houses as well as four bed detached houses. The redevelopment of this mainly brownfield site for housing will help promote regeneration and renaissance in Hull and help make it a more vibrant and attractive place in which to live, work and spend leisure time in accordance with RSS Policies DP2, DP4 and DP7 and the Local Plan objectives for urban regeneration as set under Policy UR1 as well as the Housing Strategy (2008) which indicates that there is a significantly low supply of detached and semi-detached properties in Hull. The scheme proposes large family housing close to work locations and good transport infrastructure in line with one of the main objectives of the Local Plan which is to provide for the housing needs of the whole community.

- 7.45** The proposed density (41dph) is in line with national and local policy given its highly sustainable location. It will also contribute positively to the appearance of the site and the character of the surrounding area removing a vacant brownfield site and a source of fly tipping for surrounding occupants of the residential dwellings. As such, the proposal accords with Local Plan Policy UR1 and RSS DP1 and PPS3.
- 7.46** The housing scheme will concentrate new housing development within the built up area of Hull and will deliver environmental improvements to the local area. It will provide high quality residential development, promote sustainable patterns of development, thereby ensuring that new residents will have access to services and facilities by foot, bicycle or by public transport. The scheme will also have high regard to local distinctiveness in its layout and design.
- 7.47** The proposed layout has been carefully designed to maintain access in and around the dismantled railway line with a footpath linking up the proposed LEAP to the amenity space to the north and the adjacent existing cinder track.
- 7.48** The buildings and proposed layout have been designed to minimise the impact on the adjoining residents in terms of scale and privacy, and indeed will be of a similar scale to that of neighbouring properties. The scheme itself will cause no harm to the amenity of the area and will improve the area in helping to regenerate Hull as a whole.
- 7.49** The proposed vehicular access is a priority give-way junction on to Calvert Lane, located approximately 90m south of the existing old railway bridge, in the same location as the existing access. The access road is proposed to be 5.5m wide with a 2m footway on each side, in accordance with the Manual for Streets guidance with visibility to the standards of the highway authority (2.4 x 90m) and which exceeds Manual for Streets

guidance. The Transport Assessment indicates that there are no issues from a highways capacity perspective resulting from the development that cannot be mitigated against.

- 7.50** The proposed scheme provides off street car parking provision for every proposed dwelling via integral garages, detached garages and dedicated car parking spaces. Many of the houses also have additional space for off road parking in front of the properties due to the driveway space requirements in front of garages. Table M1 Schedule 1 referred to in Policy 29 of the Local Plan and Figure 4.6 of the Council's SPG Note 4 'Housing Design' requires 2 spaces per dwelling for detached and semi-detached houses and 1.5 spaces per dwelling for terraced houses and flats. The houses on average provide 2 car parking spaces in line with Local Plan Policy M29 and the SPG Note 4 Housing Design requirements.

Indicative Scale, Density and Layout of the Proposed Development

- 7.51** The Design and Access Statement gives a full description of the development principles adopted in the design and layout of the scheme and demonstrates how the proposal relates to its surroundings. The following section also reviews the merits of the detailed scheme in the context of relevant planning policies and guidance.

Scale of Development

- 7.52** The proposed development is for up to 158 dwelling units, 9 x 2 bed apartments over garages, 52 x 2 bed semi-detached/mews houses, 92 x 3 bed semi-detached/mews houses and 5 x 3 bed detached houses within the urban settlement of Hull. The scale of the development is compatible with the character of the area. With the implementation of the mitigation measures set out in the accompanying Transport Assessment there will be no adverse effect upon traffic generation and highway safety within the surrounding area and as such the infrastructure has sufficient capacity to accommodate the scale of development proposed.
- 7.53** The proposed scheme will not be out of character within the surrounding area, nor will the development be overdominant in the streetscene. The indicative drawings illustrate that the proposed dwellings will be traditional and a mixture of semi-detached and mews properties and for the most part 2 storeys in height with accommodation in the roofspace.
- 7.54** The residential area to the east of Calvert Lane is predominately two semi-detached/mews dwellings, and two storey terraced housing to the west of the application site. To the south is a 16 storey residential tower block. The proposed scheme includes

a variety of sizes and house types ranging from 2 to 2.5 storeys in height and will not look out of place in the local area. The nearest existing properties to the proposed scheme will be those located on Calvert Lane which will face the front elevations of two storey mews dwellings across the road more than 24m away. This is sufficient distance to prevent loss of privacy and amenity for these existing occupants and is in line with the privacy distances set out in the Council's SPG 'Housing Design' (2000).

7.55 The application at Calvert Lane supports the strategic housing targets by helping to secure a continuing supply of housing within Yorkshire and Humber especially Hull. Furthermore, given the proposed dwelling numbers to be provided on site, the scheme will support the provision of much needed affordable housing in line with the objectives of the Local Plan Policy H5 requirements, the RSS and the Housing Strategy 2008.

7.56 Furthermore, the Council's aim is to achieve 1253 new dwellings per annum as acknowledged in the Housing Strategy. This application would support the housing objective.

7.57 The proposed scheme results in an urban form of housing. The proposed dwellings will not obscure any important views and will open up access to the surrounding Urban Greenspace and Green Network for the wider benefit of the local community.

Effects on Protected Species and Biodiversity

7.58 The Ecological Assessment written and carried out by TEP submitted with this application demonstrates that there would be no adverse effect on nature conservation or landscape issues relating to the site and that the impact of the development can be successfully mitigated.

7.59 The Ecology Assessment concluded that there are no statutorily protected or national biodiversity habitats present within the site. The redevelopment proposals should minimise tree loss and measures to offset any such loss should be included within the proposals. However, the ecology report recommends that tree planting to off set such tree loss should be made offsite as it is likely that tree planting within the site or adjacent to the site will not be wholly suitable.

7.60 No aquatic habitats within the site or within proximity to the site were found and it was considered highly unlikely that great crested newts would be supported in this location. There were also no habitats capable of supporting water voles.

7.61 There are no built structures within the site or survey area that would support roosting

bats and due to the nature of the existing trees in and around the application site tree roosting opportunities are extremely limited.

7.62 Although the tree lines and open grassland areas found across the survey area will provide suitable foraging and commuting habitat for urban bats such as pipestrelles the Ecological Assessment found that the redevelopment of the site is unlikely to affect the corridor function of the Site of Nature Conservation.

7.63 There was no evidence of badger sets or use of the site by badgers during the survey. In relation to flora the Ecological Assessment found no statutorily protected, national or local priority species identified during desktop or site survey. It also noted that the floral interest is likely to be of most significance within the SNCI, rather than on the hard standing areas of the proposed redevelopment site. There was no evidence of invasive species such as Japanese Knotweed or Giant Hogweed within the application site.

Highways

7.64 A Transport Assessment has been carried out by Singleton Clamp and Partners to examine the transport and highway implications of the proposed development on land at Calvert Lane, Hull.

7.65 The assessments which have been carried out in this report have considered the impact on the existing highway network utilising PICARDY, ARCADY and LINSIG modelling packages. This indicates that generally in 2010 and 2015, the existing highway network can adequately accommodate the additional generated development trips without significant additional queues.

7.66 The Transport Assessment concludes that the proposed development at Calvert Lane will have no material traffic impact on the performance of the junctions assessed north and south of the application site. This is based on the fact that the two terminal junctions on Calvert Lane will continue to operate in a manner 'not materially worse than the base situation.'

Flooding

7.67 A Flood Risk and Run Off Assessment has been undertaken by MET Consulting Engineers Ltd as part of the application, which indicates that there are no insurmountable constraints to development associated with flooding.

7.68 The Environment Agency's Flood Risk Map shows the whole site to be affected by Flood

Zone 3 and benefitting from the flood defences provided to the Humber and Hull rivers. Comparing this with the PPS25 Flood Zones with Climate Change, Figure 6.4, within the Hull SFRA shows the application site to be located within Flood Zone 1. Furthermore, the Flood Zone 3a Map, with and without defences Figure 5.8, also shows the application site to be outside the Flood Zone.

- 7.69** The Flood Risk Assessment (FRA) indicates that the greatest risk of flooding of the land is from the existing drainage system and not overland flow and/or tidal inundation. The use of soakaways are considered inappropriate for this site due to the anticipated presence of boulder clay and silty clay deposits, but that the use of water butts should be considered, possibly in conjunction with other forms of Sustainable Drainage techniques such as permeable paving and surface water storage cells.
- 7.70** The FRA states that the surface water flows will be regulated to 25 litres per second to ensure that the land does not generate an increase in flows as a consequence of the development with an on-site attenuation tank volume in the order of 880 cubic metres. The surface water run-off will be taken to the existing combined sewer in Anlaby Road and foul water drainage can be discharged directly into the existing 225mm diameter combined sewer within Calvert Lane.
- 7.71** By reducing the anticipated surface water discharges to 25 litres per second the FRA notes that there will be a significant reduction in the flows within the existing combined water drainage system, thus reducing the probability of flooding from increased rainfall due to climate change. This accords with the requirements of PPS25 in providing a benefit to the area in general and additionally it will ensure that land and/or property either upstream or downstream of the site are not affected.
- 7.72** The report concludes that the development, with the incorporation of certain mitigation measures, is compliant with the principles of PPS25.

Trees

- 7.73** The ecology report notes that the tree cover within the site comprises, in the main, self seeded silver birch plantations and dense scrubland. There are no trees of significance within the site. The Ecology report recommends that it may be appropriate to seek to offer tree planting at off site areas within Hull, as it is likely that tree planting within the site or adjacent to the site will not be wholly suitable.

8.0 CONCLUSION

- 8.1** In light of the foregoing, the proposed residential development has considerable merit in planning terms. It has been demonstrated that the proposal is in compliance with national planning guidance and provisions of the Development Plan.
- 8.2** The development will provide a wide choice of housing types and sizes including much needed family housing and affordable residential units. The development will provide an efficient use of a currently wasted resource, regenerating a vacant, brownfield site within a sustainable location in the urban area of Hull. The scheme therefore meets the locational requirements of the Development Plan.
- 8.3** Obtaining planning permission on this site will meet the Council's desire to bring this site forward for residential development. This is evidenced by its refusal to grant further temporary planning permission for the builder's merchants and the subsequent enforcement action to remove this use from the site.
- 8.4** Redevelopment of this site will also improve the local amenity space, provide a Locally Equipped Play Area and provide the opportunity of a cycle path along the former railway line improving access to the Urban Greenspace within the local vicinity.
- 8.5** As such, the proposed scheme meets all the relevant policies of the Development Plan and therefore it is respectfully requested that the proposed application be granted planning permission.