

COMMITTEE REPORT

Application Reference	09/02196/OUT
Site Address	Land S.W. of Alcester Road, Stratford-upon-Avon
Proposals	Construction of up to 800 dwellings, mixed use local centre to consist of residential development, retail/commercial floorspace (1,000 sq.m. A1-A5) and D1 uses and primary school; laying out of green infrastructure consisting of open space, structural landscaping, and areas of equipped play and associated infrastructure; construction of new highway infrastructure between Alcester Road and Evesham Road and associated highway works and access connections; associated engineering and ground modelling works and drainage infrastructure; and demolition of nos. 3 and 4 Bordon Hill.
Case Officer	Richard Gardner
Presenting Officer	Richard Gardner
Applicant	J S Bloor (Tewkesbury) Ltd and Hallam Land Management Ltd
Ward Member(s)	V. Hobbs (Old Stratford & Old Drayton Ward) Rev. N. Beamer R. Cockings J. Fradgley (Guild & Hathaway Ward)
Parish/Town Council	Old Stratford and Drayton Parish Council (NW part of site) Stratford-upon-Avon Town Council (SE part of site)
Reason for Referral to Committee	<ul style="list-style-type: none"> ▪ Scale of development ▪ Objections from Councillors V. Hobbs and R. Cockings ▪ Objections from Old Stratford & Drayton Parish Council and Stratford-upon-Avon Town Council

Description of Proposals

Outline planning application with matters of access to be determined as part of this application. Appearance, landscaping, layout and scale are to be submitted as reserved matters. The application proposes the following elements:

Housing - 19.94ha:

- Total of 800 dwellings (maximum)
- Split in residential development is up to 605 dwellings (Alcester Rd - Component A) and up to 195 dwellings (Evesham Road - Component B)
- Average net density of 37 dwellings per hectare (including incidental landscaping)
- Mix of house types from 1 to 5 bed
- Affordable housing - will deliver 35% of residential floorspace

Community Primary School - 1.66ha:

- Primary School for ages 5 to 11 for 210 children.
- Located to the rear of properties on South Green Drive and West Green Drive.

Mixed Use Local Centre - 0.92ha:

- Retail element proposed is a maximum of 1000m² (Use Classes A1-A5) with no one unit more than 350m².
- The applicant has had discussions with the Primary Care Trust and land is potentially available for a health facility-doctors surgery.

Roads:

- Single carriageway road linking into the existing highway network at the Wildmoor Roundabout on the Alcester Road and into a new roundabout at the foot of Bordon Hill on the Evesham Road.
- 2 roundabouts along the length of the new road - 1 for the northern residential portion and 1 to service the Shakespeare Birthplace Trust.
- 3 priority junctions on the new road to service the southern portion of housing development.
- 3 priority junctions are proposed onto the existing highway network - 1 onto the Alcester Road and 2 onto West Green Drive.

Equipped Play Provision:

- 1 x Neighbourhood Equipped Area of Play (NEAP) measuring 1000sq.m
- 2 x Local Equipped Areas of Play (LEAPs) measuring 400sq.m each

Accessible Green Infrastructure – 9.45ha

- Structural Landscaping to include woodland planting and grassland meadows – 3.55ha
- Incidental Open Space and Children’s Playing Space – 2.12ha
- Shottery Community Park – 3.78ha

Non-accessible Green Infrastructure – 19.31ha

- Structural Landscape – 10.23ha
- Shottery Conservation Landscape – 7.55ha
- Flood compensation landscape area (adj. to Bordon Hill) – 1.53ha

Amended plans/documents received 1.11.10 showing:

- Northern roundabout moved approx. 20m further north
- Overall housing area reduced (from 20.11ha to 19.94ha)
- Eastern arm of southern roundabout rotated to the east
- School site enlarged to accommodate a two form entry primary school (from 1.41ha to 1.66ha)
- Local centre site reduced to accommodate the larger school (from 1.00ha to 0.92)
- Reductions to quantum of Green Infrastructure, as a result of larger school and roundabout changes. (from 29.29ha to 28.76ha)
- Provision of new Local Areas for Play within the residential areas.
- First response in respect of Regulation 19 request for further supporting documents and information.

Amended documents received 7.3.11 regarding:

- Revised Transport Assessment
- Second response in respect of Regulation 19 request for further supporting documents and information.

<p>Planning Constraints</p>	<ul style="list-style-type: none"> ▪ Strategic Reserve Site under Saved Proposal SUA.W of Local Plan Review ▪ Greenfield site (with the exception of residential properties on Bordon Hill) ▪ Flood Zone 2 and 3 ▪ Public Footpaths ▪ Setting of several listed buildings including the Grade I listed Anne Hathaway's Cottage ▪ Setting of the Grade II registered Anne Hathaway's Cottage Garden ▪ Setting of Shottery Conservation Area ▪ Agricultural Land Grade 3A (southern parcel) ▪ Overhead Power Lines and Electricity sub-station ▪ Racecourse Meadow SSSI (same drainage catchment as site, located approx. 500m from southern edge of site)
<p>Recommendation</p>	<p>GRANT, subject to a legal agreement</p>

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1. RELEVANT PLANNING HISTORY

<u>Reference Number</u>	<u>Proposal</u>	<u>Decision and date</u>
06/03657/FUL	Temporary planning consent for a commercial use timber showroom and replacement store.	Granted 21.3.07
03/00600/FUL	Retrospective 5 year temporary planning consent for a commercial use timber showroom, and replacement store.	Granted 11.4.03

Both records relate to Manor Fruit Farm, Bordon Hill

2. SUMMARY OF POLICY AND BACKGROUND PAPERS

The Development Plan

The West Midlands Regional Spatial Strategy

RR1	Rural Renaissance
RR3	Market Towns
RR4	Rural Services
CF2	Housing beyond the Major Urban Areas
CF3	Levels and Distribution of Housing Development
CF5	Delivering affordable housing and mixed communities
CF6	Managing Housing Land Provision
QE1	Conserving and Enhancing the Landscape
QE2	Restoring degraded areas and managing and creating high quality new environments
QE3	Creating a high quality built environment for all
QE4	Greenery, Urban Greenspace and Public Spaces
QE5	Protection and enhancement of the Historic Environment
QE6	The Conservation, enhancement and restoration of the Region's Landscape
QE7	Protecting, managing and enhancing the Region's Biodiversity and Nature Conservation Resources
QE9	The Water Environment

Warwickshire Structure Plan

T7	Public Transport
T10	Developer Contributions

Stratford-on-Avon District Local Plan Review 1996-2011 (Saved Policies)

STR.1	Settlement Hierarchy
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STR.2, 2A, 2B	New Housing Provision
STR.4	Previously developed land
PR.1	Landscape and Settlement Character
PR.2	Green Belts
PR.5	Resource Protection
PR.7	Flood Defence
PR.8	Pollution Control
PR.10	Safeguarded Land
EF.5	Parks and Gardens of Historic Interest
EF.6, 7	Nature Conservation and Geology
EF.9, 10	Trees, woodland and hedgerows
EF.11, 11A	Archaeological Sites
EF.13	Conservation Areas
EF.14	Listed Buildings
DEV.1	Layout and Design
DEV.2	Landscaping
DEV.3	Amenity Open Space
DEV.4	Access
DEV.5	Car Parking
DEV.6	Services
DEV.7	Drainage
DEV.8	Energy Conservation
DEV.9	Access for People with Disabilities
DEV.10	Crime Prevention
COM.3	Local Shops and Services
COM.4, 5	Open Space
COM.7	Bus Service Support
COM.9	Walking and Cycling
COM.12	Existing housing stock
COM.13	Affordable Housing
COM.14	Mix of Dwelling Types
COM.15	Accessible Housing
COM.16	Existing business uses
SUA.1	Town setting
SUA.2	Town character
SUA.3	Environmental enhancement
SUA.14	Facilities
SUA.W	Land to the West of Shoterly
CTY.1	Control over development
IMP.1	Supporting Information
IMP.2	Supplementary Planning Guidance
IMP.3	Detailed Development Site Guidance
IMP.4, 5	Infrastructure Provision
IMP.6	Transport Assessments
IMP.7	Green Transport Plans

Other Material Considerations

Central Government Guidance

PPS1	Delivering Sustainable Development Planning and Climate Change - PPS1 Supplement
PPG2	Green Belts
PPS3	Housing
PPS4	Planning for Sustainable Economic Growth
PPS5	Planning for the Historic Environment
PPS7	Sustainable Development in Rural Areas

PPS9	Biodiversity and Geological Conservation
PPS11	Regional Spatial Strategies
PPS12	Local Spatial Planning
PPG13	Transport (updated November 2010)
PPG14	Development on Unstable Land
PPG17	Planning for Open Space, Sport and Recreation
PPS22	Renewable Energy
PPS23	Planning and Pollution Control
PPG24	Planning and Noise
PPS25	Development and Flood Risk

Circular 02/99: Environmental Impact Assessment
Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999
Town and Country Planning (Environmental Impact Assessment) (Amendment) (England) Regulations 2008
Town and Country Planning (Environmental Impact Assessment) Regulations 2011
Circular 11/95: The Use of Conditions in Planning Permissions
Circular 05/05: Planning Obligations
Community Infrastructure Levy Regulations 2010
Circular 02/09: The Town and Country Planning (Consultation) (England) Direction 2009
Circular 08/09: Arrangements for Handling Heritage Applications
Circular 06/05: Biodiversity and Geological Conservation
Town and Country Planning (Development Management Procedure) (England) Order 2010
The Planning System: General Principles (ODPM 2005)
Draft National Planning Policy Framework 2011

Supplementary Planning Guidance and Supplementary Planning Documents

Meeting Housing Needs 2008
Car and Cycle Parking Standards 2007
Sustainable Low Carbon Buildings 2007
Stratford on Avon Urban Design Framework 2007
Developer Contributions towards Transport Schemes in Stratford-upon-Avon 2007
Provision of Open Space 2005
Planning Obligations 2005
Stratford on Avon District Design Guide 2002
Stratford-upon-Avon Town Design Statement 2002
Warwickshire Landscape Guidelines 1993

Other Documents

LDF Evidence Base

Warwickshire Sub-Regional Water Cycle Study (Halcrow, 2010)
Strategic Flood Risk Assessment (Halcrow, 2008)
Strategic Housing Land Availability Assessment (Baker Associates, 2008 & 2009)
Joint Housing Assessment for South Warwickshire (Outside Research & Development, 2006)
Housing Provision Options Study (GL Hearn, June 2011)
Landscape Sensitivity Study (White Consultants, July 2011)
Green Infrastructure Study (UE Associates, August 2011)
PPG17 Open Space, Sport and Recreation Assessment and Playing Pitch Strategy (Arup, April 2011)

District Council

Land West of Shottery – Statement of Development Principles 2003
Local Plan Review Inspector’s Report – Proposal SUA.W
Housing Development Sites (annual)
Statement of Community Involvement
Annual Monitoring Report
Open Space Audit (March 2005)
Extending Your Home: Planning Advice Note
Planning and Community Safety - Design and Crime Reduction 2006: Planning Advice Note
Corporate Strategy 2011-2015
Sustainable Community Strategy

County Council

Transport and Roads for Developments: The Warwickshire Guide 2001
Local Transport Plan 3 (2011-2026)
Rights of Way and Recreational Highway Strategy 2011-2026

Other

Manual for Streets 2007
Manual for Streets 2 – Wider Application of the Principles 2010
By Design: Better Places to Live 2001
Warwickshire Landscape Guidelines 1993
Guidelines for Landscape and Visual Assessment 2002
Landscape Character Assessment Guidance for England and Scotland 2002
Safer Places: The Planning System and Crime Prevention 2004
West Midlands Economic Strategy (Advantage West Midlands)

Other Legislation

Human Rights Act 1998
Equality Act 2010
Section 17 of the Crime and Disorder Act 1998
Flood and Water Management Act 2010
Natural Environment and Rural Communities (NERC) Act 2006
The Conservation of Habitats and Species Regulations 2010

Case Law

R (Cala Homes (South) Limited) v Secretary of State for Communities & Local Government
R (Cala Homes (South) Limited) v Secretary of State for Communities & Local Government (No.2)
R (Cala Homes (South) Limited) v Secretary of State for Communities & Local Government (No.3)

3. REPRESENTATIONS

PARISHES AND WARD MEMBERS

In view of the scale of the proposal, the following Parish Councils and Ward Members were consulted on the application:

Parishes

Stratford Town Council
Old Stratford and Drayton Parish Council

Neighbouring/Nearby Parishes

Binton Parish Council
Billesley Parish Council
Luddington Parish Council

Ward Members

Beamer, Cockings and J. Fradgley (Guild and Hathaway Ward)
V. Hobbs (Bardon Ward)

Neighbouring/Nearby Ward Members

Moore and Taylor (Mount Pleasant Ward)
Beckett*, Gardner*, Honychurch, Lloyd and Thomas (Avenue and New Town Ward)
Beese*, Cronin*, I. Fradgley, Organ and Rolfe (Alveston Ward)
Lawrence (Aston Cantlow Ward)

*no longer Ward Member, but was at time of submission

Stratford-upon-Avon Town Council

Objects for the following planning reasons:

Highway safety

- The location of roundabout at the bottom of Bordon Hill, where the incline creates high traffic speeds, is unsafe and inappropriate.
- Significant increase to traffic along Alcester Road and West Green Drive due to the northern section of the site having only one access onto the new road. The increased traffic will cause congestion and have a detrimental impact on properties on these roads.

Flooding

- Concerned over the impact on flooding both the site and adjoining land from Shottery Brook. There is evidence of flooding in the locality in recent years, exacerbated by the site topography.
- When the River Avon is in flood (an ever increasing occurrence) the flood water backs up Shottery Brook exacerbating the local flooding problem.

Need

- The RSS housing figures both in the preferred options and the Panel's report cover Stratford District as a whole. If the application is approved it would result in the shortfall of the current 5 year housing land supply being met entirely in Stratford Town.

- In order to meet the housing land supply need for the district the release of housing land should be spatially controlled and phased across the whole district.
- The provision of 800 dwellings at this site in one hit is unbalanced when considering the wide housing need. This approach will not allow the growth of a mixed and balanced community across the district.

Impact on a Nationally important Listed Building

- Concerned over the impact on Anne Hathaway's Cottage (a historic building of arguably international importance).
- Particularly concerned over the impact of the development on the historical setting of the listed building.

(15.12.09)

Response to Nov 2010 amendments/additional info:

The original objections made following the public meeting on 9th December 2009 still stand.

Highway Safety - The roundabout at the bottom of Bordon Hill is still a huge concern given the traffic levels and speeds. It would destroy the amenity of the occupiers of the existing residential properties closest to it. The inclusion of an additional spur off the internal roundabout to serve the northern residential parcel of the site is welcomed. However, this is unlikely to reduce the huge impact this development will have on the capacity of the Alcester Road and West Green Drive, which would become heavily congested. The Alcester Road is likely to become grid-locked like the Birmingham Road.

Flooding - The Town Council's concerns still stand.

Need - Since the Town Council considered the application almost a year ago the goal posts have significantly changed with the revocation of the RSS and with it the regional targets. SDC have yet to determine, or consult on locally derived targets under the government's new 'bottom up' approach to planning. This application more than ever needs to be carefully considered in terms of the numbers proposed (up to 800). Serious questions are now raised over the principle of a development of this scale and whether 800 dwellings in one location on the edge of Stratford Town would be the most appropriate way of meeting Stratford's housing needs over the next 15 years.

Impact on nationally important listed building - The Town Council's previous comments still stand.

Whilst the area available for a new school has been increased the casualty of this is a reduction in the quantum of green space and the area proposed for the community centre and its amenities, yet the land proposed for residential development has only slightly decreased. A reduction in the amenities proposed on the site would result in more traffic movements into the town adding to existing congestion. (9.11.10)

Response to March 2011 amendments/additional info:

Previous strong objections still stand. (21.3.11)

Old Stratford and Drayton Parish Council

Strongly objects for the following planning reasons:

- The town infrastructure is totally inadequate to support a development of this size: i.e. lack of secondary school places, lack of sufficient local employment opportunities.
- Alternative sites should be sought to meet the Government's target within Stratford-on-Avon District where additional housing would bring positive benefits to communities, such as enabling primary schools to remain viable as well as providing affordable social housing thus enabling local people to continue living in outlying villages if they wish to do so.
- This is a green field site and the current Local Plan Review 1996-2011 specifically states that development of green field sites will not be allowed until brown field sites are exhausted. This is not the case, with a number of brown field sites (such as the old cattle market) not yet developed.
- The further detrimental effect that the inevitable increase in car traffic would have on already serious traffic congestion in the town.
- Development in this location would further enlarge the town, destroying its remaining atmosphere as a country market town, an atmosphere upon which its attraction as a tourist destination largely depends.
- Anne Hathaway's Cottage and grounds is an historic site of national and international importance and the tranquillity of its setting is a vital part of its unique appeal. It contributes immeasurably to the enjoyment of both residents and visitors and should be preserved as such.
- The low lying parts of this area are already liable to flooding and this development, if it went ahead, would reduce the ability of the land to absorb rainfall and increase the run-off into Shottery Brook and its tributaries. This would in turn increase the risk of flooding in the Luddington Road area of the parish, where several properties were flooded in July 2007.
- In the absence of a properly planned western bypass for the town, the proposed road linking Alcester Road and Evesham Road will inevitably be used as a 'rat run' by drivers heading south through the town from the A3400 Birmingham Road/A46 Northern bypass. This will greatly increase the volume of through traffic, thus creating further congestion on the Evesham Road between its junction with the new road and the Southern Relief Road roundabout.

(17.12.09)

Response to Nov 2010 amendments/additional info:

Having considered the proposed amendments, the strong objections outlined in the previous response remain valid and relevant. (19.11.10)

Luddington Parish Council (neighbouring)

Objects to the application on the following grounds:

- The Application is contrary to the Stratford on Avon District Council current building moratorium policy.
- Development of a green field site when there are existing brown field sites within Stratford on Avon and within the District, which could and should be considered for development before any consent is granted on this site.
- Following the grant of planning permission for 500 dwellings in Long Marston, the need for the number of dwellings proposed by this development cannot be sustained.
- The basic infrastructure of Stratford on Avon is not able to cope with a development on this scale in a number of particulars:

- a.) Despite the new primary school, there are not sufficient secondary school places within the District currently to cope with existing education demand, even though Stratford on Avon High School was re-built ostensibly to meet future demand only 5 years ago.
- b.) There are insufficient medical facilities, both for primary care and for emergency and hospital care to cope with existing demand in the District, and such services will be swamped by an additional population of between 1,000 and 2,000 people.
- c.) Flooding already occurs on an increasingly frequent basis in Shottery, along Luddington Road and the race course area. This development will only increase the run-off and will exacerbate the problem. Whilst the proposal includes some provision for on-going flood defence work, it is far from clear who will be responsible for such work and therefore maintenance is a concern.
- The traffic generated by the proposed development will cause complete chaos for the whole of Stratford on Avon, for the western side of the town in particular, and for many minor roads within a 5 to 10 mile radius of the area. In particular:
 - a.) The suggestion that the new road from the A46 to the B439 is a relief road is complete nonsense, as it does not circumvent the Town at all, and will simply add to existing traffic congestion along the Alcester Road and Evesham Road and will gridlock the centre of Stratford.
 - b.) The traffic flow projections in the documentation are unrealistic and do not reflect the actual situation.
 - c.) At peak times (morning rush-hours, particularly in school term-time, and Saturday mornings), there is significant traffic congestion into Stratford on the Evesham Road as far back as Bordon Hill, on the Alcester Road as far back as the Church Land junction in Shottery and on the Birmingham Road past the Birmingham Road/A46 traffic island. This proposal will increase traffic between Hathaway Lane and the Town Centre to an intolerable level, which, when added to increased traffic from up to 1500 additional vehicles from the development along other routes, will simply gridlock the Town Centre for long periods of the day.
 - d.) The alternative 'rat-run' routes that drivers will seek out to avoid congestion in the Town will create dangers in many minor roads in Shottery, Stratford and outlying villages.
- The application will be environmentally damaging to the world heritage site at Anne Hathaway's Cottage.
- The scale of the development and the congestion it will cause will be detrimental to the appeal of the Town to tourists, and will therefore threaten the economic viability of the hospitality industry in the area.
- The housing density proposed is far too high, and, if permitted, will repeat the errors made on the development at The Ridgeway and Trinity Mead, where the estate roads are clogged by inconsiderate parking, as there is inadequate parking for the number of vehicles used by residents of those estates, and where the youths from those developments cause anti-social behaviour because their residences are too far from the Town Centre for them to take advantage of facilities in the Town.

(21.12.09)

Response to Nov 2010 amendments/additional info:

The Council does not consider that the amendments do anything to address the concerns and objections that have already been submitted by the Council previously. In particular the amendments do not address the serious traffic chaos that will be caused to Stratford in general, and to Evesham Road, the B439 and the surrounding roads by the additional traffic that the proposal will generate,

and by the absence of anywhere for traffic using the proposed new relief road to go in order to access the Trinity Meads relief road other than along Evesham Road, which is already seriously congested.

The objections already recorded are, therefore, re-stated in full. (19.11.10)

Binton Parish Council (neighbouring)

Raise the following concerns:

- Traffic volumes and use of Binton as a 'rat run'
- The overall volume of traffic accessing Stratford.
- Lack of infrastructure - schools, medical and parking in Stratford for the new development.

(8.12.09)

Ward Members

Councillor V. Hobbs

'I strongly object, for the following reasons, to outline planning application No.09/02196/OUT to build 800 houses on 53 hectares on land West of Shottery; the majority of which are in the Parish of Old Stratford & Drayton and, therefore, fall within my Ward.

- I note that this land has been placed in Strategic Reserve, however, the Local Review Plan 1996-2011 clearly states that any shortfall in the housing provision for the District should first be met through the development of brown field sites. I can't see any evidence that all the brown field sites within Stratford District have been explored.
- The development would seriously infringe on Anne Hathaway's Cottage, one of Stratford's main tourist attractions and could destroy any prospect of Stratford upon Avon achieving World Heritage Status.
- Stratford High School is already at full capacity and this application allows no extra provision for secondary education.
- I have serious concerns about the safety of the proposed new roundabout at the bottom of Bordon Hill on the Evesham Road because of the problem of tailbacks on this steep hill and the potential of numerous shunting accidents. If Stratford is to have a complete by-pass it must be able to skirt the Race Course I consider therefore that the proposed relief road is wrongly sited.
- In Bloor Homes Proposed Development and Concept and Master Plan it states there will be provision for a local centre which could include a convenience store, a pharmacy, health centre, community centre with an office for community policing. It is, however, unclear whether this is an aspiration or definite commitment.

I consider that the proposal to build on such a sensitive Green Field Site is completely unacceptable. I cannot therefore support the application and recommend that it is referred to the Planning Committee for consideration.'

(16.12.09)

Response to Nov 2010 amendments/additional info:

'I object to the amended planning application No.09/02196/OUT for 800 dwellings West of Shottery on the grounds of:

- Impact on the rural countryside,
- Unsustainable educational facilities
- Traffic congestion A46/A422/B439

The proposed area is open countryside, the majority of which is outside the boundary of Stratford Town. I can see no reason why development of this magnitude should be allowed when there are brown field sites available within the Stratford Town and a Moratorium in place. Planning Policy as laid out in the Local Plan Review 1996-2011 clearly states under Policy PR.1 - Landscape and Settlement Character that all development proposals should respect and where possible enhance the quality and character of the area. I do not consider a proposal to build 800 houses in an area adjacent to the Heritage Site of Ann Hathaway's Cottage with the resultant noise and light pollution in any way enhances the area.

I have read the amended application and do not consider it addresses the issues raised by the original application. Although provision has been made for additional primary school places the whole question of secondary education is not addressed. The present High School is already over subscribed and there are no funds or plans to enlarge it. Where will the additional students go once they have completed their primary education?

The proposed new road from the A46/A422 to B439 and resultant roundabout will cause more delays and traffic problems. The present B439/Evesham Road will be unable to cope with the additional traffic as the only access to Oxford/Banbury (the logical direction for a potential ring road) will be from B439 to Seven Meadows Road and on to A3400 and A422. There is no provision for a bus service within the site.

Policy STR.2A states that development of any sites in Strategic Reserve should not be permitted unless there is insufficient under provision of housing land identified to complete local housing need - I can see no evidence that there is a housing need for this development.

I strongly object to this application which I consider is in the wrong place and does not reflect local need.' (26.11.10)

Councillor R. Cockings

'As a Strategic Development Site, whatever that means, I object on the grounds that

- it is premature
- too much land is down to housing
- its layout does not allow enough separate housing development
- not enough funding is provided for traffic management in Shottery
- the remainder of the land under the applicants control should be allocated to public open space.' (12.09)

Response to Nov 2010 amendments/additional info

'I object to this application as it will destroy the green swathe of land round Stratford and Shottery which has been a major element of our planning over the years.

Shottery is a village with two churches, village hall, school, public house and successful businesses. Up till recently it had a post office/shop, restaurant and 3rd Church (Elim). Planning has always supported this by maintaining a green swathe

of land round the village. This runs from, Shottery Fields, Girls Grammar and High school playing fields, Campbell Baldwin's Fields, Allotments, Cottage Lane Fields; Cottage Lane sports pitch, Application Site and land on the racecourse side of Bordon Hill. Pre the 1980's we could add the land where Seymour Road and Hogarth Road were built, at that time only ribbon development connected the communities of Shottery and Stratford.

Green Swathes of Land have always been important in Stratford's Local planning with Clopton Field, Welcome Hills, The Race Course, Golf Club, Rugby Club and recently Trinity Meadow. Indeed when the Hospice applied for planning in Shottery, the report recommended refusal due to bridging of this green swathe of land.

I therefore oppose this planning application on the grounds that it will remove one of the major elements of planning over the years.' (11.11.10)

Councillor L. Organ (neighbouring)

'Current planning policy does not require this proposal for 800 new homes to meet its 5 year land supply provision, in fact, there is a substantial overprovision of housing currently in existence. This site is therefore neither necessary nor required.

In any event, the proposal is a greenfield site and should not be considered until brownfield sites are exhausted. In addition, it will detrimentally affect the setting of Anne Hathaway's Cottage.

Local secondary schools are over subscribed and the proposal to increase primary school places will lead to further pressure for secondary school places.

The proposed road is purely a feeder road to enable 800 homes to access the town's road network and as such can only exacerbate the existing traffic congestion.' (22.5.11)

Councillor J. Taylor (neighbouring)

Object for the following planning reasons:

'I do not like the idea of 800 houses being built in one area. Too big; overdevelopment; too near a national treasure i.e. Ann Hathaway's Cottage; will cause even more road congestion. My primary school – Bishopton does not fulfil its intake criteria now. Another primary school will take even more pupils away. I object on the grounds of mass; overdevelopment; building on floodplain thus causing more problems on West Green Drive area and Ann Hathaway's Cottage; impact on Alcester Road.' (10.1.10)

(Second response) Object for the following planning reasons:

'Overdevelopment, enhanced traffic flow on to the Alcester Rd., bulk, mass, density, flood plain – The world famous Anne Hathaway's would be impacted upon.' (15.1.10)

Councillor P. Moore (neighbouring)

Object to the application for the following planning reasons:

'- in view of the Cabinet decision not to release the Strategic Reserve sites I believe that this application is premature and should be rejected on those grounds. Equally, should the Long Marston site not be called in by the Secretary of State then clearly these dwellings are not required to make up the numbers needed for the next five years. Although the Council is not prepared to take into account prospective windfalls (wrongly, in my opinion) I would anticipate that when the moratorium is lifted 'achieved' windfalls will make that situation even clearer.

- as a neighbouring ward member I am concerned about the traffic impact on Alcester Road and on the Grove Road / Arden Street junction.' (24.12.09)

Councillor K. Rolfe (neighbouring)

'As a neighbouring ward member I wish to object to the above application for the following reasons:-

1. The infrastructure of Stratford could not possibly cope with a development of 800 houses - i.e. doctors, dentists as well as secondary school places at the High School.
 2. The position of the roundabout on the Evesham Road half way up a steep hill - this is dangerous and will cause backlog of traffic problems at peak rush hours.
 3. The relief road being so close to Anne Hathaway's cottage will completely change the ambience surrounding this historic building. The peace and tranquillity will be lost forever.
 4. So many houses would increase the flooding risk to surrounding low lying areas.
 5. There is no need for a development of this size in Stratford-upon-Avon.'
- (21.12.09)

THIRD PARTY REPRESENTATIONS

Neighbour notifications were initially sent out to 220 properties, including all properties directly adjoining the site along with properties affected over a wider area in Shotton. An advert was placed in the Stratford Herald and 18 site notices were posted around Shotton and across the site when the initial application was made and when subsequent changes were made.

Every neighbour and contributor on the original submission was also asked for comments on the amendments submitted on 1 November 2010 and 7 March 2011 and will also be advised of the committee meeting date.

1,155 letters have been received in total:

635 regarding the original details received by the Council on 28.10.09 - 627 of objection, 7 commenting, and 1 supporting. 453 of the objection letters were on a standard letter.

452 regarding the revised details received by the Council on 1.11.10 - all of these letters raise objection (one letter raised issues of both objection and support). 275 of these letters were on a standard letter.

69 regarding/following the revised details received by the Council on 7.3.11 - 68 of objection and 1 of support.

The 3 figures quoted in brackets after each heading are the number of representations made in response to the original submission, the 1.11.10 revisions and the 7.3.11 revisions.

Objection letters (627, 452 and 69)

In order to give an idea of the frequency of the issues being raised, the following table shows the number of the original 167 'non-standard' objection letters.

The standard objection letter raised all of these issues, with the exception of the policy principle.

Element of the proposal commented on	Number of letters raising this as a point of objection
Policy principle of development	66
Town infrastructure	118
Access, Congestion and Highway Safety	152
Impact on heritage and landscape character	122
Impact on the wider town and tourism	134
Flooding	98
Pollution	34

Many detailed letters have been received raising a variety of issues. In summary the objections raised on the original submission are as follows:

Policy principle of development

- Application is premature with regard to the current policy position. The proposal pre-empts the Core Strategy.
- The Core Strategy protects the site until March 2011 and probably until 2016.
- No decision should be made on this strategic reserve until the publication of the RSS Phase Two Revision.
- The Long Marston scheme means there is no longer a need for this development.
- The eco-town at Long Marston would provide up to 6,000 houses, if approved, therefore satisfying housing numbers.
- Stratford has already met its housing quota.
- Brownfield sites in the town should be used first (e.g. Cattle Market, Birmingham Road)
- If there was demand, Redrow would have implemented its Cattle Market permission.
- Development should go to alternative locations. The options mentioned are:
 - outlying villages, to bolster their struggling services;
 - new villages near M40 or A46;
 - eastern side of Stratford away from tourist assets;
 - former Peugeot plant at Ryton.
- No need for new houses now that the RSS and housing targets have been abolished.
- The RSS will be abolished immediately under a Conservative administration.
- No economic or demographic analysis of the need for housing estates has been conducted.
- No need for any more houses in Stratford, especially when properties are vacant in the town.
- No employment need for this development. Query where residents would find work.
- Development does not meet a local need as buyers would move in from other areas.
- Proposal is contrary to the policies of dispersed development across the District.
- Development would set a precedent to release land further to the west.

Town infrastructure

- Secondary schools in Stratford are already at capacity.
- Loss of the well-regarded St Andrews Primary School, Shotton.
- Chance of entry into Grammar school is reduced due to increase in population.
- Medical facilities (doctors, hospital, dentists) are already at capacity in the town.
- Council amenities in the town are stretched.
- The benefits of the new infrastructure would only be for the new population.
- Various other elements of the town's infrastructure is stated to be stretched or over-capacity.
- Large estates are an outdated housing solution, which results in social isolation and is poorly related to the town.

Access, congestion and highway safety

- A complete motorway bypass around the town is needed before more houses are built.
- WCC has no requirement to build the new road.
- The road would not be a 'relief' road.

- The town does not need the road.
- The developer's analysis concludes that the new road and development do not result in 'any significant worsening' of traffic conditions in Stratford, but there is no actual benefit.
- The traffic model only considers travel to work movements and does not include school/college traffic.
- The traffic model is forwarded on the basis that a new coach park behind Anne Hathaway's Cottage will be built.
- The road would not actually be completed until the end of the development in 2020, which is misleading.
- Increased risk of accidents on local roads, especially for children.
- Increased local traffic levels would discourage cycling.
- The site would not be able to accommodate the requisite number of car parking spaces.
- New junction onto Alcester Road would be unsafe.
- A more sensible solution would be to provide the main site access directly off the new road.
- Proposal would result in increased congestion and tailbacks on Alcester Road, which would threaten highway safety, especially for pedestrians, cyclists and domestic accesses.
- West Green Drive is already single lane due to vehicles parked in the road. The development would create more parking here, whilst at the same time increasing traffic causing congestion and hazards.
- Increased congestion would increase 'rat-running' on Church Lane and Shottery Road.
- The Shakespeare Birthplace Trust no longer intends to build a coach park, which was a major reason for promoting the scheme originally.
- The best traffic control in Shottery would be speed-bumps.
- More 'non-residents' would park on Shottery Road
- Proposal would not relieve Shottery, as currently its only traffic problem is at school dropping-off/picking-up times.
- The new school's position would encourage driving from Shottery as opposed to walking which currently happens.
- Proposal would result in increased congestion and tailbacks on Evesham Road and Grove Road, which would threaten highway safety, especially for pedestrians, cyclists and domestic accesses.
- Increased number of HGVs on Evesham Road causing highway danger, noise and pollution.
- Evesham Road needs extra pedestrian crossings to cope with traffic increases.
- The alignment of the road at the southern end does not follow the alignment as shown in Proposal SUA.W.
- The southern end of the road is unsafe as a freeway.
- New roundabout at the foot of Bordon Hill will cause queuing, which will cause accidents either through drivers having to brake down the hill or brake coming over the brow of the hill.
- Increased 'rat-running' through Luddington and Binton.

Impact on heritage and landscape character

- Would extend Stratford beyond its natural green basin.
- Harmful to the character of Shottery – as Stratford's nearest village.
- Development is too close to Shottery, which has already been harmed by South Green Drive etc.
- Views from the orchard at Anne Hathaway's Cottage would be spoilt by the houses and road.
- Loss of rural ambience to Anne Hathaway's Cottage despite screening.

- This is not how a World Heritage Site should be treated (*Officer's note – there is no World Heritage Site in or near Stratford*).
- Harmful to the views from footpaths and the amenity of them.
- View from footpath up Bordon Hill would be spoilt – particularly towards Holy Trinity Church.
- Harmful to views from the A46 when coming from Warwick.
- Loss of greenspace, which is already diminishing around the town.
- Open space is being pushed out of town. This would be further exacerbated if more westward development follows the current proposal.
- Visual impact assessment is fundamentally wrong in concluding that views from West Park Close would be 'slight to negligible' adverse in the longer term – perceived existing negative impacts are played up.
- Development in the area is already too dense.
- Would require the demolition of the only Cedar built houses in Stratford.
- Proposed design is uninspiring and out of character.
- Three storey houses are insensitive to the town.
- Applicant's depiction of 'lanes' in the Design and Access Statement is far removed from the existing lanes in the locality.

Impact on the wider town and tourism

- Would be detrimental to the appeal of the town.
- Would reduce the tourist appeal of Anne Hathaway's Cottage.
- Any harm to the town's tourism would impact on local employment.
- The first stage of construction would take place in 2011 when the new theatre opens. This would deter visitors and affect the theatre's financial return.
- The town has already been ruined by Trinity Mead, The Maybird and Lidl.
- There has been too much housing in Stratford in the last decade.
- Query why Stratford would be better with more houses.
- Proposal conflicts with the aims of World Class Stratford.
- The Council should protect the land in question.
- Would be harmful to Shakespeare's legacy.
- The ancient Clopton Bridge would be further harmed by increased traffic, including a traffic increase in the evening peak.
- Stratford is becoming a dormitory town for Birmingham and Coventry.
- Stratford is becoming like any other town – with shops and urban sprawl.
- Would spoil/destroy Stratford's feel as a market town.
- Stratford has already been listed as a 'place with troubles' in 'National Geographic Traveller' and this will only worsen the situation.

Flooding

- Increased flooding to existing properties and buildings (2 Bordon Hill and The Pool House are cited) as a result of the loss of fields, which act as a sponge.
- The Bordon Hill roundabout would be in the floodplain and would increase flood risk.
- Increased flooding would occur to Anne Hathaway's Cottage
- The developer's mitigation measures are unproven.
- Maintenance responsibilities are unclear, which will result in no one taking responsibility.
- The sewage system is unable to cope at present and will be far worse with 800 additional houses.
- The Council may be negligent for any harm to the sewers.
- The drains are currently a disgrace.
- Overland flows during heavy rain have not been accounted for.
- Storms are increasing in frequency and this should be accounted for.

- The use of historical data for flood assessment cannot account for global warming.
- Soil compaction will take place during construction and this will increase flooding
- The soil stability will be weakened by development.

Pollution

- Increased noise pollution, particularly at Anne Hathaway's Cottage, to residential properties on Bordon Hill and on Evesham Road.
- The new road's position on Bordon Hill means that it would be heard across town.
- Increased air pollution from vehicle particulates
- Long term disruption during construction.
- Light pollution from the new road, particularly to Anne Hathaway's Cottage.

Other Issues

- Harm caused to the wildlife of the area.
- Bordon Hill is known to have many endangered creatures.
- Various species are cited including: a Deer family, Bats, Foxes, Stoats, Voles, Badgers, Hares, nesting/hunting Buzzards, Barn Owls, Sparrow hawks, Falcons, Kestrels, Skylarks, various Songbirds, Woodpeckers, Frogs, Toads, Newts, Butterflies and Orchids.
- Loss of privacy to neighbouring properties – West Green Drive, Hogarth Road and Gainsborough Road raised in particular.
- The police can't cope with the existing population.
- Light pollution to neighbouring properties (cars, streetlights, buildings)
- Loss of agricultural land.

Non-planning matters

- A fault line exists on Bordon Hill and tremors have been felt.
- Council is being 'bought off' with the school etc.
- Regarding the 'blackmail' promises of new infrastructure, the developers are just as likely to go into administration.
- Loss of quality of life for local residents.
- Repeats planning mistakes of the 60s and 70s.
- Loss of views from West Green Drive.
- Devaluation of local houses.
- Suggestion that the affordable element should be provided above supermarket parking spaces.
- Area should be left as a Conservation Area (*Officer's note – site is not in a Conservation Area*).
- Was assured by the Council that it was Greenfield and could never be built on.
- Process is biased in favour of the developer as they can afford consultants.
- Failure of the developers to adequately engage in local consultation.
- Wrong to make the decision against what the majority want.
- Applicant's documents are not subjective and play down the harm.
- Developer owns land to the west.
- The town is in a mess e.g. Bancroft Gardens, Theatre.
- Appears incorrect to demolish 3 and 4 Evesham Road since they are half a mile from the proposed access.
- Query if a supermarket is to be provided?

In response to the amendments/additional information in November 2010, the following additional matters have been raised:

- The Coalition Government's changes mean that housing numbers should respond to local needs.
- The provision of retail floorspace would be harmful to the town centre.
- Any community provision should be secured before any houses are built.
- Pedestrian crossing on the link road would be dangerous.
- Cutting for the new road would not screen high-sided vehicles from Anne Hathaway's Cottage.
- The use of Sat-Navs will mean people travel via Bidford - causing congestion, rather than the A46 past Alcester
- Evesham Road is not built for the extra traffic and sewer collapses may result.
- The Evesham Road is unsuitable for lorries.
- Re-modelled residential access for Bordon Hill properties is unsafe.
- Speeding along West Green Drive is already a problem.
- School traffic is not accounted for by the traffic model.
- Traffic model uses outdated Census data from 2001.
- Traffic model incorrectly considers only 25% of Waitrose traffic.
- No bus routes proposed through the site.
- Closing Cottage Lane would cut the village in two.
- The Birthplace Trust (SBT) no longer supports the scheme, which is a changed circumstance from the 2003 Plan Inquiry.
- Query the need for a new SBT visitor centre and rear access when the Cottage has coped with higher visitor numbers in the past.
- Increased risk of vandalism to Anne Hathaway's Cottage from children from the new estate.
- Flooding is already a problem along Luddington Road and the Racecourse.
- The banking for the road would increase flood run-off.
- The siting of sports pitches on sloping land would render them impractical.
- Secondary school children would have to be 'bussed' out of Stratford due to over-capacity.
- New school would not have the option of using Shottery Grammar's playing fields, unlike St Andrews, which is closer.
- Police force will not be able to cope with extra people/houses
- Lack of any allotment provision.
- Destruction of an area of high landscape value.
- Power lines are to remain above ground.
- Lack of gardens will discourage children from playing outside.
- Great Crested Newts are present on the land and breed in a nearby pond.
- ARUP highway consultants have a conflict of interest.

In response to (or following) the amendments/additional information in March 2011, the following additional matters have been raised:

- The abolition of the RSSs means that a 'bottom-up' number for use in deciding housing supply should prevail.
- The 'localism' agenda indicates that unelected developers should not take precedence over local opinion/democracy.
- Transport Assessment does not account for traffic effects outside of peak times.
- Census data from 2001 is out of date.
- There are discrepancies over vehicle speeds on p22 of the Revised TA
- The lack of footways on both sides of the new road at Bordon Hill is unsafe
- The pedestrian crossing points along the new road are unsafe

- Dropping off and picking up at the High School is problematic and further pupils would exacerbate this
- There are Black Kites nesting on site
- Claims in the Great Crested Newt Report stating that no land within 250m of the pond will be disturbed are false.
- The role of the Birthplace Trust in the application is questioned.
- Research into local opinion carried out by the applicants is misleading and contains false statements.

The following letters of objection have been received from groups, companies and organisations.

Campaign to Protect Rural England, Warwickshire (CPRE)

The C.P.R.E. Warwickshire Branch strongly objects to this application to build 800 houses at Shottery, together with a link road from the Alcester Road to the Evesham Road. This development would extend Stratford's built up area into attractive countryside west of the town and damage the setting of the tourist attraction Anne Hathaway's Cottage. It would reduce the rural character of the Shottery village within the town that still retains its distinctiveness.

The 800 proposed houses are not needed to meet the five year land supply. (PPS3). Permitting housing at Shottery would prejudice future choices as to whether how far Stratford-upon-Avon should be permitted to expand in the future. There is no evidence of a housing shortage in Stratford-upon-Avon after several years in which the town has seen large numbers of new houses. Currently, there are nearly 1,600 empty properties in the town. The Draft Core Strategy states, but before the public has been fully heard on it, that the Shottery location will not be released for housing until after 2016. No decisions on Shottery should be made ahead of the Inspector's Examination of the Core Strategy.

The plan would increase, not reduce, traffic in and around Stratford-upon-Avon. Heavily used access roads to the town would suffer significant increases. The wider effect of the proposals would be to harm the character of Stratford-upon-Avon. They would constitute a major element in the growth being imposed on the town, which has been watched and opposed by the C.P.R.E. for many years. They are gradually transforming a once small market town of international cultural significance into a traffic-ridden and unpleasant urban sprawl. For these reasons we believe that this application should be firmly refused. (22.12.09)

Friends of the Earth, Stratford-upon-Avon (FoE)

Objects to the application on two main grounds:

1. If development on this scale is to be sustainable, there must be sufficient employment provision made locally for upwards of 1500 adults. Without a demonstrable need for this increase in the local workforce, or of plans as to where such employment provision is to be made within the town, the development will thus merely lead to additional commuting to neighbouring towns, undermining the over-arching need to cut carbon emissions.
2. The provision of an associated relief road linking this new development to the Alcester and Evesham Roads is a tacit admission that these houses are intended to be accessible to the main exit routes from the town, thus facilitating easier commuting. Were there evidence that this proposed road might serve as a viable western bypass, it could be argued that its construction might also benefit traffic

conditions in the town centre. However, the County Council has argued in the past that the amount of through traffic on this side of the town would be insufficient to justify its construction, especially as there is no effective means of linking it to the Southern Relief Road. In any case, Friends of the Earth believes that seeking to solve traffic congestion by the construction of new roads is self-defeating. (17.12.09)

Residents Against Shottery Expansion (RASE)

RASE have summarised their first 3 representations themselves.

In response to the initial submission, a 27 page objection with 12 Appendices was received and summarised as follows:

1. Consultation and Public Involvement Has Been Inadequate.

2. There is No Need for the Allocation or Grant of the Shottery Site

The Long Marston application has been recommended for approval, ensuring a 5 year supply without the West of Shottery site. In any event, many other sites across the district are more sustainable than Shottery. Some have been rejected in the SHLAA process for reasons applying equally to Shottery. Whether there is a need for the site to be developed and the relative merits of alternative sites should be tested by the Core Strategy, including a full sustainability appraisal.

The historically very significant number of windfalls in Stratford District has been recognised by the SHLAA, justifying inclusion of windfall allowances prior to 10 years after Core Strategy adoption. The application should be refused on the basis of no need for the housing.

3. Material Changes of Circumstance Since Last Local Plan Inquiry:

3.1 No Longer Any Benefit to the Birthplace Trust.

SBT is no longer seeking a rear coach park, removing a key benefit assumed by the last Local Plan Inspector. Nor is the closure of Cottage Lane being applied for. The Inspector was clear that if these "benefits" were not provided, alongside a road providing genuine traffic relief, Shottery was no better than any other site being promoted.

Furthermore, the Local Plan Inspector's assumption that: "Once the new planting had become established there should be no perceptible change in views from the grounds of the Cottage" is shown to be untrue.

In relation to Anne Hathaway's Cottage: it is clear that the Grade II protected garden will experience an increase in noise; there are concerns about whether the cutting will be sufficiently deep and long to prevent sight of tall vehicles; the new woodland walk will be spoiled by the new roundabout and loss of woodland.

Both the impact of the link road and the loss of rural landscape setting would be contrary to English Heritage's Conservation Principles, Policies and Guidance in that: such changes are not demonstrably necessary to meet an overriding public policy objective or need; there has been no demonstration that there is no reasonably practicable alternative to the scheme without the harm to Anne Hathaway's cottage gardens; it has not been demonstrated that the predicted public benefit decisively outweighs the harm to the values of the place.

3.2 The Transport impacts are much worse than previously assumed.

Since the last Local Plan Inquiry, the Local Transport Plan (2006) has confirmed, contrary to the Inspector's judgment, that the SWRR would only be implemented if the Shottery Site were to come forward. Furthermore the Inspector placed significant emphasis on the claimed benefits of the SWRR as set out in the Major Transport Bid. In the event the Bid failed. The Inspector's judgment has been shown to be misplaced, representing a significant change in circumstances.

In any event, the "Relief Road" is no such thing. The traffic assessment accompanying the planning application shows the proposed "SWRR" causing a huge general traffic increase in Stratford which provides no "relief" at all.

Importantly, it is now clear from the planning application that the road will not be complete until the last phase of the development (and the Council cannot force the completion of the development so the last link may never happen).

3.3 Lost opportunity for real transport improvements - If housing were to be allocated elsewhere, there would be a very significant transport contribution in the s.106 agreement, whereas the promoters of the Shottery development offer only the 'relief road' (which is merely a short link between two site access roads).

Officer's Note - Further errors and deficiencies in the TA are set out in RASE's representations.

4. Noise Objections

The noise assessment does not take into account noise "bounceback" from Borden Hill and is under-estimated. Noise receptor locations used for noise modelling are inadequate

5. Flood Risk Objections

The FRA ignores actual flood events, including examples of recent flooding in the 1:100 floodplain on Hogarth Road, Pine Close and Evesham Road. The 1:100 flooding risk has happened twice in 10 years – the FRA clearly understates probability of similar events and their seriousness when they do occur.

The FRA does not take into account the risk to Anne Hathaway's cottage's foundations from flood-water and groundwater increase due to the development.

The FRA does not take into account accurate flood zone maps for tributaries or an assessment of whether the development of the race course flood meadows has heightened flood risk of Shottery Brook.

PPS25 requires local planning authorities to allow development only in areas at risk of flooding in exceptional circumstances where it can be demonstrated that there are no reasonably available sites in areas of lower risk, and the benefits of that development outweigh the risks from flooding. The Council thus needs to do a proper appraisal of the relative merits of potentially available sites through the Core Strategy process.

Some areas of built development fall within Flood Zone 2 (should not ordinarily be built upon), while the highways access is in Flood Zone 3, which triggers both the PPS25 Sequential and Exception Test. The proposals cannot satisfy the Sequential Test until the Core Strategy has been adopted.

The developers promote the use of SUDS systems, without providing detail. Experience has shown that SUDS systems fail, e.g. Bishopton Business Park July 2007 where the permeable paving failed (the same is proposed here). The performance of SUDS systems in flash storms is particularly suspect: "Flash

flooding, which may only last for a few hours, can cause considerable damage and possible threat to life". (PPS25 p.18)

The FRA states that "Maintenance will ensure thatwill remain functional...for the lifetime of the proposed development...". This begs the question as to the planned life of the development – e.g. 60 years? What then? Grade I and II listed buildings, and a Grade II protected garden are at risk if the SUDS system fails. Residents will be legitimately aggrieved if, in spite of many warnings, the development is permitted to proceed and does lead to consequential flooding of existing properties, It is likely that legal proceedings for compensation would be launched against the Council and/or the developers if that were to happen.

Officer's Note - Many further comments regarding the FRA are set out in the full RASE response.

6. Landscape and Ecology Objections

In relation to landscape:

There is a clear visual intrusion on Anne Hathaway's Cottage Garden.

The site's highest point (65m) will clearly be visually intrusive.

In relation to ecology:

The ecology assessment is suspect as it does not examine the impact on invertebrates which have previously been identified on Bordon Hill.

7. Design, Safety and Amenity Impact Objections

The proposed density level of 40 dph is described in the Design & Access Statement as an 'urban level of density'. This is not suitable for the historic village/countryside setting of the site. Compliance with the Stratford on Avon Design Guide 2002 is not assessed.

The positioning of a roundabout at the bottom of Bordon Hill would be hazardous. West bound traffic on Evesham Road turning into the 'SWRR' would block access to the roundabout from Bordon Hill, causing hazardous tailbacks up the hill. Consequential delays would encourage 'rat running' through Luddington.

Hundreds of school children cross Evesham Road at least twice each day and substantial increase in traffic on this road would cause additional hazard to them. Numerous additional design shortcomings are included in our full representations.

8. Renewable Energy/Sustainability/Climate Change Objections

There is no commitment to Code for Sustainable Homes Level 6 by 2016, against Government guidance. Nor to any particular green technologies being adopted.

9. Air Quality Objections

Air quality deterioration at Birmingham Road/Clopton Road jn, Greenhill St, Guild St, Old Town Mews Bridgefoot/Guild St jn and on site properties is objected to.

10. Conclusions

There have clearly been a number of material changes in circumstance since the site was considered by the last Local Plan Inspector. Alternative sites for housing allocations should be thoroughly considered as part of the Core Strategy process and for this reason the planning application is premature. In any event this letter sets out overwhelming grounds for refusal.

The following guidance/publications were also cited:

- Environmental Noise (England) Regulations 2006
- DEFRA Research into Quiet Areas
- UK Noise Association Briefing Note

- English Heritage – Conservation Principles, Policy and Guidance April 2008

(19.12.09)

RASE Response to Nov 2010 amendments/additional info:

A further 27 page objection was received. The issues raised are summarised as follows:

1. No Need for the West of Shottery Site to Meet 5 Year Housing Supply or Core Strategy Plan Period Housing Requirements

There has been no response to RASE's previous points in relation to there being no need for the housing at this point in time. Whilst paragraph 72 of PPS3 states that "Local Planning Authorities should not refuse applications solely on the grounds of prematurity" it is very common for prematurity to be cited as a key reason alongside any other ground for refusal.

2. Reasons for Refusal:

2.1 Shakespeare Birthplace Trust Continued Objection

SBT maintains its objection to the application and draft Core Strategy allocation. It should not be assumed therefore that the land which the SBT owns will ever be sold to the developers. If a CPO was ever sought, it may well not succeed.

2.2 The so called "Western Relief Road" in fact provides no relief and significantly increases traffic congestion in and around Stratford

The 2010 Transport Assessment again shows that there are very significant increases in traffic in parts of, and around, Stratford town centre including:

AM Peak Two Way Link Flows:

- **Evesham Road** (east of Luddington Road): **11% increase** in 2013 and **10% increase** in 2023
- **Clopton Bridge**: **6% increase** in 2013 and **6% increase** in 2023
- **A46** between Birmingham Road and Wildmoor: **23% increase** in 2013 and **22% increase** in 2023
- **A46** east of Birmingham Road: **10% increase** in 2013 and **8% increase** in 2023

PM Peak Two Way Link Flows (pm peak):

- **Evesham Road** (east of Luddington Road): **14% increase** in 2013 and **12% increase** in 2023
- **Clopton Bridge**: **6% increase** in 2013 and **6% increase** in 2023
- **Seven Meadows Road**: **8% increase** in 2013 and **17% increase** in 2023
- **A46** between Birmingham Road and Wildmoor: **27% increase** in 2013 and **23% increase** in 2023
- **Trinity Way**: **5% increase** in 2013 and **9% increase** in 2023.

In addition, there is a huge average increase in the number of vehicles queuing in and around Stratford (including the town centre) of 18% in the am peak and 33% in the pm peak. This is completely unsustainable.

There is a huge increase in vehicles on the Network (traffic in and around Stratford): The 2010 TA shows an increase of 3319 cars on the network in 2013 and 4042 cars on the network in 2023 in the PM peak.

There is also a significant increase in delays on the Highways Network between 2013 and 2023: When comparing the 2013 baseline with the 2023 assumed baseline plus the West of Shottery scheme, there is a 16% increase in delays in the am peak and 24% increase in delays in the pm peak on the highways network (which includes the town centre) from 2013 to 2023.

This demonstrates that the so-called Relief Road is no such thing and reveals the shocking increase in traffic congestion envisaged in 2023 for the town with between 16% (am peak) and 24% (pm peak) increases in delays on the network.

2.3 There are a number of flaws in the 2010 TA which need to be rectified as part of a further Regulation 19. Officer note - See full RASE representations

2.6 The following observations on the 2009 TA have not been rebutted:

p9. "...the site is within 2km of the town centre, the distance within which walking can typically provide an alternative to car use". This is not correct. Also it is stated that: "at an intermediate distance of 1km is the local centre at Drayton Avenue". The southern development is further than 1km away, with poor linkage.

p31. Conclusion: "This analysis has clearly shown that the overall effect of the SWRR and development do not result in any significant worsening of the traffic conditions in Stratford". Patently untrue and biased.

The argument that Evesham Road used to be a trunk road ignores the fact that five new housing developments have been built along it since then.

3. Noise Objections

The previous noise objections from the 2009 RASE representations have not been addressed and there are some further concerns. The DEFRA paper (RASE Appx 7) recommends, for quiet areas in built up areas, a daytime upper limit of 50dB Lden with a gold standard daytime limit of 40 dB Lden, with quieter levels recommended for open country areas and during the evening and night.

4. Flood Risk Objections

RASE's 2009 flood risk objections have not been adequately dealt with. It is noted that there is no balancing pond at the bottom of the slope of the embankment towards Anne Hathaway's Cottage for surface run off to drain into.

5. Landscape and Ecology Objections

No photomontages have been provided (simply sight lines, sketches and photographs of the existing site). This seems to be because the developers do not wish to show anyone what the site would actually look like.

There is a concern over the need for a new sewerage system which may require complete reconstruction of the sewerage system down Evesham Road.

Great Crested Newts have been recorded by the BBC gardening team as breeding on the site in the fields adjacent to Burman's Farmhouse and laying eggs in Burman's Farmhouse ponds. This was not picked up in the ecological survey.

6. Design, Safety and Amenity Impact Objections

The developers' revised design documentation does not satisfy the high design criteria of a historic town like Stratford and a village like Shottery, and there is a particular concern over the central reservation safety, lack of bridleway crossings, unusable open space (the Shottery Community Park being on a slope makes it practically very difficult to use, no playing fields, no community centre etc.).

7. The 2009 RASE representations in relation to renewable energy/sustainability/climate change remain unanswered and extant.

8. The 2009 RASE representations in relation to Air Quality remain extant

9. Continued Concern over lack of detail regarding the local centre uses

There remains a lack of clarity over the extent of D1 uses which were "to be confirmed". This makes it impossible to assess the impacts of the application.

10. No Consultation or Engagement with Local Residents/Community has been forthcoming as part of this further submission.

11. Conclusions

There have clearly been a number of material changes in circumstance since the site was last considered by the last Local Plan Inspector. Alternative sites should be thoroughly considered through the Core Strategy process. The applicants should not succeed in circumventing that process by lodging a premature planning application, particularly when such serious spatial and infrastructure impact implications arise from the application in relation to matters which should be considered as part of the Core Strategy process. In any event there are overwhelming grounds to refuse the application set out in these representations. (1.12.10)

RASE Response to March 2011 amendments/additional info:

A further 4 page objection was received. The issues raised are summarised as follows:

RASE's previous objections are not responded to and remain extant. They are **strongly re-iterated**. Note that RASE considers that the failure to include a number of the Regulation 19 requests RASE requested in the further Regulation 19 letter is a matter for judicial review due to a failure to adequately consider the "likely significant environmental effects" of the scheme.

Transport Assessment

RASE's previous objections are unaltered by the further response. It is clear that the development and the new link road greatly increase traffic on the highways network.

RASE has taken transport consultancy advice on the use of the GEH indicator as a measure of the significance of the impact of the traffic generated (which is how the GEH is being presented). The advice is that **the GEH is completely the wrong indicator of significance** as it is purely an indicator of how well (or badly) a transport model replicates the base position. It is a tool to help validate a model - **it tells nothing about the significance of the actual impact and is being used in an inappropriate and misleading way**. What matters is the level of congestion/spare capacity in the base position and the effect of any increase in traffic on this. The ratio of volume to capacity would provide more information and ought to be requested.

The transport model needs to be re-run to take account of the following:

- The recently approved Waitrose site, which is only 25 % included.
- The list of assumed developments is now out of date if Kipling Road is not being included.
- The model needs to be run for **interim assessment years** for the various phases of the development (now clarified as being in 3 Phases but with no information as to the projected per annum build out rate) with only parts of the link road being completed. This must be done **or any grant of permission would be liable to judicial review for failure to properly assess the likely significant effects of the scheme for that 10 year period**.

- The 2001 travel to work data should be refreshed with 2011 data and school trips to prevent significant underpredicting of traffic flows. Travel to Work data is inappropriately confined to Guild & Hathaway Ward only. All Stratford wards (and a suitable radius around) should be considered, particularly Old Stratford and Drayton, where much of the planned development lies. The model should show the "Total People" and not just the "Car Driver" distribution.
- Allowance should be made for trips to and from the new school and local centre outside of the new development (all assumed to come from the development, which is unrealistic).
- Seasonality Factor should be applied to the transport data, rather than choosing neutral months which do not reflect the seasonal peaks that are important in a tourist town.
- The applicants have not obtained any count information, visitor trip information or future projections for the existing Anne Hathaway's cottage. The model is therefore unreliable.
- The model should include resilience analysis to demonstrate how the network would cope with any accidents or "large events" e.g. Bulldog Bash, Ragley Hall Events etc.

A 2003 October Scheme Assessment Study cannot be cited as justifying an At Grade Crossing; the application needs to be considered as it stands. Furthermore, it is not sufficient to claim that safety concerns will be dealt with in the "detailed design".

Prematurity

RASE has previously confirmed it strongly considers the application premature vis a vis the forthcoming Core Strategy process and in the light of a 5 year supply. **Representation includes various recent appeal decisions which mirror the facts here and confirm the circumstances where refusals on prematurity grounds can be made.**

Lack of Clarity over What Application Material is for Approval and What is Indicative

Reasons for Refusal

There are overwhelming grounds for refusal of the application as set out in RASE's representations to date and officers are strongly urged to recommend refusal. (20.4.11)

RASE Letter received containing Summary Reasons for Refusal:

This letter contains submissions on prematurity, particularly in the light of the Mersea Homes (Ipswich) Ltd Appeal Decision, and on the Draft National Planning Policy Framework Consultation.

The suggested reasons for refusal submitted by RASE are summarised by officers as follows:

1. Lack of compliance with Policy STR.2A and prematurity in relation to the LDF process
2. Unacceptable traffic impacts and insufficient benefits
3. Unacceptable heritage setting impact
4. Unsatisfactory pedestrian and cycle crossing points across the link road and measures to ensure accordance with 30mph speed limit

5. Insufficient evidence of the development site being the most appropriate site for housing when considered against the alternatives
6. Unsatisfactory flood risk alleviation
7. Unsatisfactory design quality
8. Unacceptable noise and tranquillity amenity impacts
9. Unacceptable landscape impact and loss of agricultural land
10. Negative Ecological impacts
11. Lack of adequate delivery plan for renewable and carbon reduction provision
12. Imprecise nature of application providing insufficient information for adequate amenity impact assessment (3.8.11)

Shakespeare Birthplace Trust (SBT) (through Keyhaven Consulting)

The Trust has a long history of involvement with proposals to develop land to the West of Shottery, incorporating land in the Trust's ownership in the vicinity of Anne Hathaway's Cottage. Whilst there has been a series of negotiations with the potential developers of the land over a protracted period, the Trust has been, and remains, very concerned at the effects development may have on the integrity of Anne Hathaway's Cottage and its setting. The Trust would prefer that no development takes place to the West of Shottery, leaving the rising open countryside to the rear of the Cottage undisturbed. The Trust places a particularly high value on maintaining this setting and acquired the field immediately behind the property to help achieve this aim. However, at successive stages of the formulation of planning policy in and around Stratford-upon-Avon, a major housing allocation (also including other land uses) on land west of Shottery has been a preferred option of the District Council in order to meet the level of housing to be provided in the District (the adopted Local Plan and the Draft Core Strategy). Nevertheless, the Trust wishes to be assured by the District Council that all alternatives for housing provision within the District have been considered and that there is no suitable alternative location for this housing provision. The overriding responsibility of the Trustees is to preserve the integrity and setting of this Grade I property and its associated Grade II Registered Park and Garden comprising the gardens and orchard around the Cottage. This responsibility has been recognised at various stages in the formulation of planning policy in and around Stratford-upon-Avon. Along with other properties in the care of the Trust, it is a tourist attraction of international standing, which is of significant importance to the economy of Stratford-upon-Avon and surrounding area.

In the adopted Local Plan, paragraph 7.15.47, supporting Proposal SUA. W, says 'The provision of a road link between Alcester Road and Evesham Road will help to relieve Shottery of traffic which tends to rat-run through the area. A range of complementary traffic calming measures will be identified for the Shottery area, in liaison with the County Highway Authority, to ensure the effectiveness of the new road link.' Paragraph 7.15.49 says "It is essential that the development does not have a material impact on the setting of Anne Hathaway's Cottage...", and "The Trust has identified an opportunity offered by the proposed road to create a rear access to Anne Hathaway's Cottage, to serve a new car and coach park. This will provide scope for a range of improvements to be made to the management of visitors to this popular attraction and further relieve Shottery of traffic".

In his report on the West of Shottery land following the Local Plan Inquiry in 2003, the Inspector laid great emphasis on the opportunity provided by the link road, at that time described as the Stratford Western Relief Road, to remove all vehicular traffic other than emergency or service vehicles from Cottage Lane. He said, at paragraph 748, "The new car and coach parks would have vehicular access from a roundabout on the SWRR. This would mean that vehicles for visitors to the Cottage would no longer have to use Cottage Lane.... This would very greatly enhance the character of the Conservation Area and setting of the Cottage as the noise and visual intrusion of vehicles on Cottage Lane is considerable, and the width and featureless environment of the road causes serious harm to the character of the area. I regard the opportunity for such enhancement as being of especial value, far outweighing any temporary harm caused during the execution of works and the maturing of new planting." He also noted that in the view of the Trust, this would be a major benefit enabling the fulfilment of their vision of the restitution of the peaceful, rural setting of the Cottage as seen from Cottage Lane.

The importance of the setting of the Cottage is also recognised in the document "Land West of Shottery: Statement of Development Principles", published by the Council in October 2003. Paragraph 2.3.5 of the document sets out the Design Principles for the development, including ensuring that development has a neutral or positive effect on the setting of the Conservation Area, listed buildings and Garden of Special Historic Interest. If the development proposed in this application is to proceed, the Trust considers that the satisfactory resolution of the issues raised in the documents referred to, including the identification by the District Council, in liaison with the County Highway Authority, of traffic calming measures for the Shottery area, is a crucial precursor to the grant of planning permission. Similarly, permission should not be granted until and unless the provision, in the Plantation, of an alternative car and coach park for the Cottage served from the link road is secured through the grant of planning permission. In that this is a proposal not included in the current application, the Trust's architects have been instructed to prepare a scheme for submission for planning permission and Conservation Area consent as soon as practicable.

The treatment of the link road to the rear of the Cottage requires very careful consideration. The Trust requires:

- . the provision of low noise surfacing, a speed limit no greater than 30mph,
- . no road lighting,
- . screening of the car and coach park access roundabout through landscaping to protect the setting of the Cottage,
- . details of the construction and landscaping of the bund, and its future maintenance, to be agreed with the Trust to minimise noise and visual intrusion and that such works be carried out at the start of the project,
- . details of the drainage scheme to be agreed with the Trust to protect the Trust's property from potential flooding,
- . the approach to the Cottage from Evesham Road along the link road in the vicinity of the Plantation to be carefully designed to ensure a wooded and rural approach that enhances the visitor experience.
- . landscaping in the areas in the vicinity of the Cottage and Registered Park and Garden to be integrated and to meet the highest standards design of design and maintenance.

Until and unless the Trust is satisfied on all these issues, the Trust considers that its overriding responsibility to preserve the integrity and setting of Anne Hathaway's Cottage, the Registered Park and Garden, and the associated property will not have been met. Accordingly, the formal position of the Trust in

response to consultation is that it objects to the grant of planning permission. (21.12.09)

SBT Response to Nov 2010 amendments/additional info:

In its initial response, the Trust required a number of matters to be dealt with and therefore the Trust's formal position was one of objection. The matters identified in the objection are set out in turn below, together with the relevant Regulation 19 Response:

The provision of low noise surfacing and a speed limit no greater than 30 mph

Neither of these points were requested in your Regulation 19 letters. However, the Trust remains of the view that they are important to protect the setting of Anne Hathaway's Cottage from noise intrusion.

There is no reference to low noise surfacing in the submitted documents. The Revised Transport Assessment says that the southern and intermediate sections of the Stratford Western Relief Road (SWRR), i.e., to the rear of the Cottage, will be 30 mph (RTA, Section 3.3). However, the Design and Access Statement Addendum says, at para. 6.11, that the SWRR will be designed as a 40 mph route to "...minimise impacts upon Anne Hathaway's Cottage and Gardens,...".

No road lighting

It is noted there will be no permanent road lighting on the stretch visible from Anne Hathaway's Cottage and that any highway signage along this section would be kept to a minimum and restricted in height to hide it from the surrounding landscape.

Screening of the car and coach access roundabout through landscaping to protect the setting of the Cottage

Your Regulation 19 letter of 10 February 2010 advised that the alignment of the proposed roundabout to serve the car/coach park be investigated with the Trust. This was done.

The applicants were requested by the Trust to delete from the application plans the notation 'Retained Vegetation' in the Plantation outside the application boundary. This has been done only to the extent of adding '(within site boundary)' to the legend on the left hand side of the plans (Parameters Plan and Green Infrastructure Plan). The Trust's request should be adhered to.

The Regulation 19 Response states that the proposed development would facilitate the construction by the Trust of a car/coach park within the Plantation and that it has been identified by the Trust as a beneficial scheme to implement as part of the visitor offer at Anne Hathaway's Cottage. It also says that the construction of the SWRR would reduce traffic through Shottery generally, that traffic management measures in Cottage Lane would further benefit the setting of Anne Hathaway's Cottage and that 'These are benefits that Shakespeare Birthplace Trust endorse'. Whilst these are benefits which the Trust has endorsed, they have to be put in the balance to be considered with other factors.

On the specific requirement of the Trust, the location of the roundabout within the Plantation would preclude views from the Cottage, assuming that the trees within the Trust's ownership are retained. The Regulation 19 Response does not make any additional proposals in respect of landscaping around the roundabout.

Details of the construction and landscaping of the bund, and its future maintenance, to be agreed with the Trust to minimise noise and visual intrusion and that such works be carried out at the start of the project

A significant part of the Regulation 19 response addresses this issue. The discussion in Section 2.4 of the Response is at pains to demonstrate, with the aid of the photographs in Appendix E that other than at the western boundary of the Orchard, the landscape through which the SWRR would go can only be glimpsed. Sections are provided to demonstrate that the false cutting and bund would preclude views of vehicles from the grounds of the Cottage. However, whilst they appear to demonstrate that the false cutting and bund will throw the eyeline from the Cottage above the level of high sided vehicles, no details are given of either the construction of the bund or the earth modelling between the bund and the Orchard. There is no reference to the future maintenance of the bund.

It accepted in the Regulation 19 Response that there will be some light spillage from vehicles, but "...is not considered to significantly impact the setting of the registered area, it will be limited to certain times of the day and there will not be direct visual intrusion on the appreciation of the gardens (lights will not shine directly into the gardens because of the false cutting)." It is also accepted that views from the Registered Area will change as a result of the construction of the road. The conclusion (at para. 2.4.11 of the Response) says that "..., the proposals have been carefully designed to **minimise** (our emphasis) any potential adverse effects.". It must, therefore, be taken that the applicants accept the development cannot be carried out and completed without some adverse visual effect on the Cottage and its grounds.

Additional noise monitoring has been carried out on the western boundary of the Orchard, with the result that at that point noise levels are predicted to increase by up to 0.7dB. It is argued that it is expected to be highly unlikely that the occasional visitors to this area would notice this degree of change. Nevertheless, there may be some change in the background noise levels experienced within the grounds of the Cottage. The prediction is increased by 0.3dB compared with the equivalent figure given in the previous EA.

Details of the drainage scheme to be agreed with the Trust to protect the Trust's property from potential flooding

It is noted at paragraph 8.4.3 the Regulation 19 Response that suggested Condition 2 requires a surface water drainage scheme to be submitted to and approved by the Ipa. Whilst it is anticipated the Trust would be consulted on a scheme at the detailed stage, there is nothing in the Response which assuages the Trust's concerns about the potential effect of surface water runoff on the Cottage and its grounds.

The approach to the Cottage from Evesham Road along the link road in the vicinity of the Plantation to be carefully designed to ensure a wooded and rural approach that enhances the visitor experience

The revised proposals appear to go some way to meeting the Trust's requirements, but there are differences in the documents. The Southern Area Indicative Layout on page 10 of the Design and Access Statement Addendum shows an approach from Evesham Road little different from the initial indicative proposals, but the Indicative Plan of section D in the same document shows a tree lined boulevard treatment of the SWRR. Whilst this goes some way towards the approach sought by the Trust, the Trust remains of the view that a wooded and rural approach should be sought.

Landscaping in the areas in the vicinity of the Cottage and Registered Park to be integrated and to meet the highest standards of design and maintenance

A new section has been added to the Environmental Statement dealing with landscape and visual resources in relation to the Cottage and Registered Park and garden, with the aim of demonstrating that "...the proposals have been carefully designed to **minimise** (our emphasis) any potential adverse effects on the landscape and visual resource. The detailed design of the SWRR and the landscape mitigation strategy, as well as the project as a whole, **will not give rise to any significant harm** (our emphasis) in landscape and visual terms, upon the setting of Anne Hathaway's Cottage and Gardens,...". It concludes that the landscape and visual effects are considered to be negligible, both at Year 1 and Year 15. The Trust notes that, essentially, the integration of the landscaping is intended to be achieved through ground modelling (a bund) to a height of 4m above the level of the road, then modelling the landscape to gently fall towards the Cottage until it ties in to the existing ground level about 35m from the western boundary of the Orchard and that it is proposed to retain/reinstate the existing hedgerow cut by the SWRR, subject to the detailed design of the SWRR and the earthworks.

It is clear that the landscape to the rear of the Cottage and Gardens will change as a result of this development and that the applicants accept that will be the case, even though, in their opinion that change will be negligible.

Conclusion

The Trust has an overriding responsibility to preserve the integrity and setting of Anne Hathaway's Cottage, the Registered Park and Garden, and the associated property. For the reasons given, the Trust is not satisfied that its requirements set out in the response to consultation dated 17 December 2009 have been met. Accordingly, the formal position of the Trust in response to the latest consultation remains that it objects to the grant of planning permission. (26.11.10)

Shottery Village Association (SVA)

This sensitive site of international importance should not be released until all other sites are exhausted. We note with concern the additional land marked on the red line plan. We objected to this application on the following grounds.

Increased traffic on Evesham Road

There is a misconception, owing to lack of local knowledge, with regard to Evesham Road's suitability to act as a bypass based on the fact it was a former A road. It was de-trunked because it was considered not suitable for this purpose. Since this scheme was first proposed material change has occurred with five additional developments completed between Luddington Road and the Seven Meadows Road resulting in twelve junctions and 217 private houses, most with several vehicles, all within a mile! During the morning peak traffic queues back as far as Binton. Traffic in Hathaway Lane and Shottery Road already produces large queues to enter Evesham Road in the morning and after school caused by heavy traffic on Evesham Road. This application will not improve life for the inhabitants of Shottery. It will significantly increase traffic into the town centre and cause major overloading of adjoining roads. Previously the main area of concern was the Grove Road / Arden Street Traffic Lights where the throughput has been much improved by the uptake of a simple idea to eliminate traffic blocking the box junction by stopping traffic turning right into Greenhill Street and Grove Road. This also has the effect of reducing the number of sequences and consequently waiting times. More intelligent traffic management rather than new roads will produce better results.

Access to West Green Drive

West Green Drive already experiences flow problems. The proposed access to the development is not acceptable. The Shakespeare's Birthplace Trust no longer wishes to build a new coach park, a major reason for the promotion of this scheme.

Public Rights of Way and Bridle paths

Cycling must not be allowed on the pathways and controlled crossings must be provided where they cross the new road.

Flooding

This is a major problem. This application recognises poor drainage through the mudstone soils but does not accept (Flood Risk Assessment 4.35 & 4.36) major overland water flows occur during heavy rainfall events for which photographic evidence was supplied within the RASE group evidence to the Public Inquiry dated 13th Nov 2003 Appendix 4. They have omitted to take any of this detailed data into account, dismissing the Flood Map of Drawing HI A422-23/017 dated 2003 as an over estimation of 1 in 100 year event when our data showed that it in fact occurred in the Easter Flood of 1998 and to a lesser account in 2008. With the increased frequency of heavy rainfall, allowance must be made for events well in excess of those which have already occurred.

We also have concerns about pollution and soil stability. The intention to include ionic and three storey houses shows gross insensitivity and lack of understanding of the need to be sensitive to an important international tourist attraction. (18.12.09)

SVA Response to March 2011 amendments/additional info:

The construction of a road linking the Alcester Road and Evesham Road, together with 800 additional houses will draw unacceptable additional traffic on to Evesham Road, which will not improve life for Shottery residents or provide any real improvement to congestion within the town.

Evesham Road cannot be described as free flowing; between 8am and 9am traffic queues back over Dodwell. When the Northern bypass was constructed one of the aims was to de-trunk and reduce traffic on Evesham Road as it was even then considered unsuitable for heavy traffic. Evesham Road also has inadequate foundations and minimal maintenance making it totally unsuitable for the proposed extra traffic.

Using the travel to work Census data for Guild and Shottery as the only trips generated from the proposed 800 houses is unrealistic. It excludes all school run trips, not all children will attend the on-site school, everyone who works from home and all social and domestic trips.

The evaluation for the period of construction does not take into account the disruption of traffic control measures, which will be necessary during the culvert widening and traffic island construction or the construction traffic and associated danger of mud on the road.

With regard to the Public Rights of Way we would draw your attention to the need to make provision for mounted riders to cross. SB42 besides St Andrew's Shottery C of E Junior School connects with the network of Public Rights of Way on Bordon Hill. SB42 has been regularly used by horse riders together with the Right of Way from the eastern edge of the old rifle range towards Bordon Hill onto the Bridle Path down the northern side of Bordon Hill and along Evesham Road to Hathaway Lane. The signage for Anne Hathaway's Cottage was reduced in size so

it did not protrude over the bridle path. This needs to be taken into account to allow safe passage.

This site was only included in the current Local Plan at the Revised Deposit Draft Stage, with the STR.2A restraint after RSS pressure to increase housing provision. It has not been needed and this application should be rejected; especially now new Government's policy recognises the right of local communities to determine their own provision.

The proposed road provides no significant relief and very significant detrimental effect on local roads together with the hazard of constructing a traffic island at the foot of Bordon Hill on Zone 3 classified land.

This scheme will cause far reaching destruction of the historic landscape of Bordon Hill the back drop to a major international tourist attraction which should be treasured and protected. The visual and ecological environment will be destroyed which will impact on all surrounding areas. Bordon Hill is at present visible from many view points and if houses are built they will be visible from a very long way away.

We strongly urge you to remove the threat of development from this most important site. (25.3.11)

Stratford Society (SSoc)

As the planning process has accepted that housing may be built on this site, and the plans accompanying this application seem to comply generally with the SDC's requirements with respect to the general layout and provision of facilities in so far as they are defined at this stage, we do not oppose the application in principle.

However, we have serious reservations about the design principles that seem to be assumed throughout the documentation accompanying the application. In many places, the authors insert admirable statements of intent about using, for example, "best examples of local character...but also adopting best practice techniques and more modern interpretations to create quality design solutions" (D&A Statement, p6). This is the sort of principle that we have been urging for the town's new building for a long time. Yet the document is illustrated with pictures of buildings which could be a collection to demonstrate what is wrong with the design of British housing estates today - bland imitations perceived by their designers as reinterpretations of period building, though lacking all the liveliness and character that such buildings offer us, while at the same time trying to conceal the fact that they are being built in the 21st century, where criteria for housing are fundamentally different from those of a century and more in the past.

What concerns us is that we all know that there are now plenty of examples of new housing developments in various parts of the country which demonstrate the prospects that await the district that demands such standards, buildings that use local references but do not pretend to be of an older style, modern yet not in any way "threatening". The applicants must surely be aware of such developments, yet despite their encouraging words, they do not choose to use them among their illustrations. Is this because they believe that Stratford can only accept the boring and the ordinary? The town's character is not uniform - it is the product of buildings of many styles and periods, and we believe that it is time to show that we can contribute to that mix with new houses of our own period, incorporating the new technologies that we need without hiding them behind an apologetic façade. The scale, the materials and the forms must be sympathetic, but for centuries we have changed styles within these constraints, with wondrous results.

We urge the Council to take advantage of the fact that the existence of the moratorium on housing has not yet been lifted, and in the interim make it clear to developers for this site and others that we are looking for proposals that will lead us into the future, not pretend that we want to remain in a poor copy of the past. (21.12.09)

Stratford Voice (SV)

We have considered this application and wish to object. There are at present approximately 1250 empty homes in Stratford so at this time there is no need for such a large development especially as the Core Strategy of the District Council has not yet been agreed. It would cause over development in both Shottery and Stratford. (22.12.09)

Response to Nov 2010 amendments/additional info:

We at Stratford Voice object most strongly to the response by Bloor and Hallam to the Council's Regulation 19 letter. This proposal will affect the whole of Stratford upon Avon, not just Shottery. There will be an unacceptable increase in town traffic by an additional 3000 plus car movements per day. Evesham/Luddington Road will have an increase of 46% which will of course affect the Welford/Bidford area residents. The much vaunted Western Relief Road will take 10 years to complete - provided plot sales are successful- if not it could take 20 years!

The risk of flooding in Shottery will be increased by the raising of the land levels to hide the proposed road - balancing ponds will not be sufficient! The existing infra-structure in the town is insufficient to cope with this proposal. No land has been provided for a much needed Secondary School. Access to the play-ground is unsafe - you need to cross a busy road.

There has been NO public consultation with either yourselves or the developers since their response. This project should be delayed until the new planning regulations are known. (30.11.10)

Taylor Wimpey and Miller Strategic Land (through RPS Planning and Development)

RPS Planning and Development represent Taylor Wimpey and Miller Strategic Land in respect of its land interests north of Bishopton Lane, Stratford-upon-Avon. As you may know this site (reference SUA.14A) has recently been identified in the Draft Core Strategy February 2010. It is in the context of the Bishopton Lane site that this letter has been drafted and refers specifically to the above planning application by J.S. Bloor (Tewkesbury) Ltd and Hallam Land Management Ltd which is currently awaiting a decision. RPS is aware that this land has also been identified in the Draft Core Strategy, reference SUA.7.

Development Principle

RPS does not object to the principle of development and it is also acknowledged that given the existing deficiencies in housing land supply at Stratford-on-Avon that development proposals which have some weight from the emerging Core Strategy should be considered in advance of less suitable alternatives. However, given the site's proximity to the Bishopton Lane site and is being advanced prior to the Core Strategy being adopted, RPS is concerned to ensure that its development proposals are assessed on a comprehensive basis.

Five Year Land Supply

Whilst there appears to be a difference of opinion between the applicant and Council over the level of housing land supply which currently exists at Stratford, it is acknowledged by both parties that a five year land supply does not exist. RPS would concur with the applicant that given the advanced status afforded to the RSS Panel's Report, the land supply should be assessed against that figure (7,500 dwellings) with acknowledgement of the potential for an additional 3,000 dwellings post 2021. However, the Applicant's Environmental Statement (Volume 2 Chapter 6) addresses other potential strategic alternatives, which may come forward to address the current five year land supply shortage. At paragraph 6.5.2 it states that the Bishopton Lane site is 'subject to numerous constraints indicating flooding, open space and landscape concerns, stating that it is only capable of accommodating 250 dwellings'. It further states at paragraph 6.5.3 that 'none of the sites provide a genuine alternative to the application site'. RPS does not agree with these comments, the fact that the Bishopton Lane site has been identified in the same Core Strategy document with a development capacity of approximately 500 dwellings casts considerable doubt over the robustness of the applicant's assessment of alternative sites.

Site Specific Requirements

It is noted that the February 2010 Core Strategy proposals for the site are fairly specific in requiring a range of services and facilities to be provided both on and off site. In this context it is noted that the application includes a local centre including retail up to 1000 sq.m and a primary school along with the Alcester Road to Evesham Road relief road, which is largely in compliance with the Core Strategy requirements. However, there are a few issues, which require additional consideration and in particular how the Council considers any subsequent S106 Planning Obligation. These are addressed below.

Education Contribution

Of some significant concern to RPS is the Local Education Authority's assessment of the proposals and the relationship with the Bishopton Lane site. The CS indicates the need for Primary School Provision for both sites. Given the scale of the West Shottery proposal (800 dwellings) the provision of on site primary provision would seem just about justifiable, particularly having regard to the existing capacity concerns at the nearby St Andrew's Primary School. Whilst the Environmental Impact Assessment submitted with the application (paragraph 7.5.24) appears to indicate the proposed school will be providing for the additional needs arising directly from the development, the letter of representation from Shottery St Andrews Primary School would appear to indicate it is providing a replacement for the existing facility. Unfortunately the S106 Heads of Terms submitted does not clarify this point. Should the new primary school be proposed as a replacement for the existing St Andrews Primary School, then a two form entry school must be provided on site to cater for the existing school children along with those from the proposed development. This needs to be addressed in the S106 Agreement. Of particular relevance to the Bishopton Lane site are the LEA's requirements for Secondary schooling. It is stated in the CS (page 74) that the Bishopton Lane site is 'subject to expansion of secondary school provision in Stratford-on-Avon', however, this requirement is not stated for the West Shottery site and the S106 only proposes a funding contribution for expansion of Stratford-upon-Avon High School which currently has a deficit of 84 school places. With the children from both sites likely to go to the same Secondary School, the LEA must take a comprehensive and consistent view of secondary schooling from such strategic development proposals, whether these are required from either a planning application or development plan proposals. Given there has been no Core Strategy Examination and debate concerning which particular site should be released first, it is not appropriate for the District Council

and/or LEA to state that one site (with 800 dwellings) can merely provide a financial contribution, yet the principle of another site (approx 500 dwellings) in close proximity is dependant upon the existence of spare capacity. The LEA must address this issue at this stage in a consistent and equitable manner, prior to determination of this planning application.

GP Facility

The Design and Access Statement & EIA indicates there has been discussion with the Primary Care Trust, indicating that there is the potential for a doctor's surgery within the local centre. The Draft Core Strategy states that a doctor's surgery is required to be delivered in this location, and therefore RPS considers that should the PCT demonstrate the requirement for such a facility, the Applicant must confirm on site provision prior to determination of the application.

Given the existing deficiencies in housing land supply at Stratford-on-Avon, RPS understands the applicant's intentions for pursuing an application at this stage, particularly given the weight afforded to the site by virtue of the emerging Core Strategy. However, given the site's proximity to the Bishopton Lane site, and it being advanced prior to the Core Strategy being adopted, RPS is concerned to ensure that its development proposals are assessed on a comprehensive basis.

It is therefore essential that the application proposals take a more informed view of the availability of alternative proposals to come forward and should the District Council be mindful to approve the application an equitable and comprehensive view is taken particularly of education provision in this area of Stratford. (8.3.10)

Letters of Comment (7, nil and nil)

The following points of concern are raised:

- More commuting traffic due to lack of employment in Stratford.
- Traffic density will increase in the Evesham Road despite new roads.
- Levels of queuing and traffic in the town and Shottery are already problematic.
- The town is already too large.
- More demand on the town's infrastructure – esp. education and health.
- Request screening around the new Evesham Road roundabout to protect neighbours' amenity.
- Less rural surroundings.
- Moral obligation to preserve Anne Hathaway's cottage and its setting. The town is guardian of this heritage and should protect it.
- Increased flood risk from development.
- Balancing ponds would fill up and overflow.
- Request a study of the Luddington Road culvert with a view to increasing its size as with the Evesham Road culvert.
- Request screening around the new Evesham Road roundabout to protect neighbours' amenity.
- Details of the maintenance of the SUDS feature to the SW of the Evesham Road roundabout should be conditioned.
- Increased noise pollution.
- Increased anti-social behaviour from the estate.

Elizabeth Dixon (Disability Advisor)

This appears to meet the general requirements for 'inclusion' and I wait for a more detailed application. (November 2009)

Response to Nov 2010 amendments/additional info:

No letters of comment were received in relation to the amendments/additional information.

Letter of Support (1, 1 and 1)

The staff and governors of Shottery St Andrew's Primary School support the application to make provision for a new primary school as part of 09/02196/OUT.

The provision of a new primary school will allow the existing Shottery St Andrew's to move to a purpose-built building where we can continue our outstanding curriculum and contribution to the community. Our school is currently over subscribed and cannot meet need because our current site has no scope for expansion, a new site would enable us to develop and to further meet the needs of the community through extended services.

Our current school building and site consists of a Tudor barn with Victorian extension and 2 temporary classrooms. Whilst work has been carried out to improve the facilities we are restricted by the building's listed status and small site. The nature of the construction also makes it difficult to reduce our carbon footprint. Our school currently lacks an assembly/ PE hall, a library, a separate office and staffroom and playing fields all of which should be standard facilities in a school.

We need a new site with its associate facilities and for that reason support this proposal. The school also supports the need for new road infrastructure between the Evesham and Alcester Roads.

Response to Nov 2010 amendments/additional info:

One of the letters of objection supports the proposed new road. Stating that to be effective the road system should be continued from the B439 Evesham Road south of the Racecourse to join Seven Meadows Road east of the Old Town traffic island. To achieve this, the developers should be asked to contribute towards the cost and towards the business case for reinstating the railway line south of Stratford.

In its favour the development would enable a rear vehicle entrance to Anne Hathaway's Cottage car and coach car parks to be constructed, which would stop the road past the Cottage being used as a rat run and an unofficial Western bypass avoiding Stratford town centre. Also supports the Primary School.

Response to March 2011 amendments/additional info:

One of the letters supports the scheme as a chance to solve some of the town's current infrastructure concerns; however, considers that the context of walking and cycling is missed and raises queries regarding cycling provision on/around the site.

Other Third Party Representations (35)

In addition to this, 35 Comments Forms from local residents in advance of Stratford Town Council's planning Consultative Committee Meeting on 15.12.09 have been received.

32 of the forms raise concern or objection and 3 of them support the proposal.

The matters of concern or objection do not raise any issues over and above those raised through the District Council's consultation process. The grounds of support are:

- Opportunity to solve traffic problems around Shottery
- The western relief road is much needed and long overdue – it would cost nothing to the taxpayer
- Coaches would be taken out of Shottery
- More people living in the town would help the vitality of the town centre
- Flood alleviation lakes are incorporated on the plan
- Many objectors live in houses which themselves were built on Greenfield sites.

APPLICANT'S COMMENTS

In addition to the various documents submitted during the course of the application, the applicants have submitted the following comments:

The proposed development

The proposed development, located at the District's principal town, will provide 800 new homes to meet the identified need for additional housing in the District. 35% of the housing will be affordable homes. It will also provide new physical and social infrastructure, including the construction of the Stratford Western Relief Road, a local centre and a new school. The form and nature of the proposed development reflects that in the adopted Local Plan at Policy SUA.W.

Local Plan Status

The application site is identified in the Stratford-on-Avon Local Plan as a Strategic Reserve Site at Policy STR.2A and Proposal SUA.W. Both are saved policies.

Policy STR.2A states that the strategic reserve sites are identified to help meet long term (post 2011) housing needs. Its suitability in this regard was assessed through the Local Plan process.

The release of the strategic reserve sites is to be considered in the context of the housing land supply position that exists in the District. Most recently this has been estimated, based on up to date evidence of need and demand, to be significantly below the 5 year supply identified in PPS3. As with other strategic reserve sites at Stratford, this circumstance supports the grant of planning permission in this instance.

Technical information supporting the application

The application was supported by a number of technical assessments which were compiled as part of an Environmental Impact Assessment. In addition to the Environmental Statement, these included assessments of the impacts of the proposed development relating to Transportation, Flood Risk and Drainage, Landscape and Visual matters, Ecology, Noise and Air Quality, Archaeology and

Cultural Heritage and Geo-environmental. Additional environmental information concerning certain of these matters was submitted during the process of determining the application at the request of the Local Authority.

The adequacy of the information submitted and the development strategies proposed in relation to these technical matters has been considered by statutory, non-statutory and internal consultees.

We note that the Highway Agency, the Environment Agency, Natural England, Warwickshire County Council, Severn Trent Water and the District Council's Housing Enabling Officer, landscape officer, urban designer, and environmental health officer consider the proposed development to be acceptable, subject to conditions and suitable planning obligations, which are referred to elsewhere in the Report. (9.9.11)

4. CONSULTATIONS

CONSULTATIONS – POLICY PRINCIPLE

Government Office for the West Midlands

Officer's Note - GOWM has now been incorporated into the National Planning Casework Unit (NPCU)

Response to Nov 2010 amendments/additional info:

It would not be appropriate to comment on the application in advance of it being fully considered by the local planning authority, as to do so might prejudice the SoS in the event that it is formally referred to central government at a future date. (11.11.10)

Advantage West Midlands

The West Midlands Economic Strategy (WMES) forms the main rationale for the Agency's work and the basis for its consideration of planning applications. The WMES comprises four strategic objectives: Business, Place, People and the creation of a Powerful Voice for the West Midlands. The Place objective, and in particular the need to improve infrastructure and the creation of sustainable communities, as well as the People objective of promoting sustainable living are the most relevant to this planning consultation.

The planning application is of interest to the Agency with respect to how it could contribute to creating a sustainable community at Stratford-upon-Avon. Its impact in terms of delivering economically important development, lies principally through the number of residential properties proposed (circa 800), including a potential 25-35% affordable houses to contribute to addressing acknowledged local need and through the infrastructure proposals, including the proposed construction of a Stratford western relief road.

The development site also adjoins the grounds of Anne Hathaway's cottage, which are listed park lands in their own right as well as forming the setting of the Grade I listed cottage. Stratford-upon-Avon is an acknowledged tourist gateway to the West Midlands, with Anne Hathaway's cottage being the second most visited Shakespeare tourist attraction. The protection and enhancement of the setting and facilities provided at this location will therefore potentially have wider implications on the tourist economy of the town.

Introducing a choice for traffic to travel along the relief road rather than through the town centre could also have benefits in terms of reducing congestion and improving air quality, again balanced against any impact this may have on the tourist economy of the town.

The Agency would also be interested to understand how far the scheme could promote sustainable living patterns through incorporating low carbon principles, for example in travel, waste and energy use as well as building construction and design and layout. The siting and potential use of the extensive (29.9ha) network of green infrastructure created to promote sustainable travel and recreation and link into existing networks will also be important to the low carbon agenda as well as ensuring the overall quality of place making. Any infrastructure improvements such as the Western Relief Road need to be developed and delivered within the context of a sustainable transport package to ensure that the best use is made of existing infrastructure and that the use of sustainable modes is encouraged and supported where relevant and possible. The West Midlands Checklist can be used

to assess the overall sustainability credentials of a project and may be of assistance in determining the potential impact of this development, both in terms of the master plan and its wider implications for the town. The use of a master plan and conditions at outline planning stage can ensure wider delivery of objectives which may otherwise be more difficult to achieve at detailed planning stage, particularly when determining infrastructure requirements. (21.12.09)

CONSULTATIONS – PLANNING CONTRIBUTIONS

WCC - Highways

Request for the provision of 'Sustainable Welcome Packs' at £50 per dwelling (22.7.10)

A general request for an Administration Fee on all developments requiring WCC to be party to a legal agreement was received. (4.11.10)

Policy justifications for contributions to bus service improvements (£387,000 in total) and Stratford Parkway Railway Station (£40,000 in total) are provided having regard to Local Plan Review policies and Local Transport Plan policies. (17.5.11)

WCC – Education

A guideline figure for a request of £4,203,016 is requested. This is subject to the current review in policy taking place. This figure does not discount the provision of a Primary School. It also cannot be taken for granted that Shottery St. Andrews Primary School will close and be re-located onto this site. (19.3.10)

Further response under the CIL Regulations:

Request a revised indicative sum anticipated to be in excess of £10,000,000, but this is not discounted for the provision of a primary school. The formula for the final figure will be based on:

- The actual number of pupils coming from new housing developments as calculated through the analysis of seven large recent housing developments across the County,
- Local circumstances in the Stratford District Council region, e.g. stay-on rates in 6th Form education,
- The full cost of providing the education infrastructure, and
- All education sectors including Special Education, Post-16 for Colleges and the Youth Service in addition to those four noted previously. (27.7.10)

WCC – Libraries

Based on average occupancy the library service requires the sum of £137,591 in respect of this development. (27.7.10)

Further response under the CIL Regulations:

Supplied a calculation formula and stated that this is based upon the Public Library Service Standards and the need to provide comprehensive Library Services measured by those standards. Public Library Service Standards were set by DCMS (Department of Culture, Media & Sport). The DCMS commissioned Wirral report of 2010 confirmed that these are still "industry best practice".

Local authorities have a duty under the 1964 Public Libraries and Museums Act to provide a comprehensive and efficient library service to all who live, work or study in the area. Public libraries are at the heart of communities. They provide free access to books and information services, and the internet, as well as opportunities for learning and leisure. Local authorities must ensure that their libraries meet national standards and expectations, and provide the quality of service that people need, expect and will use.

In many areas experiencing housing growth or regeneration, existing library buildings and library services will need to be upgraded or replaced. (13.8.10)

Sport England

No objection. Require a financial contribution to mitigate the impact of development on indoor and outdoor sports facilities. Estimate a contribution of £580,726 - £813,017 for indoor built sports facilities. (1.12.09)

Further response under the CIL Regulations:

The Council does not have a PPG17 assessment of whether there is capacity to cater for additional demand on sports facilities. The development will place additional pressure on existing facilities and it is therefore considered reasonable to expect the developers to make financial contributions to reflect the additional demand from the development, although it is for the Council to determine how best to use the contributions. (2.8.10)

Response to Nov 2010 amendments/additional info:

No additional comments (10.11.10)

Response to March 2011 amendments/additional info:

Reminder given that Stratford's Playing Pitch Strategy is in its last phase and does have a bearing on the provision of outdoor pitches for this application. (23.3.11)

SDC – Community Leisure

Verbal statement that the contribution should be allocated for the maintenance of the existing Leisure Centre rather than into a pot for a new facility. No major concerns with the overall layout. (8.7.10)

Response to March 2011 amendments/additional info:

The proposed development at Shottery will result in additional population that will fall into the catchment area of the Stratford upon Avon Leisure Centre. The current Leisure Centre was opened in 1974 and Stratford on Avon District Council is considering the future of the facility. One option being considered is rebuilding and the needs of the additional users from the Shottery Development would have to be accommodated by the new Leisure Centre. In 2008 Stratford District Council commissioned Capita Symonds to develop an outline business case for a replacement Leisure Centre. The report, issued in November 2008, estimated the cost of the development would be £20m. This figure has been used to establish the appropriate contribution towards the rebuilding of the Leisure Centre that should be sought from the proposed Shottery development.

In establishing the catchment for the centre, Sport England state that people within 20 minutes drive will use the Leisure Centre. This suggests that the Stratford Centre will be used by the residents of Stratford together with those living in the surrounding towns, villages and hinterlands. Population figures for

these areas have been obtained from our Planning Policy unit based on Census data. Many of the outlying towns and villages have alternative facilities that are also located within a 20 minute drive and this has been accounted for in arriving at a indicative contribution of approximately £900,000 towards a new Leisure Centre. (30.8.11)

Senior Environmental Health Officer – Air Quality Contribution

I recommend that a Planning Obligation be put in place, based on a contribution of £100 per dwelling and £10 per square metre of commercial space being provided. (11.1.10)

Response to Nov 2010 amendments/additional info:

Subject to the acceptance of the revised Transport Assessment by the Highways department, I would not oppose the proposal on air quality grounds, nor would I recommend any S106 contribution on air quality grounds. (14.12.10)

Full reasons for these comments can be found in the detailed Environmental Health responses below.

Warwickshire Primary Care Trust

No response received, despite numerous requests over the course of the application.

Warwickshire Police

It is important to recognise that new housing development places additional demands on policing just as it does education, health and other public services.

Warwickshire Police only receives funding for ongoing policing services. There is no surplus for capital projects made necessary by new housing or business developments. Section 106 of the Town and County Planning Act 1990 enables developer contributions for such capital funding and it is our intention to seek reasonable contributions under this and other relevant legislation. (22.11.10)

Response to March 2011 amendments/additional info:

The amendments to the planning application do not materially affect the increased demands on policing that we have previously discussed.

The Warwickshire Police guidance on policing contributions from development schemes forms the basis for our request for developer contributions. Warwickshire Police requests a financial contribution of £452,800. If Secured By Design standards are fully adopted in this development, Warwickshire Police will acknowledge the associated crime reduction benefits by reducing this request to £316,800.

There will be a further developer contribution consideration in respect of the 1000 sq.m of retail/commercial floorspace.

The contribution will be used to address the increased need for police vehicles and equipment and help to extend communication and data handling infrastructures. (25.3.11)

Following this request, further details have been submitted, which seek to clarify the following:

- the relationship between any new building developments and the proportional new policing demands they will create
- costings of the resulting need for increased police capital infrastructure
- Warwickshire annual crime and incident data to give an indicative demand per household

(3.6.11 and 5.9.11)

Response regarding commercial element of scheme

We review the policing impact of proposed commercial/retail developments on an individual basis and take account of the full context of the proposal. The planned business aspect, approximately 1000 sq.m., is integral to the overall development of 800 homes. The extra commercial/retail floorspace is not expected to create significant policing implications over and above the residential aspect of the development, for which we have a proportionate developer contribution request in place. (8.6.11)

CONSULTATIONS - HIGHWAYS

Highways Agency

In relation to the Transport Assessment (TA), comment on the parking levels, other developments considered (to be confirmed with WCC), trip rates and generation which are acceptable, modelling for A46(T) junctions and improved pedestrian, cycle and bus links.

Make detailed comments on the content of the Travel Plan (TP). These comments include the need for details of existing sustainable transport provision, the appointment of a Travel Plan Co-ordinator and enforcement measures required.

Issue a TR110 notice, directing that planning permission cannot be granted within a 3 month period. An 8 page Technical Note is provided to support this direction. (7.1.10)

The TR110 notice was subsequently updated on 13.4.10 and 6.10.10.

Response to Nov 2010 amendments/additional info:

The HA concludes that building the development in phases in advance of the SWRR being completed would be acceptable. The detailed design of the servicing layout will be agreed in due course with relevant bodies and the revised TA now confirms that on-site car and cycle parking will accord with parking standards and this is acceptable.

In terms of Traffic Impact based on the PARAMICS model analysis, the HA is satisfied that there is no justification for the HA to request physical improvements at the Bishopton and Wildmoor roundabouts, save for the addition of the fourth arm on the Wildmoor roundabout; however, a final design has yet to be agreed.

A summary of the identified concerns relating to the Travel Plan is provided.

In light of the above, the Holding Direction remains in place. (2.12.10)

Response to March 2011 amendments/additional info:

Section 6.2.5 of the Transport Assessment investigates Route 5 'A46 Kings Lane to A46 Alcester Road'. Section 6.2.5.2 includes the A46 Stratford Northern Bypass between Bishopton and Wildmoor Roundabouts. On comparing Table 18 of the two TA's there now appears to be slightly higher flows in 'base' scenario and 'development' scenario identified in the Westbound direction in 2013 and more markedly in 2023. We note that Section 6.3 details the Journey Time Reliability information for those routes where journey time was identified as increasing. We also note that this section does not include any reference to Route 5 Section Two. We therefore request that journey reliability plots are provided for all of the routes along the A46 in support of the data within the Tables.

In terms of understanding whether there is a material impact on the A46(T) in terms of queuing at the Wildmoor and Bishopton Roundabouts, it is recommended that assessments using confidence intervals are provided to identify statistical significance, as this is not represented clearly through the use of the GEH statistic. Therefore, we request that statistical analysis is provided for 6.4.1(Wildmoor Roundabout) and 6.4.2(Bishopton Roundabout) with reference to this in the main body of the TA or as a separate Appendix.

The Highways Agency is also currently discussing a Non Motorised Users Audit (NMUA) with the applicant; the NMUA must be completed to our satisfaction prior to the grant of planning permission.

The Holding Direction is extended pending receipt of information to address these matters. (5.4.11)

Further Response following receipt of additional info (Arup letter 5.4.11):

Journey Time Reliability plots for Route 5 'A46 Kings Lane to A46 Alcester Road' have now been supplied by Arup and identify that the development will not have a significant impact on journey time reliability. This is indicated by the high level of overlap between the 'base' and 'with development' scenarios on the Journey Time Reliability plots.

In order to understand the queuing implications of the development on the Wildmoor and Bishopton roundabouts, assessments using confidence intervals identifying statistical significance have been undertaken, however, in terms of the Wildmoor Roundabout only the 2023 PM scenario has been assessed. This is because there is no material difference between the queuing levels in the various scenarios when comparing 'base' scenario to 'with development' scenario, apart from the 2023 PM scenario. The confidence intervals supplied indicate that there is considerable overlap between 'base' and 'with development' scenarios and this therefore demonstrates that the impact of the development on queuing is not significant.

Based on this information the HA is now prepared to sign off the Revised TA, we would however expect the letter compiled by Arup (dated 5th April) to be included as an Addendum to the TA

The application proposes the provision of a link road which will join the A46 trunk road at Wildmoor roundabout. The agreed scheme for this has been subjected to a Road Safety Audit and a Non Motorised User Audit (NMUA). Our previous comments in relation to the NMUA have been resolved as the applicant has

agreed to the provision of aggregate with high polished stone value as opposed to alternative high friction surfacing for the scheme.

Officer's Note - I have received verbal confirmation from the HA that these Audits and the surfacing specification are matters supporting and controlled by any future s.278 Agreement with relevant Highway Authority.

The Highways Agency can now lift its earlier holding direction and replace it with a direction of the imposition of 2 conditions regarding implementation in accordance with approved plans and the approval of a Travel Plan. (8.4.11)

WCC – Highways

A Draft note outlining the Highway Authority's position in response to specific sections of the original Transport Assessment was received in February 2010. The key points raised were as follows:

- The development needs to provide improvements to the right of way network and all crossings over the link road will need to be of a standard that does not deter their use. Further consideration needs to be given regarding speed limits.
- It is unlikely that residents will use the park and ride, although residents in the northern area are likely to use the proposed parkway station.
- Opportunity could be taken to access the Luddington Rd plots from the Luddington Rd and not the Evesham Rd.
- Further information is needed regarding traffic impacts prior to completion of the link road.
- Strongly advise that the new extended S-PARAMICS model is used.
- Request the inclusion of Long Marston, Kipling Rd and Waitrose in the new model.
- Query the assumption that the area to the north of Stratford has limited growth potential.
- Query the impact of closing Cottage Lane on local traffic and how these measures would be secured.
- Expect the provision of at least an additional bus vehicle on route 19.
- Various other specific queries are raised.

Response to March 2011 amendments/revised Transport Assessment:

Following the submission of the original Transportation Assessment (TA) and associated documentation, the Highway Authority has liaised closely with the applicant's transportation consultant. Further additional work has been commissioned and submitted to ensure that the proposed development has been modelled robustly to meet all the technical requirements and satisfy the Highway Authorities.

The details of the Highway Authority's considerations are in a separate report that has been created to aid this formal consultation response and inform the Council's case officer of the key information considered by the Highway Authority. The report addresses the following matters:

- The assessment methodology and use of the S-PARAMICS model
- The impact on the highway network and network statistics
- The impact on Journey Times for 4 routes across the town
- The impact on queues at the main junctions in around the town
- The impact on queues for the junctions and accesses to the development
- An analysis of the increases and decreases in two-way link flows and the use of the 'GEH Statistic'

During the consultation period the Highway Authority have now agreed the required mitigation measures (both in terms of physical highway works and contributions towards sustainable transport) and the required junction improvements for access to the development.

Therefore, the Highway Authority's response is one of No Objection, subject to conditions. (17.5.11)

WCC – Countryside Recreation

Object to the application due to the incorrect depiction of the public footpaths and the lack of a footbridge for the path severed by the 60mph road.
(18.12.09)

Response to Nov 2010 amendments/additional info:

The application affects three public footpaths, SB42, SD16b and SD16. It appears that it is intended that some of these routes are to be used as cycleways. Please note that in each case this will first require the making of a cycleway conversion order for each route.

I have no objections in respect of the design proposals for public footpath SB42. However the detail of the central refuge should include a railing barrier for public safety.

I wish to object to the road crossing in respect of public footpath SD16b. As proposed, this will require a diversion of the footpath, which seems to serve no purpose other than to provide a visual break between the main carriageway and the housing area. The manner in which this has been designed simply makes the route less direct and convenient for the public and in reality they will take a short cut across the grass / landscaped area. The same visual break could be achieved by diverting the eastern section of path, slightly further southwards, bringing the path back on line to the Bordon Hill access alignment by utilising a staggered central reservation crossing. I have a further objection in that the crossing point is some distance from the roundabout and traffic will still be moving at speed, precisely where children will be crossing to the Community Park. Again I strongly believe that this should be addressed by moving the roundabout further south, so that traffic would be approaching the crossing at a slower speed. Failing that, a light controlled crossing is considered essential. Policy CA12 in the County Council's Countryside Recreation and Rights of Way Improvement Plan seeks grade separated crossings for new build trunk roads and a good quality of crossing for other routes. The detail of the central reservation relative to the entrance to the Bordon Hill footpath is important. That footpath is also a private road and the detail of the western carriageway requires an area where pedestrians may cross and pause in safety to avoid vehicles. This area needs to be integrated in the access design for the Community Park.

I wish to object in respect of the proposed at grade crossing for public footpath SD16. This route provides the major link to the countryside west of the development and is approximately 400 metres south of the roundabout connection with the A46 and over 500 metres from the central roundabout. Patently there is nothing to restrict traffic speeds and pedestrians - currently at no risk on this path, will face a greater danger and interruption to their passage. An 'at grade' crossing in this location is entirely unacceptable and footbridge should be provided to entirely separate pedestrians. This has been regarded as a fundamental design requirement from the outset. (26.11.10)

Response to Nov 2010 amendments/additional info:

Policy RW5e of the Rights of Way and Recreational Highway Strategy states: 'Where new roads with a speed limit greater than 30mph are proposed, all footpath and bridleway crossings shall be grade-separated (i.e. an underpass or overbridge will be required) or light controlled crossings will be provided as part of the scheme.'

This therefore represents our position regarding the crossing for public footpath SD16 on the proposed new 50mph road, where we would seek either a grade-separated or a light controlled crossing.

We would not, however, seek a light controlled crossing for public footpath SD16B, as the proposed new road will have a 30mph limit.

CONSULTATIONS - DRAINAGE**Environment Agency**

The application is supported by a Flood Risk Assessment, reference 1363/FRA/01. Following various pre-application discussions between ourselves and the FRA consultants, any issues raised have been sufficiently addressed to allow us to recommend imposition of the following conditions on any permission granted.

Surface Water Drainage

We consider that outline planning permission should only be granted to the proposed development if a planning condition is imposed requiring no raising of ground levels within the floodplain; finished floor levels 600mm above the 100 year +20% flood level and the implementation of a flood compensation area. A planning condition to provide a surface water drainage scheme is also requested. Although we are satisfied at this stage that the proposed development could be allowed in principle, the applicant will need to provide further information relating to the proposals to an acceptable standard to ensure that the proposed development can go ahead without posing an unacceptable flood risk.

Ecology

We have no objections to the proposals from an ecological perspective but the proposed development will only be acceptable if a planning condition is imposed requiring a scheme to be agreed to protect the buffer zone along the Shottery Brook and all ponds and ditches present on site.

Landscape

The proposed development will only be acceptable if a planning condition is imposed requiring a scheme to be agreed to ensure that the landscape within the site is managed in such a way as to protect the ecological value of the site including the Shottery Brook and all ponds, ditches and hedgerows

Pond

The proposed development will only be acceptable if a planning condition is imposed requiring a scheme to be agreed to ensure that the pond within the site is designed, located, constructed and managed in such a way as to positively contribute to the nature conservation value of the site.

Working Method Statement

The proposed development will only be acceptable if a planning condition is imposed requiring a working method statement to cover all channel and bank works to the Shottery Brook or any associated tributary ditches. Without such a condition our position would be to object to the proposed development on the

grounds of the adverse impact on nature conservation, flood risk and water pollution.

Other details requested are site supervision, clear span bridges and foul drainage. (8.12.09)

Officer note - Subsequent responses were provided responding to RASE comments on 27.1.10 and 19.7.10. The matters raised are covered in the Key Issues section.

Responses to amendments/additional info:

Request a copy of the report findings regarding Great Crested Newts and will comment further when such details are provided.

Request a condition requiring that minimum floor levels should be set at least 600mm above the 1 in 100 year plus climate change allowance flood level in order that floor levels are satisfactory for the lifetime of the development. (21.12.10)

No further comments (10.3.11)

Severn Trent Water

No objection subject to a condition requiring the submission of plans to cover the disposal of surface water and foul sewage. (20.1.10)

Response to Nov 2010 amendments/additional info:

No objection subject to a condition requiring the submission of plans to cover the disposal of surface water and foul sewage. (17.11.10)

Response to March 2011 amendments/additional info:

No objection subject to a condition requiring the submission of plans to cover the disposal of surface water and foul sewage. (24.3.11)

Land Drainage Officer

Currently a number of properties immediately adjacent to Shottery Brook are prone to flooding during extreme events like 1998 and 2007, increasing the capacity of the Evesham Road culvert is likely to have a positive impact on the situation. The new culvert would require a Land Drainage Consent from the Agency during the approval process the structural integrity of the proposals and hydraulic capacity would be assessed. (1.7.10)

SDC – Technical Services

The environmental benefits of wet ponds are generally higher than those of detention basins, so I am in favour. The main problem we have encountered in recent examples of balancing ponds (e.g. Loxley Court and St Peter's Way in Stratford) has been with the health & safety aspects resulting in having to fence these features off from the public to satisfy our insurers. Thus we have achieved certain environmental benefits but in my view defeated an important part of the object of enabling access for people to the ponds in both the aesthetic and physical senses.

Location-wise, obviously the topography and hydrology dictates where the ponds need to be sited and in this case it happens to be next to the playing fields, which

is at the same time both good and bad. Although developers will not like it, I feel the solution is that we should try to ensure sufficient land is made available to accommodate a large enough pond surface area to deal with the water flow anticipated whilst minimising its depth and therefore the gradient of the sideslopes. In this way, by eliminating some of the more obvious health & safety problems, I would hope to achieve a pond that is open and accessible for all that avoids the need for fencing. The fencing itself simply presents a challenge to some and can prove to be a significant maintenance problem in itself as well as hindering future maintenance of the pond. (4.5.10)

Officer's Note – The adoption of these and other areas by SDC is a matter for future discussion, but the legal agreement will secure this or a Private Management Company as an option

CONSULTATIONS - HERITAGE & VISUAL

WCC Museum (Archaeology)

The archaeological implications of this proposal across the entire development site and the appropriateness of the proposed mitigation strategy cannot be adequately assessed on the basis of the available information. Given the potential for archaeological features of regional and national importance to be present across the development site it is recommended that an archaeological evaluation is undertaken before any decision on the planning application is taken. (4.1.09)

Response to Nov 2010 amendments/additional info:

Following the submission of my previous comments on this scheme, the developer's archaeological consultant has arranged for further archaeological evaluative fieldwork, comprising geophysical survey, to be undertaken across this site. A report detailing the results of this survey has since been submitted in support of this planning application. Given the results of the geophysical survey, I do not consider that it would be appropriate to require further evaluative fieldwork to be undertaken prior to the determination of the planning application.

Although I do not wish to object to the principle of development I do consider that some further archaeological work should be required if consent is forthcoming. I therefore recommend that a condition securing a programme of archaeological work is attached to any planning permission for this site.

I would envisage this work taking a phased approach, in advance of any development on the site. This recommendation conforms with the approach suggested in the new Planning Policy Statement 5: Planning for the Historic Environment. (7.12.10)

English Heritage

We note that there has been work by the local planning authority to identify the suitability of this and other sites for development. The local authority will need to satisfy itself that this site remains the most appropriate having regard to the emerging spatial strategy and the authority's responsibilities with regard to the process for selecting the most appropriate strategic sites through the current plan making procedures.

The scheme affects the setting of the village of Shottery: designated as a Conservation Area with a variety of listed buildings. On the south edge of the

settlement stands Anne Hathaway's Cottage, a grade I listed building, lying within a garden included at grade II on the English Heritage Register of Historic Parks and Gardens. At the time of the Local Plan Inquiry English Heritage's position with regard to the earlier version of this scheme was that it benefited the setting of Anne Hathaway's Cottage and its garden, those elements forming an integral part of the development. The setting of the Cottage consists of gently rising land to the south within which the proposed road will sit, hidden from the view looking out from the Cottage by setting it down in a cutting. The view from the ridge to the north back towards the Cottage includes the road which will be visible when looking towards the cottage.

We are concerned at the possible impact of the road on the setting of the Anne Hathaway's Cottage and garden. A particular issue lies in the peripheral elements of the view looking northwards from the Cottage. It is difficult to judge from the information provided what the impact of cars, their headlights, and the associated signage and lighting, particularly at the roundabouts, will be on that setting. These landscape issues need careful further justification and consideration by the applicants to your satisfaction. The road is partly justified on the grounds that it will relieve the traffic in the centre of Shottery. The potential benefits of the earlier scheme were not only the immediate traffic relief to the village centre provided by the new road, but also included the opportunity to close the road immediately in front of the cottage, and to provide an alternative access to the Cottage via a new coach/car park just off the new road. The parking would have been hidden within a plantation and provided the opportunity to considerably improve the setting of the Cottage by removing the coach park from the Cottage's immediate setting in conjunction with proposals for a new visitor centre. That possibility remains with the relevant roundabout still being in the scheme, but no such potential benefits are included as a part of the current application.

Whilst English Heritage is not opposed in principle to the Western Relief Road this is subject to it forming part of an integrated package of traffic management for the settlement of Shottery together with striving to minimise its impact on the setting of the village and the heritage assets within it. Any benefits from the scheme need to be delivered early in the construction of the approved scheme, rather than being left until towards the end of the construction period. You as the local planning authority should be assured before determining the application that the impact of the road, roundabouts and associated features contained within the application is minimised. Whilst there is potential for improvement it has not yet been offered or assured within the application.

The scheme has not yet been justified in terms of bringing substantial benefits to Shottery, or to Anne Hathaway's Cottage, and their settings. (21.12.09)

Response to amendment on ownership:

This does not alter our views set out previously. (14.1.10)

Response to Nov 2010 amendments/additional info:

The revisions in no way change the the views previously expressed. It is not necessary for us to be consulted again. (22.11.10)

Response to March 2011 amendments/additional info:

The revisions do not affect our earlier comments on these proposals. (24.3.11)

Conservation Officer

Initial concerns expressed verbally:

- Noise levels
- Visibility of road and housing from and towards Anne Hathaway's Cottage, other listed buildings and conservation area.

Response to March 2011 amendments/additional info:

Noise levels

Initial concerns were expressed over noise levels; however, the latest evidence within the expert findings show the rise in levels to be negligible with low impact surfacing inappropriate/ineffective at this low speed. The enjoyment of the heritage assets should not be diminished. Indeed the potential reduction in traffic and therefore noise within the conservation area and setting of the numerous listed buildings will enhance the semi-rural character of the 'village'.

I agree with the comments of English Heritage regarding the previous discussions concerning the restriction of traffic especially coaches traffic/parking away from the front of Anne Hathaway's Cottage. The application allows the infrastructure along the SWRR for the construction of relocated parking within the SBT land and this would be of benefit. A reduction in traffic flow and 'rat-running' through Shottery would be of significant benefit; however, road closures are not planned. A reduction in traffic speed would be an improvement without 'fossilising' the settlement.

Light

The confirmation that light levels will be restricted, with no lighting proposed, or indeed required, on the section of the road to the west satisfies much of my concern in this area. The potential traffic headlight impact to neighbouring Burmans Farmhouse has been reduced with the relocation of the access roundabout to the north.

Views

Further information and visual assessments have been submitted in order to clarify queries and concerns with regards to views, the extent of the road cutting and the impact upon the significance of the neighbouring heritage assets. My previous reservations concerning the views from Anne Hathaway's Cottage are somewhat allayed; however, the effect upon the views towards the Cottage and other heritage assets is difficult given the topography of the land. The views from the various footpaths that cross the higher ground give distant views and the principle of a road and development, and indeed some impact, has already been accepted at inquiry and inclusion in the Council's policy. Whilst still of concern, some mitigation of the effect upon the wider views of the listed cottage, orchard and conservation area could be provided with control over the detailed landscaping (see comments of the Landscape Officer re: hedging etc.). (8.4.11)

Landscape Officer

This application has been made in 'outline'; therefore I would suggest that much of my involvement will be at the reserved matters stage where I will need to assess more detailed submissions relating to design, soft landscape, hard landscape, structure planting, maintenance, management etc.

Require assurance that the Environment Agency will allow planting close to

Shottery Brook.

In terms of the southern section of the housing layout, it is proposed to orientate the housing so that the outer dwellings face on to the public area adjacent to Shottery Brook and this is to be welcomed. Views over this southern section of the site are obtained from the public footpath which extends westwards up Bordon Hill. A fine view of Holy Trinity church spire is obtained across the site from the lower section of this public footpath and the housing layout should be designed to ensure that this view is maintained.

Concerns are expressed on the relationship of the new road/roundabout to the conifer plantation and the issue of the removal of outer trees exposing weaker inner trees to the wind. The change of use from woodland to another use is generally resisted by Policy EF.9 of the Local Plan, unless overriding public benefit arises from the development and there could be a benefit through the introduction of native trees in lieu of conifers.

Expresses concerns that the Community Park is on the opposite side of the bypass to the rest of the community.

I would wish to see an element of planting being undertaken in advance of significant development on the site. For example, there could be a requirement that after the completion of a certain number of dwellings, the structural planting should be established.

Sections of hedgerow would be lost to facilitate the bypass, but that the majority of the existing field framework would be incorporated into the design. I welcome the general principles of planting in the Green Infrastructure Plan.

Street trees are also proposed and whilst this is welcomed, I would wish to have some assurance from Warwickshire County Council that these trees would be permitted as I am aware from past experience that the County Council do not normally wish to undertake the management of such features even with commuted sums. (12.2.10)

Response to Nov 2010 amendments/additional info:

Planting adjacent to Shottery Brook

Previously concerned that the Environment Agency would restrict planting within flood zones - The EA have now confirmed that intermittent planting will be acceptable to them.

Noise impact of the bypass on the setting of Anne Hathaway's Cottage

Experts suggest a 1.7db increase which is considered to be negligible. Given the extent of the Shottery Community Park and the careful road design incorporating the false cutting; low noise surfacing and no lighting through this section of the site, I am satisfied that the sensitivity of the above site has been addressed.

Views of development looking north-west from the Registered Garden

Previously, any light spillage from traffic descending the slope would have been in the direction of Burman's Farm group of Listed buildings. The northern residential access roundabout has moved further northwards into the site with traffic now descending the slope, to the roundabout now opposite the proposed play area, which is welcomed.

Moving the roundabout has also resulted in the lower section of the roadway being moved slightly northwards which has allowed for more Community park being available to the south of this section of road. This will also allow for more planting to be undertaken on the southern side of the road which in time would close down glimpsed views of the upper level land. As previously mentioned, additional planting adjacent to the poorer southern boundary on the Burman's Farm Group will help contain these views from the rear of the Registered garden.

Birthplace Trust Plantation and adjacent roundabout

I have previously commented on the woodland. However, I would like to suggest that the eastern access link from the bypass roundabout into the possible future parking area for the Birth Place Trust should be simple and not over engineered.

Visual assessments from distant viewpoints

I have no adverse comments relating to these. Views of the site from the Ridgeway are already viewed alongside the skyline development on the Ridgeway. The most notable views of the development site will be the upper storeys of the housing on the most northern boundary. Opportunity will exist to strengthen this existing hedgerow boundary with planting to the rear, within the public realm.

Layout and design

I still await confirmation that the principle of proposed street trees within the public realm will be acceptable to WCC and that they would be willing to adopt them subject to appropriate commuted sums. They are of such significance to the design code for the site that the future management of these should be addressed at this stage.

Planting should be phased with the commencement of development triggering certain areas of planting such as off-site areas associated with Shottery Community Park and the western boundary of the development site where areas could be planted prior to the construction of the bypass (level changes permitting).

There has been a slight reduction in the overall area proposed for Green Infrastructure within the development due to the enlarged primary school and the realignment of the central roundabout - previously stated to be 29.29ha and now 28.76ha. Not a significant reduction. (21.1.11)

Commission for Architecture and the Built Environment (CABE)

N.B. CABE has now been incorporated into The Design Council

We welcome this opportunity to comment on the proposed development of a new community at West Shottery, but regret to say that we think significant further work is needed prior to outline approval. Much of the information that CABE would expect to see at the outline planning application stage is not yet available.

Relief road

A Statement of Development Principles was commissioned for this site in 2003 by Stratford-upon-Avon, and subsequently tested at public inquiry. We are concerned that the relief road proposed by this study has been uncritically adopted as part of the current scheme. Manual for Streets, published by the Department of Transport in 2007, places new emphasis on streets as places in which people want to live and spend time, rather than just being transport corridors. In the light of this, we think it is essential that the need for, and design

of the relief road should be re-examined. In our view, if constructed in the form currently proposed, this would create severance between new communities to the north and south of the site, and the countryside to the west. It would also prevent integration with any future development to the west.

Connections with neighbouring communities

The scheme provides for vehicular access in five locations: from Alcester Road, Evesham Road, and West Green Drive. In addition, pedestrian access is maintained along two rights of way. This promises to create a new community well connected to the existing residential areas to its east. However, the relationship between these access points and the pattern of development, within the site is unclear. The way in which pedestrian, cycle, car and bus routes are woven into the development will be critical to its success. To take one example, we are aware that bus services in the surrounding area are currently poor, and the development may not provide a significant critical mass to improve this. However, a clear strategy for encouraging public transport use will be essential to achieve sustainable development.

Local centre

We welcome the inclusion of a local centre including a primary school, as part of this scheme, but are not convinced that this is in the best possible location. This is isolated from both new and existing main roads, and we think that there is a risk it will fail to establish itself, due to a lack of passing trade. We wonder whether a closer association with Alcester Road could help avoid this problem, and the potential blight of boarded up shops.

Character of place

The Design and Access Statement provides studies of the character of existing development around the site, but little information about how this will inform the fundamental nature of the masterplan. One example of this is the figure ground diagram of development patterns in Stratford-upon-Avon. To determine whether there is any relationship between this and the new development, a figure ground of the development proposals would also be needed. Overall, the plans do not yet describe a specific response to site, topography or architectural context. The differing characters of existing development to the north and south of the site could provide a strong clue for the character of West Shottonery. To the south of the site, the village of Shottonery, displays an incremental pattern of development, with buildings of varied ages and styles, including some whitewashed thatched cottages, of which Anne Hathaway's Cottage is the grandest example. To the north of the site, there is an estate of post war semi-detached houses in the area around West Green Drive, and more recent developer housing off Alcester Road. These existing conditions suggest that development to the south of the site could be informed by its attractive and characterful context, whilst to the north there may be greater freedom for the scheme to establish its own identity. Whilst the Design and Access Statement includes aspirational statements about the future character of West Shottonery, it does not provide clear standards or principles for achieving this. We understand that the production of a Design Code has been discussed by the local authority and design team. We would encourage this as a means of securing a coherent development character, responsive to its context.

Landscape

Negotiations are ongoing between the developer and local authority to determine whether the public open space and green infrastructure included in this scheme will be adopted, or maintained by a management company. The outcome of these negotiations may drive the landscape design, on the basis of likely standards of maintenance. We understand that the design team has experience of producing Green Infrastructure and Biodiversity Management Plans, which can be

conditioned as part of an outline planning approval, including provision for a steering group. We would be interested to know more about this, and in our view it is essential that responsibility for landscape maintenance is resolved prior to outline planning approval. Once this is established, we think there is potential, with further work, for the landscape design to help define the character of the development. In particular, we think a strong idea is needed for the central open space.

Sustainable design

In our view, the aspiration of the development to achieve a 25% improvement in terms of Building Regulation requirements to minimise carbon emissions is not sufficiently ambitious. In masterplanning a new community on a greenfield site, there is clear potential for the scheme to draw on some of the principles underpinning EcoTowns, perhaps incorporating productive landscapes or working towards One Planet Living principles (a Bioregional and World Wide Fund for Nature initiative). In our view, a clear attitude to achieving environmental sustainability could help shape the character of West Shotton, in terms of street layouts, building orientation and design and landscape design. We would also expect to see clear and ambitious commitments to Code for Sustainable Homes and BREEAM targets set through any outline planning approval. We would encourage the local authority to take a long term view in setting such targets given the likely phasing of this development over a ten year period.

Design Code

Whilst the Design and Access Statement for West Shotton sets out some general design aspirations for the development, it does not provide sufficient detail to allow conditions to be attached to any outline approval. A Design Code could give greater certainty about the character, form and height of development. This is of particular importance at West Shotton, where implementation will be phased over a period of ten years, and development parcels may be built out by developers other than those currently involved. A Design Code should also lead to a more efficient planning process at reserved matters stage. We understand that the design team have discussed the possibility of a Design Code being produced following outline approval, through the use of a planning condition. However, in our view a Design Code produced as part of the outline application, could be a powerful tool for testing the principles of the masterplan, such as parking strategies, architectural character, sustainability, landscape and streetscape design.

Phasing

It is envisaged that this development will be built out over a period of 8 to 10 years but no information on phasing was included in the presentation material for our review. Issues such as how ongoing construction impacts on the lives of new and existing residents, and when public open space and community facilities are delivered, should be dealt with at the outline application stage. The success of this new community will depend on a robust phasing strategy, and we would encourage the local authority to set clear requirements for this through any planning approval. (8.2.10)

Response to Nov 2010 amendments/additional info:

We do not wish to review the proposal again in this instance. Please refer to our previous comments. (29.11.10)

Urban Designer

Roger Evans Associates produced a Statement of Development Principles for Land West of Shotton on behalf of Stratford-on-Avon District Council in October 2003.

The design principles set out in this key document form the basis of my assessment of the scheme.

It is important that although in outline, the application contains sufficient information for a thorough assessment of the impact of the development.

If the topography of the site has to be significantly altered to accommodate the areas of built form, then the local distinctiveness of the site may be lost. It is felt that the full potential of the site in terms of its landscape and topography has not been exploited.

It is inevitable that should development be approved on this land, the setting of the village of Shottery, a conservation area with a variety of listed buildings, will be affected. The impact of this needs to be mitigated to an acceptable level and the application should demonstrate that the benefits to the area overall outweigh the potential negative impacts.

In areas where the SWRR will be within a cutting, and where the speed limit of the road is higher, the relief road will dominate. The use of foot bridges or subways to tackle the crossing of the relief road would not be appropriate. Pedestrians and cyclists need routes throughout the site that are safe, direct, accessible and free from barriers.

It is also noted that the proposed southern section of the development is more inclusive of the proposed relief road, rather than appearing isolated from it, and forms part of the central spine of the development. I am concerned with the lack of linkages to the SWRR within the northern section of the site in particular – with only one main connector road to this avenue.

The intention appears to be that a main link will be along the relief road and I am not convinced that this route would be user friendly. The key routes within the development should promote and increase opportunities for walking and cycling and where possible reduce our reliance on cars.

The location of the local centre has been broadly set out within the 'Statement of Development Principles', due to its central location. However, it is important that accessibility to the local centre is promoted by routes that are direct, attractive and safe.

The aspirations for the overall site should include the commitment to creating an accommodation mix that reflects the needs of the local community. Commitment should be made at outline stage to ensuring that the development will fully integrate the tenure mix, to avoid differentiation between dwellings based on its tenure.

The applicant has produced a minimal form of design coding within the accompanying design and access statement. However, in my opinion, a more in-depth design code document needs to be produced. This document should be produced in advance of any reserved matters applications. The principles of scale should be included within a design coding document.

I am concerned that the style of architecture promoted for the site could potentially rely on a standard house type solution. Development of this scale, on a Greenfield site has the potential to raise standards of design and the highest quality of design is to be encouraged.

There are two distinct residential areas. Within the proposed design and access statement, these areas are generally of the same form and character. There is also an opportunity for these areas to respond to their individual character contexts, whilst working together in a cohesive way. The southern residential parcel has key characteristics that could inform the design and layout of this development and the northern parcel is surrounded by differing character of built form and landscape. Although there needs to be an element of consistency across the site by responding to local patterns of development and landscape, there is scope for variety within set limits.

The application does not appear to have explored the full potential for reducing the environmental impact of the development. A strategic approach needs to be taken and should be a proactive rather than reactive approach to sustainability of the scheme. The approach in terms of sustainability needs to form an important role in the design process rather than appearing as a 'add on' at the end of the process, solely to achieve the relevant regulations and standards.

In terms of the building design, there should be some clear commitment to built-in adaptability. This could include external walls that carry structural loads and allow internal partition walls to be added or removed in line with the particular needs of the users.

Conclusion

Recommend that the applicant undertake further work and submit further information (see information requirements below) to resolve the conservation, design and sustainability principles as set out within this consultation response and the comments received from the CABE Design Review Panel.

- A design coding document (the structure of this to be agreed with Stratford-on-Avon District Council)
- A management and maintenance report on the open spaces/landscaping across the site (the structure of this to be agreed with Stratford-on-Avon District Council)
- Further information on how the development will sit within the topography of the site would be useful in assessing this outline application.

(2.2.10)

Response to Nov 2010 amendments/additional info:

I have no objection to the removal of the paragraph containing the wording for the Design Code Planning Condition from the Design and Access Statement Addendum. The Addendum sets out the requirement for this condition and suggests a broad framework for the Design Code document. Therefore, I am satisfied that the Design Code Planning Condition can be set out within any outline permission that is granted.

I have no objection to the wording 'The Design Code will broadly be in line with the following', as I agree that this will ensure some element of flexibility when structuring the Design Code document, which will form a key delivery tool as part of the ongoing design process.

Although I have some concerns regarding the nature of the illustrations within the Addendum, the text allows scope for the further detailed design development to take place as the design process continues. The applicant accepts that the

distinction between the character street illustrations is not particularly well conveyed at this stage however I am in agreement that the Addendum document provides a basis for the urban design and architecture principles and these could be addressed further through the Design Code document and subsequent reserved matters applications.

I remain concerned by the content of paragraph 6.8 of the Design and Access Statement Addendum (design highway crossing points). Although it is acknowledged that the design and layout of the SWRR will be steered by highways considerations, the character and appearance of the SWRR remains an important issue. My preference would be for this paragraph to be removed from the Addendum.

I note that the Design Code document will include a section on 'Management and Maintenance issues', which should include the relevant information required.

The Addendum includes plans and sections to illustrate the relationship with the surrounding context, the SWRR and the proposed development. The illustrations provide a set of broad design principles. Given the nature of the SWRR, these principles appear broadly acceptable, although it is noted that these proposals need a significant amount of further work at the more detailed design stage to ensure these principles are secured.

(21.12.10)

CONSULTATIONS – ECOLOGY

Natural England

Based on the information provided, Natural England objects to the proposed development. We recommend that the local planning authority refuse planning permission on the grounds that the application contains insufficient information to satisfy Natural England that there would be no adverse effects on features of interest for which Racecourse Meadow Site of Special Scientific Interest (SSSI) is noted. In order to assess the potential implications for the SSSI, and possibly enable us to withdraw the objection, this and any subsequent planning application should clarify the following points which relate to the Environmental Statement and supporting documents:

Chapter 15 - Water Resources

Racecourse Meadow SSSI and Seven Meadows Local Wildlife Site lie 350m from the southern boundary of the site and are hydrologically downstream. In our response to the ES Scoping Report consultation, Natural England specifically requested that the Environmental Assessment pay particular attention to the effects of the development on the nearby Racecourse Meadow SSSI and in particular how this may be influenced by any changes to the water quality or hydrology of the Shottery Brook. Whilst the Scoping Report clearly stated that hydrological impacts on designated sites and wider biodiversity will be addressed in the water resources chapter, insufficient information is presented in this critical part of the ES to satisfy Natural England that there will not be an adverse hydrological impact on Racecourse Meadows SSSI as a result of direct or indirect impacts of the development on the Shottery Brook.

Flood Risk Assessment

The ES does not address the environmental impact of the associated infrastructure required for the development on a Local Wildlife Site. Drawing number 1348/DR/02 shows the line of a proposed sewer upgrade to the south of

the development. This is required as part of the necessary infrastructure for the proposed development. We recognise that this does not pass through Racecourse Meadow SSSI, however, it does pass through a non-statutory Local Wildlife Site - Seven Meadows which was designated for its grassland interest. The ES does not refer to the environmental impact of installing the sewer pipeline or any means of potentially avoiding/minimising impacts such as directional drilling.

Furthermore Natural England would require information regarding how the sewer was to be maintained so as to avoid potential blockages. A collapsed manhole cover on a sewer traversing a grassland SSSI in Solihull (Monkspath Meadow SSSI) caused considerable ecological damage through altering the surrounding soil nutrient status and plant composition. Should a similar event occur on the pipeline that traverses Seven Meadows Wildlife Site, it could have significant adverse impacts for the SINC and potentially the SSSI also. We would wish to see potential problems such as this 'designed out' at the earliest possible stage.

Chapter 11 - Ecology

The last sentence of paragraph 11.6.4 states that there will be a post construction buffer zone of 10-20m retained along Shottery Brook. However paragraph 15.4.1 of the Water Resources Chapter states that there will be an 8m 'maintenance strip'. Whilst we recognise the requirement for appropriate flood management control, this should be undertaken in a sensitive manner so as to allow wildlife to flourish.

Paragraph 11.2.26 identifies the possibility of increased recreational pressure on the SSSI and several adjacent SINCS. We welcome the inclusion of a Green Infrastructure Plan for the site and along with biodiversity enhancements we would wish to see adequate provision for recreation to minimise impact of increased visitor pressure on adjacent sensitive sites.

Recommend conditions requiring a Construction and Environmental Management Plan (CEMP – Construction) and landscaping and habitat enhancement measures, if approved.

We also recommend long term management of the site's green infrastructure and SuDs schemes is secured through an appropriate S106 agreement. (5.1.10)

Response to Nov 2010 amendments/additional info:

Submit a holding objection pending assessment of the likely impact on Great Crested Newts. (8.12.10)

Response to Great Crested Newt assessment:

Withdraws its objection to the proposed development, as the application contains sufficient information to satisfy Natural England that there would be no adverse effects on features of interest for which Racecourse Meadow is noted.

We welcome the recommendations contained within the ES Regulation 19 response regarding Seven Meadows Local Wildlife Site and are pleased to note that the proposed sewer upgrade may not need to pass through the Local Wildlife Site after all. This would be the preferred option. Should the sewer pipe have to pass through the Local Wildlife site we support the recommendations held within the ES Regulation 19 response regarding reinstatement of the meadow. This work should be overseen by an ecological clerk of works

We support the recommendations contained in the Great Crested Newt Assessment and recommend supervision by an ecological clerk of works.

Recommend conditions to cover the production of a CEMP - Construction and to protect legally protected species. We also recommend long term management of the site's green infrastructure and SuDs schemes is secured through an appropriately S106 agreement. (25.1.11)

Response to Mar 2011 amendments/additional info:

Recommends conditions as requested by WCC Ecology in their email dated 15/4/11.

WCC Museum (Ecology)

In light of the information available to me, I would recommend that this application is unlikely to have any direct impact on populations of protected species or habitats. However, due to the scale of the development works must proceed under the guidance of a suitably worded Ecological management plan.

I have considered the documentation forwarded to me, paying particular attention to Chapter 11: Ecology. I am broadly satisfied with the approach taken by the applicant's ecological consultant to prepare this chapter. They have completed an extended phase 1 habitat survey and also specific surveys for bats, badgers, great crested newts, water vole, white clawed crayfish and breeding birds. This is consistent with a methodical approach for a site of this size and has been completed using the appropriate methodology.

The chapter highlights that the loss of species rich hedgerows, loss of habitat connectivity, impact on watercourses (and then the SSSI downstream) loss of ponds and the impact on breeding birds will be issues relating to this proposed development.

No protected species were reported as being of significant issue. Bats were recorded foraging along several hedgerows, but were not found to be roosting anywhere within the development area. Badger activity was reported, but beyond the boundaries of the development. No evidence of water vole, white clawed crayfish was reported. All ponds on site (of which there were 8) were assessed using the Habitat Suitability Index (HSI) grading system, and none were considered suitable to support great crested newts. Nine bird species of conservation importance were thought to be breeding on-site. These species will suffer directly from loss of habitat and loss of nesting provision.

Habitats on site were described as being of limited ecological value being mostly improved grasslands and arable fields. A number of hedgerows were recorded and assessed against the Hedgerow regulations (1997). Three of these 27 hedgerows were described as being of value and of District importance. A stream, the Shottery Brook, runs through one section of the site. This watercourse eventually meets the River Avon. The watercourse also passes through a Site of Special Scientific Interest before meeting the river. A small plantation woodland is present as are a number of mature standard trees.

Chapter 11 outlines an ecological mitigation strategy for this site. In light of this issues that have been highlighted, I am broadly satisfied with the approach taken by the consultants within this strategy. I would therefore suggest that should permission for this application be granted a condition controlling a suitable Combined Ecological Management Plan (CEMP - Ecology) be imposed. (21.12.09)

Further response following Officer queries:

In light of the response made by Natural England, I would support their stance regarding the need for further hydrological investigations regarding water movements potentially affecting the Racecourse Meadows SSSI.

As such, I think it would be reasonable for us to make a holding objection to this application, until such time as the hydrological issues have been resolved. Should a satisfactory conclusion be reached, then we would then revert to our original position of recommending the use of a planning condition to cover the creation of a CEMP - Ecology.

In response to other officer queries:

The potential provision of at least one wet balancing pond.

In principle, we are supportive of the creation of any wetland feature provided it offers a genuine ecological gain. We would look for marginal planting and a suitably profiled cross section. This could be included within the Combined Ecological Management Plan.

The need for Reptile/Invertebrate studies.

We would support any additional ecological information - any planning decision should be based on complete and sound ecological information. However, the consultant's report and our records suggest that protected reptiles are not currently a significant constraint on-site. We would certainly encourage the creation of habitat and site safeguards to be incorporated into the CEMP - Ecology.

Could the Construction Management Plan recommended by others form part of the Combined Ecological Management Plan?

Yes, I would suggest that the CEMP - Construction could be used to cover these issues. This would include an ecological method statement and site safeguards.

No Bat Survey for demolished dwellings 3 and 4 Bordon Hill.

Yes I would recommend that a survey is carried out on these two dwellings. It is difficult to comment on mitigation until we know if bats are present, and to what extent.

Loss of Skylark habitat – mitigated through S106 funding for LBAP or the use of 'blue' land to the west for favourable management.

Ideally both. The blue areas do appear to offer a feasible alternative site for the Skylarks. Again this would be included within the CEMP - Ecology. Fiscal support for the LBAP is welcome and should be discussed between the developer and representatives of the Warwickshire, Coventry and Solihull LBAP steering group.

(25.1.10)

Correspondence also took place during June and July 2010 between WCC Ecology and RASE regarding the lack an Invertebrate Survey and lack of assessment of Lesser Whitethroats or Turtle Doves.

WCC Ecology responded stating that the site where invertebrates had been recorded in 1996 is not part of the site boundary and that the delineation between habitat types would greatly reduce the potential for the invertebrates to be present on the development site. In addition to this the recommended CEMP – Ecology has the potential to greatly enhance the area for invertebrates.

The Lesser Whitethroat is of little or no conservation concern and nest sites would be protected through the CEMP – Ecology. The Turtle Dove is a transitory species and the site is very unlikely to support them, breeding or otherwise.

Responses to Nov 2010 amendments/additional info:

Submit a holding objection pending assessment of the likely impact on Great Crested Newts. Full response to follow. (8.12.10)

Response to Great Crested Newt assessment:

The proposed habitat creation and mitigation measures indicated by this additional information are considered acceptable.

I would therefore recommend conditions to cover Habitat creation and management, Bat mitigation, Bat and bird enhancements, Newt mitigation and Nesting bird protection. A note regarding Badgers is also recommended. (21.1.11)

Warwickshire Wildlife Trust

A detailed description of the site's habitat types is provided.

According to the Habitat Biodiversity Audit (HBA) data, the site consists predominantly of arable, improved grassland and existing buildings; these are, in broad terms, habitats of comparatively low biodiversity value. However, the plantation woodland, mature trees, waterbodies and the inter-dispersed framework of hedgerows throughout the site provide valuable ecological features in an otherwise agriculturally dominated environment. These features could therefore be seen as essential ecological assets, providing necessary connectivity throughout the proposed development area and to the surrounding sites of national and local biodiversity interest.

A summary of the protected and noteworthy species identified by the ES is provided with some commentary.

The Trust notes that no reptile or invertebrate studies have been included in the assessment. As the site has an availability of suitable habitat for protected and noteworthy reptile and invertebrate species, the Trust would like to see that these species are considered and included in the impact assessment. Notwithstanding this, the Trust is broadly satisfied that all undertaken survey work has been conducted.

The Trust goes on to make recommendations regarding:

- Racecourse Meadows SSSI and Seven Meadows LWS/pLWS – Potential contamination should be mitigated through a drainage strategy or wider Ecological Construction Management Plan (ECMP).
- Non-statutory and potential Local Wildlife Sites – Trust is broadly satisfied that the development can be undertaken without a significant adverse effect on the integrity of the surrounding non-statutory sites, subject to conditions controlling a Management Plan and implementation in line with the Green Infrastructure Plan.
- Bats – Bat survey required for demolished buildings and further clarification of 'hop over' features for bat flight lines and the link road.

- Water Vole, Otter and Great Crested Newt – The presence of suitable habitats indicates their presence cannot be ruled out, despite the survey results. They will require appropriate consideration in the ECMP.
- Hedgerows – Promote the integration of existing hedgerows into the built design.
- Birds – Suitable mitigation for the red and amber list birds is provided. The loss of Skylark breeding habitat is a concern and a financial contribution towards replacement Skylark habitat is recommended.

Given that the extensive habitat creation on site is part of the overall mitigation strategy, it is essential that the biodiversity value of this creation is maintained long-term. In turn, the Trust recommends that, to adhere to Policy EF.7 of the Local Plan Review, a comprehensive Ecological Management Plan for the site is requested and secured through the use of a Section 106 agreement. This management plan should detail the appropriate management of all the green infrastructure and open space assets, as highlighted within the ES and Green Infrastructure Plan for the benefit of biodiversity.

Warwickshire Wildlife Trust would welcome the opportunity to be stakeholder in the production of the management plan; which should also include Natural England, Warwickshire Museum Field Services and the Environment Agency. (23.12.09)

Response to amendment on ownership:

No further comments. (15.1.10)

Environment Agency (Biodiversity Section)

Response to Great Crested Newt (GCN) assessment:

We have no further concerns with regard to the Newt Assessment. Notwithstanding this, given the significant amount of Green Infrastructure that will be retained/created as part of this development we consider that an opportunity to create suitable conditions for GCN, in order to extend their range into the site has been missed i.e. the development could incorporate a network of ponds and suitable terrestrial habitat to encourage newts to extend their range through the site and beyond into other existing ponds in the area. (25.1.11)

CONSULTATIONS - GENERAL

Senior Environmental Health Officer

My preliminary comments on the Environmental Statement subject areas that are within my team's jurisdiction are as follows:

Chapter 8 - Ground Conditions

The findings and conclusions of the report are accepted.

Chapter 13 - Air Quality

The analysis contained in this chapter of the ES considers air quality impacts from the construction and the operational phases of the proposed development. It concludes that:

- a) The high environmental risk associated with the construction phase can be mitigated and hence reduced to medium or low.*

I agree with this conclusion and recommend that a condition be imposed requiring the submission, approval and implementation of a full mitigation plan. The plan should include sections on standards to be achieved, monitoring schedules, record keeping and communication of results to the Planning Authority.

b) The effect of the development's operational phase on local air quality will be negligible, hence identifying air quality as a low priority consideration in the planning process.

Whilst I do not agree with the concluding description of the impact as negligible, I do not wish to debate the point within this response. I consider instead whether the analysis has shown the challenge set at the outset of my discussions with the applicants and their consultants as having been met. The results of the analysis in fact show that for the pollutant that has resulted in the declaration of the town as an Air Quality Management Area (Nitrogen dioxide), of the 19 receptor points considered,

2 are expected to show an improvement,
3 to remain the same, and
14 to worsen slightly.

It can therefore be seen that, even when considering the development in isolation, the 'Do-Something' scenario does not result in an overall improvement in air quality across the town. Consequently, although not objecting to the development on air quality grounds, I recommend that a Planning Obligation be put in place, based on a contribution of £100 per dwelling and £10 per square metre of commercial space being provided.

Chapter 14 - Noise and Vibration

In a similar way to the air quality analysis, the ES report considers noise and vibration separately for the constructional/operational phases of the development and it also discusses the problems posed by the existing electricity substation in West Green Drive. The report also subdivides the impacts it considers depending on whether they would affect existing or future residents of the area. I have considered the various elements of the report and I have discussed them in detail with the author of this section. For the benefit of the applicants I would comment as follows:

1) Construction phase – The proposed 'example' Code of Construction Practice may be acceptable, subject to working hours restrictions.

2) Operational phase

a) *Road Traffic Noise - Existing residents* – The road traffic noise levels calculated for the Design Year of 2023 show the following impacts:

<u>Impact</u>	<u>Affected property facades</u>
No change	46
Barely perceptible beneficial	434
Slight adverse	253
Moderate adverse	8
Substantial adverse	16
Severe adverse	4

The acceptability or otherwise of the proposal cannot be assessed by considering whether any of the affected properties would qualify for treatment under the Noise Insulation Regulations 1975, as suggested by the report. Neither is the report correct in referring to the NEC Zones defined in PPG24 on Planning and Noise as a possible way of identifying and categorising impacts. It is recommended instead that an alternative method of quantifying the impact and compensating the owners be employed or that consideration be given to incorporating the affected properties within the development.

b) *Road Traffic Noise - Proposed dwellings* – It is recommended that the “good” standard specified in BS8233:1999 should be used rather than the “acceptable” standard suggested by the report. Moreover, thermal double glazing is being relied upon to provide satisfactory internal levels for affected properties. Whilst it is accepted that this would be effective with windows closed, it does not deal with traffic noise when the need for cooling ventilation forces windows to be opened. For this reason, the site layout should be re-considered with this in mind and the internal layout of affected properties should be suitably modified. Where habitable rooms still fail to meet the recommended standard, alternative means of (active) ventilation should be provided. Exposure to traffic noise in outdoor private spaces (gardens) should also be assessed in line with BS8233.

c) *Electricity substation – Proposed dwellings* – The proposed relaxation of the advisory low frequency “limit” (on the grounds that the humming noise emitted by the substation is steady) is disputed. Use of the recommended level without that relaxation would necessitate the construction of a taller barrier, a greater distance separation between the station and the proposed dwellings or a combination of the two approaches.

The Chapter’s author has promised to consider my comments, to take advice from his clients and report back to me. Until then, my view is that the application should not fail on noise grounds either. However, substantive agreement needs to be reached on these points before a final recommendation can be formulated. (11.1.10)

Response to Nov 2010 amendments/additional info:

Air Quality

1) Operational Phase

The Supplementary Report on Air Quality of October 2010, on the basis of the revised Transport Assessment, argues that despite a small adverse impact on air quality on some roads, the adverse effects will be small, the roads in question are not currently experiencing any air quality problems and pollutant concentrations there will remain below the national and EU guideline levels. It also shows that in more distant parts of the town where air pollution is known to be a problem, slightly reduced traffic flows can be expected with the proposed development and the associated relief road, which will in turn have a slight beneficial effect in those areas.

Subject to the acceptance of the revised Transport Assessment by the Highways department, I would be persuaded by this argument and would not oppose the proposal on air quality grounds, nor would I recommend any S106 contribution on air quality grounds.

2) Construction Phase

To ameliorate the anticipated impact of the construction and other associated works, the imposition of a condition is recommended.

Noise

The revised Environmental Statement considers the impact of the proposed development, both during its construction and operational phases, on existing and proposed noise-sensitive receptors.

The relevant report concludes that the unavoidable impacts of the construction phase can be mitigated and suggests that a Code of Construction Practice be agreed. Such an approach is both reasonable and commonplace. I therefore recommend that any consent be made subject to a condition requiring the submission, approval, implementation, self-monitoring and documenting of a mitigation scheme in the form of a Code of Construction Practice as recommended for air quality above.

When discussing the operational phase, the report considers the exposure of the incoming residents to traffic noise and recommends that it should be so controlled as to ensure that the 'reasonable' standard as defined in BS8233 is achieved inside any of the proposed dwellings. I have in the past advocated the adoption of the higher standard, described as 'good' in the same document. Where a choice of quieter housing development sites is available, one could insist that the 'good' standard should be attained. My understanding is that suitable alternative quieter sites of this size are not readily available and I also accept that the achievement of such a high standard may only be possible through the implementation of additional technological means such as mechanical ventilation and/or air conditioning whose sustainability may be questionable. In the circumstances I am prepared to accept that the principle of 'buyer beware' should apply and that the achievement of the 'reasonable' standard within the properties closest to the relief road would be sufficient. Private garden space should however also be protected, along the lines suggested by PPG24. The imposition of a condition to control noise to dwellings and gardens is therefore recommended:

Because of the very distinct and disturbing frequency characteristics of the noise it generates, the report pays specific attention to the electricity substation already situated on land adjacent to the application site and recommends a mitigation scheme in excess of that proposed for the control of traffic noise. Although not entirely persuaded that the scheme in question will be sufficient to mitigate the substation noise, given the survey and assessment work already carried out at my behest, I accept that it represents the best that can be done in the circumstances. The imposition of a condition requiring a mitigation scheme for substation noise is recommended.

Turning to the subject of noise affecting existing residents of the area, and subject again to the acceptance of the revised Transport Assessment by the Highways department, I would accept the contention that the proposed relief road would have some, albeit minor, beneficial as well as some detrimental noise impacts and that the Local Planning Authority is therefore entitled to take a balancing view of the proposal. (14.12.2010)

Response to Mar 2011 amendments/additional info:

Although only AM and PM Peak Traffic Flows appear to have been remodelled rather than Annual Average Daily Traffic figures, I would expect daily flows to follow a similar pattern and I have accepted Peak flows as a suitable surrogate measure. Of the two years modelled in the assessment, the 2023 results show the biggest increases in traffic flows and they were the ones that I focused on. However, even in 2023 most of the increases relative to the September 2010 Transport Assessment are modest enough not to reverse the improvements in either noise and air quality previously predicted for relevant sensitive receptors. The one exception to the statement regarding traffic flow comparisons is Trinity

Way where the updated assessment predicts more than double the previous flow. Fortunately, that particular link, although still within the Air Quality Management Area of Stratford upon Avon, has no relevant sensitive receptors.

For these reasons, I perceive no need to change my previous comments. (4.7.2011)

Building Control Officer

Whilst the energy statement does not make specific proposals about how the 10% renewable requirement will be delivered, it does give a commitment to high levels of insulation and on site renewables and gives a reasoned argument about the technologies that will be employed to deliver the requirement as and when the design is finalised.

In my opinion the statement is sufficient for an Outline application. (12.2.10)

Police Architectural Liaison Officer

No objections. (11.09)

Response to Nov 2010 amendments/additional info:

I have examined the planning application, together with the plans submitted. This has been done with reference to the advice contained within Home Office PPS1 'Creating Sustainable Communities' and its companion guide 'Safer Places - The Planning System and Crime Prevention'.

I have consulted with colleagues and as a result Warwickshire Police do not object to the grant of this application. Recommend that the new development achieves Secured by Design accreditation. (22.11.10)

WCC – Fire and Rescue

No objection subject to a condition requiring a scheme for the provision of water supplies and fire hydrants. (12.12.09)

e-on Central Networks (now Western Power Distribution)

No objection. Raise issues relating to access to the site and network and potential issues of noise from the sub-station. (25.11.09)

Response to amendment on ownership:

No new points raised (15.1.10)

5. ASSESSMENT OF THE KEY ISSUES

PROCEDURAL MATTERS

Members Site Visit

A Members Site Visit took place at 9.30am on Tuesday 11th January 2011. The site visit provided an opportunity for Members to familiarise themselves with the application site. They were able to view the physical characteristics of both the application site and the surrounding area and there was no discussion of the merits of the case.

The visit was attended by the following Members, who formed part the Committee at that date: Councillors K. James, E. Payne, M. Brain, D. Pemberton, B. Slaughter, T. Honychurch, A. Gardner and Sir William Lawrence. It was also attended by Ward Councillors R. Cockings, V. Hobbs, J. Fradgley and Rev. N. Beamer.

The site visit left the Council Offices and took a route to the site via Evesham Road. The initial part of the visit was conducted on foot commencing at the entrance to the racecourse. Features pointed out included Shottery Brook, the flood compensation area, the junction at the foot of Bordon Hill and the dwellings proposed to be demolished. From the Evesham Road, the visit walked alongside Shottery Brook along Hogarth Road and then up the public footpath to the south of the plantation, with Members observing the southern development parcel as they did so. Members also observed the location of the Birthplace Trust roundabout and the relationship of the southern development parcel to the town's setting, with Holy Trinity Church being pointed out.

From here, the visit went to Anne Hathaway's Cottage via Shottery St Andrews Primary School. The alignment of the new road was pointed out, whilst Members stood in the orchard to Anne Hathaway's Cottage. The ambient noise environment was also noted at this point. The visit then went up the access drive to Hansel Farm and Members observed the site from public vantage points both here and at Gretel House, where the larger northern housing site and Anne Hathaway's Cottage could be seen. The visit then went along West Green Drive where existing properties and the electric sub-station were noted along with the local centre location. The visit finished off by driving around the Wildmoor roundabout and back along Alcester Road.

The Visit only considered the physical layout of the site and the proposals and no discussion took place on the merits of the scheme.

Following the first Members Site Visit, the make up of Councillors on the West Area Planning Committee has changed and, in order that the new Members can familiarise themselves with the application site and to act as refresher for Members who attended the first visit, a Second Members Site Visit is scheduled to take place at 9.30am on Tuesday 20th September. A report of this Visit together with those who attended will be updated to Committee.

Guidance on Processing and Determining an Outline Application and Referral to the Secretary of State

The proposals have been submitted as an outline planning application with some matters reserved for consideration at a future time. The reserved matters are appearance, landscaping, layout and scale.

The matters for detailed consideration at this stage are the principle of development, access and all other planning matters not covered by the above-mentioned list of reserved matters.

A Section 106 legal agreement to cover planning obligations would have to be finalised before any grant of permission is forthcoming. Conversely if the scheme is refused, one of the reasons would have to cover the lack of a completed agreement

A number of concerns have been raised regarding the timing/procedure of the public consultation exercise that was undertaken by the applicant. I do not consider that this was procedurally incorrect or rendered the planning application invalid. I am also aware of the significant level of local objection to the scheme, particularly with regard to the current coalition government's 'localism' agenda. The desire to devolve more power to local communities through the planning system is not legislation at this stage and there is no clear framework at this stage as to how local involvement would be accounted for within the new system. The level of objection is not a reason to refuse planning permission in itself; however, the planning reasons for such objections are clearly important material considerations in coming to a decision.

Section 77 of the Town and Country Planning Act 1990 provides for applications for certain types of development to be referred to Secretary of State (SoS) prior to local planning authorities granting planning permission.

Circular 02/09: The Town and Country Planning (Consultation) (England) Direction 2009 sets out the types of applications where referral will be necessary and these are as follows:

The application is considered to accord with the provisions of the Development Plan for the reasons stated below. Therefore, if permission were to be granted, it would not have to be referred on ground 5.(1)(b) of the Circular.

The application includes an element of retail development (floorspace not exceeding 1,000sq.m gross) within the local centre, which is outside of a town centre. The trigger in the Circular is 5,000sq.m and therefore, if permission were to be granted, it would not have to be referred on ground 5.(1)(c) of the Circular.

The application includes development in a flood risk area; however, the Environment Agency has not raised objection and therefore, if permission were to be granted, it would not have to be referred on ground 8 of the Circular.

Turning to 'Circular 08/09: Arrangements for Handling Heritage Applications', this Circular only relates to applications for listed building consent and, although the proposal affects the setting of the Grade I listed Anne Hathaway's Cottage, it would not require referral on this ground, if planning permission were to be granted.

The Department of Communities and Local Government (DCLG) published the consultation draft of the National Planning Policy Framework (NPPF) on 25 July 2011. The NPPF is intended to bring together Planning Policy Statements,

Planning Policy Guidance Notes and some Circulars into a single consolidated document. The Planning Inspectorate has issued guidance to its Inspectors stating that the document is a material consideration, but the weight to be given to it is a matter for the decision maker. The document is early in its consultation process and so should be afforded limited weight depending on its relevance to a particular proposal.

Site Description

The site measures approximately 55 hectares in size and is situated on the western side of the built-up area of Stratford-upon-Avon. The site is currently in predominantly agricultural use and is laid to arable or pasture.

The site's boundaries are formed by Alcester Road to the north; the western edge of the town's built development along its eastern side with the central section of this being field boundaries to the west of Anne Hathaway's Cottage; Evesham Road to the south; and field boundaries and open countryside to the west.

The proposal is divided principally into two development land parcels – one of 17.65 hectares to the south of Alcester Road and one measuring 4.87 hectares to the north of Evesham Road. The remainder of the site is made up of Green Infrastructure and the link road. In general terms, the land rises across the site in an east to west direction. In the northern section the ground level is approximately 60m AOD (Above Ordnance Datum) at the ridge reducing to 52m AOD close to the Alcester Road. Levels at the southern end are 37m AOD adjacent to Shottery Brook rising to approximately 70m AOD at the point closest to Bordon Hill.

Considering the site from north to south, other features are an electricity sub-station, which is surrounded by the site but not part of it. This is accessed from West Green Drive and there are several power lines emanating from this in a westerly direction. Further south, the site is traversed by the tarmac access road to Hansel Farm. There are also several public footpaths, generally running on a west to east axis. To the rear of properties on Evesham Road lies a group of equestrian and commercial buildings forming part of Manor Fruit Farm. The south of the site includes two dwellings fronting onto Evesham Road - these would be demolished and there is agricultural land to the south of Evesham Road and west of Luddington Road.

There are no specific landscape designations covering the site. The Warwickshire Landscape Guidelines define the site as part of the 'Vale Orchard Belt' character area with the landscape characterised by a large scale geometric field pattern.

Turning finally to the surrounding area, development to the east can be divided into 3 distinct areas:

- Mid 20th century housing development around South and West Green Drives.
- The historic Shottery village, which is a conservation area and contains the Grade I listed Anne Hathaway's Cottage and Garden of Special Historic Interest. Shottery itself contains a variety of local services.
- Further south is late 20th century housing development comprising Hogarth Road etc.

Land in all other directions is predominantly open countryside.

PRINCIPLE OF DEVELOPMENT

Pursuant to Section 70 of the Town and Country Planning Act 1990 a Local Planning Authority may determine an application for planning permission by a grant (either unconditionally or conditionally) or a refusal. Section 70(2) provides that the Authority "shall have regard to the provisions of the development plan, so far as material to the application, and to any other material considerations."

Planning legislation and national policy makes clear that the determination of planning applications should be in accordance with the statutory development plan unless material considerations indicate otherwise. Specifically Section 38(6) of The Planning and Compulsory Purchase Act 2004 states that, "If regard is to be had to the development plan for the purpose of any determination to be made under the planning acts, the determination must be made in accordance with the plan unless material considerations indicate otherwise".

Any application should therefore first be assessed against the provisions of the current Development Plan for Stratford-on-Avon District, which comprises the following 3 documents:

- the Regional Spatial Strategy (RSS) approved by the Secretary of State in June 2004 (updated and republished in 2008 to incorporate the Black Country Study);
- a small number of 'saved' policies from the Warwickshire Structure Plan; and
- the 'saved' policies and proposals from the Stratford-on-Avon District Local Plan Review (LPR) adopted by the District Council in July 2006.

Fundamentally, there are two key considerations:

- Does the development comply with Proposal SUA.W in the saved Local Plan Review?
- Is it necessary or appropriate for the application site to be released for housing development at this point in time?

Stratford on Avon District Local Plan Review – Proposal SUA.W

Land to the West of Shottery is identified as a Strategic Reserve site within Policy STR.2A and Proposal SUA.W. There are two points for consideration with regard to this:

1. The extent to which the provisions of the planning application are consistent with the Local Plan proposal

The 'saved' proposal relating to land west of Shottery sets out clearly the District Council's position on the form any development scheme for the site should take and the nature of uses it should incorporate. Inset Map 1.1 which is part of the District Local Plan Proposals Map identifies the expected disposition of uses and an indicative route of the western relief road.

From a comparative assessment of the Local Plan provisions and the planning application, it is evident that there is a high degree of consistency. There appear to be no matters of principle in the application that diverge fundamentally from the Local Plan Proposal SUA.W.

However, there is a specific matter regarding the proposed treatment in the application of the central area of land in relation to public open space and woodland. Inset Map 1.1 identifies the proposed extent of an area of public open space in the central area of Proposal SUA.W. The parameters plan that forms part of the planning application proposes an area that is about 1 hectare smaller

because it excludes the southern tip. This is acceptable since, although it will not be accessible to the public, it will remain undeveloped as part of what is termed the 'Shottery Conservation Landscape' and therefore an integral part of the central swathe of countryside that will maintain the open setting to Anne Hathaway's Cottage.

The Inset Map also shows an area of woodland to the south-west of Anne Hathaway's Cottage. The treatment proposed in the application is to provide belts of trees, but not to create an area entirely of woodland. I have discussed this alternative treatment with the Conservation Officer and I have concluded that it would not have a direct bearing on the impact of the road or development, particularly in relation to Anne Hathaway's Cottage.

The manner in which traffic calming measures in the Shottery area, as specified in part (c) of SUA.W, would be achieved needs to be considered. Appropriate measures cannot reasonably be established or implemented before the western link road is fully open. It will be for the County Highway Authority to bring forward such measures and, at this stage, it has indicated that the most appropriate method of achieving traffic calming would be by way of a Traffic Regulation Order (TRO) for Cottage Lane, which the Highway Authority consider could be dealt with through a Section 278 agreement under highway legislation. The planning legal agreement can secure the funding of and the timing for the Highway Authority to process the TRO, but, as the TRO will require a further local consultation process at the time, this is as much as can reasonably be expected of the applicant with regard to facilitating this.

2. The manner in which the proposed development should be implemented in order to fulfil the expectations that underpin the identification of the site in the District Local Plan.

It is critical that the proposed development is implemented in its entirety. The District Council promoted the inclusion of land west of Shottery for development in its District Local Plan on the basis that the comprehensive package of development, link road and local facilities it offered would be beneficial to the town and was preferable to all other options for development being promoted at that time.

It must be recognised that the District Planning Authority is determining this application on the basis that it proposes a comprehensive package of measures, not individual components to be considered separately, such as housing development off Alcester Road and/or off Evesham Road but with no western link road. That is not the basis on which the District Council identified the land in the Local Plan nor the rationale underpinning the Inspector's findings and recommendations following the Public Inquiry. The Inquiry Inspector concluded that without the western link road and its benefits '...it might be that neither of the two constituent housing areas would be regarded as being superior to other potential development sites...' (para. 778)

It is imperative, therefore, that if planning permission is granted it is on the basis that the entire scheme is capable of being implemented.

There is concern that the applicants do not have control over all of the third party land that is required in order to implement the entire package. In particular, land owned by the Shakespeare Birthplace Trust (SBT) must be made available in order to construct the middle section of the link road. The applicant has submitted that the occupation of the 501st dwelling will not be possible until the

link road is completed and open to traffic; however, in addition to this point of timing, I am also satisfied that the availability of the road's route could be secured by way of a planning condition requiring a highway agreement before the development commences: The SBT would have to be party to this agreement as landowner. A second condition would require the completion of the road and it being made open to traffic prior to the occupation of the 501st dwelling on the whole site. In addition to this, the applicants propose a Highways Bond, which the County Council could draw from to complete the road in the event of the applicants being unable to do so. This Bond would be secured by way of a Section 278 agreement with the Highway Authority and this is not a matter to be secured by a planning legal agreement.

In addition to these two points, I have also considered the representations made by Friends of the Earth regarding the need to provide 1,500 jobs in tandem with this housing proposal. The balance between housing and jobs is a matter for the Local Plan process and one which the Local Plan Inspector would have considered when supporting the allocation of the site in his Inquiry Report.

Assessment of current housing supply

As Members will be aware, on the 27 May 2010 the Secretary of State for the Department of Communities and Local Government (DCLG) confirmed the Coalition Government's intention to abolish Regional Strategies. There have since been 3 legal challenges - Cala I, Cala II, Cala III (titles stated in full in Policy Section), the outcome of which has been to:

- re-establish Regional Strategies as part of the development plan
- confirm that the Government's intention to abolish Regional Strategies in the Localism Bill is a material consideration in planning decisions, although the weight to be given to it will always depend on the decision-maker's own judgement
- confirm that evidence that informed the preparation of the Regional Strategies may also be a material consideration depending on the facts of the case.

Whilst Stratford-on-Avon District Council's housing moratorium expired on 31 March 2011, Saved Policy STR.2 in the District Local Plan makes it clear that planning permission will not be granted for housing proposals which would lead to or exacerbate significant over-provision of housing in relation to the requirements of the RSS.

The evidence base used for the preparation of the Regional Strategy housing numbers is now very old, as was clear in the Kipling Road public inquiry and subsequent decision. I therefore consider that, whilst the Regional Strategy remains part of the Development Plan, it is more appropriate to use the most recent evidence base to consider housing supply.

Cabinet Resolution 5th September 2011

On 5th September 2011 it was agreed by Cabinet that a housing figure of 8,000 new homes would be planned for in the Core Strategy for the period 2008-2028. An updated assessment of the District's position in terms of housing land supply has been calculated against this figure as a result. This position is presented in Table 1. It should be noted that this housing figure is subject to call-in by Overview and Scrutiny Committee until 21st September 2011. The figure will also be subject to testing via Sustainability Appraisal and public consultation as a part of the preparation of the third draft of the Core Strategy.

Table 1: Based on 8,000 dwellings 2008-2028 (5th September 2011)

Five year (2012-2017) shortfall:	738
Length of land supply:	3.4 yrs
Overall shortfall (2008-2028):	5602

Table 2: Assuming 125 capacity for Kinwarton Farm Road (8th September 2011)

Five year (2012-2017) shortfall:	613
Length of land supply:	3.7 yrs
Overall shortfall (2008-2028):	5477

Table 3: Assuming 245 capacity for Shottery (in addition to 125 capacity for Kinwarton Farm Road)

Five year (2012-2017) shortfall:	368
Length of land supply:	4.2 yrs
Overall shortfall (2008-2028):	4677

It can be seen from the calculation in Table 1 that there is an identified shortfall in the District's housing land supply between the period 2012 and 2017. Planning Policy Statement 3 (PPS3), paragraph 53 requires local planning authorities to identify sufficient specific deliverable sites to deliver housing in the first five years from the adoption of the relevant Local Development Document. If such a supply of deliverable sites can not be identified, then there is a presumption in favour of planning applications for housing, subject to the policies of PPS3.

There are no over-riding constraints to the delivery of 245 dwellings on this site within the period 2012 – 2017 according to the District Council's Strategic Housing Land Availability Assessment 2009. For information, Table 2 shows the difference from the housing land supply position following the Planning Committee's support of the Kinwarton Farm Road proposal on 8th September 2011. Table 3 shows the difference to the housing supply situation the West of Shottery proposal also be granted. The figure of 245 dwellings is derived from the applicant's confirmation of what they believe is deliverable within the time period.

In addition, it should be noted that the findings of the District Council's Housing Provision Options Study (GL Hearn, June 2011) are a material consideration. The study indicates that there is a greater need and demand for housing in the District and the report recommends that a realistic and deliverable figure for the plan period would be 11,000-12,000 homes. This figure has been further verified by evidence presented at the recent Kipling Road appeal (which was allowed on 13th May 2011), which used an alternative model, the Chelmer Model. Taking these findings into account, the shortfall in land supply would be even greater for the District than that indicated in Table 1.

Cabinet has taken the decision to depart from the GL Hearn recommendation based on the following rationale:

- Aim for lower net in-migration
- Lack of certainty in GL Hearn based forecasting
- GL Hearn have not assessed the contribution of Tourism to the local economy where visitors, not residents are the economic driver

- Preserve the special nature of the District
- Duty to protect our countryside for future generations
- No need for mass building in Stratford-upon-Avon

As a result the District Council's most up to date housing supply position remains as expressed in Table 1, as Table 2 is still dependent on the results of a non-determination appeal.

Policy preferences – recommendation by Cabinet, 5th September 2011

A number of policy preferences were also recommended by the Cabinet on 5th September 2011, which can be listed as follows:

- New housing to be dispersed across the District
- Strong growth of affordable family homes
- Encourage building to cover the deficit of three bedroom housing
- Preserve the character of settlements
- Provide for extra care accommodation
- Maximum estate size of 100 homes, but aim for small developments, especially in rural settlements
- Re-use brown field sites, in preference to new green field sites
- Review policy of redundant rural buildings

It should be noted that these preferences do not represent adopted or emerging planning policy as they have not been subject to the policy making process specified in Planning and Compulsory Purchase Act 2004 and its associated Regulations. These preferences will be further explored during preparation of the third draft of the Core Strategy, and will be subject to testing via Sustainability Appraisal and public consultation. These preferences are a material consideration but it is considered that limited weight can be attributed to these policy preferences at this stage of Core Strategy preparation.

It should also be noted that the recommendation by Cabinet is subject to call-in by Overview and Scrutiny Committee until 21st September 2011.

Conclusions on Housing Supply

Planning applications should be determined in accordance with the plan unless material considerations indicate otherwise and the Regional Strategy remains, for now, a part of the development plan. The Government's intention to abolish Regional Strategies is a material consideration, and the weight to be given to this is a matter for the Committee.

It is officers' opinion that the evidence base for the Regional Strategy is now too old to be considered as a reliable source of evidence for decision-making purposes on planning applications. The most recent evidence base comprises the Cabinet resolution on 5 September 2011, the GL Hearn report that informed the officer report to that Cabinet, and the evidence to and decision resulting from the Kipling Road appeal. All of these establish that the Council cannot currently demonstrate a 5 year supply of housing.

Planning Policy Statement 3 (PPS3) para.71 states that where local planning authorities cannot demonstrate an up-to-date five year supply of deliverable sites, planning applications for housing should be considered favourably, having regard to the policies within PPS3, including para.69.

Para.69 states that in general, in deciding planning applications, local planning authorities should have regard to:

- achieving high quality housing
- ensuring developments achieve a good mix of housing reflecting the accommodation requirements of specific groups, in particular, families and older people
- the suitability of a site for housing, including its environmental sustainability
- using land effectively and efficiently
- ensuring the proposed development is in line with planning for housing objectives, reflecting the need and demand for housing in, and the spatial vision for, the area and does not undermine wider policy objectives e.g. addressing housing market renewal issues.

PPS3, at para.72, reminds local planning authorities that applications should not be refused solely on the grounds of prematurity. In other words, if an application is to be refused on prematurity grounds, then clear evidence of harm must be demonstrated.

The Council cannot demonstrate an up-to-date five year supply of deliverable sites. There is, therefore a presumption in favour of sustainable development, a presumption which has been carried through into the draft National Planning Policy Framework (NPPF), published in July 2011. It should also be noted that the draft NPPF proposes that Councils would need to demonstrate a five year + 20% supply of deliverable sites. Whilst "policy preferences" have been submitted to and supported by Cabinet on 5 September, it is officers' opinion that these are a material consideration carrying very little weight for determining planning applications at this time. They are neither adopted nor emerging policy and have not, at this time, been subject to any public consultation process or testing via sustainability appraisal. The criteria in para.69 of PPS3 are objectives to achieve sustainable development and I am satisfied that the proposed development meets these objectives. The reasons for this conclusion are set out in the remainder of the key issues in this report.

Alternative sites

A wide range of other potential development sites have been promoted through the Local Plan-making process over the years. At the Local Plan Inquiry in 2003/4, the Inspector compared the relative advantages and disadvantages of various alternative sites, including land to the north of Bishopton Lane. He concluded, at that time, that these lacked obvious advantages compared with the West of Shottery proposals.

Specifically in relation to the Bishopton Lane site, the Inspector found that development would be likely to involve substantial harm to the setting of the town. Neither did he attach weight to this site's closer proximity to employment areas and to the park and ride facility. While the possible future provision of a parkway station next to the park and ride would be a change of circumstance since the Local Plan Inquiry, there is no significant difference now between the relative merits of the two sites if the West of Shottery proposals can achieve what is expected in the District Local Plan.

The Bishopton site is identified as a 'proposed development site' in the Consultation Core Strategy published in February 2010, with a capacity of about 500 dwellings. However, this plan is given no status by the District Planning Authority for development control purposes. Hence, no weight should be given to the inclusion of the site in this document or, at this stage, to the specific issues around service and infrastructure provision relating to the site.

Overall Conclusion on the Principle of Development

Members should consider whether they agree with the officer advice above that the proposed development meets the provisions of Proposal SUA.W.

In terms of housing supply, the most up-to-date evidence, reported to Cabinet on 5 September, shows that the Council cannot demonstrate a five year supply of deliverable sites. Members should therefore attach significant weight to the advice contained within PPS3 (and the draft NPPF), that there is a presumption in favour of sustainable development. When considering all of the detailed matters set out in the remainder of this report, Members need to reach a conclusion as to whether the proposal is a sustainable form of development, having regard to the criteria provided in para.69 of PPS3. If Members were to conclude that the proposal, for specific reasons, failed against para.69 of PPS3, then it may well also fail against para.72 of PPS3 regarding prematurity, given the scale of the proposal in comparison to the scale of the District's housing requirements. Officers have concluded that the proposed scheme is satisfactory when considered against the criteria in para.69.

LOCAL CENTRE

Retail and Commercial

Saved Proposal SUA.W specifies a local centre, to include a convenience store, and the third bullet point in para. 7.15.51 seeks to limit the size of individual retail units. The text goes on to state that there are a small number of shops in the Shottery area providing convenience goods and services, but additional retail outlets would widen choice and be more accessible to residents of the proposed development. However, it is necessary to ensure that the scale of such provision would not attract customers from other parts of the town. On that basis the policy therefore stipulates that the total retail floorspace to be provided should not exceed 1,000 square metres (gross) and no individual unit should be larger than 350 square metres (gross). I am satisfied that these floorspace limitations can be controlled by way of a legal agreement.

It is also relevant to note that para. 7.15.51 does not state that other forms of commercial uses would be inappropriate. I therefore consider that a legal agreement need only require the provision of a convenience store and that other uses in the centre could be left to market forces and therefore be permitted to fall within any of Use Classes A1 Shops, A2 Financial & Professional Services, A3 Restaurants and Cafes, A4 Drinking Establishments or A5 Takeaways. It would also be necessary for a legal agreement to set a minimum size for the convenience store, to ensure the unit is large enough to serve the local population. The shop at the Trinity Mead development has 280sq.m of floorspace and, with this store in mind, I consider that 250sq.m minimum would be a reasonable requirement.

Healthcare and Proposed Surgery

Saved Proposal SUA.W of the Local Plan Review states that the development is expected to include a doctor's surgery within the local centre. The explanatory text goes on to state that the South Warwickshire Primary Care Trust is seeking the provision of a new primary health care centre as the existing doctors' surgeries in the town are unable to take additional patients. The applicants have stated that land for healthcare premises will be provided in the local centre (para. 5.6.1 of the ES).

The consultation process has indicated there is objection from many local residents to the proposal on the grounds that the town's medical facilities are at capacity. Despite continued requests to the PCT to provide a detailed response, none has been forthcoming to date. The legal agreement would secure the provision of land for a health care centre to allow for the provision of surgery with the final details being a matter that would need to be secured in liaison with the PCT. If the Committee resolves to support the development, there would still be an opportunity to liaise with PCT over the detailed wording of the legal agreement; however, if the PCT has still not responded by the time the legal agreement is ready to be signed on all other matters, then officers propose that the legal agreement is signed and the decision issued without the contribution of the PCT.

EDUCATION AND LIBRARIES

Education and Proposed Primary School

Saved Proposal SUA.W of the Local Plan Review states that the development is expected to include a primary school within the local centre. The explanatory text goes on to state that the Education Authority has identified the need for a primary school to replace the existing Shottery Junior and Infant School (St Andrews), which is at capacity and has no scope for expansion on its current site. As part of the local consultation process, the staff and governors of the school have expressed support for the application and the provision of a new school on the grounds that the existing school offers no scope to expand and lacks an assembly hall, PE hall, library, separate office, staffroom and playing fields.

The proposed school would be a two form entry primary school occupying an area of 1.66ha as requested by the Education Authority. The school is likely to require two storeys in order to accommodate it within this 1.66ha area. A legal agreement would secure the provision of the land, together with the timing of the school's provision and the detailed design could be considered through a reserved matters application. I understand that it could either be built by the applicant or the education authority themselves. A legal agreement would need to incorporate some degree of latitude, as the Education Authority does not control St Andrews, which is a diocesan school. They are therefore unable to control the timing of its relocation and therefore do not know the exact size of the new school that is needed.

In addition to the provision of the new school, the Education Authority has requested a financial contribution, further to a robust assessment of need, which is based on data regarding the numbers of children occupying new development across the county. I consider the assessment complies with the Community Infrastructure Levy (CIL) Regulations 2010 and the indicative figures requested are as follows:

Early Years Education	£538,683
Primary Education*	£3,770,781
Secondary Education	£3,408,440
Sixth Form Education	£705,924
Special Needs Education	£186,001
TOTAL	£8,609,829

*The Primary Education element of these figures is likely to be discounted to account for the provision of the Primary School.

The figures quoted above are indicative and a legal agreement would include a formula which would generate a final figure based on numbers and sizes of dwellings as reserved matters schemes came forward. If the scheme is supported by Committee, further negotiations on this would take place in advance of the signing of a legal agreement.

Libraries

Warwickshire County Council has requested a contribution of £137,591 towards library facilities and this could be secured through the legal agreement. I consider that this is acceptable and appropriate under the CIL Regulations.

MIX AND COMPOSITION OF DWELLING TYPES

Saved Policy COM.14 of the Local Plan Review seeks to provide a balanced mix of housing stock. This policy is further interpreted in Policy MHN11 of the District Councils adopted Supplementary Planning Document entitled 'Meeting Housing Needs' (MHN).

The applicant has submitted details at Table 7.11 of the Environmental Statement (ES) to show the anticipated mix of houses. The proportion of 2 and 3 bedroom properties proposed (70%) is close to the broad guideline of 75% in Key Principle MHN11(1). This would ensure a healthy supply of versatile, mid-range accommodation. It is also beneficial that one bedroom accommodation is limited to 5% of the stock, as dwellings of this size are less flexible or adaptable, particularly for growing families. The remaining 25% would consist of dwellings of 4 bedrooms or more. I am therefore satisfied that the proposal put forward is acceptable in terms of its Stock Mix and that any detailed issues regarding the mix of dwelling types could be satisfactorily resolved at the reserved matters stage.

Saved Policy COM.15 of the Local Plan Review states that, in the case of housing allocations identified in the Plan, and 'windfall' housing developments comprising ten or more dwellings, a proportion of dwellings will be expected to satisfy standards associated with disabled access in accordance with the level of recognised need. In addition to this, Key Principle MHN12 of the SPD encourages the provision of at least 50% of housing to be designed to meet relevant specifications in the Joseph Rowntree Foundation's 'Lifetime Homes' standard. I am satisfied that this element of provision could be controlled by way of an appropriately worded condition and that detailed issues regarding the accessibility of dwelling types could be satisfactorily resolved through reserved matters applications.

Key Principle MHN12(2) of the SPD encourages the provision of home working opportunities. I am satisfied that the provision of this could be secured through any reserved matters submissions.

Key Principle MHN15 of the SPD requires all new housing to achieve a minimum rating of Code Level 3 in accordance with the Code for Sustainable Homes. The applicants have given their agreement to this requirement and this could be secured by way of condition.

AFFORDABLE HOUSING

The scale of the development gives rise to the need to provide affordable housing. Saved Policy COM.13 of the Local Plan Review seeks to maximise the proportion of affordable housing as a proportion of overall housing supply. Under Key Principle MHN2 of the Council's adopted supplementary planning document 'Meeting Housing Needs' there is a requirement that a minimum of 35% on-site affordable housing provision will be sought from every site to which Policy COM.13 applies.

The principle of the provision of affordable housing at the outline stage will be secured by a legal agreement. The applicant has confirmed in writing that 35% on-site affordable housing will be provided and calculated as a proportion of the total residential floorspace of the area.

The applicant has confirmed that the tenure split for the on-site affordable units will be a minimum of 75% social rented housing and up to 25% for intermediate tenure housing. This stock profile meets the expectation of Key Principle MHN13 of 'Meeting Housing Needs' and therefore I am satisfied with this tenure split. Again the mechanisms for the provision of this housing and the details of the type of housing would be secured through the legal agreement. I am also satisfied that the provision of 70% of homes as 2 or 3 bed dwellings is also an appropriate proportion when having regard to the affordable elements of the scheme.

The applicants have discussed revising the proposal to include affordable rented properties with the Development and Enabling Officer, who has confirmed that this would not be an acceptable form of tenure. I concur with his response and intend to secure the Affordable Housing element in accordance with the adopted SPD.

With regards to the distribution of the affordable homes within the overall site, Paragraph 5.2.5 of the Design and Access Statement confirms that the housing mix will include affordable housing, which will be accommodated in small clusters and evenly distributed around the site. The Development and Enabling Officer supports this approach, which reflects the expectation of Key Principle MHN11(5) of the SPD. I consider that the detail of this could be dealt with satisfactorily through both a legal agreement and the submission of reserved matters applications to ensure that a good degree of physical and social integration between the affordable and open market housing is achieved.

TRAFFIC IMPACT AND ACCESS MATTERS

The proposal includes the construction of a new road, as expected by Proposal SUA.W of the Local Plan Review: The principle of this as part of an overall package of development has already been discussed above.

The application is supported by a Transport Assessment (TA) (February 2011) which puts forward the applicant's assessment of these matters based on strategic modelling of the local highway network using the Paramics model developed by Warwickshire County Council.

The key policy consideration is Policy DEV.4 of the Local Plan Review, which deals with access arrangements to serve development and states that new or improved

access arrangements to serve development will be treated as an integral part of the overall layout and their design will be required to:

- (a) ensure that the safety of all road users and pedestrians is not impaired;
- (b) reflect the function of the access arrangements in the hierarchy of routes within the settlement and the character of the area;
- (c) incorporate speed management measures which are appropriate to the function of the road and the development it serves;
- (d) create a safe and attractive environment to promote walking and cycling;
- (e) provide scope in appropriate circumstances for bus services to operate through or close to the development;
- (f) allow for a range of possible uses in the detailed specification of carriageways, footways and verges;
- (g) distribute vehicular traffic appropriately around the development and the wider area;
- (h) provide, where possible, a choice of vehicular and non-vehicular routes within the development and to connect to the wider area; and
- (i) minimise impact on the landscape, existing properties and features of ecological and historic importance.

Policy COM.11A of the Local Plan Review deals with the Vale of Evesham Control Zone for HGVs and, although the B439 Stratford to Bidford road forms the edge of this zone, the policy is not applicable to this application as there is no development falling within Use Classes B1, B2 or B8.

Reliability and Use of Data in the Model

The model of the local highway network that was run is based on traffic flows experienced during the morning peak hour (08:00-09:00) and evening peak hour (17:00-18:00), as these are the times when the impact of new development would be greatest and therefore represents a test of the worst case scenario. These times were studied for 4 different scenarios:

- 2013 base traffic levels
- 2013 base traffic levels + development proposal
- 2023 base traffic levels
- 2023 base traffic levels + development proposal

The model is a micro-simulation model as requested by the Highway Authority. Models of this type are better suited to congested networks like Stratford than macro-simulation models as they can better represent the explicit interaction between vehicles and junctions in real time and have the capability to automatically re-route traffic to reflect the most cost effective route available. This enabled the model used to provide a clear understanding of how different routing arrangements would alter the overall operation of the network with or without the development. The model can also be run using random seeds which vary each time the model is run:

- a) Which vehicles are released onto the network
- b) When they are released
- c) Their characteristics, (e.g. vehicle type, driver aggression and awareness)
- d) How they interact with each other (e.g. gap acceptance at junctions, lane-changing behaviour)

The use of multiple random seeds ensures daily variation in traffic behaviour is captured explicitly in the model used.

The model also accounted for traffic generation from committed developments, namely the Egg Packing Plant, Kipling Road, Waitrose and Long Marston (TA Appendix D). The trip distribution from the development is founded on 2001 travel to work Census data for the Stratford Guild and Hathaway Ward. The use of this data and the committed developments to be included was agreed with the Highway Authority.

The TA assesses the significance of changes in traffic flows by using the 'GEH Statistic'. The statistic produces a value which considers not only the magnitude of the difference between the two datasets but also the magnitude of the values themselves. A value below 5 is considered to be insignificant. RASE have stated that the V/C Ratio (ratio of traffic volume to capacity) should be used instead. The Highway Authority has responded to this by stating that, whilst it may be technically possible to produce V/C Ratios in the model used, they are not available by default. Even if theoretical link capacities were input into the model the resulting model outputs (i.e. V/C Ratios) are likely to be of limited use. This is because a particular link may not show as being over capacity because vehicles will route away from heavily congested links.

Concerns have also been raised that the model does not account for school traffic; however, I am advised by the Highways Officer that the model would account for this by assigning trip rates for the residential uses that would include a proportion of school trips. These are based on the 'TRICS' database, which assigns different levels of traffic generation based on land uses and traffic counts.

Impact on A46 Trunk Road and its junctions

The proposed link road would join the highway network by forming a fourth arm of the 'Wildmoor' roundabout, which is part of the A46 Trunk Road. As the proposal would affect a Trunk Road, the Highways Agency is a statutory consultee.

Policy PR.10 of the Local Plan Review deals with Safeguarded land. The trunk road improvement scheme for the A46 from Stratford to Alcester is identified in Policy PR.10 (2).

The two key junctions on the A46 Trunk Road that the proposal would have an impact on are the Wildmoor Roundabout (junction with Alcester Rd.) and the Bishopton roundabout (junction with Birmingham Rd.). The proposal originally involved physical improvement works at both junctions; however, the Highways Agency is satisfied that the results of the TA indicate that such works can no longer be justified. The only physical changes to the A46 are now limited to the Wildmoor roundabout and the addition of a fourth arm to form the link road. Full details of this have been submitted (Drawing No. CH-011 Issue 01) and the Highways Agency is satisfied with the proposals. Therefore I consider that the proposal would not prejudice future improvements to the Stratford-Alcester section of the A46 and therefore Policy PR.10 would be complied with.

Traffic flows along the A46 are dealt with in the TA and the largest increase in traffic volumes is found on the section between the Wildmoor and Bishopton roundabouts:

Table 4: A46 Traffic Flows

Year and Time of Day	Base	Base with Development	Percentage Change
2013 AM Peak	1635 vehicles	1979 vehicles	21% increase
2013 PM Peak	1663 vehicles	2114 vehicles	27% increase
2023 AM Peak	1719 vehicles	2039 vehicles	19% increase
2023 PM Peak	1795 vehicles	2240 vehicles	24% increase

In terms of journey times along this section of road in 2023, the TA reports the following:

Table 5: A46 Delays

Year and Time of Day	Base	Base with Development	Time difference
AM Peak westbound	1 min 26 sec	1 min 52 sec	26 seconds longer
AM Peak eastbound	4 min 23 sec	4 min 43 sec	20 seconds longer
PM Peak westbound	1 min 23 sec	1 min 28 sec	5 seconds longer
PM Peak eastbound	4 min 4 sec	4 min 6 sec	2 seconds longer

The Highways Agency has responded on 8.4.11 that it is satisfied with these figures and has signed off the TA accordingly. In the light of the Agency's consultation response, I am satisfied that the impact of the proposal on the A46 Trunk Road would be acceptable, subject to the conditions directed by the Highways Agency.

Impact on all other existing roads and junctions in and around Stratford

The focus of the journey time analysis in the TA is on four routes on which monitoring has historically been undertaken by the County Council (the fifth route looked at is the A46 to the west and north-west of the town as considered above). The results shown in the tables in Section 6.2 of the TA are based on average journey time assessments for an average weekday during the AM peak (08:00-09:00) and PM peak (17:00-18:00) hours.

The results shown in the tables in Section 6.4 of the TA are based on queuing at certain junctions, with those shown in the tables at Section 6.5 of the TA based on traffic flows on roads around Shottery and Stratford. There is a substantial amount of information in these parts of the TA and it is not the purpose of this report to comment on all of the available data. Instead I will seek to highlight and comment on those parts of the road network that experience anything other than an insignificant change as a result of the development or have been brought to my attention as particular routes or junctions of concern through the local public consultation process. I will consider the routes in the order they are presented in Section 6.2 of the TA.

Alcester Road

Turning firstly to the impact on the Alcester Road, concern has been expressed about tailbacks causing inconvenience and threatening safety, particularly around

the High School. The figures in Table 4 on page 23 of the TA indicate that the most significant difference in average journey times on this road is in the westbound direction during the 2013 PM peak. In this case, average journey times improve by 19 seconds, from 4 min 15 sec without the development to 3 min 56 sec with the development and link road. All other figures predominantly demonstrate an improvement in journey times, albeit very slightly.

Town Centre

Table 5 on page 24 of the TA covers the route through the town centre from the Morrisons roundabout to the Bridgeway Gyratory. The journey time changes here are insignificant with the exception of the eastbound direction in the 2023 PM Peak, which improves by 2 minutes and 3 seconds.

Birmingham Road

Table 7 on page 26 of the TA covers the Birmingham Road and indicates that there are insignificant decreases in average journey times in the southbound / eastbound direction with the development and link road. In the 2013 AM and PM northbound / westbound scenarios, there are insignificant increases in journey times.

Arden Street and Grove Road

One of the most congested routes through the town, and one which the link road would alleviate according to TA data, runs along Arden St and Grove Road (from the traffic lights at Birmingham Road / Arden Street, south across the Alcester Road lights and along Grove Road to the Seven Meadows roundabout on the Evesham Road). This route is covered by Tables 11 and 14 on pages 29 and 31 of the TA. Although the tables cover the same route, the results differ slightly because they encompass different turning movements. All of the results in a northbound direction show an improvement in journey times with the development, with the greatest being a 42 second improvement in the 2023 PM Peak. In a southbound direction the improvements are less and, in some cases journey times lengthen, with the most being a 13 second increase. This route is also assessed in sections 6.4.3 and 6.4.4 of the TA, which shows the average maximum queues at the traffic lights at the start of the Alcester Road and Birmingham Roads. Both junctions show a reduction in queuing with the development and link road in both 2013 and 2023, with an 'insignificant' GEH value in all cases. The Highway Authority has stated that the use of the GEH value to assess the significance of queuing changes is debatable; however, in this case the queues are shortening and irrespective of their statistical significance, this is a clear benefit.

Evesham Road

It is evident that the construction of the link road is likely to have an impact on the Evesham Road (B439) and this is a matter that has been raised in many of the objection letters that have been received. Although the detail of traffic flows along this road is covered in the TA (Tables 35-38), the following table summarises what I consider to be the key figures for traffic flows on Evesham Road between the Seven Meadows roundabout and its T-junction with the Luddington Road, which would become a roundabout as part of the proposals:

Table 6: Evesham Road Traffic Flows

Year and Time of Day	Base	Base with Development	Change in Traffic Flow	GEH Statistic*
2013 AM Peak	1168	1291	11% increase	3.5
2013 PM Peak	1191	1367	15% increase	4.9
2023 AM Peak	1215	1337	10% increase	3.4
2023 PM Peak	1240	1427	15% increase	5.1

* any value below 5 is considered insignificant

The traffic flows along Evesham Road increase consistently; however, in 3 of the scenarios they are not significant. The increase in the 2023 PM Peak has a significance of 5.1; however, the Highway Authority is satisfied this is an acceptable increase and has not requested any further investigation. In addition to the volume of traffic, objection has been raised regarding increased queuing at the roundabout with Seven Meadows Road and the impact on safety. Table 25 on p45 of the TA covers queuing and shows that there would be very insignificant changes (a GEH of less than 1 in all cases) in average queues at the roundabout.

Seven Meadows Road

Turning to the Seven Meadows Road, which is covered by Table 15 on p32 of the TA, the only significant changes to journey times along this road are found in the PM Peak in 2023, with an improvement of about 2 minutes found in both directions.

Trinity Way

The changes to journey times along Trinity Way are found at Table 16, also on p32 of the TA. All changes here are insignificant with the exception of an increased delay of 3 minutes in the eastbound direction in the 2023 PM Peak Route 4. Taking Trinity Way as part of the longer Route 4, this delay is partly offset by improvements in journey times further along the route.

Banbury Road

The route along Banbury Road between the Trinity Way/Banbury Road roundabout and Bridgeway Gyratory currently experiences significant delays during peak periods. Table 6 on page 24 of the TA shows that there would be an increase in average journey times in three out of the eight scenarios. The largest increase is in the westbound / northbound direction during the 2023 PM peak where average journey times increase by 4 minutes and 27 seconds.

Clopton Bridge

In assessing the traffic impacts of the development, regard must also be had for the effect on Clopton Bridge, which is both a Scheduled Ancient Monument and a Grade I listed building. The link flow analysis at Tables 35-38 indicates that the number of vehicles crossing the bridge would decrease in all scenarios. The 2023 AM and PM decreases over the baseline would be 39 and 33 vehicles respectively. In the context of the number of vehicles crossing the bridge during peak hours (around 2,000), these figures are quite small but nonetheless, this impact can still be viewed as a minor beneficial one, when considering the impact of traffic on the historic fabric of the bridge.

Cottage Lane

Turning to the assessment of traffic closer to the development proposal, traffic levels along Cottage Lane are modelled as follows:

Table 7: Cottage Lane Traffic Flows

Year and Time of Day	Base Traffic Flow	Development Traffic Flow	Difference (without traffic calming)
2013 morning peak hour	156	132	24 vehicle reduction
2013 evening peak hour	209	157	52 vehicle reduction
2023 morning peak hour	159	142	17 vehicle reduction
2023 evening peak hour	219	167	52 vehicle reduction

Shottery

In addition to Cottage Lane, other roads around Shottery, namely Church Lane, Hathaway Lane and Shottery Road, are all forecast to see reductions in traffic flows as a result of the development. The largest decrease would be on Church Lane in the morning peaks in both 2013 and 2023 where reductions of over 70% are modelled.

The traffic impact on Shottery is a clear benefit of the scheme and it must be considered in relation to how traffic calming measures in the Shottery area, as specified in part (c) of Proposal SUA.W, could be achieved.

Cross-town movement

Section 3.4 of the TA states the functions that the link road is intended to serve, which include being a strategic link to facilitate cross-town movement to and from the A46; a means of reducing traffic congestion in Stratford Town Centre and a means of relieving Shottery of through traffic.

Section 6.1 of the TA gives an overview of the impact on the town's highway network. I consider that the following figures represent a useful indicator of the development's overall impact in 2023:

Table 8: Overall Highway Delays

	AM Peak	PM Peak
Mean delay without development	11 min 9 sec	11 min 41 sec
Mean delay with development	11 min 10 sec	11 min 32 sec

Table 9: Overall Vehicle Trips

	AM Peak	PM Peak
Number of vehicle trips without development	28,507 vehicles	34,695 vehicles
Number of vehicle trips with development	29,312 vehicles	35,740 vehicles
Percentage change	3% increase	3% increase

I am satisfied that the findings of the TA have demonstrated that, although the development will inevitably increase numbers of vehicle trips, the overall delays across the town would reduce by a small amount. Some parts of the town will experience improvements, whereas some parts of the town will experience some increased delays. I do not consider that this represents the significant improvement anticipated by the Local Plan Inspector. The Inspector did not have

the benefit of a full TA at the time of his assessment and Members should consider this matter in light of the most up to date evidence submitted. In my opinion, whilst there would not be the significant improvement anticipated at the time of the Local Plan Inquiry, I do not consider the resultant harm to be so great so as to justify a reason for refusal.

Assessment of the function and safety of the link road, new junctions and accesses to serve the proposal

The link road is a named scheme within the Local Transport Plan and the County Council is not requesting a contribution towards transport schemes for the town, as it normally would through the Council's SPG, because of the traffic improvements the road would bring and the more appealing walking and cycling environments that would also result. The road itself involves a 7.3m wide carriageway connected to the existing highway network by roundabouts at either end. The proposed speed limits would be 50mph on the northern section and 30mph on the central and southern sections. I am satisfied that the alignment of the northern section of road to the west of the development is consistent with the Statement of Development Principles and would reduce the risk of the road severing the new development. At the southern end, the road does cut through the development, again this is in line with the Statement of Development Principles, but here the risk of severance is reduced through the imposition of a 30mph speed limit and the indicative alignment of dwellings to face the road, which would fundamentally alter the character of the road and drivers' perceptions of it.

With regards to the safety of the proposed highway layout in and around the site, one of the key issues is the safety of the proposed roundabout at the foot of Bordon Hill on the B439 Evesham Road. Local consultation has brought anecdotal evidence to light of queues in the morning peak, which back up from the area around Evesham Place. It is evident that the queues often back up over Bordon Hill in a westward direction and this presents a potential safety concern with vehicles approaching from the west encountering queuing vehicles as they drive over the brow of the hill. I note that there are no reported accidents on this stretch of road as a result of queuing during the 2003-2008 period. It is also relevant that, if this morning peak queue continued to occur, the new roundabout would not exacerbate this as the queue would simply continue around the roundabout, rather than across the Luddington Road 'T'-Junction as it does now. It is clear that at times of free flowing traffic, a new roundabout would require vehicles to slow when travelling down Bordon Hill, but I see this as a benefit as it would naturally reduce vehicle speeds entering the town and make it safer for vehicles coming from the Luddington Road.

The link road includes a roundabout in the corner of the plantation at Anne Hathaway's Cottage, which incorporates a third arm to allow the potential servicing of the Cottage directly from the link road. Visitors, including those travelling by coach, currently access the Cottage through Shottery village and therefore direct access would be beneficial to the amenity and safety of the people in the village. The detailed arrangements resulting from this access would require a separate planning application and therefore the weight I can give to the benefits it would deliver is limited; however, the opportunity to deliver such benefits is nonetheless a material consideration that weighs in favour of the application. The possibility of the Shakespeare Birthplace Trust not progressing such a scheme must also be considered as this could result in an unattractive 'stub' on the roundabout. I am content that this matter could be controlled by way of a condition to secure an appropriate hard and soft landscaping treatment should a scheme not be progressed within a certain timeframe.

The two proposed site accesses on West Green Drive would bring about an increase in the vehicular flows along this road as a result of the development. Cars currently park along one side of this road, which naturally restricts the two-way traffic flows along this road. The increase in traffic flows would make it more inconvenient to negotiate the parked cars, but this is not an unusual situation in a built-up area and it would have the safety benefit of reducing vehicle speeds. The Highway Authority has not raised any specific concerns on this point.

I have reviewed all of the proposed site accesses that form 'T' junctions – one onto Alcester Road, the two onto West Green Drive and three onto the link road in the southern residential area. Again the Highway Authority has raised no objection to their position or alignment and I am satisfied that the required visibility splays could be controlled by way of condition.

Car Parking

Policy DEV.5 of the Local Plan Review deals with car parking and states that the provision of car parking associated with development proposals will be expected to comply with the maximum car parking standards of the District Council. In applying the standards, it will be necessary to ensure that an effective balance is achieved between the provision of adequate car parking to serve the development, the objectives of the parking standards and the need to minimise congestion and avoid any increase in highway danger.

PPG13 Transport was updated in November 2010 and states at para. 51 that policies in development plans should set levels of parking for broad classes of development. The proposed local centre development is not of a scale that would fall under Annex D of PPG13 and therefore I consider that the local standards found in the Car and Cycle Parking Standards SPG should be applied. To do so would meet Central Government's intention that parking levels are set to meet local circumstances. This matter could be controlled by way of planning condition to cover levels of commercial parking in the local centre (this would include proportions of disabled parking).

The detailed arrangements for residential parking could be controlled by and worked up through the submission of reserved matters applications in accordance with the SPG, but taking into account the changes made by Central Government and, in particular, the relaxation of maximum standards for residential development.

Cycling, Walking and Bus Provision

Policy COM.9 of the Local Plan Review deals with Walking and Cycling and states that the layout and design of development proposals will be expected to incorporate facilities for walking and cycling, which are safe, convenient to use and well connected to other parts of the settlement.

The applicant has submitted a Travel Plan framework. It should be noted that the submission of this is not a requirement of Local Plan Policy IMP.7, which only secures Travel Plans for business proposals, as opposed to residential schemes. This submission is in fact a result of Highways Agency requirements which stipulate the submission of Travel Plans for all schemes affecting trunk roads.

Stratford town centre is approximately a mile from the site (dependent on where the measurement is taken) and this distance is short enough that cycling is a realistic alternative to the car. The Evesham Road has an on-road cycle lane

which could be used; however, I accept that the anticipated increase in traffic on this road would make this a less appealing route for cycling.

The Alcester Road only has a dedicated cycle path for some of its length with the remainder being the subject of a proposed cycle route. The Highway Authority has advised me that any future scheme is currently on hold due to financial constraints. In practice I consider that Shottery Road would present the most favourable cycle route into the town, although I acknowledge that peak hour traffic flows are only predicted to fall by up to 5%. There has been no request from the County Council for any contributions towards cycling improvements to this road.

A footway / cycleway would be provided to the eastern side of the proposed link road. As the current application is for outline planning permission, details of how walking and cycling would be dealt with, within the development have not currently been discussed. However, within the proposed development, the layout could be designed to enforce low speeds for motorised traffic.

The consultation process has highlighted local concern that the position of the proposed school would increase the need to drive children to and from school by car. Whilst the site is evidently further from Shottery village than St Andrew's Primary School, it is clear to me that the proposed school's position in the centre of the northern housing area and the existing housing development to the east means that it would reduce the need to drive from these residential areas. In addition to this, the reduction in traffic around Shottery would make walking to school more appealing and therefore I consider that realistic alternatives to car travel do exist. This assessment also holds true in relation to the function of the local centre, which could meet the needs of existing and future residents with regard to 'top-up' shopping and therefore reduce the need to travel by car in this way. A planning condition could be imposed to ensure the provision of adequate cycle parking within the local centre in accordance with the Car and Cycle Parking Standards SPG.

In terms of bus provision, the proposal would involve modifying the existing No.19 service, which runs to the town centre and the applicant has agreed to provide an indicative sum of £387,120 to facilitate this change.

The issue of how the provision of a link road would relate to more sustainable transport patterns was assessed by the Local Plan Inspector when he considered the site in 2004. He commented at Paragraph 762 that:

'The package as a whole would provide an opportunity for further substantial and urgently needed improvements to the environment of the town centre as well as for the encouragement of the use of 'slow' transport modes (walking and cycling) and the use of public transport.'

Although Proposal SUA.W does not require the proposal to deliver specific sustainable transport improvements around the town, I am satisfied that the current application proposal would continue to encourage alternative modes of transport to the private car, particularly through the provision of the local centre and school and also through the improved bus service and reduction in traffic flows through Shottery village.

PUBLIC RIGHTS OF WAY

The previous section considered Policy COM.9 of the Local Plan Review in relation to issues of cycling and walking. This section specifically deals with issues of walking in relation to public rights of way and the site contains three of these, which broadly run on a west-east axis:

- SD16 – running west across fields from West Green Drive
- SD16b – running west from Cottage Lane along the course of the access drive to Hansel Farm, before turning south towards Bordon Hill (it is off the application site at this point)
- SB42 – running west from Hathaway Lane, across Shottery Brook, along the south of the plantation up Bordon Hill. It then joins SD16b to the west of the site.

The indicative layout incorporates these rights of way and the Design and Access Statement states that they will either be accommodated within a corridor of green space, as part of the open space strategy, or as part of the street network. The adjacent dwellings will be designed to ensure that they are well overlooked for the purposes of crime reduction and I am satisfied with this approach.

The key concern regarding all 3 rights of way is the means by which they cross the link road.

Public Right of Way SD16

A central pedestrian and cyclist refuge is proposed where this right of way crosses the road. The County Highway Authority considers that this is an appropriate and safe solution for a 50mph road; however, the County Rights of Way Team have requested the provision of a footbridge and raise objection if this cannot be provided on the grounds that the need to cross a busy road would discourage the use of the right of way.

It is for the Planning Committee to weigh up these conflicting opinions. In my opinion, I agree with Rights of Way that an 'at grade' crossing would make the SD16 route less appealing to walkers and cyclists; however, a footbridge would have a significant visual impact given the topography, the necessary height of such a bridge and the likely requirements for ramps to cater for all users. In the light of the Highway's advice that it would be a safe solution, I do not consider it would be a reasonable requirement and therefore a well designed refuge would be appropriate at this point. This does weigh against the proposal; however, in view of the Highway Authority comments and the visual harm of a footbridge, I do not consider that this is a sufficient reason to refuse planning permission.

It should also be noted that Warwickshire County Council did not express concern about the proposed at-grade crossing points for the SD16 or any other existing Public Rights of Way at the Local Plan Inquiry. The provision of a bridge to take SD16 across the western relief road was not part of the County Council's evidence to the Local Plan Inquiry. The Inquiry Inspector did not express any concerns about an at-grade crossing at this point.

Public Right of Way SD16b

The Highway Authority and County Rights of Way Team are in agreement that a refuge for SD16b will be acceptable. Therefore, I do not consider that traffic lights would be necessary for the SD16b because this crossing is close to the roundabout (approx. 100m) and the speed limit would be 30mph.

The County Rights of Way Team has also commented that SD16b would be unnecessarily 'kinked' through the mounding to enter the area of open space around the SUDS basin. I consider that such a kink is necessary to limit the impact of the road on the open space through the use of the mounding and landscaping and that a straight path would leave the area more open to the road and be less appealing as a result. In this regard, I cannot support the concerns raised by the Rights of Way team.

Public Right of Way SB42

The County Footpaths Officer has raised no objection to the design proposals relating to SB42 crossing the link road at the plantation roundabout. This is subject to details of a railing barrier being secured for public safety, which could be secured through a s.278 Highway agreement.

The County Council has requested a contribution of £25,000 to £30,000 towards the upkeep of public rights of way running near to the site; however, no justification for the quantum of these figures has been provided and therefore in my opinion the request is not compliant with the Community Infrastructure Levy (CIL) Regulations 2010.

FLOOD RISK AND DRAINAGE

Saved Policy DEV.7 of the Local Plan Review states that all development proposals will be expected to incorporate sustainable drainage systems (SUDS), which provide for the disposal of surface water. Where this is not possible it will be necessary to demonstrate that an acceptable alternative means of surface water disposal is provided.

Saved Policy PR.7 of the Local Plan Review lists certain criteria stating that development in an area at risk from flooding will only be permitted where all of the criteria are met, as fully demonstrated by a Flood Risk Assessment (FRA). The policy goes on to say that if it is evident that proposals would exacerbate existing flooding problems, or give rise to new flooding problems, then permission will not be granted.

Government guidance on this key issue is found in PPS25 Development and Flood Risk. The guidance states that in determining applications, local planning authorities should ensure that planning applications are supported by site-specific FRAs; apply the sequential approach at a site level to minimise risk by directing the most vulnerable development to areas of lowest flood risk, matching vulnerability of land use to flood risk; give priority to the use of SUDS; and ensure that all new development in flood risk areas is appropriately flood resilient and resistant, including safe access and escape routes where required, and that any residual risk can be safely managed.

Surface and Ground Water Drainage

The FRA submitted in support of the application states that the majority of the proposal is within Flood Zone 1 (land outside the 1 in 1,000 year flood risk area). A small area of built development is proposed in Flood Zone 2, with Flood Zone 3 development limited to highway infrastructure. A SUDS storm water management system would result in 20% decrease in peak flow discharges from the developed areas of the site and foul drainage would be provided by means of an off-site connection. The 2 key consultees in this area are the Environment

Agency (EA) and Severn Trent Water. Both bodies have confirmed that that they are satisfied with the FRA and drainage proposals.

Floodplain

Some concern has been raised that the flood zones and the storm frequency that they represent have not been accurately assessed in the FRA, particularly with regard to flood events experienced in the last 15 years. In response to this, the EA has stated that these recent flood events have not been assessed as having return periods of 1 in 100 years. The 2007 event was considered to have a 1 in 75 year return period at the Stratford Gauge and the 1998 event was in the region of 1 in 50 years. The EA has stated that it holds reports which confirm this. The return periods relate to flooding on the River Avon and not the Shottery Brook, which is an un-gauged catchment and therefore there is no accurate assessment of the return periods of the floods experienced on this watercourse. However, the River Avon flood return periods are an indicator as to what was going on in the catchment at that time and the catchment includes Shottery Brook. The FRA submitted has therefore considered a worse case scenario greater than that experienced in the last 15 years and meets the current design standards in this regard. It should also be noted that the FRA contains a 30% allowance for climate change.

Infiltration Tests

The drainage strategy for the site has been drawn up without infiltration tests being undertaken, but on the proviso that previous experience of mudstone formations in Stratford suggests poor drainage characteristics and will not therefore be appropriate for wholesale storm water infiltration. The EA has confirmed that this is an acceptable approach, because soakaways are not the only proposed method of disposal under the drainage scheme.

Drainage Calculations & the use of SUDS (Sustainable Urban Drainage Systems)

As stated above, the storm water strategy proposed involves the use of SUDS (explained in more detail below), which would discharge into Shottery Brook. Approximately 29ha of the 55ha site would remain undeveloped green space and this has therefore been excluded from the drainage calculations, which are solely based on areas proposed for built development. The run off calculations can be found on p25 of the FRA and incorporate the 20% reduction in peak discharge flows with an allowance for climate change.

The indicative drainage proposals involve the upgrade of the culvert beneath Evesham Road. The specific detail of this could be controlled by way of a condition and I am satisfied that this represents a clear benefit of the scheme, as it would assist flows and reduce the occurrence of blockages from debris.

The development of the land will introduce impermeable surfaces which can collect pollutants and it is therefore necessary to consider how the drainage proposals address this. The proposals involve a SUDS 'Treatment Train', which will act as water filter through the use of porous paving (where applicable), open channels and detention basins. I am satisfied that this will provide an improvement in water quality in the area over and above the existing situation, which contains no treatment mechanism. In terms of the presence of Nitrates in the soil around Shottery and the location of the site within a Nitrate Vulnerable Zone, the Geo Environmental Phase I Desk Study submitted with the application does not identify any potential contamination risk and, in any event, this would not prohibit the use of appropriate SUDS. It is also necessary to consider the impact of water quality on Racecourse Meadows Site of Special Scientific Interest, which is downstream of the site. I assess this under the '**ECOLOGY AND BIODIVERSITY**' section below.

The local consultation process has brought the occurrence of existing overland flows during storms to light, particularly in the area of The Pool House and The Coach House and also the existing flooding that is caused by Shottery Brook. I have asked the EA to respond specifically on these matters and they have confirmed that the use of attenuation ponds within the development would reduce storm water runoff from the site and therefore improve the existing situation. It would not be reasonable to expect the development to solve existing flooding issues on third party land, but it is reasonable to require that development does not exacerbate the existing situation.

Ground Water Flows

The alleged occurrence of ground water flows has also been raised during the course of the application and particular concern has been raised about the effect on the foundations of Anne Hathaway's Cottage. The FRA states that there are no known problems from groundwater flooding within Stratford District. Again, I have sought clarification from the EA, which has confirmed that the site overlies a non-aquifer and is therefore on unproductive strata. The SBT has requested involvement in any detailed drainage scheme; however, only technical consultees would be consulted on such matters. Notwithstanding this, the SBT is a landowner for part of the application site and it is for the developers to work with SBT on this. Planning Officers would encourage this but cannot require it.

Hydraulic Modelling

Specific attention is drawn to the Water Cycle Study that forms part of the LDF evidence base. This identifies the need for hydraulic modelling to be undertaken before determining whether the application site is appropriate for development. Severn Trent has confirmed that the FRA is acceptable and incorporates the hydraulic modelling that they wish to see carried out.

Other Surface Water Drainage Matters

For the proposed SUDS to function correctly, it is important that the long term maintenance of attenuation ponds and compensation areas is clarified. It is anticipated that they will form part of the same management regime as the open space (either a commuted sum paid to the District Council or other body or through a management company) and this is a matter that could be appropriately secured through a legal agreement.

RASE have questioned the overall performance of SUDS; however, this is a form of water management that is promoted by the EA. Paragraph 22 of PPS1 states that Local Authorities should promote sustainable drainage systems in the management of run-off and therefore their use is considered acceptable in the light of this government guidance.

I have also considered how the drainage scheme might be controlled through the use of planning conditions and I have liaised extensively with the EA on this matter. Paragraph 5.45 of the FRA states that the storm water management system will be constructed and operational in full prior to the occupation of the relevant phase of the development. This approach means that large impermeable areas could be constructed prior to the attenuation ponds being in place. In light of this, the EA requires that a temporary solution is implemented, which could form part of the drainage solution that could be required by way of condition.

Sequential Test

For an application involving works within Flood Zones 2 or 3, the District Planning Authority is required by PPS25 to carry out a Sequential Test, with the aim being to demonstrate that there are no reasonably available sites in areas with a lower

probability of flooding that would be appropriate to the type of development or land use proposed. Annex D of PPS25 sets out the process for this test,

It is apparent that the key issue is whether a Sequential Test has been carried out for the site as part of the preparation of the Development Plan. The current District Local Plan was prepared in the period 2000-2003 and the approach now set out in PPS25 did not exist at that time. Having said that, its predecessor, PPG25 (2001), does cover the sequential test issue (paras. 27ff). On that basis, it is reasonable to assume that the provisions of the District Local Plan, the Public Local Inquiry process and the Inspector in producing his report would have considered the issue - albeit in accordance with the expectations of national guidance at that time. The Inspector did not raise concerns about the West of Shottery proposal in his report. He concludes (in para.776 of his report) that subject to a series of drainage improvements, including an increase in the capacity of the Evesham Road culvert, and the incorporation of sustainable urban drainage techniques, there is no reason to anticipate that the proposals would increase any risk in flooding.

The Sequential Test currently set out in PPS25 requires that a full assessment of 'all reasonably available sites in areas with a lower probability of flooding, that would be appropriate to the type of development of land use proposed' is carried out. Such an assessment can only be properly carried out as part of the Core Strategy process.

Members will therefore need to give careful consideration to this matter and weigh the technical failure to pass the revised process that has come in since the Local Plan Inquiry against the 20% improvements in storm water runoff and improvements to the Evesham Road culvert that would result from the development, in addition to the fact that the extent of the floodplain within the site has not changed since the Local Plan Inquiry and the response of 'No objection' from the Environment Agency.

Foul Drainage Flows

The foul flows would be drained from the development by way of a direct outfall to Stannels Close Sewage Pumping Station (SPS), which in turn pumps flows directly to Milcote Sewage Treatment Works. This matter has been the subject of lengthy correspondence with Severn Trent Water during the course of the application. Severn Trent initially stated that extra capacity might be needed at Stannels Close SPS and advised that the most suitable method of identifying and providing the necessary works would be through a requisition under Section 98 of the Water Industry Act 1991. As a solution had not been modelled or agreed at that point in time, Severn Trent was unable to confirm that a technical solution existed to drain the site of foul sewage.

The Water Industry Act does, however, also state that an undertaker such as Severn Trent has a legal obligation to service a development, should planning permission be granted. Severn Trent has come back on this point stating that they will fund necessary downstream sewerage improvements, subject to phasing arrangements being agreed that allow the network improvements to reflect the levels of sewage requirement across the site as it is developed.

In terms of the planning assessment, the important issue is that a technical solution to drain the site of foul sewage has been found and, in view of Severn Trent's most recent response, I am satisfied that this is the case. The solution and its phasing could be controlled by means of a planning condition, which would require a feasibility study and investment in off site works as necessary.

Furthermore, I am satisfied that this is an acceptable way of addressing local concerns that the existing sewers are unable to cope. As previously stated, the assessment of this application hinges on the proposal being appropriately serviced and not exacerbating existing problems; however, it would be unreasonable to go further and expect the development to remedy existing problems.

In conclusion, I consider that the proposals represent an acceptable drainage solution to the site, which would deliver significant and tangible benefits to the water catchment and Shottery Brook through a 20% reduction in storm water run off over and above the existing situation and a reduction in water pollutants and improvements to the Evesham Road culvert that would improve flows along Shottery Brook. These improvements would not be secured without the development.

GROUND CONDITIONS

Saved Policy PR.8 of the Local Plan Review states that planning permission will not be granted for development which could give rise to soil contamination where the level of discharge would cause harm. Chapter 8 of the Environmental Statement deals with matters of geology, hydrogeology and contamination.

The site geology is made up of a mix of Blue Lias, Charmouth and Mercian mudstones with no superficial deposits. There has been some local concern that the site lies on a geological fault. I have spoken with the Environmental Health Officer, who does not consider a geological fault of the minor type that would be present in Stratford to present any harmful issues for built development. In any event, this would be a matter for the developer to address through the construction of the buildings and is not a planning matter.

Matters of soil stability and quality need to be taken into account, particularly with regard to the earth works that would be required as part of the link road and its associated bunding and cuttings. The applicant has confirmed that there would be no imported material, with bunds being constructed of material from the cut and fill works required to build the road. The impact of the raised ground levels on drainage is a matter that could be appropriately controlled by way of detailed drainage conditions, as recommended by the Environment Agency.

The ES does not identify any risks associated with contaminated land or previous mining works and I am satisfied that any risks of contamination brought about through the construction phase of the development could be adequately controlled by way of a condition securing a Construction and Environmental Management Plan (CEMP - Construction). Once again, the Environmental Health Officer is satisfied with the findings of this section of the Environmental Statement and therefore I do not consider that the site's ground conditions present a reason to object to development in this location.

ARCHAEOLOGY

Policy EF.11 of the Local Plan Review deals with Archaeological sites. The policy states that sites of archaeological importance and their settings will be protected, enhanced and preserved. In the case of remains of regional or local importance, the case for in situ preservation will be assessed against other factors including the importance of the remains and the need for the proposed development.

The initial desk based archaeological submission stated that, based on the available evidence, it was not possible to accurately assess the risk of archaeological remains being present on site. The County Archaeologist commented that this may be due to a lack of previous archaeological investigations across this area, rather than an absence of activity during the pre-medieval periods.

An Archaeological Geophysical Survey was subsequently requested and undertaken on site. This revealed linear anomalies across the site, which is indicative of the remains of medieval ridge and furrow - although there are no visible traces of this on the surface. The ploughed out remains of ridge and furrow are common and are considered to be of low significance. Although the survey does not necessarily reveal all archaeological features present, the presence of ridge and furrow indicates that the survey has enabled the identification of major archaeological features.

The conclusions of this have been assessed by the County Archaeologist, who is satisfied that no further evaluative fieldwork is required prior to determining this application. In order to secure a programme of further archaeological work in accordance with a written scheme of investigation, a standard condition is recommended, with a phased approach to this work being envisaged. I am satisfied that this approach would protect any potential archaeological remains and would therefore conform to the requirements of both Policy EF.11 and the guidance in PPS5: Planning for the Historic Environment.

IMPACT ON CULTURAL HERITAGE (INCLUDING LISTED BUILDINGS AND CONSERVATION AREA)

Saved Policy EF.5 of the Local Plan Review states that the conservation and enhancement of parks and gardens of historic interest will be encouraged. Development which adversely affects their appearance, character, setting or possible restoration will not be permitted. In this case, the nearby garden of Anne Hathaway's Cottage is subject to this designation.

Saved Policy EF.13 of the Local Plan Review states that development proposals which do not preserve or enhance the character or appearance of a conservation area or its setting will not be permitted. Any proposal should respect the special qualities and historic context of the conservation area as regards volume, scale, form, grouping and materials. Development proposals which are located outside a conservation area, but would affect its setting, will not be permitted if they harm the character or appearance of the conservation area. None of the application site lies within Shottery Conservation Area; however, this Conservation Area does cover a large area of Shottery to the east of the application site and therefore its setting must be considered.

Saved Policy EF.14 of the Local Plan Review states that the preservation of buildings listed as being of special architectural or historic interest, and their settings, will be secured through one of five means. The second of these means is by ensuring that proposed alterations, extensions or changes of use to listed buildings, or development on adjoining land, will not have an adverse impact on the special qualities of such buildings or their settings.

The key national guidance on dealing with the historic environment is found in PPS5 Planning for the Historic Environment, with Policy HE10 providing the policy principles regarding applications, which affect the setting of a designated heritage asset. The policy makes it clear that such an assessment is a balancing exercise with proposals resulting in greater harm requiring greater benefits to justify approval.

Impacts on Anne Hathaway's Cottage and Gardens

The most important heritage impact of the proposal to be assessed is how it would affect the Grade I listed Anne Hathaway's Cottage and its surrounding Registered Historic Park and Garden. The development could potentially change the noise environment and alter the views from the garden and this must be assessed with regard to the above policies.

Visual Impacts

Turning firstly to the visual impact when viewed from the cottage gardens and, in particular, the orchard, the link road would be approximately 250m west of the orchard boundary. The proposal involves creating a false cutting approximately 4m deep by increasing the natural gradient of the land over a distance of approximately 140m to create a shallow 'wedge'. I am satisfied that, given the very minor increase in gradient on an already rising area of land, there would be no harmful landscape impact caused by the topography changes in themselves. RASE has objected to the lack of clarity over the cutting's extent and the Shakespeare Birthplace Trust (SBT) has raised concerns over the composition and maintenance of the area. I am satisfied that Appendix E of the Regulation 19 response gives adequate illustrative information on the cutting's extent in order to make an assessment and that final levels details could be controlled by condition. The applicant has stated an intention to use material from the construction of the road to create the bund and I am satisfied with this principle and final details could, again, be controlled by way of condition. The area is proposed to remain in agricultural use as part of the Shottery Conservation Landscape (considered below) and therefore its future maintenance would relate to this and could be controlled through a condition.

As well as reducing traffic noise (assessed below), the false cutting would limit views of vehicles from the orchard. The depth of the cutting would be 4m and I have been verbally advised by WCC Highways that some goods vehicles are higher than this (standard articulated lorry: 3.7m, removal van: 4.7m and car transporter: 4.9m). With this in mind, I am satisfied that the vast majority of vehicles using the link road would be hidden from view from the orchard. The highest part of some goods vehicles would be visible; however, I consider that this could be sufficiently mitigated through the planting of a hedgerow (which would not be an alien feature in a partly rural setting) at the top of the cutting and that in this way the road would not be visually apparent from the orchard. I am also satisfied that the road's position in the cutting and its predominantly 'side-on' alignment to the orchard would mean that vehicle headlights would not be visible from this area.

The applicant has confirmed that the section of the road to the west of the orchard would not have streetlights. Whilst this could be controlled by way of condition, I have also sought verbal confirmation from WCC Highways that this would be acceptable from a technical perspective. The results of this discussion indicate that the extent of streetlights would need to be as far as the Hansel Farm access from the north and for a distance of 50m north-west of the plantation roundabout from the south. I am satisfied that such a scheme would prevent views of streetlights when standing in the orchard to Anne Hathaway's cottage.

Whilst the southern housing parcel would be completely screened from the orchard by the plantation, the northern parcel relies partly on a hedgerow to the south west of Burman's Farmhouse. The Forestry and Landscape Officer (FLO) is satisfied that the presence of this hedgerow, which could be supplemented by additional planting, together with the revised plans, which have moved the southern tip of the northern development area further north would, in time, close down any glimpsed views of the northern development area.

The Conservation Officer has commented that her initial reservations concerning views from the Cottage have been somewhat allayed by the provision of further information regarding the land re-grading and road cutting. She also comments that views of the Cottage and Gardens from footpaths across higher ground to the west will experience an impact, although in my opinion this will be limited to an acceptable impact through the road being in a cutting and the opportunity to control future landscape screening around the road.

Taking the above visual matters and the comments of the Conservation Officer into account, I agree with the applicant's assessment that the development would visually result in a negligible change to this highly sensitive setting and therefore that the impact is not significant in the operational phase of development.

Noise Impacts

The second area of assessment concerning the impact on the cottage grounds is traffic noise from the proposed road. A Planning and Noise Report has been carried out and is found at Appendix L of the Regulation 19 response. The report has been based on noise modelling, which has accounted for topography (including Bordon Hill), the use of standard tarmac surfacing and accounts for speeds limit of up to 40mph on the central section of link road. The applicants have submitted that the Revised Transport Assessment does not materially alter the earlier conclusions of the Noise Assessment and, given that the Environmental Health Officer concurs with this, I consider that it is reasonable to use its findings in my assessment.

Noise Assessment positions are located at 4 points around the cottage gardens and the results for road traffic noise levels in 2023 (without traffic calming) are shown on the following table:

Table 10: Noise around Anne Hathaway's Cottage

Location	Without development	With development	Comparison
AP9 – Anne Hathaway's Cottage, Cottage Lane	65.2	63.9	1.3 decrease
AP10 – Rear of Anne Hathaway's Cottage	45.9	47.5	1.6 increase
AP32 – Western boundary of Anne Hathaway's Cottage	49.1	50.8	1.7 increase
AP33 – Rear of Shottery Lodge / North of the plantation	46.1	48.0	1.9 increase

N.B. The figures are in decibels, averaged to a noise value that would only be exceeded for 10% of the time over an 18 hour period (6am to midnight).

The Environmental Health Officer has assessed this submission and is satisfied with the findings and methodology. The figures indicate that there would be a small increase in noise to the rear of the cottage, which would be just perceptible; however, this is on the assumption that the change in noise levels is instant and that the listener can be present to compare the two. With this in mind, I am therefore satisfied that the proposal would not result in any overall harm to the noise environment in Anne Hathaway's Cottage and its gardens.

RASE have requested extra assessment positions in the orchard and the woodland walk; however, having visited the site and seen the close proximity of these to the above positions, I do not believe that this would add anything substantive to the existing assessment.

In assessing the impact of the proposal on the setting of Anne Hathaway's Cottage, regard must also be had to potential benefits. The Transport Assessment indicates that traffic flows along Cottage Lane (adjacent to the cottage itself) would reduce by the amounts previously stated in Table 7 of this report:

The forecast reductions in vehicles using Cottage Lane would result in an improvement to the setting of the Cottage itself, which contributes to the 1.3 decibel decrease at point AP9 in the noise impact table above, and can therefore be considered as a benefit of the scheme.

Shottery Conservation Landscape

Consideration must also be given to the proposed Shottery Conservation Landscape (7.55ha), which encompasses an area of land to the west of the cottage and plantation and incorporates part of the earth remodelling for the false cutting. It would be designed to retain the open characteristics of the two existing fields and they would remain largely in agricultural use. In addition to this, there would also be blocks of woodland with hedgerow planting. This area is already in agricultural use and therefore I attach little weight to the benefits of this element.

Both English Heritage and the SBT have raised objection to the proposal; however, having regard to the comments of the Conservation Officer and my conclusions above that the road and vehicles would not be visually apparent from anywhere within the cottage or registered gardens; that the northern part of the

development would be glimpsed at most; that there would be no overall harm to the noise environment; and that there are some limited benefits arising from the proposed Shottery Conservation Landscape, I conclude that there would be no overall harm to the setting of the Grade I listed Anne Hathaway's Cottage and its surrounding Registered Historic Park and Garden.

Impacts on Burman's Farmhouse

I have also given consideration to the setting of the Grade II listed Burman's Farmhouse, which is the closest listed building to the proposal. The impact on this property has been assessed by the applicants as moderate during the construction phase (Table 9.5 of the ES); however, this a short term effect, which I consider could be appropriately mitigated through the CEMP – Construction. The impact reduces to one that is not significant once the development is built (Table 9.6 of the ES). I agree with this assessment, as the building's setting does not extend to the development site and there is already good screening to the west of the listed building. It is also relevant that the closest part of the site would be the SUDS attenuation area, which is approximately 200m away.

Impacts on Shottery Conservation Area, other Listed Buildings and the wider area

Shottery Conservation Area covers a large area of the village and extends west to the development site to include Anne Hathaway's Cottage and Burman's Farmhouse. Therefore I have already considered the impact on its most western extent in the above sections; however, regard must be had to the wider conservation area and other listed buildings, such as those in Hathaway Hamlet to the east. The visual impact in these areas would be very limited, diminishing to zero in the village centre. This is because of the very limited views through to the housing areas and link road caused by the presence of buildings and trees – particularly those in the plantation and along Shottery Brook.

Some objection has been raised that the proposal would harm Stratford as a 'market town'. I am unable to identify any specific visual harm to the town centre itself and I consider that the town centre would remain largely unchanged, with the exception of the traffic flow changes considered in the highways section above.

During the local consultation process, a comment was also received that the demolition of 3 and 4 Bordon Hill would result in the loss of the only Cedar built houses in the town. Although permission is not needed to demolish these, I have nonetheless spoken with the Conservation Officer, who views them as an anomaly of limited interest, but not worthy of retention. They do not exhibit any characteristic building style or material of the area.

LANDSCAPE AND VISUAL IMPACT

The section above considers the specific impact of the proposal on listed buildings and Shottery Conservation Area. This section deals with the wider impact of the proposals with regard to the landscape of the area and views into the site.

Saved Policies PR.1, EF.9, EF.10 and DEV.2, of the Local Plan Review state that all development proposals should respect and, where possible, enhance the

quality and character of the area (including trees, woodland, hedgerows and new landscaping).

The proposal is for outline planning permission with matters of appearance and layout reserved. At this stage, Members must consider whether the indicative proposals could be accommodated on site without causing harm to the character and appearance of the area. This assessment has already been made at the Local Plan Inquiry stage in considerable detail.

Existing character of the Area

Looking firstly at the character of the area and, in particular, the rural landscape found at the site and further west, Saved Policy SUA.1 of the Local Plan Review deals with the 'Town Setting' of Stratford and states that in considering proposals for the development and use of land outside the Built-Up Area Boundary, on the fringe of the urban area of Stratford-upon-Avon, regard will be given to their potential impact on the distinguishing features of the 'character areas' defined. The site falls within the character area identified as 'Vale Orchard Belt', which under the Warwickshire Landscape Guidelines 1993 is described as *'an open, rolling intensively farmed landscape of large, poorly defined fields, orchards and prominent hilltop woodlands'*.

At this point, it should be noted that the site is no longer part of a Special Landscape Area, as it was at the time of the Local Plan Inquiry in 2004. Expired Policy EF.2 covered this, but was removed as the designation was inconsistent with national policy, being based on an outdated local landscape designation, the retention of which had not been rigorously justified. Notwithstanding, Policy EF.2 not being a saved policy, the value of the landscape and the impact of the development must be assessed.

Given the scale of the development, Chapters 10.4 and 10.5 of the ES provide a detailed baseline landscape analysis for the site, which I am satisfied provides a robust context upon which to make further assessment. Chapter 10.7 goes on to look at the 'Landscape Effects' of the proposal stating that the site is well related to Stratford's urban edge, which is of limited landscape value and of low landscape sensitivity, being potentially tolerant of change. The Council's Forestry and Landscape Officer (FLO) is also satisfied with the applicant's submission and comments that the majority of hedgerows and trees within the existing field framework are to be incorporated within the design. The FLO goes on to welcome the provision of Green Infrastructure to cover more than half of the application site, but expresses concern about whether the level of street tree planting indicated in the DAS and DAS Addendum can be achieved if the Highway Authority is not willing to adopt street trees. The applicant has stated that this could be resolved through a Design Code and Reserved Matters applications. I am satisfied with this approach and, in practical terms, if the landscape element of the reserved matters indicated street trees in locations that the highway authority was not willing to adopt, these areas could be incorporated into the areas for open space management instead, thereby allowing the desired planting.

The SBT has commented that a wooded and rural approach should be sought for the approach to the cottage from Evesham Road. In view of the fact that this area is proposed for new houses, the extent to which a 'rural' character could be achieved would be limited; however, I am satisfied that the indicative drawings at Section D of the DAS Addendum indicate that a visually attractive setting to the road could be achieved through the use of an avenue with hedgerows.

Visual Impacts

Turning now to the wider visual impact of the proposals, an assessment of this is provided in Chapter 10.8 of the ES with additional viewpoints from the A46 and the Ridgeway provided in the Regulation 19 response at the request of the FLO. The methodology of the assessment encompasses the Guidelines for Landscape and Visual Impact Assessment and the Landscape Character Assessment Guidance for England and Scotland. Working from north to south, the results of these assessments are tabulated below with significance assessed on the basis of 'Substantial', 'Moderate', 'Slight' and 'Negligible'. The full details can be found at Appendix 10.4 of the ES:

Table 11: Visual Impacts

Location of Viewpoint(s)	Viewpoint ref. in Ch. 10.8 of ES or Appendix E of Reg.19	Significance of Impact in Year 1	Significance of Impact in Year 15
A46 at Kings Lane	AE, AF	Negligible	Negligible
The Ridgeway	AC, AD	Negligible	Negligible
A46 west of The Wildmoor	AA, AB	Negligible	Negligible
Alcester Road north of site	N	Negligible	Negligible
Properties in West Park Close area	L, M	Moderate Adverse	Slight Adverse to Negligible
Properties on West Green Drive	A, B, C	Moderate Adverse	Slight Adverse
Public Footpath north of Electricity Sub-Station	D, E	Moderate Adverse	Slight Adverse
Public Footpath from Bordon Hill to Drayton Farm	F, G, H, I	Slight Adverse	Negligible
Public Footpath around Hansell Farm and Gretel House	J, K	Moderate to Slight Adverse	Negligible
Public Footpath south of plantation	O, P	Moderate Adverse	Slight Adverse to Negligible
Properties on Hogarth Road and Gainsborough Rd	Q, R, S	Slight Adverse	Negligible
Properties on Evesham Road	T, Y, Z	Moderate Adverse	Slight Adverse to Negligible
Bordon Hill	U, V	Negligible	Negligible
Properties on Luddington Road	W, X	Moderate Adverse	Slight Adverse

The table demonstrates that there will be several areas experiencing a 'moderate adverse' impact in Year 1 of development, but that all visual impact will reduce to

'slight adverse' or 'negligible' by Year 15, which is due to landscaping coming into maturity.

Visual impacts around the north of the site

I have made a careful assessment of the visual impact of the proposal and concur with the report's findings. The FLO is also satisfied with this assessment and has commented that views of the site from the Ridgeway already exist alongside the skyline of the recent housing development between the Ridgeway and Alcester Road. The most notable views of the site would be the upper storeys of housing on the most northern part of the site. I note that the proposal differs from the Inset Map for Proposal SUA.W in that a belt of woodland of approximately 30m wide is not proposed in this location. The recent Landscape Sensitivity Study (considered further below) states that development would not be acceptable any further north than the footpath across the centre of the northern development area due to the sensitivity of this part of the site. This Study has not been through a public consultation process and therefore I would afford it less weight than the conclusions of the Local Plan Inspector that, whilst there would be inevitable changes to the area immediately west of the existing urban edge, the overall cumulative impact on the landscape would not be materially harmful. I am satisfied that a condition limiting the heights of dwellings to 8m close to this boundary and the securing of a landscaping belt of trees along this boundary through reserved matters submissions would mitigate this impact to an acceptable level.

The assessment concludes that the impact on views from the A46 will be negligible and, again, I concur with this. Having observed the site from the Kings Lane area, there are very limited views with the southern housing parcel screened by a mixture of its low land level and trees within Shoterly and the northern housing parcel screened by the higher ground of the Ridgeway where it meets Bishopton Lane. Viewing the site from the A46 west of the Wildmoor, the development would again only be visible on its most northerly extent, where it would be well screened by the existing hedgerow boundary.

Both the Ridgeway and the A46 in the Kings Lane area lie within the West Midlands Green Belt and PPG2 'Green Belts' at 3.15 states that: "*the visual amenities of the Green Belt should not be injured by proposals for development within or conspicuous from the Green Belt which, although they would not prejudice the purposes of including land in Green Belts, might be visually detrimental by reason of their siting, materials or design.*" With regard to this consideration, I am satisfied that the proposal would not be conspicuous from these localities or any other part of the Green Belt for the reasons I have given above.

This most northern extent of the site is the highest point of proposed built development at 62m AOD. Local concern has been expressed that the proposal would unacceptably cause the built area of the town to extend beyond the town's natural basin. The topography at this point is in the shape of a saddle and it is true to say that some of the central portion of this northern housing parcel would extend westwards over the 57m AOD high ridge at the centre of the saddle. This is one of the lowest parts of the western ridge containing the town, with the other elements made up by the Ridgeway and Bordon Hill area. The development would sit a substantial way down the slope from these stronger landscape features. Most of the northern part of the development lies between 50m and 60m AOD, whereas the Ridgeway rises to over 65m AOD and Bordon Hill rises to over 90m AOD. The southern development is even better contained – lying at 38m to 44m AOD. With this topography in mind, I am satisfied that the location

of the built area of the proposal would not cause significant harm to the relationship of the town's built form to its topography.

The landscape assessment considers the 'undergrounding' of the existing power lines across the site, of which there are several (para 10.9.3 of the ES). I consider that the removal of these unattractive features constitutes a visual benefit of the scheme.

Visual impacts around the south of the site

Viewpoints O and P consider views from the public footpath alongside the plantation. Local concern has been raised about the loss of views across the town, in particular the Theatre Tower and Holy Trinity Church. Further west from points O and P the path rises up the hill, but is largely surrounded by vegetation and the clearest view is where the path splits to go north and west. There are clear views of the town at this point on the path, which is at a level approximately 6m higher than the most western part of the development site. Whilst dwellings close to the western side of the southern development parcel could be limited to 8m in height by way of condition, I still consider that the development would interrupt these views despite the horizontal distance of approximately 250m between the viewpoint and development.

The proposed roundabout would cause the loss of a corner of the plantation. The edges of this wood exhibit 'wind firm' trees, mostly pine, and these create an attractive edge feature. The Forestry and Landscape Officer (FLO) considers it would be preferable to retain as many of these edge trees as possible and has some concern that it would be difficult to achieve a 'wind firm' edge within the plantation once the area for the roundabout is cleared. I consider that the details of mitigation measures for the internal part of the woodland that would be exposed to the wind could be controlled by way of a 'Grampian' type planning condition in order to address the issue of 'wind firm' edges.

The loss of any further trees as part of a new access for the Birthplace Trust is an application that would have to be considered on its own merits as part of a future planning application.

Whilst Policy EF.9 resists the loss of woodland, the FLO has also commented that the poor quality of the interior trees and the fact that they are predominantly coniferous would mean that future landscaping at this part of the site and elsewhere on site would deliver the positive impacts on biodiversity and landscape character required by Policy EF.9 to outweigh any harm resulting from the lost area of woodland.

Local objections regarding Visual Impact

RASE has requested photomontages of the proposal from the viewpoints considered above. In light of the fact that this is an outline application with design and appearance to be assessed at a later stage, I agree with the FLO that the submitted visual assessment is acceptable for the purposes of landscape impact at this stage.

It should also be stressed that the loss of residents' private views is not a material planning consideration and that this assessment is solely concerned with the landscape impact and public views.

Further local objection has been raised concerning the loss of greenspace and the fact that any new greenspace is pushed further out of town. This is an element of the scheme that the Local Plan Inspector considered in paragraph 26 of his report, where he states that, "whilst there would be inevitable changes to the

area immediately west of the existing urban edge, the overall cumulative impact on the SLA would not be materially harmful." Although the SLA has now been removed, this does not change the substance of his comments and the applicant's landscape assessment only serves to reinforce the Inspector's view in 2004. The Inspector sees the new public open space as a benefit at paragraph 40 and I consider that, whilst it is inevitably some way from the centre of Stratford, it would be readily accessible by residents across Shottery and the west of town. It would therefore be beneficial and further discussion of open space is found in the relevant section below.

Landscape Sensitivity Assessment

This study was completed in July 2011 and the findings presented to LDF Working Group on 23rd August 2011. LDF Working Group has made a recommendation to Cabinet that the findings of the study be received as evidence to inform the production of the Core Strategy. It should be noted that this recommendation has not yet been considered by Cabinet and will be tabled at the meeting on 12th September 2011.

As the study constitutes the most up to date landscape sensitivity study for the District, the findings are to be treated as a material consideration when considering this planning application. The study assesses the landscape as follows.

Northern development area (page B322 in study)

The zone is in a bowl formed by the lower slopes of Bordon Hill to the south and west and a minor ridge to the north west. Overall the area is open to views locally from public rights of way on Bordon Hill and across from the A422 but could be said to be hidden from the wider landscape. The study states that the area is sensitive in three areas: to the south, with its relationship with the green corridor linking into the settlement in, to the north where the zone forms a pleasant gap on the A422 allowing views to Bordon Hill, and the rising land to the north where potential development might be visible to the wider landscape on a skyline. It goes on to state that housing development would therefore be acceptable only in the two lower fields by the housing edge around the sub-station (no further north than the footpath) and in the field to the south providing the built edge does not run further south than the current housing estate edge. Separation would be needed between development and Hansell Farm.

The development would meet all of these findings with the exception of the fact that it would extend north of the footpath across this part of the site.

Southern development area (page B308 in study)

This forms part of the zone that comprises of the gently rising lower slopes of Bordon Hill used for arable to the south of the B439 and pasture to the north with one abandoned field. The fields in the northern part of the zone effectively act as part of the rural setting of the cottage which should be protected. The B439 approach from Bordon Hill is an iconic view over Stratford with its spire and RSC theatre tower. It is one of the best remaining views on a road approach and should be protected. Users of the B439 in higher vehicles may have views over the zone to the north but others' views are screened by strong hedges and orchard along the road side. With these sensitivities borne in mind the study states that the area has only limited longer term potential in the lower fields south of the plantation, but only extending as far west as it and the lower part of the field south of the B439 east of Bordon Hill Farm. These would only be potentially acceptable if advance structure planting with public access was put in

place to screen the areas from wider view and/or act as a permanent western edge to the settlement.

The development proposal would appear to accord with this element of the assessment; however, it goes on to say that "any new access off the B439 with associated signage would be very disruptive to the character of the hill approach so, if required to enable development, would make any development highly undesirable in visual terms". The applicant has responded to this stating that this would be seen in the surrounding urban context of highways and buildings. In my view the roundabout and signage would have a slightly adverse impact on the approach to the town.

These issues should be considered alongside the applicant's assessment and the Local Plan Inspector's statement at para.756 of his report that:

'Whilst from some locations it would be apparent that the urban edge had changed, the nature of the slopes and viewpoints and the lack of prominence of the areas to be developed would mean that the impact on the general landscape character of the area would not be material. In most cases the new urban edge would be either not visible or little more prominent than the existing edge...Overall I consider that, whilst there would be inevitable changes to the area immediately west of the existing urban edge, the overall cumulative impact on the [landscape] would not be materially harmful.'

As I have stated previously, the Landscape Sensitivity Study has not been through a public consultation process and, in my opinion, I would afford it less weight than the conclusions of the Local Plan Inspector at this time.

In conclusion, I acknowledge that a development of this scale will have an impact on the character and setting of this part of Stratford. As has been considered above, the harm caused varies from 'negligible' to 'slight adverse' depending on the physical viewpoint. The scale of visual impact resulting from any development of this scale is a key material consideration that Members need to consider carefully when looking at the overall planning balance in coming to a decision.

INDICATIVE DESIGN AND LAYOUT

The matters relating to the provision of open space within the layout are dealt under the 'Legal Agreement' section below.

Policy DEV.1 of the Local Plan Review deals with Layout and Design and states that development proposals will be required to have regard to the character and quality of the local area through the layout and design of new buildings and the extension or change of use of existing buildings. The policy goes on to state the design principles that will be taken into account in determining applications.

In 2003 the District Council commissioned a 'Statement of Development Principles', which sets out the principles of design that the Council wished to see applied in the development of land West of Shotton. I consider that the principles contained within this document, together with those in the Stratford-on-Avon District Design Guide, represent appropriate measures against which the indicative design proposals put forward can be assessed.

The Link Road

The link road itself is not indicative, because access is an outline matter and therefore its alignment is to be fully considered at this stage. Although Proposal SUA.W of the Local Plan Review and Figure 8 of the Development Principles show the road to run to the west of the northern development parcel, the Commission for Architecture and the Built Environment (CABE) and, to some extent, the Urban Designer, have expressed concern over this. Their concerns arise from a desire to incorporate transport links within developments to greater extent than has been done previously and to prevent separating any future development to the west. Whilst the development status of land to the west is not a matter for consideration as part of this application, the function of the road needs to be considered further.

CABE cites the Department of Transport document, 'Manual for Streets' published in 2007, which seeks to reduce the segregation between pedestrians and vehicles and recognises the role that vehicles can play in making a street more of a place for social interaction. I can therefore appreciate the principle that the document seeks to promote, regarding how the northern section of the link road could be incorporated into the housing layout, as is proposed on the southern parcel. This, however, must be balanced against the function of the road, which is partly to act as an alternative route to alleviate congestion in Shottery and Stratford town centre. To do this the road must be free-flowing as far as possible and the 50mph limit along the northern section would assist in doing this. I am concerned that if all of the road were to be integrated into the development, certain problems would arise, such as it being far less appealing to drivers as an alternative route and also it being a safety concern due to its proximity to houses and play areas, whilst being relatively heavily trafficked with a fast speed limit. Whilst the principles of Manual for Streets could be successfully assimilated on internal site roads through the detailed design process, I consider that it is appropriate to adhere to the design principles set out through the Local Plan for the alignment of the link road. Further to CABE's comments, Manual for Streets 2 has been published, which explores in greater detail how the principles of Manual for Streets can be applied to busier streets and non-trunk roads. I am satisfied that my assessment above applies equally to these new guidelines as well.

Housing Density

The overall housing area proposed is 19.94ha (p2 of Reg. 19 Response) and, including incidental open space at 2.12ha, this would provide an overall density averaging just under 37 dwellings per hectare for 800 units (*N.B. The Design and Access Statement appears not to include the incidental space and a higher density of 40dph results in this document*). The Design and Access Statement provides some more detail as to how densities would work across the site and states that densities would vary across the site between 30 and 45 dwellings per hectare, with higher densities in the core of the layout and adjacent to the built up areas and lower densities towards the outer edges with open countryside. I acknowledge that this density would be considerably higher than older housing development to the east, which is a point raised through the local consultation process; however regard must be had to paragraph 50 of PPS3, which states that the density of existing housing development should not dictate that of new housing by stifling change or requiring replication of existing style or form. When considering existing development character, particularly houses around Hogarth Road, it should be borne in mind that these are almost exclusively large dwellings of 3 or 4 bedrooms or more, whereas the proposal would have a more varied housing mix - 40% 1 and 2 bed (as found at Table 7.11 of the ES). Therefore the size of many of the dwellings proposed would be smaller than found in existing development. I have consulted the Urban Designer and I am satisfied that this is an appropriate density solution for the site, which would be high enough to

deliver the efficient use of land, whilst at the same time paying regard to the lower densities found within adjacent development and the historic area around Shottery.

Size and Scale

Turning now to the issue of size and scale, this is a matter that would be largely addressed through the submission of reserved matters applications; however, as part of an outline application, the applicant is required to provide upper and lower size limits on the proposed buildings. These are found within Chapter 8 of the Design and Access Statement and are summarised below:

Table 12: Proposed Size Limits

Component	Length (Frontage)	Width (Depth)	Height
'Wide' plan form Dwellings	c7-12m	c5-8m	6-12m 1-3 storeys
'Narrow' plan form Dwellings	c4-7m	c8-12m	6-12m 1-3 storeys
Local Centre and School Buildings	c5-25m	c10-25m	Up to 12m 2-3 storeys 1-3 storeys for the school

In an edge-of-town location such as this, the use of 2.5 and 3 storey dwellings is a matter that requires careful consideration, particularly given the lack of such buildings in adjacent housing areas. Paragraph 8.5.5 of the Design and Access Statement does provide an indication of how such dwelling types would be employed through the development and states that they will only be used 'very occasionally', in circumstances where they reinforce an important street (Main Street) or to act as a landmark building. Once again the detailed design would be a reserved matter, but I do consider it is necessary to restrict the use of taller buildings in certain parts of the layout as discussed in the above section.

Character of the area

Concern has been highlighted by RASE regarding the lack of references to the Stratford-upon-Avon Town Design Statement within the Design and Access Statement submitted to accompany this application. The aim of the Town Design Statement SPG is to analyse the character of the town and have a positive influence on the inevitable future changes in the town by encouraging sympathetic development. The document divides Stratford-upon-Avon into 12 distinct character areas. The application site falls outside the boundary of these areas, but the boundary of the application site runs adjacent to the boundary of the 'Shottery' character area and the 'Bishopton and Alcester Road' character area. The village of Shottery is already a Conservation Area and is not strictly considered within the 'Shottery' character area.

The document goes on to put forward recommended design guidelines for the character areas, which remain an important consideration within planning decisions. However, it should be noted that the 'Land West of Shottery Statement of Development Principles' (2003) was produced in support of the proposed allocation in the draft District Local Plan Review and formed part of its evidence to the Local Plan Inquiry. As such, it was fully considered by the Inspector who held the inquiry and this document was produced subsequent to the adoption of the Stratford-upon-Avon Town Design Statement.

Although the application site lies outside of the character areas identified by the Town Design Statement, it provides useful information and guidance on the character of the adjacent areas – some of which is relevant to this application. I acknowledge that the applicant has not specifically referred to this guidance within the Design and Access Statement, however I am satisfied that the character of the adjacent areas and the Statement of Development Principles document have been carefully considered throughout the current application process and therefore I would not raise objection on this point.

With regard to the layout within the site, local concern has been expressed that the 'Lanes' referred to in the applicant's design documentation will not be like the existing lanes quoted from around the older parts of Shotton. Whilst I agree with this point, it should also be acknowledged that the historic parts of the local area will have developed organically over many years. That is not to say that the principles of this type of layout could not be successfully employed within a newly built scheme, albeit one constructed over a short period of time. I am therefore satisfied that the applicant's approach is reasonable, which would need to be refined at a later stage and I come onto the matter of how detailed design principles could be controlled below.

Other design matters

Both the Urban Designer and the Stratford Society have raised concerns about the housing designs relying on standard house type solutions and therefore being uninspiring as a result. Development of this scale, on a Greenfield site has the potential to raise standards of design and the highest quality of design is to be encouraged. The most appropriate way to address detailed design matters has been the subject of some discussion over the course of the application, resulting in the applicants providing an Addendum to the Design and Access Statement. Whilst the Urban Designer has some reservations regarding the nature of the illustrations within the Addendum, she is satisfied that the text allows scope for further detailed design development, which could take place as the design process continues. Furthermore agreement has been reached that the Addendum document provides a basis for the urban design and architecture principles and that these could be addressed further through a Design Code document, controlled by way of a condition, and subsequent reserved matters applications

The response of CABE raises several further design issues, which need to be considered. The position of the Local Centre is questioned, particularly whether it could be more closely associated with Alcester Road. The proposed location accords with the layout principles in Proposal SUA.W, which were tested at the Local Plan Inquiry. Notwithstanding this, there is no evidence that the proposed location would not be viable and to my mind it is well located within existing and proposed areas of housing and well placed to take passing trade from the link road and for these reasons I consider its position acceptable. CABE's comments about the provision of public transport, landscape maintenance, and phasing are addressed elsewhere in this report.

Policy DEV.9 of the Local Plan Review states that development to which members of the public would reasonably expect to have access will only be permitted if provision is made in the design for safe and convenient access by people with disabilities. This policy is a consideration for the buildings within the local centre and detailed arrangements could be controlled by and worked up through the submission of reserved matters applications, which would cover layout and external appearance.

Overall I am satisfied that the development can be successfully assimilated into the existing built fabric of the town. The detail of this would need to be secured

through the provision of a Design Code, which could then inform the detailed layout submitted through subsequent reserved matters applications.

PLAY SPACE, OPEN SPACE AND SPORTS FACILITIES

Saved Policies COM.4 and COM.5 of the Local Plan Review deal with public open space and Saved Policy DEV.3 deals with Amenity open space and states that it may be necessary to require the incorporation of amenity open space into the layout in addition to recreational open space. Clearly such provision is critical in relation to a large scale residential development such as this. The 'Provision of Open Space' SPG 2005 provides detailed requirements for open space.

The Council has recently undertaken an Open Space Audit for the District under PPG17 Planning for Open Space, Sport and Recreation. The findings of the audit that are relevant to this application are:

- in Stratford town there is a shortfall in pitches for junior and mini football
- larger play areas catering for a wider range of age groups should be provided
- there is demand for an increased supply of allotments within the town
- there is a shortfall in natural greenspace in the town
- there is a very small deficiency in the provision of indoor sports halls and swimming pools in the District as a whole, but there is no quantitative shortfall in Stratford town

Policy COM.4 of the Local Plan Review seeks open space to a minimum standard of 3.0ha per 1,000 population. The applicant has submitted detailed calculations of this in the 'Green Infrastructure & Open Space Provision - July 2011' supporting document. This demonstrates that 5.66ha of open space is required under Policy COM.4 and that this requirement would be met by the proposal.

Equipped children's play space

The Open Space SPG indicates that a range of facilities should be provided given the scale of the development and walking distances that would be involved.

The standards identified in the SPG state that equipped playspace should be provided to a ratio of 2,000sq.m per 1,000 population. The SPG goes on to provide guidance on the walking time that is to be expected for each type of equipped play space. This indicates that the Northern area should incorporate a Neighbourhood Equipped Play Area (NEAP) within or on the edge of the residential development, at least one Local Equipped Area for Play (LEAP) located centrally within the residential development and at least four Local Areas for Play (LAP) located within the residential development,. The Southern area should incorporate at least one LAP that should be located centrally within the residential development, and one LEAP within or on the edge of the residential development.

In total, the NEAP, LEAPs and LAPs bring about a requirement for 0.42ha of equipped play space.

Incidental open space

The Open Space SPG requires that a sufficient area of this should be provided within the layout. This type of open space forms an integral component of an attractive form of development. It should permeate the development and be suitable for a range of informal recreational activities. In addition to this, provision needs to be made for informal children's play (as opposed to the equipped play areas above) and this can form part of the incidental open spaces. Provision should therefore be made under the SPG in the following way:

- Northern area should incorporate at least 12,480 sq.m (1.25 hectares) within and adjacent to the residential development.
- Southern area should incorporate at least 4,160 sq.m (0.42 hectares) within and adjacent to the residential development.

In total, the incidental element of open space requires 1.67 hectares of provision, which taken together with the 0.42 hectare requirement for equipped play space, gives a total requirement of 2.09ha.

The Open Space Audit recommends, however, that larger equipped play areas catering for a wider range of age groups should be provided rather than the smaller ones that recent developments have tended to incorporate. The Audit also identifies a shortfall in natural greenspace in the town and recommends that natural greenspace should be provided and that wildlife conservation areas should be encouraged in new developments. This could be done through providing natural play facilities of an equivalent that would be found in the LAPs throughout the incidental areas of open space in an informal manner.

In this case, the applicant has agreed to provide:

- 1 NEAP of 0.10ha between the primary school and SUDS open space
- 1 LEAP of 0.04ha in the centre of the northern development parcel
- 1 LEAP of 0.04ha on the northern side of the southern development parcel
- Incidental open space of 1.94ha throughout the development. This area will include 'Local Landscaped Areas of Play' to an equivalent financial value of the 5 LAPs that the SPG requires. These areas will use logs, boulders and a variety of textured and scented plants.

Having consulted SDC Leisure Services, I am satisfied that the Open Space Audit is a significant material consideration, which now outweighs the older requirements of the adopted SPG and that play space provision is acceptable on this basis.

Community Park and Accessible Structural Landscaping

As previously stated, the Open Space Audit identifies a shortfall in natural greenspace in the town and recommends that natural greenspace and wildlife conservation areas should be encouraged. There is a considerable opportunity to achieve this through the proposal, given the amount and different areas/types of open space that would be created through the Community Park (3.78ha) and Accessible Structural Landscape planting (3.55ha). These areas are required as part of the 6ha of public open space under Proposal SUA.W and they would deliver significant amenity benefits to both existing and new residents and therefore should be viewed as a benefit of the scheme.

Open Space around SUDS areas

I am aware that attenuation basins will have to be installed close to an equipped play area and Shottery Community Park and that this may have potential health and safety issues; however, I am of the opinion that the pond can be suitably graded and planting/fencing could be erected to prevent access by people using this space. It should be noted that the pond will be dry for most of the time and will only hold water in the event of flows above 1 in 30 year event including the 1 in 100 year storm event with 30% climate change. RASE have queried how the open space on the west side of Shottery Brook will work in the southern housing parcel. Although the key on the Green Infrastructure Plan indicates it would be incidental open space and children's playing space, I anticipate that this particular area will fall within in the former category and that children's play would be adequately catered for in the southern housing area by the equipped provision adjacent to the plantation and natural play space to permeate the housing layout.

Outdoor Sports Facilities

In terms of open space for outdoor sports facilities, chiefly sports pitches, it is apparent from the application that no provision is intended to be made on the site. A calculation under the SPG shows that 33,280 sq.m. (3.33 hectares) should be provided for this purpose. In the case of this application, there is sufficient land available on the site to make such a provision; however, the area available is sloping land and it is likely to harm the setting of Anne Hathaway's Cottage through earthworks and floodlighting in particular.

If no provision is made on site and the Council accepts that it is unreasonable to require on-site provision, a financial contribution should be made towards off-site open space provision for active youth and adult use. The calculation under the SPG indicates that a contribution of £832,000 would be required. This incorporates land acquisition, laying out and a 20 year maintenance period.

The Council's Technical Services Team has identified the following projects that this funding could be put towards:

- Provision of a Multi-Use Games area
- Provision of pay and play or free tennis courts
- Provision of junior and mini football pitches in response to the shortfall identified in the Open Space Audit

Once again, I am satisfied that the above request and potential projects comply with the provisions of the CIL Regulations 2010.

Built Sports Facilities

Sport England has requested that a figure of between £580,726 and £813,017 is provided as a contribution towards existing or new built sport facilities. I am satisfied that Sport England has provided a robust assessment of the level of contribution required towards new or improved facilities.

The Council's Acting Head of Technical Services has also identified that a proportionate contribution should be secured towards a replacement Leisure Centre for the town, if such a project was to come forward. The justification for this is based on the projected number of residents of the development as a proportion of existing residents that fall within the catchment of the Leisure Centre.

I am satisfied that the above requests and the identified project comply with the provisions of the CIL Regulations 2010 in principle. Whilst the Acting Head of Technical Services originally requested a figure of approximately £900,000, he

has revised this sum in light of further evidence received from the applicant. The agreed sum of money is £545,000.

Green Infrastructure Study

UE Associates were appointed in 2011 to undertake a Green Infrastructure Study for the main settlements in Stratford on Avon District, in accordance with a written Brief approved by the Local Development Framework Working Group on 18th January 2011 and presented alongside the minutes to Cabinet on 7th February 2011.

The study findings were presented to LDF Working Group on 23rd August 2011. LDF Working Group has made a recommendation to Cabinet that the findings of the study be received as evidence to inform the production of the Core Strategy. It should be noted that this recommendation has not yet been considered by Cabinet and will be tabled at the meeting on 12th September 2011.

There are three aspects of the District GI Study that have a bearing on this application:

- (i) The proposed development makes a positive contribution to a number of the GI Framework themes identified (see pages 28-30 of the Study), in particular:
 - 2.1 Promote and maintain a strong network of linear and circular routes that encourage active travel and recreation.
 - 2.2 Respond to the effects of climate change by maximising the potential of green infrastructure to reduce CO2 emissions, facilitate species migration and combat temperature rise by encouraging urban cooling.
 - 3.3 Recognise the importance of, and encourage the use of, green infrastructure to increase natural storage capacity, reduce storm water run-off rates, utilising sustainable drainage systems and, where possible, maximise multifunctionality.
 - 4.1 Improve the connectivity of habitats and ecological networks (considered further in the '**ECOLOGY**' section below)
 - 4.2 Ensure that urban extensions...incorporate multifunctional green infrastructure features that meet need, contributing to and maintaining the character and sense of place.

There are no aspects of the GI Framework on which the proposed development would have an apparent negative effect.

- (ii) There are no inconsistencies or overt conflicts between the District-wide strategic GI recommendations in the Study (see pages 34-37) and the proposed development, and a number of positive aspects, eg. access network, tree planting. There is also scope to incorporate other features, eg. allotments, ponds. While more could no doubt be done to incorporate specific features, it would be unreasonable to go back to address these matters at such a late stage, particularly as the proposed development provides a number of GI-related benefits and has no significant disbenefits.
- (iii) Stratford-upon-Avon is covered specifically on pages 67-70 of the Study. There are two specific recommendations/opportunities identified which have a particular bearing on this proposed development:

ST3 Recognise the multifunctional benefits of allotments – High demand for allotments is also identified in the Open Space Audit. Although there would be benefits of such provision, there is no requirement for this through Proposal SUA.W. I note, however, that the proposed layout does not rule out the possibility of future planning applications for allotment uses, which could come forward as and when circumstances permit.

ST8 Support and enhance the setting and context of the town's rich and diverse historic environment – this issue was addressed thoroughly at the Local Plan Inquiry and the Inspector was satisfied that the proposed form of development promoted through the Local Plan Review would not be harmful to the landscape setting of the town. The planning application conforms to the principles of Proposal SUA.W in the Plan.

POLICING AND CRIME

Policy DEV.10 of the Local Plan Review deals with Design and Crime Reduction and states that in assessing proposals for new development, or alterations to existing buildings, encouragement will be given to incorporating measures which will help to help reduce the opportunity for crimes to occur and to enhance safety within the community.

In accordance with advice in PPS 1, the District Council has adopted guidance on 'Design and Crime Reduction' in order that these matters can be addressed through the planning system. Four key principles have been identified:

Integration: The aim should be to create places where people mix, promoting community integration and avoiding social exclusion. I consider that the proposed indicative layout of the site will create a place where people mix and will decrease the opportunity for anti-social behaviour or criminal activity by increasing natural surveillance, particularly with the statement of intent to have dwellings overlooking footpaths.

Sense of Ownership and Responsibility: Public, private and communal spaces should be clearly separated, with clear boundaries and restricted access to rear private gardens. I consider that all the elements of the development can be clearly defined and that natural surveillance can be incorporated at the detailed design stage.

Natural Surveillance: Ensure that all public and communal areas are overlooked by properties and routes. I consider that the indicative layout of the site shows that natural surveillance could be undertaken by residents and employees in the local centre.

Movement: Laying out development around a network of roads and paths to encourage through movement. I consider that the layout of the site encourages movement through the site and reduces the risk of anonymity.

The Police Architectural Liaison Officer has raised no objection to the proposal but suggested that the new development achieve 'Secured by Design' status. The detail of this could be assessed and consulted on at the reserved matters stage. In light of the above, I consider that the proposal meets the key principles

relating to Design and Crime Reduction, although much of this work would be done through reserved matters submissions.

Warwickshire Police have also requested a financial contribution towards policing as a result of the development. I am satisfied that the request is compliant with the CIL Regulations and that the request falls under the requirement of Policy IMP.4 to provide the social infrastructure necessary to serve the development.

The applicants have indicated the possible provision of a Police 'outpost' facility within the local centre; however, the police authority consultee has verbally indicated that this is not currently a requirement that they would have and therefore its provision would not form part of a legal agreement. The Police have also confirmed that no financial request is made in respect of the commercial element of the scheme.

IMPACT ON NEIGHBOURS' AMENITIES

The amenity considerations of noise and air pollution are dealt with in separate sections of this report and therefore this section relates solely to matters of light and privacy to residential properties.

A principle of Saved Policy DEV.1 is that appropriate standards of amenity within the development and the extent to which the general amenity of adjoining properties is protected. Further detail on the impact on neighbours is contained in the planning advice note 'Extending your home'.

The two main existing residential areas that would be immediately affected by the proposal are the properties fronting the southern housing parcel on Hogarth Road; those backing onto the northern development parcel at South Green Drive; those fronting it on West Green Drive; and those backing onto it in the area of West Park Close.

As the application is for outline planning permission, detailed matters of siting, design and layout would be considered at reserved matters stage and, in terms of light and privacy to neighbouring properties, this is a matter that would be primarily assessed at the detailed stage. The details provided show that development will adjoin existing residential areas and this is in accordance with the layout indicated in Proposal SUA.W of the Local Plan Review.

I have carefully considered the layout of existing properties and conclude that, although existing residents will inevitably experience some reduced light and privacy with a scheme of this nature, the proposed dwellings could be accommodated on the site without having a significant detrimental impact in this regard and that there is no reason to believe that the residential amenity guidance contained in 'Extending your Home' would not be met.

I also acknowledge that the proposed road accesses would face straight onto the properties opposite on West Green Drive and Alcester Road and that this could give rise to concerns regarding car lights shining into the properties; however, this would be at times when residents are likely to have their curtains drawn and I do not consider that traffic movements would be so substantial that they would have a significantly detrimental impact on neighbours' amenity.

Concerns have also been expressed about light pollution generally; however, the resultant development would not be any different to any normal housing area in terms of domestic lighting and there is no reason to believe that highways lighting could not be designed so as to provide a visually acceptable and safe environment.

Many neighbouring residents have raised objection to the proposal on the grounds of the loss of views; however, this is not a material planning consideration and as such cannot be taken into account.

ECOLOGY AND BIODIVERSITY

The application site is predominantly farmland containing a mixture of improved grassland and arable uses, which are of negligible nature conservation value. There are also 27 hedgerows within the site (3 of which are of value and of District importance), a small plantation woodland and a number of mature trees.

There are nearby sites outside of the application site, which are of national or county nature conservation value. Racecourse Meadow is a Site of Special Scientific Interest (SSSI) containing lowland neutral grassland, which is located further downstream along Shottery Brook just to the west of the racecourse. The Seven Meadows Site of Importance for Nature Conservation (SINC) adjoins this SSSI and Bordon Hill SINC lies approximately 250m south west of the plantation woodland. Saved Policy EF.6 seeks to protect such sites by:

- “(a) not permitting development likely to destroy or damage, either directly or indirectly, a designated or proposed European site, or a Site of Special Scientific Interest (SSSI);
- (b) assessing development and land use change likely to have an adverse impact upon a site which is subject to a local ecological or geological designation, or is of substantive nature conservation or geological value, against the importance of the site and the extent to which that impact can be subject to mitigating or other compensatory measures;
- and
- (c) seeking to ensure the protection and long term management of features of significant ecological and/or geological importance such as wildlife corridors, links or stepping stones and fossil sites.”

PPS9 'Biodiversity and Geological Conservation' provides national guidance for assessing applications in terms of their ecological impact. The guidance states how designated sites will be protected before going on to encourage authorities to maximise opportunities for biodiversity through development at paragraph 14.

The applicant has assessed the ecological impacts of the proposal by way of an Extended Phase 1 Habitat Survey and surveys relating to individual species.

Nearby Wildlife Sites

The greatest potential impact of the development is on Racecourse Meadow SSSI downstream of the site. All of the ecological consultees expressed initial concern or objection regarding the impacts on this site in terms of the impact on water quality entering the SSSI and the proposed sewer upgrade adjacent to it. In response to this, the applicants submitted further details of how pollution within the water course would be controlled. Details of the Sustainable Urban Drainage

'treatment train' were provided, which stated how 4 elements (porous paving, open channels, detention basins and then Shottery Brook itself) would provide methods that are widely accepted to be of high pollutant removal efficiency. Details of the methods by which water quality will be protected through a Construction and Environmental Management Plan (CEMP - Construction) were also provided (4.2.11 of the ES Reg. 19 Response). These measures, coupled with the 20% reduction in baseline water discharge levels, have enabled the relevant consultees to withdraw their objections on the grounds of the impact on Racecourse Meadow SSSI. This also means that the impact on the adjoining Seven Meadows local wildlife site is considered to be acceptable.

The relevant consultees have also been satisfied that the proposed sewer through the Seven Meadows site can either follow a course away from these sensitive areas or, failing this, they believe a method statement of how this sewer development could be implemented acceptably can be worked up along the lines found at 4.3.3 of the ES Reg. 19 Response.

The impact on the nearby Bordon Hill SINC also needs to be assessed and Chapter 11 of the Environmental Statement contains the applicant's assessment of this. The site is an open area of calcareous grassland, which is becoming colonised by scrub (chiefly hawthorn). The assessment identifies the key threats to the site as being construction dust during dry periods and increased visitor usage such as dog walking and youths playing. These threats are considered by the applicants to be mitigated or outweighed by the provision of the public amenity areas within the development site, which will relieve pressure on the SINC and also through the provision of a structural landscape buffer to the west of the plantation. The relevant consultees are satisfied with this assessment and mitigation.

Bats

Bat surveys of the site were undertaken during the summer of 2008 and these revealed that the greatest share of bat activity was in the central and southern parts of the site, chiefly by Pipistrelle species. During the course of the application process a bat survey of Nos. 3 and 4 Bordon Hill was carried out, as these are proposed to be demolished. The survey found no bats within these buildings and limited opportunities for future roosting. The County Ecologist has accepted these findings and recommends a bat mitigation condition and one to secure bat bricks/tiles within new buildings.

Great Crested Newts

Although an assessment of Great Crested Newts (GCNs) was provided with the ES, local residents have raised concern that their presence in and around a pond at Burman's Farmhouse (once used for filming BBC Gardener's World) has not been adequately addressed or mitigated for. A Great Crested Newt Risk Assessment was submitted in response to this. This report concludes that it is considered very unlikely that the GCNs present in the pond at Burman's Farmhouse will be present in working areas within the application site; however, Natural England would expect that all suitable habitats in the working area within 250m of this pond are searched appropriately (under ecologist supervision) prior to commencing re-grading, construction and habitat enhancement operations. This recommendation is proposed in order to ensure maintenance of statutory compliance regarding the protected species. In the unlikely event that GCNs were discovered during operations, works would cease in that area and further advice would be sought from Natural England. In this event it may be necessary to obtain a licence from Natural England to legitimise the completion of works. In the event a licence was required, given that habitat loss within 250m of the pond comprises 15sq.m of hedgerow, provided mitigation was implemented during the

construction phase and given the substantial areas of habitat enhancement provided by structural landscaping within the site's green infrastructure, it is considered that the conservation status of the newt population can not only be adequately maintained, but also improved from its current situation.

The statutory consultees are satisfied with this recommendation; however, the Environment Agency has expressed concern that further opportunities for pond and wetland creation have not been taken. PPS9 is quite clear on how to assess this, stating at Paragraph 16 that authorities should ensure that protected species are protected from the adverse effects of development and that permission should be refused where harm to a species would result. In this case, the situation for GCNs will be improved through better habitat management and the creation of a new pond (in addition to the SUDS basins) and whilst I understand the Environment Agency's desire to do more, this does not constitute a reason to refuse permission, because no harm to GCNs would result.

Skylarks

The ES identifies (at para. 11.4.32) a number of Skylarks recorded within the fields across the development site, with the species highlighted as a 'probable breeder'. This is a bird of high conservation concern and on the RSPB red list. Warwickshire Wildlife Trust has expressed concern in their response that the loss of open grassland and arable areas will have a locally significant (minor) adverse impact on Skylarks through the loss of foraging and nesting habitat. In response to this, the applicant proposes the implementation of favourable agricultural management in land under the applicant's control to the west of the application site in accordance with a Skylark Mitigation Strategy to accord with RSPB guidance. This is welcomed by the County Ecologist and I am satisfied that this is an appropriate way of protecting this species and could be secured through a legal agreement.

Other Protected Species

Further survey work undertaken as part of the application has involved a Breeding and Winter Bird Survey, Badger Survey, White Clawed Crayfish Survey and Water Vole Survey. Although the habitat is suitable, no evidence of the last two species was found along Shottery Brook and the relevant consultees are satisfied with the results of all of these surveys and that species could be appropriately protected by way of conditions.

A Badger Survey has also been submitted and Natural England has stated that it is satisfied with the findings of this report.

Invertebrates

The consultation process has revealed significant local concern over the loss of or threat to various 'endangered' species. In particular, RASE has identified concerns regarding the lack of an Invertebrate Survey in the light of six species being found only at Bordon Hill SINC within the County. Detailed correspondence has taken place on this matter involving the County Ecologist, who does not consider that further survey work is reasonable in this case. This is because the Bordon Hill SINC is not part of the development site, therefore it will not be directly affected by the works. He has discussed this matter with the County Invertebrate recorder, who has confirmed that the delineation between the SINC (Calcareous grassland) and development site (Arable) is likely to be significant, and would greatly reduce the potential for those invertebrates recorded in 1996 to be present in the development area. Furthermore he envisages that should the development go ahead, a Combined Ecological Management Plan (CEMP – Ecology) will have the potential to greatly enhance this area for invertebrates by appropriately utilising the large areas of new landscaping.

It is the duty of the Authority to have regard to conserving biodiversity, including matters relating to living organisms or types of habitat, restoring or enhancing a population or habitat under the Natural Environment and Rural Communities (NERC) Act 2006. I am satisfied that appropriate regard has been given to the Natural Environment and Rural Communities (NERC) Act 2006 and that overall the biodiversity of the site would be improved.

AIR QUALITY

Policy PR.8 of the Local Plan Review states that planning permission will not be granted for development, which could give rise to air, noise, light or water pollution or soil contamination where the level of discharges or emissions is significant enough to cause harm to other land uses, health or the natural environment. The effectiveness of proposed mitigation measures will be fully taken into account.

Government guidance in PPS23 Planning and Pollution Control states at paragraph 15 that the effects of existing sources of pollution in and around a site should not be such that the cumulative effects of pollution when the development is added would make the development unacceptable.

An assessment of air quality impacts from the development has been submitted in Chapter 13 of the Environmental Statement, which was further updated as a result of the revised Traffic Model and Transport Assessment (ES App. J). The approach to the assessment of air quality issues identifies the relevant sources as being construction activities, traffic travelling to and from the development and operational plant and ventilation within the development. The applicants have submitted that the Revised Transport Assessment does not materially alter the earlier conclusions of the Air Quality Assessment and, given that the Environmental Health Officer (EHO) concurs with this, I consider that it is reasonable to use its findings in my assessment.

In terms of construction activities, the assessment identifies the site as high risk due to its size and proximity to sensitive receptors (section 13.6.9). As mitigation, a series of measures are proposed to limit pollution during the construction phase (section 13.7.1). The Council's EHO has assessed this and considers that this issue could be adequately mitigated by and controlled through a condition requiring the submission of a scheme (preferably in the form of a Code of Construction Practice). This would therefore reduce the construction risk to medium or low.

Turning to the key matter of air pollution created by vehicles travelling to and from the development, it should be noted that the whole of Stratford was designated as an Air Quality Management Area (AQMA) in January 2010 for exceedances of the annual mean Nitrogen Dioxide air quality objective. As the air pollution in question is produced by vehicles, this part of the assessment is inextricably linked to the Transport Assessment.

The key traffic figures are found in Column 8 of Appendix A of the Supplementary Air Quality Report (ES App.J), which shows the change in vehicles per day as a result of the development. The figures demonstrate that there would be increases in traffic at some locations near to the site, particularly along the A46 and A439 corridors; however, the effects will be small and these are locations that do not currently experience air quality problems. As a result of this, it is

considered that the proposal would still not cause air pollution levels that are higher than national or EU guidelines.

The locations, which are of particular concern from an air quality point of view, are those in and around the town centre. Both the Birmingham Road / Arden Street junction and the Alcester Road / Grove Road junction are predicted to experience slightly reduced traffic flows and the EHO is satisfied that this would have a slight beneficial effect in these areas. In view of this he has stated that no financial contribution towards Air Quality improvement measures would be required.

Any air quality issues resulting from the detailed design of the buildings within the development (vents, flues etc.) could be adequately considered at reserved matters stage.

In view of the evidence submitted, which is considered acceptable by the EHO, I am satisfied that the development would meet the requirements of Policy PR.8 and would not give rise to air pollution, which would cause harm to other land uses, health or the natural environment.

NOISE

As stated in the previous section, Policy PR.8 of the Local Plan Review states that planning permission will not be granted for development, which could give rise to noise pollution (amongst others) where the level of discharges or emissions is significant enough to cause harm to other land uses, health or the natural environment. The effectiveness of proposed mitigation measures will be fully taken into account.

PPG24 Planning and Noise provides central government guidance on both noise generating development proposals and noise sensitive development proposals with the current proposal clearly falling into both categories.

Method of Assessment

In order to assess these matters, a 'Planning and Noise Report' has been submitted and is found at Appendix L of the Regulation 19 response. The report details the methodology of the environmental noise survey, which was undertaken. In particular noise readings were taken at various positions across the application site, Anne Hathaway's Cottage, through Shottery and on both the Alcester and Evesham Roads (Figure 09/2250/F5/A). The results of the surveys found that the noise climate was dominated by traffic and classified the site as 'Noise Exposure Category B'. In the immediate vicinity of the electrical substation, it was the transformer noise that dominated the noise environment. An acoustic model of the site was subsequently developed and a computer based noise prediction program was used to determine traffic and substation noise levels. I note that there is local objection on the grounds that the model does not account for the 'bounceback' effects of Bordon Hill. The noise report states that the landform in the computer model has been based upon information from the topographical survey of the site and therefore takes into account landform on a macroscopic scale.

Noise from Construction Activities

In terms of construction activities, the original Environmental Statement considers the potential impact and concludes that construction noise and vibration

impacts will be short term in nature and that a Code of Construction Practice can limit any such impacts to minor or moderate. In addition to this the Environmental Health Officer (EHO) recommends the imposition of a condition to limit construction works to daytime hours.

Road Traffic Noise – Proposed properties

The report goes on to study road traffic noise implications for the proposed dwellings (those closest to the link road and Alcester Rd) and states that a 'reasonable' level of noise can be achieved through insulation on these properties. The EHO would normally insist on achieving a 'good' level of noise standard; however, he acknowledges that a higher level of noise insulation is likely to require unsustainable methods such as mechanical ventilation. He is therefore content to accept the 'buyer beware' principle for these dwellings. Both internal space and private garden space noise levels could be appropriately controlled by way of a planning condition.

Road Traffic Noise– Existing properties

The next consideration is the impact of traffic noise from the development on existing properties. The issue of increased traffic noise at Anne Hathaway's Cottage has been assessed in the '**CULTURAL HERITAGE**' section above and therefore it is not considered again here. As stated previously, the applicants have submitted that the Revised Transport Assessment does not materially alter the earlier conclusions of the Noise Assessment and, given that the EHO concurs with this, I consider that it is reasonable to use its findings. The assessment undertaken by the applicants involves traffic flow data from the transport model, which is used to create a noise value that is the level of noise exceeded for 10% of the time, over the period of 06:00 – 24:00 hours. The effects with and without the development have then been studied for various points in and around the site and are tabulated at '09/2250/SCH14/B' (found towards the end of the Planning and Noise Report). Each point is then allocated a number of residences which it is said to represent, for example AP4, which is 102 Evesham Road, is considered to be representative of 45 dwellings.

As with the Transport Assessment and the air quality studies, the figures show some increases and some decreases in noise levels. The majority of the 39 assessment positions are subject to negligible impacts, be they adverse or beneficial. The findings also reveal that 7 properties would experience a severe adverse impact – a change varying between 8 and 13 decibels increase. All of these properties are in the area close to the new roundabout at the foot of Bordon Hill and are outside of the development site. The applicant has not put forward any mitigation proposals for existing dwellings outside of the site boundary.

In this case, the EHO has advised that a balanced view can be taken regarding these impacts and concludes that overall the noise impact on existing dwellings will be acceptable. I have no evidence to disagree with his assessment and I am also mindful of the fact that these properties could be eligible for compensation under the Land Compensation Act 1973, as the new road would be dedicated as a public highway. I have been advised by WCC Highways that claims can be made for the effect on property value once the road in question has been open for 12 months. The claims are made principally on noise, but can include dust and other factors. Such claims have to demonstrate an increase in noise of approx 3dBA but settlements are negotiated. This compensation is a material planning consideration, which should be weighed up carefully when coming to a conclusion on noise impact.

Electricity Sub-station

In addition to the impact of road noise on the new development, the noise produced by the electricity sub-station must also be taken into consideration. The Noise Report finds that detailed observations and measurements indicate that the dominant frequency is in the '100Hz one-third octave band' and therefore all mitigation is proposed in response to this. The mitigation proposed entails the construction of a 5m bund around the substation and the incorporation of sound insulation and acoustic ventilation in adjacent properties. The report states that 18 decibels at this frequency can be achieved. The Environmental Health Officer is not entirely persuaded that the scheme is sufficient to mitigate the noise; however, he accepts it is the best that can be done in the circumstances. The bund will also reduce the noise experienced by West Green Drive houses by up to 2 decibels and this is a slight benefit of the scheme. The 5m bund would be a substantial feature; however, I am satisfied that it could be successfully visually assimilated into this location through appropriate planting.

I am satisfied that noise levels within the development, and particularly the local centre, could be adequately considered at reserved matters stage. Having considered the overall impact of noise created by the development there are evidently instances where the effects involve an improvement and where they involve harm, which in some cases is severe. Members will need to weigh up these matters in the planning judgment; however, in conclusion I consider that the overall noise impact is an acceptable one.

ENERGY EFFICIENCY

The Council's Supplementary Planning Document, 'Sustainable Low Carbon Buildings' requires all proposals, which create floorspace, to demonstrate a 10% reduction in carbon emissions from renewable sources. Saved Policy DEV.8 of the Local Plan Review expects the layout and design of new development to minimise the amount of energy resources consumed in its occupation and use by taking into account the scope for:

- the orientation of buildings to maximise the potential for natural daylight and passive solar heating, and to minimise the impact of wind on heat loss
- incorporating features which utilise sources of renewable energy,
- adaptability in the design of buildings so that alternative uses can be found for them as required.

The applicants have submitted an Energy Statement which indicates that the proposals will meet the Low Carbon SPD by way of:

- Compliance with current and expected future changes to the Building Regulations (a minimum of 25% improvement of DER [Dwelling Emission Rate] over TER [Target Emission Rate] from 2010) and demonstrate an Energy Efficiency Rating of B or above.
- The incorporation of appropriate Low and Zero Carbon technologies to be determined through future reserved matters applications. The incorporation of these technologies to contribute to at least 10% reduction of carbon emissions. The potential low carbon energy technologies are assessed and those that are considered to be suitable, feasible and potentially viable for the development are air source heat pumps, ground

Having consulted the Council's Acting Head of Technical Services, I am satisfied that the Energy Statement demonstrates that it would be possible for the development to achieve a 10% reduction in carbon emissions through the use of renewable sources utilising the 4 options noted above or through the other possible options in the Energy Statement.

The detail submitted within reserved matters applications would indicate exactly how the 10% reduction in carbon emissions would be achieved in detailed design terms and this could be secured by way of a planning condition.

As previously discussed, Key Principle MHN15 of the Meeting Housing Needs SPD requires all new housing to achieve a minimum rating of Code Level 3 in accordance with the Code for Sustainable Homes and the applicants have given their agreement to this requirement, which could be controlled by way of condition and 'ratchet up' to accord with the relevant planning policy requirements at the time of each reserved matters submission.

LOSS OF FARMLAND

The southern parcel of development land and some of the land to the west of the the plantation is classified as Grade 3A agricultural land quality. PPS7 Sustainable Development in Rural Areas states at paragraph 28 that the presence of the best and most versatile agricultural land (Grades 1, 2, and 3a) should be taken into account alongside other sustainability considerations.

The Town & Country Planning (Development Management Procedure) (England) Order 2010 does not require DEFRA to be consulted where the loss of the most versatile land grades is less than 20ha - in this case, approximately 14ha would be lost.

The Local Plan Inquiry Inspector considered this matter and concluded that, bearing in mind the scale of both the development and of the land in question, the proposals cannot be said to involve the loss of a significant area of the best and most versatile agricultural land and the site was recommended for allocation as residential development accordingly.

I therefore consider that the loss of agricultural land on the site has been established in principle. It should be noted that Policy PR.4 Farmland is not a saved policy of the Local Plan Review.

OTHER ISSUES

There has been concern raised through local consultation about the levels of radiation that properties built close to the electricity sub-station would experience. I have sought the advice of the Environmental Health Officer in this regard and I am advised that it is extremely unlikely that the levels of non-ionising radiation emitted by the substation would come anywhere near the ICNIRP (International Commission on Non-Ionising Radiation Protection) guideline

levels for public exposure which stand at 100 microteslas. In fact, the radiation is more likely to be of the order of 1-2 microteslas at the substation boundary. The cables bringing electricity to the substation are the more significant emitters, but again these are still far below the ICNIRP guidelines.

These guidelines are not enforceable by the District Council and are for the electricity network operators and electricity companies to adhere to. In this regard 'E-on Central Networks' have raised no objection to the application with only noise being raised as an issue. I am therefore satisfied that this is not a matter of concern.

Saved Policy DEV.11 of the Local Plan Review requires the inclusion of works of public art in development proposals that can be secured by Section 106 agreements. In this instance the applicant has agreed to enhance the public realm via the provision of, for example, play equipment or railings within the proposed open space at a standard higher than would usually be expected rather than make a payment towards an individual piece of art. I consider that this approach is acceptable and that the details of this could be finalised during reserved matters submissions.

Policy COM.16 of the Local Plan Review deals with existing business uses and seeks to retain them in their existing locations. The southern portion of the site currently includes a commercial timber showroom; however, this use is operating under a temporary planning permission (06/03657/FUL), which is already beyond its 3 year time limit. Given its temporary nature, I therefore afford no weight to the need to retain this business use in this location.

LEGAL AGREEMENT AND INFRASTRUCTURE

It is necessary to consider the matters that should be controlled or secured by way of a legal agreement. The infrastructure and monetary contributions that can be required from the proposal have to be assessed under the Community Infrastructure Levy (CIL) Regulations 2010 and Circular 05/05 'Planning Obligations'.

It is unlawful for a planning obligation to be taken into account when determining a planning application for a development, or any part of a development, that is capable of being charged as a Community Infrastructure Levy (CIL) if the obligation does not meet all of the following tests:

1. be necessary to make the development acceptable in planning terms;
2. be directly related to the development; and
3. be fairly and reasonably related in scale and kind to the development.

Saved Policy DEV.6 of the Local Plan Review deals with the capacity of services to serve new development and Saved Policy IMP.4 deals with Infrastructure provision, which requires that development should secure proper arrangements for the provision of the full range of physical and social infrastructure necessary to support a proposal.

The majority of contributions and legal agreement matters have been discussed above. The final financial contributions would be established through formula in the legal agreement and ongoing negotiations. At the time of writing this report

the outcome of discussions with the applicants and consultees currently produces the following indicative contributions and obligations:

- 35% floorspace as Affordable Housing (equates to 280 dwellings approx.)
- 3.78ha Community Park
- 2.12ha of Equipped Play Space and Incidental Open Space
- 3.55ha of Publicly accessible areas of Green Infrastructure
- 1,000sq.m of commercial floorspace in a Local Centre and marketing requirements
- £250,000 off-site Youth/Adult open space contribution for 2 'pay and play' tennis courts, 1 Multi-Use Games Area and Junior Football pitches
- Management of arable land to the west of the site for the benefit of Skylarks
- Up to 0.5ha of land for a health facility within the Local Centre (subject to PCT input)
- £550,000 towards a replacement Leisure Centre for Stratford
- £8,600,000 for Education - with the Primary Education element of these figures likely to be discounted to account for the provision of the Primary School
- £137,591 for Libraries
- £387,120 towards bus service improvements
- £40,000 towards the provision of sustainability packs for each proposed household (£50 per household)
- £5,000 towards the costs of a Traffic Regulation Order (TRO) for Cottage Lane
- £316,800 towards Warwickshire Police

I am satisfied that the above requirements comply with the provisions of the CIL Regulations 2010; however, the following matters have not yet been justified for the purposes of the CIL Regulations and an update will be provided to Committee.

- £40,000 towards the implementation of Stratford Parkway Station
- £25,000-£30,000 towards improvements to the local Rights of Way network

Despite repeated requests the Primary Care Trust has never responded to officers or the applicants as to whether they wish to secure a financial contribution.

CONCLUSIONS

Planning legislation and national policy makes clear that the determination of planning applications should be in accordance with the statutory development plan unless material considerations indicate otherwise. Specifically Section 38(6) of The Planning and Compulsory Purchase Act 2004 states that, "If regard is to be had to the development plan for the purpose of any determination to be made under the planning acts, the determination must be made in accordance with the plan unless material considerations indicate otherwise".

In considering the principle of development, the proposal complies with Proposal SUA.W of the Local Plan Review. The Council cannot demonstrate an up-to-date five year supply of deliverable sites. There is, therefore a presumption in favour of sustainable development, a presumption which has been carried through into the draft National Planning Policy Framework (NPPF), published in July 2011. It should also be noted that the draft NPPF proposes that Councils would need to demonstrate a five year + 20% supply of deliverable sites. Whilst "policy preferences" have been submitted to and supported by Cabinet on 5 September, it is officers' opinion that these are a material consideration carrying very little weight for determining planning applications at this time. They are neither adopted nor emerging policy and have not, at this time, been subject to any public consultation process or testing via sustainability appraisal. The criteria in paragraph 69 of PPS3 are objectives to achieve sustainable development and officers are satisfied that the proposed development meets these objectives.

Members now need to give consideration to each of the matters dealt with in report above, all of which are important in their own right. The matters also need to be considered collectively in coming to a balanced judgement as to whether the scheme complies with planning policy or not.

In considering the application, Members should come to a view on whether the proposal constitutes sustainable development as defined by paragraph 69 of PPS3. If Members are minded to refuse the application on the grounds of prematurity, then clear evidence of harm must be demonstrated.

The benefits of the scheme

- Achieves the benefits identified in Proposal SUA.W of the Local Plan Review
- Would deliver approximately 245 dwellings towards the Council's 5 year housing land supply and the remainder beyond this period
- Delivery of approximately 280 affordable housing units
- Provision of a new two-form entry primary school
- Provision of land for a new Healthcare facility
- The link road provides a strategic transport link
- Reduced traffic and queuing at many town centre junctions
- Reduced through traffic in Shottery village
- The potential to reduce Anne Hathaway's Cottage visitor traffic through Shottery
- Reduction in site drainage run off by 20%, less pollutants and culvert improvements
- Reduced noise to some properties
- Slight reduction in air pollution around town centre junctions
- Provision of public open space through the Community Park and Accessible Green Infrastructure
- Enhanced biodiversity through landscaping

The disbenefits of the scheme

- Landscape and visual impacts, which vary from negligible to slight adverse
- Public Right of Way SD16 crossing over 50mph road makes it less appealing to users
- Increased traffic on some town roads, particularly Evesham Road
- Increased noise to some properties, particularly Evesham Road and Bordon Hill
- Noise levels in the proposed dwellings close to the link road can only achieve 'reasonable' rather than 'good' noise levels
- Slight increases in noise at points to the rear of Anne Hathaway's Cottage
- Increased air pollution around B439 and A46 corridors

Having taken all of the above matters into consideration, officers have come to the conclusion that the benefits identified outweigh the harm caused by the disbenefits and therefore planning permission should be granted.

6. RECOMMENDATION

That, subject to:

i) the Secretary of State for Communities and Local Government not calling in the application for determination;

and

ii) the completion of a legal agreement to secure all of the matters detailed in the Legal Agreement section on pages 131-132,

the Planning Manager be authorised to GRANT outline planning permission, subject to the following conditions and notes:

General

1. No part of the development hereby permitted shall be commenced on any parcel (as referred to in Condition 5) until full details of the layout, scale, appearance and landscaping within the parcel (hereinafter called the reserved matters) has been submitted to and approved in writing by the Local Planning Authority.

Reason: To comply with Section 92 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

2. Application for approval of the first reserved matters shall be made to the Local Planning Authority no later than the expiration of three years from the date of this permission and the last application for reserved matters approval shall be made no later than seven years beginning on the date of this permission.

Reason: To comply with Section 92 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

3. The development hereby permitted shall be begun no later than the expiration of three years from the date of this permission.

Reason: To comply with Section 92 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

4. The development hereby permitted shall not be carried out except in general accordance with the details shown on the following submitted plans:

*Parameters Plan 1953-SK-01 rev.S

*Access Plan 207137-00 Figure 13 Issue 05

Reason: For the avoidance of doubt.

5. No part of the development hereby permitted shall be commenced until a detailed phasing plan has been submitted to the Local Planning Authority, which shall show the parcels which shall be the subject of separate reserved matters applications.

Reason: To ensure that the development proceeds in a timely manner and in order that the delivery of the essential parts of the development and the legal obligations can be calculated and monitored.

6. No development shall take place, including any works of demolition or clearance, until a Construction and Environmental Management Plan has been submitted to, and approved in writing by, the Local Planning Authority in consultation with the Highways Agency, Local Highway Authority, Environmental Health and County Ecology. The Plan shall provide for:

a) the parking of vehicles of site operatives and visitors;

b) the loading and unloading of plant and materials;

c) the storage of plant and materials used in constructing the development;

d) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;

e) installation and maintenance of wheel washing facilities;

f) measures to control the emission of dust and dirt during construction;

g) a scheme for recycling/disposing of waste resulting from demolition and construction works;

h) in relation to every element topic or subject included in the Statement, the standards to be achieved, monitoring schedules, record keeping and communication of results to the Local Planning Authority;

i) an appropriate scale plan showing "Environment Protection Zones" where construction activities are restricted and where protective measures will be installed or implemented;

- j) details of protective measures (both physical measures and sensitive working practices) to minimise impacts during construction;
- k) a timetable to show phasing of construction activities to avoid periods of the year when sensitive wildlife, particularly nesting birds, could be harmed;
- l) details of persons/organisations responsible for:
 - i) Compliance with legal consents relating to nature conservation;
 - ii) Compliance with planning conditions relating to nature conservation;
 - iii) Installation of physical protection measures during construction;
 - iv) Implementation of sensitive working practices during construction;
 - v) Regular inspection and maintenance of the physical protection measures and monitoring of working practices during construction;
 - vi) Provision of training and information about the importance of "Environment Protection Zones" to all construction personnel on site.
- m) pollution prevention measures;
- n) details of measures to protect the public footpaths and amenity of users of the public footpaths crossing the site during the construction works

All works shall be carried out in accordance with the approved details. Any alteration to this plan should be approved in writing by the Local Planning Authority prior to commencement of the alteration.

Reason: To ensure that appropriate noise levels, air quality, highway safety and ecological assets are protected and maintained on site during construction in accordance with PPS9 and Habitat Regulations (2010) and Policies PR.8, EF.6 and DEV.4 of the Stratford-on-Avon District Local Plan Review.

Highways

7. No more than 150 dwellings in the northern development area (shown on Parameters Plan 1953 SK-01 rev.S as the Housing Area - Alcester Road [Component A]), shall be permitted to be occupied until a highway scheme broadly in accordance with drawing number CH-011 Issue 01 has been approved in writing by the local planning authority in consultation with the Highways Agency and the approved scheme has been fully implemented and is open to traffic.

Reason: To ensure the A46 Trunk Road continues to serve its purpose as part of the national system of routes for through traffic in accordance with Section 10 (2) of the Highway Act 1980.

8. Prior to the first occupation of the development, a travel plan, in general accordance with the Travel Plan Framework, to include details of the mechanism to be used for its delivery, monitoring and enforcement, shall be submitted to and approved in writing by the local planning authority in consultation with the Highways Agency.

Reason: To minimise the need to travel, particularly by private car. To ensure that the A46 trunk road continues to serve its purpose as part of a national system of routes for traffic in accordance with section 10(2) of the Highways Act 1980 by minimising disruption on the trunk road resulting from development traffic emerging from the application site.

9. The proposed Stratford Western Relief Road (SWRR), connections to the existing highway and new junctions on the SWRR, shall be laid out in general accordance with plans:

- 207137-00/Figure6/03
- 207137-00/Figure7/03
- 207137-00/Figure8/04
- 207137-00/Figure9/04
- 207137-00/Figure10/04
- 207137-00/Figure11/04
- 207137-00/Figure12/03
- 207137-00/Figure15/06
- 207137-00/Figure16/04
- 207137-00/Figure17/03
- 207137-00/Figure18/05
- 207137-00/CH-011 Issue 01

Reason: For the avoidance of doubt

10. No development shall take place until a highway works agreement has been entered into and signed to secure the construction completion and adoption of the entirety of the SWRR (as shown on Plan 207137-00 Figure 13/05).

Reason: To ensure that the SWRR is delivered in its entirety, in order to meet the expectations of Proposal SUA.W of the Stratford-on-Avon District Local Plan Review.

11. No dwellings shall be occupied in the southern development area (shown on Parameters Plan 1953 SK-01 rev.S as the Housing Area - Evesham Road [Component B]) until the Evesham Road / Luddington Road roundabout (as shown on Plan 207137-00 Figure 15/06) has been completed and is open to traffic.

Reason: To ensure that a safe and convenient access is provided to the southern development area at an appropriate time in accordance with Policy DEV.4 of the Stratford-on-Avon District Local Plan Review.

12. No dwellings shall be occupied in the northern development area (shown on Parameters Plan 1953 SK-01 rev.S as the Housing Area – Alcester Road [Component A]) until the new junctions on Alcester Road (as shown on Plan 207137-00 Figure 9/04) and West Green Drive (as shown on Plan 207137-00 Figure 7/03) and the new pedestrian crossing on the Alcester Road (as shown on Plan 207137-00 Figure 9/04) have been completed and are open to traffic and/or pedestrian use (as applicable).

Reason: To ensure that a safe and convenient access is provided to the northern development area at an appropriate time in accordance with Policies DEV.4 and COM.9 of the Stratford-on-Avon District Local Plan Review.

13. No more than 150 dwellings in the northern development area (shown on Parameters Plan 1953 SK-01 rev.S as the Housing Area – Alcester Road [Component A]), shall be permitted to be occupied until the northern section of the SWRR (as shown on Plans 207137-00 Figure 16/04 and 207137-00 Figure 17/03), the improvements to the Wildmoor Roundabout (as shown on Plan 207137-00 Figure 20/07), the northern sector access roundabout (as shown on Plan 207137-00 Figure 6/03) and works to

Reason: To ensure that a safe and convenient access is provided to the northern development area at an appropriate time and to ensure that the safety of Public Footpath SD16 is maintained in accordance with Policies DEV.4 and COM.9 of the Stratford-on-Avon District Local Plan Review.

14. No more than 300 dwellings in the northern development area (shown on Parameters Plan 1953 SK-01 rev.S as the Housing Area – Alcester Road [Component A]), shall be permitted to be occupied until the entirety of the SWRR (as shown on Plan 207137-00 Figure 13/05), the Anne Hathaway Cottage Access roundabout (as shown on Plan 207137-00 Figure 12/03) and works to create the crossings of the SWRR for public right of ways SD16b and SD42, in accordance with details approved under Condition 15, have been completed and are open to traffic.

Reason: To ensure that a safe and convenient access is provided to the northern development area at an appropriate time and to ensure that the safety of Public Footpaths SD16b and SB42 are maintained in accordance with Policies DEV.4 and COM.9 of the Stratford-on-Avon District Local Plan Review.

15. Detailed schemes for providing suitable crossings of the SWRR for public rights of ways SD16, SD16b and SB42, as shown on Plans 207137-00 6/03, 207137-00 12/03 and 207137-00 16/04, shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority. The crossings shall thereafter be implemented in accordance with the approved details.

Reason: To ensure that the safety of Public Footpaths SD16, SD16b and SB42 is maintained in accordance with Policies DEV.4 and COM.9 of the Stratford-on-Avon District Local Plan Review.

16. All new highway junctions, as shown on Plans 207137-00 Figure 7/03, 207137-00 Figure 8/04, 207137-00 Figure 9/04, 207137-00 Figure 10/04 and 207137-00 Figure 11/04, shall be laid out so as to provide the relevant visibility splays shown on the these plans and no structure or vegetation exceeding 0.6m in height above the adjoining highway carriageway shall be placed, allowed to grow or be maintained within the visibility splay as defined.

Reason: To ensure that safe and convenient accesses are provided to the development in accordance with Policies DEV.4 and COM.9 of the Stratford-on-Avon District Local Plan Review.

17. If the north-eastern arm of the Anne Hathaway's Cottage roundabout (as shown on Plan 207137-00 Figure 12/03) is not brought into use within 2 years of the completion of the roundabout, it shall be landscaped during the next planting season in accordance with details which shall first be approved in writing by the Local Planning Authority.

Any planting that is removed, uprooted, severely damaged, destroyed or dies within five years of the date of planting shall be replaced by the approved type planting by the end of the first available planting season.

Reason: To protect the amenity of the area and the setting of Anne Hathaway's Cottage, its grounds and Shottery Conservation Area in accordance with Policies PR.1, DEV.1, EF.13 and EF.14 of the Stratford-on-Avon District Local Plan Review.

18. With the exception of lighting that is required to directly illuminate roundabout junctions, no street lighting shall be installed on the SWRR between the northern development area access roundabout (as shown on Plan 207137-00 Figure 6/03) and the Anne Hathaway's Cottage roundabout (as shown on Plan 207137-00 Figure 12/03).

Reason: To protect the setting of Anne Hathaway's Cottage, its grounds and Shottery Conservation Area in accordance with Policies EF.13 and EF.14 of the Stratford-on-Avon District Local Plan Review.

19. Car Parking levels within the local centre and primary school to be constructed as part of the development shall be designed and implemented to accord with the Car and Cycle Parking Standards SPD 2007 or any successive guidance or policy adopted by the Local Planning Authority.

Reason: To ensure that safe and convenient parking is provided in accordance with Policies DEV.5 of the Stratford-on-Avon District Local Plan Review.

20. Cycle Parking levels within the local centre and school shall be designed and implemented to accord with the Car and Cycle Parking Standards SPD 2007 or any successive guidance or policy adopted by the Local Planning Authority.

Reason: To ensure that safe and convenient cycle parking is provided in order to encourage cycling in accordance with Policy COM.9 of the Stratford-on-Avon District Local Plan Review.

Drainage

21. No development shall take place including works of demolition until such time as a phasing plan for the surface water drainage has been submitted to and approved in writing by the Local Planning Authority. Any reference to parcels in Conditions 21-25 inclusive shall be to the parcels set out on the phasing plan approved pursuant to this condition.

Reason: To ensure the satisfactory drainage is provided during construction in order to accord with Policy DEV.7 of the Stratford-on-Avon District Local Plan Review and to provide a final phasing plan to update the illustrative surface water drainage phasing plan submitted as part of the application drawings.

22. The development hereby permitted shall not be commenced until such time as a scheme to provide the following three requirements has been submitted to, and approved in writing by, the Local Planning Authority:

1. Ensure no raising of ground levels in the floodplain; i.e. Flood Zone 3 and 2, other than as set out specifically in the approved details for the provision of development infrastructure and in accordance with the approved floodplain compensation scheme.

2. Ensure finished floor levels are set 600mm above the corresponding 100year plus 20% for Climate Change Flood Level (set to AOD).
3. Implement the flood compensation area as indicated in drawing number 1363/FL/03 B.

The scheme shall be fully implemented and subsequently maintained, in accordance with the timing / phasing arrangements embodied within the scheme or within any other period as may subsequently be agreed, in writing, by the local planning authority.

Reasons: This condition is required for the following reasons:

1. To avoid adverse impact on flood storage.
2. To reduce the risk of flooding to the proposed development and future occupants.
3. To reduce the risk/impact of flooding on the proposed access road and southern part of the development.

In order to accord with Policy PR.7 of the Stratford-on-Avon District Local Plan Review.

23. Development shall not begin within each parcel, until a surface water drainage scheme for that parcel, based on principles outlined in the submitted Flood Risk Assessment (October 2009), and an assessment of the hydrological and hydrogeological context of the development, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall subsequently be implemented in accordance with the timetable for implementation approved as part of the scheme for each respective parcel.

The scheme for each parcel shall also include:

1. Final drainage calculations for the site taking into account the drainage catchment areas from each phase of the development (determined through Condition 5) as they contribute to the site network.
2. Infiltration tests for use of soakaways.
3. Final drainage layouts including SUDS.
4. Details of how the scheme shall be maintained and managed after completion.

Reasons: This condition is required for the following reasons:

1. To prevent the increased risk of flooding
2. To investigate soakaways as a first means of surface water disposal as indicated in the CIRIA manual (detailed below)
3. To prevent the increased risk of flooding, to improve and protect water quality, improve habitat and amenity,
4. To ensure future maintenance of the surface water drainage system.

In order to accord with Policy DEV.7 of the Stratford-on-Avon District Local Plan Review.

24. Prior to any site works commencing, a scheme to cover interim surface water drainage measures during construction shall be submitted to, and approved in writing by, the Local Planning Authority. The scheme shall be fully implemented and subsequently maintained, in accordance with the timing / phasing arrangements embodied within the scheme or within any other period as may subsequently be agreed, in writing, by the local planning authority.

Reason: To ensure the satisfactory drainage is provided during construction in order to accord with Policy DEV.7 of the Stratford-on-Avon District Local Plan Review.

25. The development hereby permitted shall not commence until comprehensive details of permanent foul drainage proposals for the site, to include phasing, have been submitted to and approved in writing by the Local Planning Authority. No dwelling shall be occupied in any parcel until the foul drainage scheme for that parcel has been implemented in accordance with the approved details.

Reason: To ensure adequate provision for foul drainage is provided at all times as the development is carried out in accordance with Policy DEV.7 of the Stratford-on-Avon District Local Plan Review.

Design

26. Prior to the submission of any reserved matters applications, a Design Code document for the site shall be submitted to and approved in writing by the Local Planning Authority. The Design Code should substantially accord with the principles of the Design and Access Statement and the structure set out within Note No.12 of this Decision. Applications for approval of reserved matters shall thereafter be in accordance with the approved Design Code.

Reason: To ensure a high a quality of design is achieved across the site in accordance with Policies PR.1 and DEV.1 of the Stratford-on-Avon District Local Plan Review.

27. The building forms and sizes shall follow the matrix set out in Chapter 8 of the Design and Access Statement. The narrow plan form dwelling component shall only be used for terraced or semi-detached units.

Reason: To ensure appropriate building forms and sizes are achieved in accordance with Policies PR.1 and DEV.1 of the Stratford-on-Avon District Local Plan Review.

28. Notwithstanding the building heights set out through Condition 27, maximum building heights shall be limited as annotated on the 'Building Heights' plan appended to this decision.

Reason: To ensure appropriate building heights are achieved to protect the existing character and appearance of the area and the town setting in accordance with Policies SUA.1, PR.1 and DEV.1 of the Stratford-on-Avon District Local Plan Review.

29. No parcel of the development hereby permitted shall be commenced until detailed plans and sections showing existing and proposed site levels for that parcel have been submitted to and approved in writing by the Local Planning Authority and the development thereafter shall only be carried out as approved.

Reason: To ensure that the development is properly integrated with the surroundings in accordance with Policies PR.1 and DEV.1 of the Stratford-on-Avon District Local Plan Review.

30. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking or re-enacting that Order with or without modification) no development covered by Part 2, Class A of Schedule 2 to that Order shall be carried out without planning permission granted by the Local Planning Authority.

Reason: To maintain the strong visual character of the development expected to be brought about through the Design Code required by Condition 26 in accordance with Policies PR.1 and DEV.1 of the Stratford-on-Avon District Local Plan Review.

31. No part of the development hereby permitted shall commence until details of how 'Secured by Design' standards will be achieved, have been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that the development incorporates appropriate crime prevention measures in accordance with Policy DEV.10 of the Stratford-on-Avon District Local Plan Review.

32. The development hereby permitted shall not be commenced until a scheme for the provision of energy from on-site renewable sources sufficient to replace a minimum of 10% of the predicted carbon dioxide emissions from the total energy requirements of the development has been submitted to and approved in writing by the Local Planning Authority. The design features, systems and equipment that comprise the approved scheme shall be fully implemented in accordance with the approved plans and particulars prior to the development first being brought into use, or alternatively in accordance with a phasing scheme which has been agreed in writing by the Local Planning Authority, and shall thereafter be retained in place and in working order at all times unless otherwise agreed in writing with the Local Planning Authority.

Reason: To provide energy from on-site renewable sources replacing a minimum of 10% of the predicted carbon dioxide emissions from the total energy requirements of the development and to ensure that the development is in compliance with Policy DEV.8 of the Stratford-on-Avon District Local Plan 1996 - 2011 and Supplementary Planning Document on Sustainable Low-Carbon Buildings, all in the interest of sustainability.

33. Not less than 23% of all Private Market Dwellings shall fully comply with all relevant requirements of the Joseph Rowntree Foundation's 'Lifetime Homes' standards (or any substitute therefore which may be published from time to time) and details of which of the Private Market Dwellings will comply with the "Lifetime Homes" standards shall be set out in reserved matters for each Parcel and thereafter the Private Market dwellings identified in reserved matters approvals as being those which will comply with the "Lifetime Homes" standards shall be constructed in accordance with the said "Lifetime Homes" standards.

Reason: To ensure that the dwellings are designed and built to a standard that enables them to adequately cater for changing household needs in accordance with Policy MHN12 of the Meeting Housing Needs SPD.

34. All new dwellings within each parcel shall achieve a minimum rating of Level 3 of the Code for Sustainable Homes as applicable at the time of commencement of development within that parcel. No dwelling shall be occupied until a final Code Certificate has been issued for it certifying that

Reason: To improve the sustainability of new housing in accordance with Policy MHN15 of the Meeting Housing Needs SPD.

Landscape

35. No part of the development hereby permitted shall be commenced or equipment, machinery or materials brought onto the site until a scheme for the protection of all existing trees and hedges to be retained on site has been submitted to and approved in writing by the Local Planning Authority and has been put in place.

* The scheme must include details of the erection of stout protective fencing in accordance with British Standard 5837:2005, Trees in relation to construction - recommendations.

* Fencing shall be shown on a plan and installed to the extent of the tree protection area as calculated using the British Standard.

* Nothing shall be stored or placed in those fenced areas or the ground levels altered without the prior consent in writing of the District Planning Authority.

* The approved scheme shall be kept in place until all parts of the development have been completed and all equipment, machinery and surplus materials have been removed.

Reason: To protect trees and other features on site during construction in accordance with Policies EF.9 and EF.10 of the Stratford-on-Avon District Local Plan Review.

36. No works or development shall take place until a scheme of supervision for the arboricultural protection measures required by Condition 35 has been approved in writing by the local planning authority. This scheme will be appropriate to the scale and duration of the works and will include details of:

*Induction and personnel awareness of arboricultural matters

*Identification of individual responsibilities and key personnel

*Statement of delegated powers

*Timing and methods of site visiting and record keeping, including updates

*Procedures for dealing with variations and incidents.

*The scheme of supervision shall be carried out as agreed.

*The scheme of supervision will be administered by a qualified arboriculturist instructed by the applicant and approved by the local planning authority.

Reason: To protect trees and other features on site during construction in accordance with Policy EF.10 of the Stratford-on-Avon District Local Plan Review.

37. No works or development shall take place in any parcel, until full details of all service runs within that parcel have been submitted to and approved in writing by the Local Planning Authority. The details shall include:

- * The location of all existing services above and below ground
- * The location of all proposed services (e.g. drainage, power, communications cables, pipelines etc) including routes, supports etc

Reason: To ensure that no trees are damaged as part of the construction process in accordance with Policy EF.10 of the Stratford-on-Avon District Local Plan Review.

38. Prior to the commencement of site works, full details of hard and soft landscape proposals for the areas of Structural Landscape, Shottery Community Park and Shottery Conservation Landscape as shown on Green Infrastructure Plan 1953-SK-04 rev.E have been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved. The details shall include:

- * The timing of implementation, which shall be no later than the end of the first planting season following the completion of the SWRR
- * Planting plans
- * Written specifications
- * A schedule of plants noting species, plant sizes and proposed numbers
- * Existing landscape features such as trees, hedges and ponds to be retained accurately plotted (where appropriate)
- * Existing landscape features such as trees, hedges and ponds to be removed accurately plotted (where appropriate)
- * Existing and proposed finished levels (to include details of grading and earthworks where appropriate)

The hard and soft landscaping approved as part of this condition shall be completed in accordance with the approved timing details.

Any planting that is removed, uprooted, severely damaged, destroyed or dies within five years of the date of planting shall be replaced by the approved type planting by the end of the first available planting season.

Reason: To ensure a high standard of landscape within the development is implemented at an early stage to accord with the requirements of Saved Policy DEV.2 of the Stratford-upon-Avon District Local Plan Review.

39. All hard and soft landscape works, including earth works in the Shottery Conservation Landscape and adjacent to the Electricity Sub-station, shall be carried out in accordance with the details approved through reserved matters submissions. The works approved by all reserved matters

Any planting that is removed, uprooted, severely damaged, destroyed or dies within five years of the date of planting shall be replaced by the approved type planting by the end of the first available planting season.

Reason: To ensure a high standard of landscape within the development is implemented in a timely manner to accord with the requirements of Saved Policy DEV.2 of the Stratford-upon-Avon District Local Plan Review.

40. A landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for the Shottery Conservation Landscape (shown on Parameters Plan 1953 SK-01 S) shall be submitted to and approved by the Local Planning Authority prior to the occupation of the development. The landscape management plan shall be carried out as approved.

Reason: To ensure a high standard of landscape within the development is implemented in a timely manner to accord with the requirements of Saved Policy DEV.2 of the Stratford-upon-Avon District Local Plan Review.

41. Where a parcel is crossed by existing Power Lines, all Power Lines within that parcel shall be diverted underground prior to the first occupation of any dwelling within that parcel, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure an acceptable standard of visual amenity within the development is secured in a timely manner in accordance with the submitted application and in accordance with the requirements of Saved Policies PR.1 and DEV.1 of the Stratford-upon-Avon District Local Plan Review.

42. Prior to the construction of the Anne Hathaway's Cottage roundabout (as shown on Plan 207137-00 Figure 12/03), a Management Plan for the Plantation its east and north-east shall be submitted to and approved in writing by the Local Planning Authority. The Plan shall provide details of any tree works and replacement planting, as appropriate, within the Plantation as a result of weaker trees being subjected to increased wind as a result of the removal of outer trees and shall be implemented in accordance with the details approved.

Reason: To maintain the visual benefits of the Plantation and its trees in accordance with Policies PR.1, EF.9 and EF.10 of the Stratford-on-Avon District Local Plan Review.

Ecology

43. A Combined Ecological Management Plan shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development. The plan shall thereafter be implemented and carried out as approved and in accordance with timescales and programmes as set out in the approved plan. The scheme shall include the following elements:

1. Long term design and ecological objectives;

2. Description of target habitats and range of species appropriate to the site;
3. Selection of appropriate strategies for creating/restoring target habitats or introducing/encouraging target species;
4. Selection of specific techniques and practices for establishing vegetation;
5. Sources of habitat materials (e.g. plant stock) or species individuals;
6. Method statement for site preparation and establishment of target features;
7. Extent and location of proposed works;
8. Management responsibilities and maintenance schedules for all landscape areas, other than small, privately owned, domestic gardens (note: as far as possible maintenance regimes should be designed to maximise ecological benefits on the site, e.g. seasonal mowing to encourage wildflowers);
9. The personnel responsible for the work;
10. The timing of works;
11. Monitoring;
12. Disposal of wastes arising from works.

Reason: To ensure that due regard is paid to the continuing enhancement and maintenance of amenity afforded by landscape features of communal public, nature conservation or historical significance and to ensure the protection of wildlife and supporting habitat and secure opportunities for the enhancement of the nature conservation value of the site in line with national planning policy in PPS9, Stratford-on-Avon District Local Plan Review Policy EF.6 and Article 10 of the Habitats Directive, which stress the importance of natural networks of linked corridors to allow movement of species between suitable habitats, and promote the expansion of biodiversity.

44. The development hereby permitted (including demolition of Nos. 3 and 4 Bordon Hill) shall not commence on any parcel, until a further bat survey of the site, to include appropriate day/night time activity surveys, preferably during May to August in the season prior to demolition or the commencement of works in that parcel, has been carried out and if evidence of bats is recorded, a detailed mitigation plan to be submitted including a schedule of works and timings and approved in writing by the Local Planning Authority. Such approved mitigation plan shall thereafter be implemented in full.

Reason: To ensure that ecological assets are protected and maintained on site during construction in accordance with PPS9 and the Habitat Regulations (2010) and Policy EF.6 of the Stratford-on-Avon District Local Plan Review.

45. The development hereby permitted shall not commence on any parcel, unless and until two weeks' notice in writing of the start of any site works has been given to a licensed great crested newt ecologist appointed by the applicant to supervise all ground work elements of the development within the site. Should evidence of newts be found, then any recommendations or remedial works will be implemented within the timescales stated/approved by the relevant consultant ecologist (or Ecology Officer advising the Local Planning Authority).

Reason: To ensure that ecological assets are protected and maintained on site during construction in accordance with PPS9 and the Habitat

Regulations (2010) and Policy EF.6 of the Stratford-on-Avon District Local Plan Review.

46. Should a protected species, with the exception of Bats, Great Crested Newts or Badgers, be found to be present and either preparing to breed or in the process of breeding or rearing young, then:

1. Work shall stop across the entire site until the Local Planning Authority has approved details of a 'permitted working area' in writing;

2. Site works shall thereafter only continue outside of the 'permitted working area', unless and until details of appropriate mitigation measures and contingency plans have been submitted to and approved in writing by the Local Planning Authority;

3. Any recommendations or remedial works shall thereafter be implemented within the timescales stated/approved.

Reason: To ensure that ecological assets are protected and maintained on site during construction in accordance with PPS9 and the Habitat Regulations (2010) and Policy EF.6 of the Stratford-on-Avon District Local Plan Review.

47. No part of the development hereby permitted shall be commenced until a scheme for the provision of suitable bat bricks/bat access tiles and bird nesting boxes to be erected on buildings within the site has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of box type, location and timing of works. Thereafter, the bird boxes/bat bricks or tiles shall be installed and maintained in perpetuity.

Reason: To ensure that there is no biodiversity loss and enhancements are secured in accordance with PPS9 and the Habitat Regulations (2010) and Policy EF.6 of the Stratford-on-Avon District Local Plan Review.

48. Prior to the commencement of development a scheme for the provision and management of a buffer zone (at least 8m wide on one bank) alongside the Shottery Brook and smaller negotiable buffers around ponds and ditches present shall be submitted to and agreed in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the approved scheme and any subsequent amendments shall be agreed in writing with the Local Planning Authority.

The scheme shall include:

1. Plans showing the extent and layout of the buffer zone
2. Details of the planting scheme (including entirely, native species)
3. Details demonstrating how the buffer zone will be protected during development and managed/maintained over the long term

Reason: To mitigate the impact of the development where it encroaches on the Shottery Brook and other watercourses and ponds, which could have a potentially severe impact on their ecological value, in accordance with Stratford-on-Avon District Local Plan Review Policy EF.6 and Planning Policy Statement 9.

49. The proposed pond shown indicatively on the Green Infrastructure Plan 1953 SK-04 rev.E shall be constructed in accordance with a scheme, to include the timing of its implementation, to be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development,

Reason: To ensure that the proposed pond is developed in a way that contributes to the nature conservation value of the site in accordance with Stratford-on-Avon District Local Plan Review Policy EF.6 and Planning Policy Statement 9 by providing suitable habitats for wildlife.

50. Prior to the commencement of development, a working method statement to cover channel and bank works shall be submitted to and agreed in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the approved scheme and any subsequent amendments shall be agreed in writing with the Local Planning Authority. The method statement shall cover the following requirements:

1. Timing of works
2. Methods used for all channel, bank side water margin works
3. Machinery (location and storage of plant, materials and fuel, access routes, access to banks etc.)
4. Protection of areas of ecological sensitivity and importance.

Reason: The construction phase of any proposed development affecting the bank or channel of a watercourse poses significant risks. For example, damage to water dependent species and habitats, flood risk arising from runoff from the site and/or impeding of flows in the brook diffuse pollution of the water environment arising from ground works.

51. Prior to the commencement of development, details of all bridges proposed on site shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the bridges shall be constructed as set out in the approved scheme. The scheme shall comprise the following features:

1. All bridges shall be clear spanning structures with the abutments set back from the watercourse on both banks to provide a bank width of 4 metres beneath the bridge
2. Bridges shall be a minimum of 4 metres from the bank top of the watercourse to provide an unobstructed corridor to allow the movements of otters and other animals
3. Bank revetment should not be necessary as all revetment and structural work should be associated with the bridge structure and set back at least 4m.

Reason: The use of clear-spanning bridges will maintain the river corridor and allow the movement of both the river and associated wildlife in accordance with Stratford-on-Avon District Local Plan Review Policy EF.6 and Planning Policy Statement 9.

Ground, Air and Noise Quality

52. No work shall commence on the site unless the further intrusive site investigations detailed in Chapter 12 of the Geo-environmental Phase 1 Desk Study 2008 have been undertaken and the results, including any mitigation measures, have been submitted to and approved in writing by the Local Planning Authority. Any mitigation measures proposed as a result of the investigations shall be carried out in accordance with the approved details and a validation report shall be submitted within 2 months of the works being carried out to the Local Planning Authority confirming the mitigation works have been completed.

Reason: To ensure that ground conditions within the development are safe in accordance with Policy PR.8 of the Stratford-on-Avon District Local Plan Review.

53. No construction works, construction related works or construction related deliveries shall be carried out on the site outside of the following hours and at no time on Sundays or Bank Holidays:

Site operation
Monday – Fridays 08:00 – 18:00 hours
Saturdays 08:00 – 13:00 hours

Piling operations
Monday – Fridays 09:00 – 16:00 hours

Vehicle/Equipment maintenance
Mondays – Fridays 09:00 – 16:00 hours

Reason: To protect the amenity of local residents in accordance with the requirements of Saved Policy PR.8 of the Stratford-upon-Avon District Local Plan Review.

54. Prior to the commencement of the development hereby permitted, details of a package of acoustic measures to allow all residential units within the proposed development to achieve the "reasonable" internal ambient noise criteria, as described by BS8233:1999, i.e achieve internal noise levels equal to or less than $40\text{dB}_{\text{L}_{\text{Aeq,T}}}$ during the day and $35\text{dB}_{\text{L}_{\text{Aeq,T}}}$ at night for living rooms and bedrooms with the windows open in a manner typical for ventilation shall be submitted to and approved in writing by the LPA. The approved package of measures shall be installed before the proposed dwellings are occupied. Where the above criteria cannot be met with windows open (for example where habitable rooms have windows with unscreened views towards the estate through-road), passive acoustic ventilators with equivalent acoustic performance to those approved for use under the Noise Insulation Regulations shall be installed.

Reason: To protect the amenity of the occupiers of the proposed dwellings without compromising their ability to obtain natural ventilation in accordance with the requirements of Saved Policy PR.8 of the Stratford-upon-Avon District Local Plan Review.

55. A noise mitigation/control scheme to ensure that private garden space within the development meets the Noise Exposure Category A criteria (as defined in PPG24 on Planning and Noise), shall be submitted to approved in writing by the Local Planning Authority before the commencement of the

Reason: To ensure appropriate levels of amenity for future residents in accordance with the requirements of Saved Policy PR.8 of the Stratford-upon-Avon District Local Plan Review.

56. Prior to the commencement of dwellings hereby approved in the northern development area (shown on Parameters Plan 1953 SK-01 rev.S as the Housing Area – Alcester Road [Component A]) a mitigation scheme detailing the external works proposed to mitigate the noise impact of the electricity substation affecting part of the development and a glazing/ventilation specification to protect the internal space of dwellings proposed shall be submitted to and approved by the Local Planning Authority and none of the dwellings within the northern residential parcel shall be occupied until the approved scheme has been implemented to the satisfaction of the Local Planning Authority.

Reason: To ensure appropriate levels of amenity for future residents in accordance with the requirements of Saved Policy PR.8 of the Stratford-upon-Avon District Local Plan Review.

57. There shall be no deliveries to or collections from any non-residential building outside the hours of 07:00-19:00 Mondays-Saturdays or at any time on Sundays or Bank or Public Holidays.

Reason: To ensure appropriate levels of amenity for future residents in accordance with the requirements of Saved Policy PR.8 of the Stratford-upon-Avon District Local Plan Review.

58. No security lighting or floodlighting shall be installed on any non-residential building until full details have been submitted to and approved in writing by the Local Planning Authority. All such installations shall be designed and located to avoid nuisance to the occupiers of nearby dwellings.

Reason: To ensure appropriate levels of amenity for future residents in accordance with the requirements of Saved Policy PR.8 of the Stratford-upon-Avon District Local Plan Review.

59. Development shall not commence on any non-residential building until details of arrangements for refuse storage have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason: To ensure appropriate levels of amenity for future residents in accordance with the requirements of Saved Policy PR.8 of the Stratford-upon-Avon District Local Plan Review.

60. Development shall not begin on any non-residential building until details of any externally-mounted plant or equipment or any internal equipment which vents externally, including any extraction ventilation system for a cooking area, have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason: To ensure appropriate levels of amenity for future residents in accordance with the requirements of Saved Policy PR.8 of the Stratford-upon-Avon District Local Plan Review.

Other

61. No development shall take place until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing by the Local Planning Authority. Thereafter the approved scheme shall be implemented and the work will be carried out by a professional archaeological organisation or person acceptable to the Local Planning Authority.

Reason: To ensure that a proper archaeological evaluation can take place in accordance with Policy EF.11 of the Stratford-on-Avon District Local Plan Review.

62. No parcel of the development hereby permitted shall be commenced until a scheme for the provision of adequate water supplies and fire hydrants necessary for fire fighting purposes for that parcel, has been submitted to and approved in writing by, the Local Planning Authority. No parcel of the development shall be occupied until the scheme for that particular parcel has been implemented to the satisfaction of the Local Planning Authority.

Reason: In the interests of public safety in accordance with Policy IMP.4 of the Stratford-on-Avon District Local Plan Review.

63. No dwelling or other building that has a downpipe within the development hereby permitted shall be occupied or used until it has been provided with a minimum 190 litre capacity water butt fitted with a child-proof lid and connected to the downpipe.

Reason: In the interest of sustainable development (conservation of water) in accordance with Policy DEV.7 of the Stratford-on-Avon District Local Plan Review.

NOTES

1. In relation to Condition 22, a detailed layout at suitable scale of the land alongside the Shottery Brook should be provided to show the precise extent of the 100 year and 100 year plus climate change flood extents. We would also seek confirmation that the proposed balancing pond is situated to lie outside of the Flood Zone 3 and 2 plus climate change extent.

2. The FRA includes proposals to replace the existing culvert under Evesham Road, the Environment Agency will need to consent this proposed works in accordance with Section 109 of the Water Resources Act 1991. The applicant is advised to apply for this consent as soon as possible.

3. The use of sustainable drainage systems should be assessed using the following hierarchy of techniques and relevant reasons be given as to why they cannot be incorporated, as the EA does not normally accept lack of space or costs to be relevant reasons:

1. Use of green roofs, on commercial buildings details of which can be found in CIRIA 644 and the Interim Code of Practice for Sustainable Drainage Systems.

2. Surface water drainage to be attenuated through the use of infiltration techniques such as soakaways unless ground conditions are proven (through undertaking appropriate tests) to be inappropriate due to insufficient porosity or gross contamination is present.

3. Surface water drainage is to be attenuated through the use of above ground sustainable drainage techniques such as swales, attenuation ponds (both formal and informal as part of the general landscaping design), green detention areas and/or areas of permeable paving (especially within parking and pedestrian areas). All these methods can be designed into site layouts without the need for permeable ground conditions and would still meet four of the six core principles as set out in the Interim Code of Practice and CIRIA609 (p.29).

4. Only if none of the above methods are possible would we reluctantly consider the use of oversized tanks on any site as this is not considered best practice or provide a suitable level of treatment as required through the use of SUDS techniques.

4. As far as possible maintenance regimes under Condition 43, should be designed to maximise ecological benefits on the site, e.g. seasonal mowing to encourage wildflowers.

5. Aftercare and long term management under Condition 43 should include:

- a) appropriate management options for achieving aims and objectives;
- b) Prescriptions for management actions;
- c) Preparation of a work schedule (including a 5 year project register, an annual work plan and the means by which the plan will be rolled forward annually;
- d) Personnel responsible for the implementation of the plan;
- e) Monitoring and remedial/contingencies measures triggered by monitoring.

6. Badgers and their setts (communal place of rest) are protected under the 1992 Badgers Act, making it illegal to carry out work that may disturb badgers without a Natural England licence. Particular care should be taken when clearing ground prior to development, and if evidence of badger activity is found, (such as foraging routes, snuffle holes, latrines or established setts), then work must stop immediately while Warwickshire Museum Ecology Unit or Natural England are contacted. Applicants are advised to pay particular attention to foundation ditches, which can be hazardous to badgers. Sloping boards or steps should be provided to allow badgers to escape from such ditches should they become trapped. Failure to consider this matter, leading to the death of individuals, may leave the developer liable for prosecution. Further information about species licensing and legislation can be obtained from the Species Licensing Service on 01733 455136.

7. The bat mitigation measures required by Condition 44 are likely to have implications for the design and/or layout of the development.

8. Site clearance work shall be timetabled and carried out through Condition 6(k) to avoid the bird breeding season (March to August inclusive) and prevent possible disturbance to nesting birds. Birds can nest in many places including buildings, trees, shrubs dense ivy, and bramble/rose scrub. Nesting birds are protected under the 1981 Wildlife and Countryside Act. N.B birds can nest at any

time, and the site should ideally be checked for their presence immediately before work starts.

9. All external lighting on the site shall be designed so as to cause minimum disturbance to bats and birds.

10. Condition numbers 7-17 require works to be carried out within the limits of the public highway. The applicant / developer must enter into a Highway Works Agreement made under the provisions of Section 278 of the Highways Act 1980 for the purposes of completing the works. The applicant / developer should note that feasibility drawings of works to be carried out within the limits of the public highway which may be approved by the grant of this planning permission should *not* be construed as drawings approved by the Highway Authority, but they should be considered as drawings indicating the principles of the works on which more detailed drawings shall be based for the purposes of completing an agreement under Section 278. An application to enter into a Section 278 Highway Works Agreement should be made to the Development Group, Warwickshire County Council, Environment and Economy Directorate, Shire Hall, Warwick, CV34 4SX. In accordance with Traffic Management Act 2004 it is necessary for all works in the Highway to be noticed and carried out in accordance with the requirements of the New Roads and Streetworks Act 1991 and all relevant Codes of Practice. Before commencing any Highway works the applicant / developer must familiarise themselves with the notice requirements, failure to do so could lead to prosecution. Application should be made to the Street Works Manager, Budbrooke Depot, Old Budbrooke Road, Warwick, CV35 7DP. For works lasting ten days or less ten days, notice will be required. For works lasting longer than 10 days, three months notice will be required.

11. The anticipated housing stock mix should follow Table 7.11 of the Environmental Statement:

No. of bedrooms	Proportion (%)	Total
1	5	40
2	35	280
3	35	280
4+	25	200
Total	100	800

12. The Design Code document submitted in accordance with Condition 26 should address the following:

- 1 Development Principles**
- 2 Context**
- 3 Using the West Shottery Design Code**
- 4 Settlement Pattern**
 - Building for Life criteria;
 - Stratford Western Relief Road (SWRR);
 - Structure planting;

- Open space network;
- Road and cycle network;
- Public transport network;
- Character areas/streets;
- Sustainable drainage systems;

5 **Urban Form**

- Building for Life criteria;
- Edge treatments, boundaries;
- Relation to topography, corridors, backgrounds;
- Development block types and connectivity principles;
- Street types (hierarchy) and street materials;
- Building lines – frontage continuity, set backs;
- Plot form - sizes, widths, adaptability;
- Densities;

6 **Urban Space**

- Building for Life criteria;
- Public/private space;
- Pedestrian and cycle links;
- Public transport routes;
- Car Parking principles;
- Cycling provision;
- Public Open Space and landscaping;
- School safety zone;
- Essential infrastructure (sub-station buildings etc.)

7 **Built Form**

- Building for Life criteria;
- Building types and uses;
- Building heights;
- Building features – landmarks/focal points;
- Building materials and detailing;
- Integration, preservation and management of heritage assets;
- Soft landscape;
- Public realm;
- Boundary treatments;

8 **Technical considerations**

- Building for Life criteria;
- Lifetime Home Standards;
- Sustainable drainage systems;
- Architectural and sustainable construction principles;
- Environmental standards and energy efficiency;
- Refuse storage and recycling;
- Management and maintenance issues;
- Implementation;
- Mechanisms for periodic review and necessary revision;

The Code document should have a simple structure that leads in a systematic way from strategic design issues down to matters of detail. It should be presented as a reference manual, with concise text, clear illustrations and cross referencing where appropriate, and with graphic design to support ease of reference.

Applications for approval of reserved matters applications should be in accordance with this approved Design Code document.

7. GLOSSARY

AOD

Above Ordnance Datum refers to a land level, expressed as a height above mean sea level.

CABE

The Commission for Architecture and the Built Environment was the government's advisor on architecture and design – now incorporated into the Design Council

CEMP – Construction

For the purposes of this report, this is a 'Construction and Environmental Management Plan'. This would cover environmental impacts during construction to include the 'Code of Construction Practice' requested by Environmental Health, 'Construction Management Plan' requested by WCC Highways and species protection measures requested by Ecology consultees.

CEMP - Ecology

For the purposes of this report, this is a 'Combined Environmental Management Plan'. This would cover habitat creation and management in the long term for ecological purposes.

DAS

A Design and Access Statement is a report required with many planning applications, which illustrates and justifies the process that has led to a development proposal.

EA

The Environment Agency is an executive Non-departmental Public Body responsible to the Secretary of State for Environment, Food and Rural Affairs. It is a statutory consultee that provides advice on site flooding and drainage matters.

EIA

An Environmental Impact Assessment is a procedure assessing the possible positive or negative impacts of a development.

ES

An Environmental Statement is the document, which forms part of the EIA

FRA

A Flood Risk Assessment is a document which assesses the risks of all forms of flooding to and from development taking climate change into account

GCN

The Great Crested Newt is an amphibian protected under the Wildlife and Countryside Act 1981. Its population has declined during the last century due to development and agricultural changes.

GOWM

The Government Office for the West Midlands is one of a number of regional offices, which delivers government policies. Currently in the process of being wound down.

LDF

The Local Development Framework is the new spatial planning strategy in England, which replaces the Local Plan system and is formed of a portfolio of various documents.

LPR

The Local Plan Review is Stratford-on-Avon District Council's key local planning document. It forms part of the Development Plan and sets out the policies which planning applications are to be assessed against.

PPS or PPG

Planning Policy Statements or Planning Policy Guidance Notes are both statements of the government's policy towards aspects of town planning.

RASE

Residents Against Shottery Expansion was formed by local residents in the mid 1980s to protect the western part of Stratford town from development.

RSS

The Regional Spatial Strategy is the regional level framework for planning in the English regions.

S106

This is a legal agreement under Section 106 of the Planning Act, which can secure developer contributions and commitments.

SBT

The Shakespeare Birthplace Trust is a charity, which owns Anne Hathaway's Cottage.

SINC

A Site of Importance for Nature Conservation is a non-statutory designation, indicative of a habitat of district or county importance.

SPD or SPG

Supplementary Planning Documents or Supplementary Planning Guidance add detail to more strategic planning policies and can be thematic or site specific.

SSSI

A Site of Special Scientific Interest is a statutory designation, indicative of a habitat of national importance.

SUDS

Sustainable Urban Drainage Systems are designed to reduce the impact of development with regard to surface water drainage by attempting to replicate natural systems.

SUA.W

This is the name of the policy in the Local Plan Review that identifies Land West of Shottery as a strategic reserve site.

SWRR

The Stratford Western Relief Road is the proposed road between the A46 Wildmoor Roundabout and the B439 at the foot of Bordon Hill. It is referred to as the 'link road' in the 'Assessment' part of this report and the 'SWRR' in the wording of recommended conditions.

TA

A Transport Assessment is an assessment prepared by an applicant to study the transport and traffic implications of a proposed development.