

PLANNING COMMITTEE (WEST)

21 September 2011

MINUTES

*Held at Town Hall, Sheep Street. Stratford upon Avon
Meeting commenced: 4.00 pm Meeting ended: 8.46 pm*

Present: Councillor Sir William Lawrence Bt (Chairman), Councillors H Hayter, P Beaman, M Brain, K James, G Matheou, P Oakley, C Thomas and H Wright

Apologies: Councillors Gittus, Howse (for whom Cllr Matheou substituted) and Payne

300. Disclosure of Interests

All members disclosed receipt of correspondence and receipt of telephone calls on the application.

301. Application 09/02196/OUT - Land S.W. of Alcester Road, Stratford-upon-Avon

APPLICANT	J S Bloor (Tewkesbury) Ltd and Hallam Land Management Ltd
APPLICATION SITE	Land S.W. of Alcester Road, Stratford-upon-Avon
PROPOSAL	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.
SPEAKERS	Cllr Peter Emmerson, (Chair, Old Stratford & Drayton PC) – objecting Martyn Luscombe, Stratford Voice – objecting Richard Ford – on behalf of RASE – objecting Robert Harding – objecting Gordon Harrington – objecting Cllrs Beamer, Hobbs, Cockings, J Fradgley (District Council Ward Member)

Updates since the preparation of the Officer's report were circulated to the Committee as set out on the attached sheet.

Councillor Lawrence now disclosed a Personal Interest as the daughter of Mr Robert Harding was known to him.

NOTE:

- *During the consideration of the application, the Committee adjourned at 6.45pm and reconvened at 7.05pm; and,*
- *During the discussion on this item the Chairman reported that the Committee had been in session for 3½ hours and under the Constitution a decision was required as to whether the Committee would remain in session. It was unanimously agreed that the Committee continue in session.*

Having considered the application and the representations made at the meeting including advice from the Planning Policy Manager who clarified the current position of the Council with regard to the Core Strategy and the District Council's five year housing land supply, the Committee, by a unanimous vote, did not support the Officer's recommendation.

Following the above vote on the Officer's recommendation the Committee adjourned at 8.15pm and reconvened at 8.25pm in order to take advice from Officers for reasons for refusal. Thereafter, by a unanimous vote, it was

RESOLVED:

That Application 09/02196/FUL be **REFUSED** for the following reasons (*precise wording delegated to officers*)

Visual

In the opinion of the Local Planning Authority, the introduction of this large scale development to the rural landscape in this location, and the resulting loss of farmland, would have a detrimental impact on the character and appearance of the urban-rural fringe in this location, resulting in unacceptable harm to the setting of the town. In particular, the housing density in the northern housing parcel, which is identified as being of medium sensitivity in the Landscape Sensitivity Study, is considered to be too high in this rural setting, with the open countryside to the west. In addition to this, the housing land in the south west corner of the southern housing parcel would result in an area of development which would appear incongruous by reason of it being the only built development to the west of the link road, resulting in further unacceptable visual harm.

In particular, the development would cause significant visual harm to two key gateways into the town by reason of:

- The urbanisation of the rural landscape to the south of the Alcester Road as it enters the town to the east of the Wildmoor Roundabout.
- The construction of a roundabout, lighting, signage and associated engineering works at the foot of Bordon Hill, which would harm the iconic vista of the town from Evesham Road at the top of the

hill. The importance of this vista is identified in the Landscape Sensitivity Study and lies in an area of medium to high sensitivity.

It is therefore considered that the proposal is contrary to Saved Policies PR.1, DEV.1, SUA.1, SUA.2 and CTY.1 of the Stratford-on-Avon District Local Plan Review 1996 - 2011. It would also conflict with the findings of the Landscape Sensitivity Study, which has been received by the Council's Cabinet and is a material consideration forming part of the evidence base for work on Core Strategy.

Heritage

In the opinion of the Local Planning Authority, the proposal would cause significant visual harm to the setting of Anne Hathaway's Cottage, a Grade I listed building, and its associated Registered Historic Park and Garden as well as to the setting of Shottery Conservation Area.

In addition to this visual harm, the tranquillity of the setting of these heritage assets would also be harmed by reason of the increased noise impacts as a result of the link road.

The harm caused would be unacceptable, as it would reduce the appeal of Anne Hathaway's Cottage and gardens, which is currently a very popular tourist destination. Tourism forms a significant part of the District's economy and it is an objective of the Local Plan to support sustainable tourism. Furthermore, it is a priority of the Council's Corporate Strategy 2011-2015 that the District's business development, rural economy and tourism needs are promoted at a strategic level. These objectives would be harmed as a result of the unacceptable harm caused to the identified heritage assets.

It is therefore considered that the proposal is contrary to Saved Policies PR.8, EF.5, EF.13 and EF.14 of the Stratford-on-Avon District Local Plan Review 1996 - 2011.

Highways

In considering the site at the Local Plan Inquiry, the Local Plan Inspector stated that there would be substantial highway benefits to the town and this was one of his reasons for recommending the allocation of the site. The Transport Assessment submitted with the application demonstrates, however, that the proposed link road would not alleviate congestion in the town as a whole and would not therefore be the "relief road" that it has been purported to be.

Not only would the proposal not deliver the substantial highway benefits anticipated by the Local Plan Inspector, but in fact, the Transport Assessment shows that the proposal would result in a significant worsening of congestion along Evesham Road, which would be detrimental to the safety and function of the highway network.

It is therefore considered that the proposal is contrary to Saved Policy DEV.4 of the Stratford-on-Avon District Local Plan Review 1996 - 2011.

Noise

In the opinion of the Local Planning Authority, the anticipated increase in traffic as a result of the development would result in increased noise levels causing unacceptable harm to the amenity of existing residents on Evesham Road, Bordon Hill and West Green Drive.

The proposal would also result in residents of some of the new dwellings being subjected to unacceptable levels of noise caused by the proximity of proposed dwellings to Alcester Road and to the new link road.

The proposal is therefore considered to be contrary to Saved Policies PR.8 and DEV.1 of the Stratford-on-Avon District Local Plan Review 1996 - 2011.

West Green Drive amenity

In the opinion of the Local Planning Authority, the intensified traffic use of West Green Drive would result in unacceptable harm to the amenity of residents of that road, by way of traffic congestion, parking problems and delays. The proposal is therefore considered to be contrary to Saved Policies DEV.1 and DEV.4 of the Stratford-on-Avon District Local Plan Review 1996 - 2011.

Renewables

Saved Policy DEV.8 of the Stratford-on-Avon District Local Plan Review 1996 - 2011 states that the layout and design of new development will be expected to minimise the amount of energy resources consumed in its occupation and use. Given the substantial scale of the development and in light of the timescales involved in building the complete development, it is the opinion of the Local Planning Authority that the application is not ambitious enough in reducing its carbon footprint and therefore does not adequately minimise its energy use as required by Policy DEV.8 of the Local Plan Review.

SSSI

The increased drainage run off as a result of the proposal would result in a harmful impact to the Racecourse Meadows Site of Special Scientific Interest and therefore it is the opinion of the Local Planning Authority that the proposal would be contrary to Saved Policy EF.6 of the Stratford-on-Avon District Local Plan Review 1996 - 2011.

Prematurity

For the reasons stated above, the proposal is not considered to be environmentally sustainable with regard to Paragraph 69 of PPS3, given the significance of the issues identified. Therefore notwithstanding the site being covered by saved Proposal SUA.W in the Stratford-on-Avon District Local Plan Review 1996-2011, an application of the scale proposed is premature pending an assessment of the appropriateness of identifying the site for development in the Local Development Framework.

S106

In the absence of a completed legal agreement to secure appropriate infrastructure and contributions in respect of the matters listed below, the development fails to comply with Saved Policies COM.4 & COM.5, COM.7, COM.8, COM.11 and COM.13 of the Stratford-on-Avon District Local Plan Review 1996 - 2011 and in particular Policy IMP.4, which requires development proposals to include proper arrangements to put in place the full range of physical and social infrastructure necessary to serve and support the proposal. In appropriate cases, sums would be calculated using formulae.

- 35% floorspace as Affordable Housing;
- A Community Park;
- Appropriate levels of Equipped Play Space and Incidental Open Space;
- Publicly accessible areas of Green Infrastructure;
- Appropriate levels of commercial floorspace in the Local Centre and marketing requirements;
- An off-site Youth/Adult open space contribution;
- Management of arable land to the west of the site for the benefit of Skylarks;
- Land for a health facility within the Local Centre;
- An appropriate contribution towards a replacement Leisure Centre for Stratford;
- The provision of land for a primary school and an appropriate contribution towards Education;
- An appropriate contribution towards Libraries;
- An appropriate contribution towards bus service improvements;
- An appropriate contribution towards the provision of sustainability packs for each proposed household;
- An appropriate contribution towards the costs of a Traffic Regulation Order (TRO) for Cottage Lane;
- An appropriate contribution to Warwickshire Police;
- An appropriate contribution towards the implementation of Stratford Parkway Station;
- An appropriate contribution towards improvements to the local Rights of Way network.

CHAIRMAN

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Update Report - Planning Committee West 21 September 2011

09/02196/OUT – Land S.W. of Alcester Road, Stratford-upon-Avon

POLICY AND BACKGROUND PAPERS

Landscape Sensitivity Study and Green Infrastructure Study (12.9.11)

On 12.9.11 Cabinet agreed that the contents of the Stratford on Avon District Landscape Sensitivity Study and Stratford on Avon District Green Infrastructure Study be received as evidence to inform the preparation of the Core Strategy and other development plan documents identified in the Local Development Scheme.

Officer's comment – this does not change the assessment of these documents and the weight afforded them in the report

REPRESENTATIONS

RASE Correspondence (11.9.11)

RASE has provided a revised set of reasons for refusal to update those summarised on pages 32 and 33 of the report. Whilst the summary headings remain the same, more detail is provided with regard to housing supply and the Landscape Sensitivity Study.

RASE has also provided its own Housing Supply calculations, which are summarised as follows:

Table A – against an 8,000 dwelling requirement 2008-2028 (Cabinet decision) gives a 4.9 year land supply

Table B - against a 7,500 dwelling requirement 2008-2028 (RSS panel recommendation) gives a 5.2 year land supply

Table C - against a 5,600 dwelling requirement 2008-2028 (SDC submission to RSS panel) gives a 5.0 year land supply, excluding other applications awaiting determination

Officer's comment - The accepted practice when assessing five year land supply is to include sites in the supply that have been specifically identified as being capable of delivering dwellings in the five year assessment period. These sites comprise:

- Sites already granted planning permission but assessed for the contribution that they will make in terms of completed dwellings during the five year assessment period;
- Sites allocated in a development plan which have the potential to deliver completed dwellings during the five year assessment period;
- Specific, unallocated sites that have made sufficient progress through the planning process at the time of the assessment to be considered deliverable in terms of para. 54 of PPS3 (available/suitable/achievable). This category can include sites that have been subject to a resolution of support by Planning Committee and where the grant of permission is subject to the completion of a legal agreement;
- Small sites that could be the subject of an early planning application and developed within the five year period. These sites are often brownfield sites within existing settlements which have been identified

as being available in Strategic Housing Land Availability Assessments (SHLAAs) where redevelopment would accord with current development plan policies.

The Housing Development Sites as at 1 April 2011 document was published on 20th September and has been circulated to all Members. A small number of paper copies are available at this Committee Meeting.

The list of additional sites provided by RASE includes:

Birmingham Road, Bishopton and Salford Road, Bidford-on-Avon - While these sites were identified or part-identified in the Consultation Core Strategy and are subject to current planning applications, this does not give them sufficient status for inclusion in the land supply. The Consultation Core Strategy was not approved by the District Council for the purposes of development control.

Friday Furlong, Bidford-on-Avon - To a large measure this is already taken into account in the supply figures, being subject to an outline planning permission for 125 dwellings and medical centre.

Kinwarton Farm Road, Alcester - While the District Council has resolved not to object to the outline application for up to 125 dwellings, the application will be determined through an appeal, taking into account the representations of all parties. In this case there is insufficient certainty at this time for the site to be included in the land supply.

Other sites - The existing land supply figures already take into account several of the smaller sites quoted in the RASE list, namely: Glebe Close, Stockton; Our Lady's Convent, Southam; Bearley Road, Snitterfield; and Stockton Road, Long Itchington. On the other hand, the application for the Greig Centre redevelopment at Alcester has been refused recently and the site could only be added to the land supply if a subsequent application were to be supported by the District Council. Other sites in the RASE list are pending the determination of applications, and at this point have insufficient status to merit inclusion, although the site at Southam Garden Centre has been supported by the District Council pending completion of a legal agreement. This site will be added to the supply figures the next time the supply is re-assessed.

Use of RSS Panel & RSS Preferred Option Requirement Figures

RASE include two supply assessments based on housing requirements that emerged during the RSS Phase Two Revision process. These requirements are lower than that recommended by the District Council's Cabinet on 5 September. The reasons for not using these lower figures for both Core Strategy preparation and housing land supply assessment were explained in the Head of Corporate Support's report to 5/9 Cabinet (Item 240). They focus on the need for up-to-date data in the context of the imminent abolition of the Regional Spatial Strategy.

The comments above point to the difficulty of supplementing the housing land supply with many of the sites listed by RASE at this point in time. These difficulties mean that the 692 dwelling supplement quoted by RASE would not be supportable and would not provide a robust case for claiming that the current land supply is adequate.

ASSESSMENT OF THE KEY ISSUES

Members Site Visit (20.9.11)

A Members Site Visit took place at 9.30am on Tuesday 20th September 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.

The visit was attended by the following Members: Councillors Sir William Lawrence, P. Beaman, H. Hayter, K. James, G. Matheou, C. Thomas, H. Wright and R. Wright. It was also attended by Ward Councillors R. Cockings, V. Hobbs, and Rev. N. Beamer.

The site visit followed the reverse of the route followed on 11th January (stated on p75 of Report). The same features were pointed out and additionally a view was taken from the B439 at the top of Bordon Hill.

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

Omitted wording (in bold) from 'ENERGY EFFICIENCY' section at foot of p.129

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 **source heat pumps, mechanical ventilation with heat recovery and solar water heating.**

RECOMMENDATION

Outstanding s.106 Matters

Further to the list of s.106 matters on p.132 of the Agenda, no adequate justification for the following requests has been forthcoming to date to comply with the provisions of the CIL Regulations 2010:

- £40,000 towards the implementation of Stratford Parkway Station
- £25,000-£30,000 towards improvements to the local Rights of Way network

If that justification was to come forward prior to the completion of a legal agreement on the proposal, then officers request delegated authority to negotiate and conclude these matters with the applicants as appropriate.

Wording (in bold) to be deleted from Recommended Condition 26

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.

Omitted wording (in bold) to be added to Recommended Conditions 13, 14 & 39

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 **create the crossings of the SWRR for public right of way SD16, in accordance with details approved under Condition 15, have been completed and are open to traffic.**

14. **Within 2 years of the commencement of development or prior to the occupation of the 300th dwelling in the northern development area (shown on Parameters Plan 1953 SK-01 rev.S as the Housing Area – Alcester Road [Component A]) whichever is the sooner, 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, shall have been completed and open to traffic.**
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 **submissions shall be completed within the first planting season following the first commencement of any part of the development on that parcel.**

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.

2 Additional Recommended Conditions

64. No more than 200 dwellings shall be constructed pursuant to this permission in the southern development area (shown on Parameters Plan 1953 SK-01 rev.S as the Housing Area - Evesham Road [Component B]).

Reason: To ensure that a safe and convenient access in conjunction with the SWRR phasing in Conditions 13 and 14 in accordance with Policies DEV.4 and COM.9 of the Stratford-on-Avon District Local Plan Review.

65. The maximum speed limit on the central section of the SWRR, between the Anne Hathaway Cottage Access roundabout (as shown on Plan 207137-00 Figure 12/03) and the northern sector access roundabout (as shown on Plan 207137-00 Figure 6/03), shall be no more than 40 miles per hour.

Reason: To ensure that the noise principles accounted for in the Noise Report are met to accord with Policy PR.8, EF.5, EF.13 and EF.14 of the Stratford-on-Avon District Local Plan Review.