### COMMITTEE REPORT

<table>
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<tr>
<th>Application Ref.</th>
<th>14/03250/FUL</th>
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<tr>
<td>Applicant</td>
<td>CALA Homes (Midlands) Ltd</td>
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| Reason for Referral to Committee | ▪ Scale of development  
▪ Objection from Town Council |
| Case Officer     | Jamie Whitehouse |
| Presenting Officer | Jamie Whitehouse |
| Site Address     | Home Guard Club And Sport Ground, Main Street, Tiddington, Stratford-upon-Avon, CV37 7AY |
| Description of Development | ▪ Planning permission is sought for 32 no. dwellings; demolition and replacement of the existing Home Guard Club and Scout Hut on the site; stopping-up of the existing vehicular access to the site and the creation of 2 no. new vehicular accesses off Main Street (one to serve the proposed dwellings and one to serve the new Home Guard Club and Scout Hut); loss of an area of playing fields resulting in a net loss of 1 no. senior pitch and the net gain of 1 no. mini (5-a-side) pitch; the creation of a new car park for the Home Guard Club and Scout Hut; and all associated infrastructure and site works.  
▪ Total Site Area 4.96 ha. Area to be built upon as part of the residential element of the scheme is approximately 1.2 ha. Density is therefore approximately 26-27 dwellings per hectare.  
▪ 19% affordable housing to be provided by number of units (6 x 1-bed)  
▪ Current grassed surface area is approximately 43477 sqm. Total proposed grassed surface area (including pitches) is 31801 sqm. Total area of existing Public Open Space ("POS") to be lost is therefore approximately 11,686 sqm (1.16ha)  
▪ The proposal includes the provision of a new scout hut, and activity area, along with 40 on-site parking spaces for visitors. An additional 14-vehicle overflow parking area would also be provided.  
▪ The sports facilities proposed include multi-use games areas ("MUGA") that could be used as an archery field, a 15-a-side Rugby pitch, an 11-a-side football pitch (would also be used as 2 No. 5-a-side pitches) and a 9-a-side football pitch. |
| Description of Site Constraints | ▪ The application site is primarily used as an area of public open space. The site includes an existing club house that supports a local scouting group, and a rugby training club.  
▪ There is an extant but unimplemented planning permission under reference 14/01127/OUT for a development that includes 16 no. extra care bungalows.  
▪ The site is generally flat, with a 1 metre rise in levels from the north of the site to the south.  
▪ The site boundary includes a number of mature trees and soft landscaping.  
▪ There is an existing community centre to the north west.  
▪ Public Footpath Running through middle of site. |
| Summary of Recommendation | ▪ GRANT SUBJECT TO CONDITIONS AND COMPLETION OF S.106 LEGAL AGREEMENT |
**Development Plan**

Paragraph 215 of the National Planning Policy Framework (NPPF) advises that “due weight should be given to relevant policies in existing plans according to their degree of consistency with this framework”.

Relevant Policies in the Development Plan for this application are:-

- PR.1, PR.7, PR.8, DEV.1, DEV.3, DEV.4, DEV.8, DEV.10, COM.9, COM.13, IMP.1, IMP.6 – consistent with Framework
- DEV.2, DEV.7, EF.6, EF.7, EF.9, EF.10, EF.11, COM.4 COM.5, COM.6 CTY.1, IMP.4, IMP.5, EF.13, EF.14, – some consistency but Framework is less restrictive
- STR.1, STR.2, STR.2A, STR.2B, STR.4, DEV.5, DEV.6, DEV.9, COM.1, IMP.2 – inconsistent with Framework /out-of-date

**Other Material Considerations**

- NPPF 2012 & PPG 2014
- Circular 06/05: Biodiversity and Geological Conservation

**Supplementary Planning Documents & Guidance**

- Meeting Housing Needs 2008
- Low Carbon Sustainable Buildings
- Local Choice
- Car and Cycle Parking Standards
- Planning Obligations 2007
- Provision of Open Space 2005
- Stratford on Avon District Design Guide
- PPG17 Open Space, Sport and Recreation Assessment and Playing Pitch Strategy (Arup, April 2011)

**Other Documents**

- Coventry and Warwickshire Joint Strategic Housing Market Assessment (November 2013)
- Submission Core Strategy 2014 (The examination in public (EIP) for this was in January 2015 with interim findings announced in late March 2015)
- Relevant Submitted Core Strategy policies: CS.1 (sustainable development), CS.2 (Climate Change and Sustainable Construction), CS.3 (Sustainable Energy), CS.4 (Water Environment and Flood Risk), CS.5 (Landscape), CS.6 (Natural Environment), CS.7 (Green Infrastructure), CS.9 (Design and Distinctiveness), CS.15 (Distribution of Development), CS.16 (Housing Development), CS.17 (Affordable Housing), CS.18 (Housing Mix and Type), CS.19 (Existing Housing Stock and Buildings), CS.23 (Tourism and Leisure Development), AS.10 (Countryside and Villages), CS.24 (Healthy Communities), CS.25 (Transport and Communications).

Paragraph 216 of the NPPF allows for weight to be given to relevant policies in emerging plans, unless other material considerations indicate otherwise, and only subject to the stage of preparation of the plan, the extent of unresolved objections and the degree of consistency of the relevant emerging policies to the NPPF policies. To date, it is officers’ opinion that draft Core Strategy carries limited weight for decision making purposes.

- The 2012 Strategic Housing Land Availability Assessment (SHLAA) Review – The application site is not included in the SHLAA but the adjoining land immediately to the west (TIDD905) is identified as a broad location for housing.
The SHLAA has only looked at suitability for housing, using obvious site constraints ("potential show-stoppers"). It does not follow that what it shows as a ‘suitable’ site is necessarily an ‘appropriate’ site. The SHLAA 2012 does not assess appropriateness against the emerging Core Strategy. In officers’ opinion the conclusions reached by the SHLAA should be given limited weight and the appropriateness of the site should be assessed against relevant development plan policies and all relevant material considerations.

- Landscape Sensitivity Study (July 2011 and 2012)

This document forms part of the evidence basis underpinning the preparation of the Core Strategy. Part B of the document covers land parcels/sensitivity assessments for the main towns and villages. The application site is located within a parcel of generally flat land that has been identified as being of medium sensitivity to housing development based upon the medium to large field pattern.

While Tiddington is covered by the draft Neighbourhood Plan for Stratford, as this plan has incomplete text and maps and is very early in the process of approval, it can be given little weight at this stage.

**Other Legislation**

- Human Rights Act 1998
- Natural Environment and Rural Communities (NERC) Act 2006
- The Conservation of Habitats and Species Regulations 2010
- The Community Infrastructure Levy Regulations 2010
- Localism Act

**Summary of Relevant History**

<table>
<thead>
<tr>
<th>Reference Number</th>
<th>Proposal</th>
<th>Decision and date</th>
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<tr>
<td>14/01127/OUT</td>
<td>Outline planning application with all matters reserved for the Proposed demolition of Tiddington Community Centre, Home Guard Club, Scout Hut and timber storage shed; construction of 16 extra care bungalows (Class C2), new Community Centre, new Home Guard Club and new Scout Hut (resulting a loss of part of the existing playing field); closure of two existing vehicular accesses off Tiddington Road; provision of new vehicular access off Tiddington Road (to serve the proposed Community Centre and Scout Hut) and new access off the existing private drive to Margaret Court (to serve the proposed extra care bungalows) and upgrading of existing footpath to form new vehicular access to proposed Home Guard Club and Scout Hut; provision of associated parking and manoeuvring spaces and associated works.</td>
<td>Approved 23.02.2015</td>
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<td>(adjacent site Margaret Court)</td>
<td>facility and construction of extra care sheltered accommodation, comprising 43 no 1 and 2 bedroom apartments, plus 3 staff bedrooms</td>
<td>Allowed on appeal 03.09.2007.</td>
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Key issues from the previous application were:

- The impact on the character and appearance of the locality.
- The impact on existing playing fields and playing pitches.
- Impact on Highway Safety.

Applicant’s Supporting Documents

Summary provided by applicant

This should be granted because the Council’s development plan is out-of-date and, for the reasons identified in the planning statement, the Council cannot demonstrate a 5-year supply of housing. As such paragraph 14 of the NPPF, the presumption in favour of sustainable development, is engaged. Therefore the application should be approved as the planning statement has identified that any possible adverse impacts of doing so are significantly and demonstrably outweighed by the benefits of the development proposals (in the context of the NPPF when taken as a whole). Most notably the development proposals will provide necessary market and affordable housing as well as ensure the retention and enhancement of both the Tiddington Home Guard Club and all is associated sporting bodies bringing about numerous benefits which complement the social, economic and environmental facets of sustainability (as identified within paragraph 7 of the NPPF).

List of documents:

- Planning Statement
- Design and Access Statement
- Transport Statement
- Flood Risk Assessment
- Ecological Assessment
- Sportwise Report
- Home Guard Club Business Plan
- Energy Statement
- Arboricultural Report and Tree Survey

Ward Member(s)

No responses received have been received at the time of writing this report.

Parish/Town Council

Stratford-upon-Avon Town Council object to proposal on the grounds that there is an existing problem with on-street parking and this proposal does not appear to have sufficient parking space for the proposed new facilities. There larger houses are likely to need more than two spaces also. There is concern over the loss/impact on sports pitches and the comments of Sport England are eagerly awaited. The level of affordable housing provision is disappointing and should be independently assessed before it is agreed. Questions are raised over the inclusion of the 3-storey building and how this would fit with the remainder of the site and local context. The vista when driving through the site is poorly dominated with car parking. This should be amended by the inclusion of a high quality house type and blank elevations to the roads should be avoided. (06.01.2015)

Third Party Responses

64 responses have been received from local residents.
The comments in support can be summarised as follows:

- That the scheme will be beneficial to Tiddington in terms of the brand new facilities for the Home Guard Club and the Sports Club, and that the current facilities are run down.
- The residential element of the scheme is of manageable and subtle size which would not fundamentally alter the size and village feel of Tiddington.
- The development would help families to settle into the area.
- Tiddington is a Local Service village and is planned for 75-100 houses during the plan period. I favour the approach of spreading the load rather than having one large development.
- The proposals will help local sports teams and that all the work that has been put into the club would not be in vain.
- The design of the club is most suitable and meets the requirements of the local Rugby Football Club, and is considered more appropriate than the RSL application.
- The proposal will bring much needed young families into the village bringing revenue for all businesses. A new modern sporting facility would be located in the position compared with the RSL plan. Homes need to be built in Tiddington - and the end of the village is the best place.

(The full responses are available in the application file)

The objections can be summarised as follows:

- The proposal would worsen the already serious and unacceptable traffic congestion in the area. The number of parking spaces for the Home Guard Club is being reduced and the proposal will likely increase the number of users of the site. Concerns are also raised in relation to the accuracy of data within submitted Transportation Statement. Concerns are also raised in relation to additional traffic on the Clopton Bridge.
- The proposal would result in a loss of green space in the locality and is contrary to paragraph 74 of the NPPF. Proposals should be increasing green space and not building upon it. In particular the proposal would result in a loss of junior sports fields in an area of undersupply.
- The proposal would result in a ribbon development that would urbanise and irreversibly change the character of Tiddington by bringing it closer to Alveston. Furthermore, the higher density of the proposal would harm local character.
- The proposal would place increased demand on local infrastructure. The local primary school is virtually full, so there appears to be insufficient school places to support the development.
- I question whether the construction of 32 houses and the loss of sports facilities is in the spirit of the Docker family's wishes that the land be used for the benefit of the community.
- The level of parking provision proposed is insufficient for sporting events and will result in overspill onto the road and on grass verges. Furthermore the level of parking for the dwelling is insufficient as most houses have more than 2 cars.
- The proposal would result in ecological harm to nesting and migrating birds.
- The provision of a three-storey building in the development is inappropriate and contrary to the decision of the previous appeal inspector.
The development is cramped and constitutes over-development of the site. The proposal would also, in crowd the street and leave insufficient space for garden landscaping.

There is a high probability that the submitted business plan for the Home Guard Club would fail.

The drainage of the site is inadequate and the proposed development, with increased hard surfaces will increase risk of waterlogging and flooding.

The proposal would result in flood lighting to the detriment of residential amenity.

The scout hut is too small, and the timetabling of the works appears to show that the existing one would be demolished before the new one is completed, which would require a temporary location.

The attenuation pond will block a fire escape route.

The 3-storey building would harm views and outlook from nearby flats.

(The full responses are available in the application file)

Consultations

- **WCC Fire and Rescue** – No objections subject to a recommended condition to require the provision of adequate ware supplies and fire hydrants. (23.12.2014)

- **English Heritage** – Do not wish to offer any comments on this occasion and advise that it is not necessary to consult English Heritage further on this application. (22.12.2014)

- **SDC Building Control** – No objections – it is noted that the proposal seeks to utilise a ‘Fabric First’ approach in lieu of providing 10% renewables. (24.12.2014)

- **Severn Trent Water** – no objection subject to a recommended condition to require details to be submitted, agreed and implemented for the disposal of surface water and foul sewage. (02.01.2015)

- **Highways Agency** – No objection. (05.01.2015)

- **WCC Highways** – No objection subject to the imposition of recommended planning conditions, and a S.106 obligation to require contributions towards a package of highway measures. The Transport Statement is a robust assessment with credible trip generation elements. There are some concerns about the potential impact on the existing Clopton Bridge, however, it is concluded that this would be mitigated with highway improvements secured by a financial contribution of £32,928. The proposed access junctions are also concluded to be satisfactory.

- **Environment Agency** – No objections subject to a recommendation that the scheme includes a Sustainable Urban Drainage System (“SUDS”) to control surface water run-off. (12.01.2015)

- **WCC Education** – Request a contribution of £208,631 toward local education infrastructure. (13.01.2015)

- **WCC Rights of Way** - Footpath SB14 runs through the site. No objections are raised to the proposal subject to the footpath not being obstructed. If a temporary obstruction is required to implement the development then the applicant should contact WCC’s Rights of Way Team. (13.01.2015)

- **Warwickshire Police** – No objections raised. Design advice has been offered on the choice of materials and landscaping to reduce the risk of crime to future occupiers. (15.01.2015)

- **WCC Ecology** – Note that the proposal will require the removal of a small number of trees. A nesting bird informative is recommended to advise that these will need to be felled outside of the nesting season. Some of the trees to be removed provide foraging opportunities for bats. Therefore a condition is recommended to require details of roosting and
nesting provision for bats and nesting birds to be agreed and implemented to mitigate against the impact of the development. (15.01.2015)

- **Natural England** – No objections. (19.01.2015)
- **Disability Access** – Objects to the proposal on the basis that the changing rooms proposed are not accessible due to their reduced size. (27.01.2015).
- **Sport England** – No objections subject to strict adherence to four recommended planning conditions to require the layout and design adheres to Sport England’s technical design guidance notes, and that a community use agreement is agreed and implemented, a development phasing plan is agreed and implemented, and a playing pitch improvement and maintenance plan is agreed and implemented. (03.03.2015)
- **SDC Environmental Health** – No comments received at time of writing report.
- **WCC Archaeology** – No comments received at time of writing this report. However a recent application was approved for the development of the same site with a single archaeological condition. This has been reproduced in the condition section of the report

(The full responses are available in the application file)
ASSESSMENT OF THE KEY ISSUES

Principle of Development

The Council is required to make a decision in line with the Development Plan, unless material considerations indicate otherwise. (Section 38(6) PCPA 2004 and Section 70(2) TCPA 1990). The National Planning Policy Framework (NPPF) is a key material planning consideration. The emerging Core Strategy is also a material consideration.

The Council does not currently have a 5-year housing land supply and therefore, in accordance with para.49 of the NPPF, saved policies in the Local Plan Review that are relevant to the supply of housing cannot be considered up to date. In accordance with para.47 of the NPPF, the Council needs to boost significantly the supply of housing to not only achieve a 5 year housing land supply, but to also maintain this supply thereafter.

The examination in public of the Council’s emerging Core Strategy was concluded in January and an interim report is hoped to be received from the Inspectorate in March. In the meantime, the draft housing policies in this document are subject to significant objections and indeed these policies have been amended during the course of the examination. For both of these reasons, it is officers’ advice that these draft policies can be given no material weight in decision-making at this time.

The conclusion made as to whether the application accords or does not accord with the Development Plan. The decision-maker should then consider all other relevant material planning considerations, of which the NPPF is the key consideration. The emerging Core Strategy is also a consideration. Irrespective of whether the Council has a 5 year housing land supply or not, para.14 of the NPPF makes clear that there is “a presumption in favour of sustainable development”, the definition of which can be found elsewhere in the NPPF.

Given the above, the so-called “additional presumption” in favour of sustainable development – namely that the adverse impacts of a development would need to significantly and demonstrably outweigh the benefits if permission were to be resisted - is engaged in this case. Decision makers must recognise the NPPF’s presumption in favour of sustainable development, which remains an underlying consideration for development proposals. In order to judge whether a proposal is sustainable it must be assessed against the economic, social and environmental roles as set out in the NPPF.

The Development Plan

Saved policy STR.1 provides a settlement hierarchy for the purposes of controlling and regulating development and to reflect the wider functions of settlements. The principle of a settlement hierarchy (referred to in the modified submitted Core Strategy as a settlement pattern), as set out in saved policy STR.1, is consistent with objectives contained within the Framework, which seeks to direct development to locations that reduce car based travel and the need to travel. Whilst saved policy COM.1 Local Choice (referred to in policy STR.1) is not consistent with the Framework, the new settlement pattern, published as part of the evidence base for the emerging Core Strategy, is consistent with the approach taken in paragraph 55 of the NPPF, which says that housing should be located where it would enhance or maintain the vitality of rural communities.

The proposed dwellings are not divorced from the edge of the village of Tiddington and the proposed new dwellings are approximately 320 metres from the centre of the village, which is identified as a Local Service Village. Tiddington
benefits from a range of facilities that provide a range of day-to-day living requirements. Given this, and given the public transport links serving the village, I consider that the occupiers of the new dwellings would be able to access these facilities without reliance on the private motorcar.

On this basis, I do not consider that the development would result in “isolated new dwellings” contrary to Paragraph 55 and would enhance and maintain the vitality of the settlement of Tiddington.

The modified submitted Core Strategy identifies Tiddington as a Category 1 Local Service Village, capable of accommodating approximately 76 to 100 dwellings for the plan period 2011 to 2031.

Prematurity

The National Planning Policy Guidance states that Annex 1 of the National Planning Policy Framework explains how weight may be given to policies in emerging plans. Notwithstanding the size, scale and location of this scheme in relation to Stratford-upon-Avon, taking into account the current stage of the core strategy, as well as recent high court judgements and the advice set out in the NPPF, it is officers’ opinion that no objection can be raised on grounds of prematurity.

Impact on the landscape and character of the area

Landscape character/sensitivity

The NPPF requires as part of its core principles (paragraph 17 (5)), that, amongst other things, planning should take account of the different roles and character of different areas and recognise the intrinsic character and beauty of the countryside. Saved policy PR.1 of the Local Plan Review is consistent with this as it states that proposals should respect, and where possible, enhance the quality and character of the area. Paragraph 109 of the NPPF also states that the planning system should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes.

The Landscape Sensitivity Study for Stratford-upon-Avon (2011-2012) identifies the application site as being within the parcel of land designated as ST11 – where a medium sensitivity to housing is identified. It should be noted that ST11 is much larger than the application site, and the text within the sensitivity study identifies that there is potential for housing in the northernmost part of the plot of land, subject to the creation of a positive edge being provided to strengthen the existing field boundaries.

The applicant has submitted a Landscape and Visual Impact Appraisal which considers the visibility of the proposed development within the landscape. I note that the application site would be visible within long distance views from the south and the west. However, as these views already contain views of existing residential development to the south of the village, I conclude that impacts on long distance views will not be materially harmful to the character or appearance of the landscape.

I consider that, during construction and upon completion, that there will be a small to medium degree of harm to the landscape. This harm, however, would be acceptably mitigated in the long-term once soft landscaping is established and reaches maturity. The identified harm to the character and appearance of the landscape and to the setting of the locality needs to be weighed in the balance when considering all of the beneficial and negative aspects of the development proposals. It is however for the Committee, as decision-taker, to weigh all of the
material considerations and draw its own conclusions regarding the degree of harm to the character and appearance of the landscape in this case.

**Highways Matters**

Traffic Generation, Access and Highway Safety

Paragraph 32 of the NPPF states ‘inter alia’ that decisions should take account of whether opportunities for sustainable transport modes have been taken up; safe and suitable access to the site can be achieved for all people and whether improvements can be undertaken effectively limiting the impacts of the development. Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.

Paragraph 34 of the NPPF also states that developments that generate significant movements are located where the need to travel will be minimised, albeit, this needs to take into account policies throughout the framework relating to rural areas. Saved policies DEV.4 and COM.9 of the Local Plan Review remain generally consistent with this approach.

The application is supported by a transport assessment that concludes there are no inherent safety issues at the location or with the proposed access arrangement. Furthermore, the proposal would not have a material impact on the safety or operation of the local road network.

WCC Highways have carefully considered the proposal, the supporting Transport Statement and other relevant information which indicates, whilst there would be an increase in traffic generation, the increase would not be significant. They have also considered the proposed access design, and have concluded it would not have an adverse impact on highway safety.

WCC Highways recognise, in the absence of an up to date local plan, that the supporting transport information meets current policy requirements by considering general traffic growth and committed development. The assessment undertaken demonstrates the development would have a minimal impact on the highways infrastructure and WCC Highways do not raise objection to these findings.

**Accessibility**

I note the objections raised in relation to highway safety. The Highway Authority have considered the access arrangements and have indicated that these are acceptable. I do not consider that the proposed access arrangements would result in any unacceptable highway safety issues and the Highway Authority has not raised any issue with traffic generation on Main Street that cannot be mitigated through conditions.

The site is located where local services are provided and there are public transport connections both locally and towards the wider area. It is also recognised the scheme would make improvements to local bus and cycling infrastructure and future occupiers would have access to ‘sustainable welcome packs’ that would further promote more sustainable modes of transport.

A full range of accessible local facilities are available within walking distance of the site, as detailed in the supporting sustainability statement, and therefore, in officers’ opinion any future occupiers would not be wholly dependent on car borne travel.
Parking Provision

The proposal includes parking provision for a minimum of 2 spaces per dwelling for all of the family dwellings which I consider is acceptable, in accordance with the provisions of paragraph 39 of the NPPF. I note that visitor parking would also be provided for the sports facilities and scouting hut. I note that WCC Highways have not objected to the development in relation to the numbers of parking spaces proposed. I concur with this view.

Taking into account all of the above, I consider that the proposed development would not have an adverse impact on highway safety in relation to access, traffic generation or parking and provides access to local services, without the need to rely on the use of a private car, in accordance with the guidance contained in paragraphs 32 and 39 of the NPPF and saved policy DEV.4 of the Local Plan Review, which remain generally consistent with the NPPF.

Design, Layout, scale, and appearance

The layout of the scheme has been amended to improve layout and turning within the site whilst retaining the strong frontage to Main Street, where there is significant existing tree screening that would ensure the development sits well within the surrounding pattern of development along Main Street. I note that the scheme has been designed to ensure the majority of car parking is generally set back behind house frontages, within the plots, to avoid car parking dominating the street frontage, which is welcomed.

Generally, the site is laid out to create active frontages throughout that allow a natural surveillance of the streets and open spaces. The proposed layout also ensures the formation of a network of streets that give priority to pedestrians and cyclists, with natural traffic calming measures. For these reasons, the layout is considered acceptable.

The supporting information indicates the buildings would be predominantly 2-storey in scale but with a larger 3-storey element to create a legible corner, which would also be similar in scale to the recently constructed residential housing. For these reasons, and notwithstanding the objections raised, the scale of development is considered acceptable in this instance.

The proposed external materials for the dwellings draw upon the characteristics of the surrounding built form incorporating a traditional approach; brick with selective use of render, and roof tiles. I consider that this is acceptable in this location, but a condition is recommended to require sample materials to be agreed and implemented. Conditions are recommended to protect all trees to be retained, and to secure a scheme of hard and soft landscaping.

Housing mix and affordable housing

Paragraph 50 of the NPPF refers to the need to deliver a wide choice of high quality homes to create sustainable, inclusive and mixed communities, and to include appropriate provision of affordable housing. Saved policies COM.13 and COM.14, whilst now quite old, seek to secure affordable housing and a mix of housing types and therefore still have some consistency with the NPPF. Whilst the Council has an adopted SPD Meeting Housing Needs, the most recent evidence base is now the Coventry & Warwickshire SHMA published in November 2013.

I note that the scheme would deliver 6 No. 1-bed units, 7 No. 2-bed units, 5 No. 3-bed units and 14 No. 4-bed units. I consider this to be a good mixture of dwelling sizes in this location.
I note that the scheme would secure 19% affordable housing, which falls short of the 35% target established in policies COM.13. and COM.14. The applicant has submitted a financial viability appraisal outlining that the applicant is not able to provide 35% affordable housing, as this would render the development financially unviable. This has been assessed by an independent valuer on behalf of the Council, and confirmation has been received that the provision of 35% affordable housing would render the development unviable.

**Residential amenity**

Guidance in paragraph 17 of the Framework is to always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings. Saved policy DEV.1 of the Local Plan Review is consistent with that insofar as it seeks to safeguard the amenity of neighbouring properties.

The proposed layout, siting, size, height and design of the proposed dwellings are such that I am satisfied that the scheme would provide dwellings that are provided with acceptable levels of separation, both to future occupiers and existing neighbouring properties, in line with the separation guidance contained in the Council’s ‘Extending Your Home’ Guide and, having regard to paragraphs 56 and 58 of the Framework and saved policy DEV.1.

Subject to appropriate materials being used, I consider that the design, height and appearance are in keeping with local distinctiveness and would not result in unacceptable harm to the visual amenity of the locality. A condition is recommended to require sample of materials to be agreed and implemented.

I note the concerns raised about potential flood lighting. I consider that these concerns could be addressed by a planning condition to require lighting details to be agreed and implemented.

**Public Open Space**

The NPPF, at paragraphs 58 and 73, encourages access to high quality open spaces and opportunities for sport and recreation. Saved policies COM.4, COM.5, and COM.6 also seek to secure appropriate standards of open space provision and therefore remain broadly consistent with the provisions of the NPPF. Having regard to this, where there is a deficiency in public open space, new development proposals should seek to make new provision available.

COM.6 requires that development proposals on public or private open space should ensure that an equivalent and equally convenient area of open space is laid out and made available for the same purpose. I consider that, whilst there would be a loss of 11,686 sqm (1.16ha) of open space as a result of the proposed development, that the package of sporting benefits of the applicant, when combined with the proposed physical improvements to the open space, would result in a higher quality area of open space that would be of greater long term benefit to the community. I note that Sport England raise no objections to the proposed subject to recommended conditions to ensure long-term community use, and improved changing facilities. I concur with this view, and I consider that the proposal complies with Policy COM.6 and the NPPF.

**Other matters**

**Drainage and Flood Risk**

Paragraph 103 of the Framework requires development proposals to minimise flood risk and gives priority to the use of sustainable drainage systems. Policy
DEV.7 requires all development proposals to provide sustainable measures for dealing with drainage on site to prevent potential for flooding on or in the vicinity of the site or as a result of surface water run-off exacerbating flood issues elsewhere and is therefore consistent with the Framework.

The site is not in Flood Zones 2 or 3 and the application states that foul drainage is to discharge to a mains sewer. Surface water drainage is to be discharged into an attenuation pond to the west of the site. Subject to a condition requiring full drainage details – to include a Sustainable Urban Drainage System - to be agreed and implemented, I consider that in terms of drainage matters the proposal is acceptable having regard to Paragraph 103 of the Framework and Local Plan Policy DEV.7.

**Ecology**

One of the core planning principles of the Framework seeks to conserve and enhance the natural environment, as expanded upon by paragraph 118. Policies EF.6 and EF.7 of the Local Plan Review accord with the Framework as they relate to the retention, protection, management and where appropriate creation of wildlife habitats.

The proposal has been assessed by the County Ecologists and they have considered that the proposal would be unlikely to affect any protected species. Conditions are recommended to safeguard against harm to nesting and bats. Suitable conditions are recommended to require the development to be implemented in accordance with general good practice. I am, therefore, satisfied that the development complies with paragraph 118 of the Framework and policies EF.6 and EF.7 of the Local Plan Review. I have also given due regard to the provisions of the NERC act.

**Energy Conservation**

Paragraphs 95/98 of the NPPF require schemes to incorporate renewable saving measures. Saved policy DEV.8 and the Councils Low Carbon Buildings SPD remain generally consistent with the NPPF, as they also seek to improve energy conservation and promote use of renewable technologies.

The applicant has stated that, instead of incorporating renewables, that a 10% energy saving would be achieved through a ‘fabric first’ approach. I have noted that the financial viability of the scheme is stated to be at risk in this case. I therefore consider that the applicant’s proposal to achieve a 10% energy saving through a ‘fabric first’ approach to be acceptable in relation to the proposed development. A condition is recommended to secure a detailed scheme to be implemented.

**Impact on Agricultural Land**

None of the land within the application site is agricultural land. Therefore there would be no loss.

**Land Contamination**

I consider that there is a need for further groundwork investigations in relation to potential land contamination. A condition is attached to require further investigations to be undertaken, and for any necessary remediation to be implemented.

**New Homes Bonus**

The creation of new homes would in economic terms provide money to support local communities under the Governments ‘New Homes Bonus’ and is a material
consideration and one that gives some support to the consideration of the application.

**Planning Obligations**

**Education**

Based on 32 dwellings and taking an average occupancy rate WCC request contributions towards Early Years (£11,687 for 1 place) + Primary (£93,496 for 8 places) + Secondary (£87,654 for 6 places) + Sixth Form (£15,794 for 1 place). Education provision contribution Total = £208,631.

**Highways**

Warwickshire County Highways have requested £75 per dwelling (up to £5,625.00) for sustainable welcome packs.

**Healthcare**

South Warwickshire NHS Foundation Trust has not sought a contribution to healthcare infrastructure for the proposed development.

**SUDs Maintenance**

In the event that the Council is requested to take on maintenance responsibilities for any area of SUDs system then an appropriate contribution will be sought for the future maintenance of this.

**Applicant’s Financial Viability Appraisal**

The applicant has submitted a financial viability appraisal that considers the applicant’s ability to provide financial contributions for affordable housing and physical and social infrastructure. This appraisal has been independently assessed by a professionally qualified development Valuer at the request of officers. From this assessment, officers are satisfied that, to provide all of the contributions requested, would render the scheme unviable.

**Conclusions**

Assessing the application against the relevant development plan policies of this Council, I consider that the development would generally accord with those policies.

The ‘golden thread’ running through the NPPF is the presumption in favour of sustainable development. It gives three dimensions to sustainable development: social, economic and environmental. These should not be assessed in isolation, because they are mutually dependent. On this basis, I have concluded that the proposal is sustainable development.

Assessing the planning balance, I consider that the benefits from the scheme would be:

- Creation of short term construction jobs.
- Longer term support for the local economy from new residents.
- New homes bonus.
- Provision of new homes in a sustainable location, contributing towards meeting and maintaining the Council’s 5 year housing land supply.
- Provision of 19% affordable homes.
- On-site POS improvements that will result in overall ‘betterment’.
- The community benefit from upgrading community & sporting facilities
- The provision of a modern, purpose-built scouting building.
- The provision of a modern, purpose-built sports pavilion and club house.
- Re-seeding of the sports pitches and relaying of the running-cycle track
- The provision of a long-term maintenance fund for the sports facilities
- The formalisation, in planning terms, of a community use agreement to secure the use of the facilities by the public.
- The improvement of parking facilities.

With regards to the potential harm arising from the development, I consider that:

- There would be some minor harm to the character and appearance of the landscape in the immediate area. However, this is limited and can be controlled and mitigated to an extent through planning conditions to secure soft landscaping and tree protection for all trees to be retained.
- The measures recommended by the highway authority to mitigate the harm to highways safety would not result in significant visual harm.

Approval using the viability analysis would mean that there is a reduction in benefits to affordable housing, but this would not necessarily cause harm.

Technical issues from statutory consultees can be dealt with by planning conditions. Where potential deficiencies in services/facilities have been identified, financial contributions have been considered to remedy these. However, in light of the financial viability constraints, and the package of sporting improvements, officers consider that not all financial contributions can be reasonably sought in this case.

**Recommendation**

Whilst officers have made a recommendation on the basis of the Development Plan and other material considerations it is for the Committee to weigh and balance these in coming to a decision.

**RECOMMENDATION A**

1) It is therefore recommended that subject to:

the satisfactory completion of a S.106 agreement to provide the following requirements and contributions with delegated authority to the Head of Environment and Planning in consultation with the Chairman of the Planning Committee in respect of any final negotiations:

- Affordable Housing Provision (19% by number of units) – with tenures to be agreed with officers, but expected to reflect the Council's standard requirement for 75% social rented and 25% intermediate units.
- £32,928.00 as a contribution to the implementation of a mitigation scheme for a junction improvement at Clopton Bridge.
- The provision of a Sustainable Travel Pack costing £75 per household equating to a total sum of £2,400.

That the Planning Manager be authorised to issue the formal Notice of Decision GRANTING planning permission, subject to the following conditions and notes, the detailed wording of which, and numbering is delegated to officers:

1. 3-year time limit.
2. List of Approved Plans
3. The development hereby permitted shall not commence until drainage plans for the disposal of surface water and foul sewage have been submitted to and approved in writing by the local planning authority. The
scheme shall be implemented in accordance with the approved details before the development is first brought into use.  
Reason: To ensure that the development is provided with a satisfactory means of drainage as well as to reduce the risk of creating or exacerbating a flooding problem and to minimise the risk of pollution.

4. Samples of materials to be agreed and implemented prior to commencement.

5. No development shall commence unless and until a Construction Management Plan, which must contain a Construction Phasing Plan and HGV Routing Plan, is submitted and approved, in writing, by the Local Planning Authority and the development shall be undertaken in accordance with the same.

6. No HGV movements during the construction phase will take place Monday to Friday during the time periods 07:30 – 09:15 and 14:30 – 1800, to ensure that HGV movements are limited during the peak travel periods and the ‘drop odd and pick’ periods of Alveston Church of England Primary School.

7. No development shall commence unless and until the development of the accesses to the site from Main Street shall be constructed, located and laid out in general accordance with drawing 20779_03_001 Rev B.

8. Prior to first occupation of either the residential development or Home Guard Centre and Scout Hut, whichever is first, the extension of the southern footway on Main Street from the existing footway at Tiddington Community Centre to the access for the Home Guard Club and Scout Hut will be implemented.

9. The Home Guard Centre and Scout Hut will not be occupied until a Parking Management Strategy has been submitted and agreed by the Local Planning Authority.

10. Prior to the commencement of development (including demolition, site clearance and any ground works) details of roosting and nesting provision for bats and nesting birds shall be submitted to and agreed in writing with the local planning authority. The agreed measures shall thereafter be fully implemented as approved prior to the first occupation of the dwellings hereby approved.  
Reason: To enhance the nature conservation value of this site.

11. Notwithstanding the submitted plans, the changing provision and other ancillary sports accommodation hereby permitted shall not be constructed other than substantially in accordance with Sport England/National Governing Body Technical Design Guidance Notes for changing rooms and pavilions.  
Reason: To ensure the development is fit for purpose and sustainable and to accord with the Stratford-upon-Avon Local Plan and the NPPF.

12. No development shall commence until a community use agreement prepared in consultation with Sport England has been submitted to and approved in writing by the Local Planning Authority, and a copy of the completed approved agreement has been provided to the Local Planning Authority. The agreement should name the existing sports clubs which remain on the site at the time of the agreement and give details of their long term tenure. The agreement shall apply to the playing fields and changing accommodation and include details of pricing, policy, hours of use, access by, management responsibilities and a mechanism for review, and anything else which the Local Planning Authority in consultation with Sport England considers necessary in order to secure the effective community use of the facilities. The development shall not be used at any other time other than in strict compliance with the approved agreement.  
Reason: In order to secure well managed, safe community access to the sports facility/facilities.
13. Before development commences, a Development Phasing Plan setting out a timetable for the delivery of the community, sport and housing development shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved phasing plan (or any amendment to the Phasing Plan agreed in writing by the Local Planning Authority). No dwellings shall be occupied in advance of the timetable for occupation set out in the approved phasing plan.
Reason: To ensure the satisfactory quality, quality and accessibility of compensatory provision which secures a continuity of use and to accord with Stratford-upon-Avon Local Plan and the NPPF.

14. Before development commences a playing pitch improvement and maintenance plan shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented in accordance with the approved Development Phasing Plan.
Reason: To ensure the playing field is first established as a functional playing field to an adequate standard, is fit for purpose and maintained to a standard for competition sport and to accord with Stratford-upon-Avon Local Plan Review and the NPPF.

15. Water Butts
16. Provision of Bins
17. Levels details to be provided.
18. Soft and Hard Landscaping Details
19. 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.
20. A scheme for the positions, design, materials and type of boundary treatments or means of enclosure to be submitted to and approved in writing and carried out in accordance with approved details
21. No construction will be undertaken until a Construction Management Plan which should contain a Construction Phasing Plan and HGV routing plan is submitted and approved in writing by the Local Planning Authority.
22. The development hereby permitted (including ground clearance and any vegetation removal) shall not commence between 1st March and 31st August inclusive, unless a competent ecologist has undertaken a check of the site for active birds’ nests immediately before works commence and provided written confirmation that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest onsite. Any such confirmation shall be submitted to the local planning authority.
Reason: To ensure that protected species are not harmed by the development.
23. Minimum of 50% of all new dwellings shall be designed and built to meet all relevant specifications of the Joseph Rowntree Foundation’s ‘Lifetime Homes’ standards.
24. 10% energy saving measures/’Fabric First’ approach to be agreed and implemented.
25. No development shall take place until an investigation of the nature and extent of any contamination affecting the site has been carried out by a suitable qualified and experienced person.
26. Scheme for archaeological evaluation to be agreed and implemented.
27. No lighting shall be added, including flood lighting, until full details, to include lux plots, are submitted and agreed in writing. The development shall be fully implemented in accordance with the approved details.
28. No development shall commence unless or until a Written Scheme of Investigation (WSI) for a programme of archaeological evaluation work across the site is submitted to and approved in writing by the Local
Planning Authority. The programme of archaeological evaluation works and associated post excavation analysis, report production and archive deposition detailed with this approved WSI is to be undertaken. A report detailing the results of this fieldwork is to be submitted to the Local Planning Authority. An Archaeological Mitigation Strategy document shall be submitted to and approved in writing by the Local Planning Authority. This should detail a strategy to mitigate the archaeological impact of the proposed development. Dependent upon the results of the trial trenching, this may include further archaeological fieldwork and/or the preservation in situ of any archaeological depositions worthy of conservation.

Notes

1. In dealing with this application, Stratford on Avon District Council has actively sought to work with the applicant in a positive and proactive manner, in accordance with paragraphs 186 and 187 of the National Planning Policy Framework. Additional information was sought from the applicant during the lifetime of the application.
3. Read in accordance with associated legal agreement
4. Native planting

RECOMMENDATION B

Should the legal agreement securing the matters listed above not be completed, to the satisfaction of the Area Planning Officer before 30.04.2015, or an extended period of time for determination of the application is not agreed with officers in writing before 30.04.2015 to enable an extended period of time for the preparation of the legal agreement, that planning permission be REFUSED, for the following reason:

In the absence of a completed legal agreement under Section 106 of the Town and Country Planning Act 1990, the District Planning Authority considers that the proposals would fail to make adequate contributions towards affordable housing, in accordance with policy COM.13 of the Stratford-on-Avon District Local Plan Review (2006)

ROBERT WEEKS
HEAD OF ENVIRONMENT AND PLANNING