## COMMITTEE REPORT

<table>
<thead>
<tr>
<th>Application Ref.</th>
<th>19/00731/FUL</th>
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<tbody>
<tr>
<td>Site Address</td>
<td>Land off the corner of Waterloo Road and Wellington Road, Bidford-on-Avon</td>
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<tr>
<td>Description of Development</td>
<td>Erection of 50 affordable houses</td>
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<td>Applicant</td>
<td>Countryside Properties (UK) Limited and Midland Heart Ltd</td>
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| Reason for Referral to Committee | Objection from Parish Council  
|                        | Objection from Ward Member |
| Case Officer           | Louise Koelman         |
| Presenting Officer     | Louise Koelman         |
| Ward Member(s)         | Cllr Pemberton         |
| Town/Parish Council    | Bidford-on-Avon Parish Council |

### Description of Site Constraints
- Site comprises of approximately 1.1 ha of Brownfield land previously contained industrial building and hardstanding
- Site lies within the built up area boundary of Bidford on Avon
- Existing vehicular access to Wellington Road and Waterloo Road.
- Beyond the northern and eastern boundaries are industrial/commercial units forming part of the larger Waterloo Industrial Estate
- Beyond the southern boundary the site adjoins a residential estate and residential properties are located on the opposite side of Waterloo Road.

### Summary of Recommendation
GRANT subject to completion of S106 agreement
DEVELOPMENT PLAN AND MATERIAL CONSIDERATIONS

Development Plan

- Stratford-on-Avon District Core Strategy (2011-2031)
- Bidford-on-Avon Neighbourhood Plan – Made: 17 July 2017 (BOANDP)

Other Material Considerations

Central Government guidance

- National Planning Policy Framework (NPPF) 2019
- National Planning Policy Guidance (NPPG)

Supplementary Planning Documents & Guidance

- Development Requirements SPD (which includes the recently adopted Part V Climate Change Adaptation and Mitigation)
- Stratford on Avon District Design Guide
- Bidford on Avon Parish Plan (B50) 2003

Other documents

- Extending Your Home: Planning Advice Note
- Employment Land Market Signals study for Coventry and Warwickshire
- Climate Change Declaration by the District Council

SUMMARY OF RELEVANT HISTORY

<table>
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<tr>
<th>Reference Number</th>
<th>Proposal</th>
<th>Decision and date</th>
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<tr>
<td>15/00212/OUT</td>
<td>Outline application (with all matters reserved except access) for the erection of a 1685 sq.m (gross internal floor area) retail unit (A1) and 743 sq.m (gross external floor area) of business units (B2/B8) with associated infrastructure</td>
<td>Granted - 20.01.2016</td>
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REPRESENTATIONS

Ward Member
Cllr Pemberton – Object on the following grounds:

1. The application, if granted, will result in the loss of employment land and as such is contrary to Core Strategy (CS) Policy CS22 and policies ECON1 and ECON2 of the made Bidford Neighbourhood Development Plan.
2. The applicant has not demonstrated that an appropriate marketing exercise has been conducted to establish that there is no longer a viable employment use for the land.
3. Contrary to the applicants assertion there is interest in retail development on this site.
4. The access arrangements for the site onto Waterloo Road are inappropriate and cannot be mitigated by engineering means. The site introduces an additional access onto Waterloo Road between the expanded traffic island serving the recent housing developments at Friday Furlong and Miller Homes plus the Waterloo Road Industrial Estate and
Copenhagen Way serving a further significant number of homes. I note that the previous outline permission for a retail supermarket on the site was permissioned with access on to Wellington Road, not Waterloo Road, at the insistence of Warwickshire County Council Highways on highway safety grounds.

5. The development is entirely car led and will increase car use to access employment, education, leisure and retail needs which is in conflict with the NPPF as realistic opportunities cannot be accessed by public transport or by cycle or on foot.

6. The application site will have a detrimental impact on the street scene of Wellington road given the levels of proposed housing plus the EHO requirement for a 3m close boarded fence around the site. Specifically plots on the corner Waterloo Rd and along Wellington Road that appear to be at least ½ metre higher than would ordinarily be acceptable even before the impact of 3 m fencing.

7. The site is clearly inappropriate for housing development given its proximity to Waterloo Road industrial estate noting the EHO requirement for a 3m fence mitigate the impact on the amenity of potential residents of the site.

8. Bidford on Avon is designated as a Main Rural Centre (MRC). At the time of preparing the Core Strategy it was noted that Bidford had a small but declining retail offering. At that point it was significantly smaller and less extensive than any other MRC. Since that time the shrinkage of the retail offering has accelerated sharply while homes permissioned have far outstripped the numbers planned for in the CS to the extent that the sustainability of Bidford as a site for further housing development can no longer be demonstrated.

9. A previous application on the site permissioned a retail supermarket noting a retail impact study that demonstrated the significant need for additional retail provision in Bidford on Avon.

10. This site is the only viable site for retail to meet the needs of the settlement. If lost to housing no other site exists that can realistically be brought forward. Development for housing will have a significantly harmful impact on the sustainability of Bidford as an MRC far outweighing the benefits of affordable housing delivery on this site (6.8.20).

**Bidford-on-Avon Parish Council**

Object –

- It is contrary to ECON 1 and ECON 2 of the Bidford on Avon NDP
- It is contrary to Policy CS.22 of the Core Strategy
- The site has not been properly marketed as a business/commercial site (the Parish Council is aware of an interested party)
- It does not comply with the NPPF - which supports economic growth. In fact it will undermine the viability of Bidford on Avon as a Main Rural Centre
- There is known contamination of the site making it inappropriate and unsafe for dwellings. (14.05.2019)
Additional Comments

The Parish Council submitted an assessment of the applicants transport statement by the Transportation Consultancy which had been carried out on its behalf in March 2020.

Some of the key points raised in the review are as follows;

- Access to a private drive and main access should have a minimum separation distance of 15m and consider that this has not been demonstrated
- Two private drive accesses fall within 10m of the access which fails to provide sufficient forward visibility for vehicles entering the site or vehicles exiting their driveways
- They have failed to provide correct swept path analysis for the correct refuse vehicle used in the district
- Consider the PIA data should be updated to ensure there are underlying highway safety issues that the development is expected to exacerbate
- Consider the sustainability of the site is questionable
- Consider a general arrangement drawing outlining the key junction geometry should be provided

The Parish Council provided comment stating that there would appear to be a number of issues raised by WCC Highways and by their independent transport consultant which remain unaddressed. In particular the issue of the site layout and access to private drive and main access. (09.06.2020)

Maintain a strong objection and consider that concerns have still not been addressed. (28.07.2020)

Third Party Responses

93 letters of objection have been received. Planning grounds for objections are summarised as follows;

- Bidford does not require any additional housing
- Site should be retained for business or retail use to provide better infrastructure for the village
- Village requires additional facilities rather than additional housing
- Require the provision of an additional supermarket on the site to provide competition and more choice for the settlement
- Queries whether adequate marketing of the site for retail uses has been carried out
- Existing road network cannot cope with the additional traffic
- Bidford primary school has insufficient spaces at present and additional dwellings will place an additional burden. Children are also on waiting lists for Alcester High Schools and are uncertain whether they will be able to gain entry
- Existing doctors surgery is at capacity and cannot support an additional 50 houses
- Vehicle speeds are excessive in the vicinity of the site and request traffic calming measures
- Existing highway network is becoming congested and the proposals will exacerbate this further
- Site needs to be used as a secondary school or leisure facility rather than housing
- Development is contrary to policy CS.22 of the Core Strategy. The site has an existing permission for a retail supermarket and business units.
• The applicant has not demonstrated that the site is no longer viable for employment or retail uses or that the site has been appropriately marketed for retail or other employment use
• The application is not in accordance with policy CS.1 of the Core Strategy in that it does not support 'managed economic growth' or the maintenance of a sustainable community in Bidford which has seen a continued decline of retail opportunities
• The application site does not meet the strategic objective for Bidford outlined in section 1.4 of the Core Strategy.
• The application is not in accordance with policies ECON1 and ECON2 of the Bidford Neighbourhood plan which is a material planning consideration
• The application does not comply with paragraph 80 of the NPPF – supporting economic growth
• The application does not meet the requirements in the NPPF Paragraph 121. (a) as it will undermine the vitality and viability of Bidford as a main rural centre
• The Council has an adopted Core Strategy and can demonstrate a 5 year housing land supply with significant evidence of delivering a housing supply well in excess of the housing requirement set out in policy CS.1
• A total of 363 homes were required for the village up to 2031 in line with the Core Strategy and in excess of 700 have been permitted to date
• The access arrangement for the site are unsuitable and unsafe from a highway perspective
• The access from Waterloo Road is too close (less than 25 metres) to the existing 4 arm island that services the existing industrial estate and the 'Friday Furlong' development opposite the site
• Consider that any access of Wellington Road would be unsuitable and cause a danger to pedestrian and highway safety
• Raise concerns regarding land contamination on the site and refer to the results of the site investigation report
• Raise concerns over the noise and dust and disturbance that will result if additional housing is built on the site
• Consider the development will be overbearing in the context of the industrial development in Wellington Road
• Consider that focusing retail in the town centre will increase traffic movements
• The time of the TNS safety review in conducted on a late Friday morning in January is not representative and traffic volumes are normally higher
• Consider that a serious collision will be likely to occur due to vehicles speeding
• The drainage on Waterloo Road is not able to cope with the current housing situation. The proposal will only exacerbate this
• The issues raised by the Parish Council’s highway consultant have not been addressed
• Consider that the main access into the site should be taken from Wellington Road not Waterloo Road
• Speed cameras are required to reduce the speed of vehicles along Waterloo Road and the roundabout turned into a 4 way roundabout with traffic lights to make the roundabout safe
• Consider that siting residential development so close to industrial development will not provide the residents with high quality, sustainable housing
CONSULTATIONS
The full responses are available in the application file.

WCC Highways
Initial objection - however following detailed discussions and additional revised plans and a Road Safety Audit and tracking details, raise no objection subject to conditions and notes. (28.02.2020)

Has assessed the independent assessment of the transport statement by The Transportation Consultancy on behalf of Bidford Parish Council and comment that the submitted TA and RSA are acceptable. (30.7.2020)

WCC Ecology
No objections. Recommend a condition be attached as a precaution to ensure any possible bats and nesting birds are protected. (28.05.2019)

Natural England
No objection. Refer to their standing advice. (21.05.2019)

Warwickshire County Fire and Rescue
No objection subject to a condition. (21.05.2019)

SDC Environmental Health
No objection - consider the site layout and mitigation measures proposed with the noise report overcome any objections. Require 2 conditions and consider the height of the proposed boundary wall treatment surrounding plots to the east of plots 45 and 46 and to the north and east of plot 2 can be 2m in height rather than 3m as shown as the boundary treatment seeks to control traffic noise rather than noise from any industrial activities. (03.03.2020)

Lead Local Flood Authority (LLFA)
No objection subject to conditions. (29.11.2019)

Warwickshire Police
No objection. Provide advice on crime prevention measures within the design of the dwellings and site enclosures. (08.05.2019)

SDC Housing and Enabling Officer
No objection, the revised housing mix now accords with the requirement of policy CS.18 of the Core Strategy. Would not wish to raise an objection on the basis of the size of the 2 bed ‘ivy’ bedroom sizes, which had been commented upon previously – Oral Comment – (02.03.2019)

South Warwickshire NHS Foundation Trust
No objection. Require an off-site contribution of £41,237 to provide for additional services to meet patient demand created by the proposed development. (28.05.2019)

SDC Waste and Refuse Officer
No objection following receipt of revised refuse tracking details. (12.12.2020)

SDC Leisure Services Officer
No objection subject to the swing frame being rotated through 180 degrees so the cradle seat is nearest to the path and signage shall be positioned on the external railings. (11.12.2019)
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 National Planning Policy Framework (NPPF) is a key material planning consideration.

The site is at the entrance to the Waterloo Industrial Estate, it was previously used as a transport depot and contained a substantial warehouse building located toward the front and service yard to the rear. This building had been vacant for a considerable period (over 10 years) and was demolished in 2011. The site is now vacant and overgrown with some hardstanding still remaining and overgrown scrub in parts of the site.

Outline planning permission was granted for the erection of a 1685 sq.m retail unit (A1) and 743 sq.m of business units (B2/B8) with associated infrastructure. This permission expired on the 20th January 2019.

The proposal to use this brownfield site for residential purposes is therefore compliant with Policy H4 of the BOANDP.

The site is located within the built-up area of Bidford-on-Avon, one of 8 Main Rural Centres identified in the adopted Core Strategy. As such, the principle of residential development is acceptable. Policy CS.16 states that provision will be made for 14,600 homes, with MRCs accommodating approximately 3,800 homes over the plan period; and has been exceeded.

The Council’s housing completions and commitments identify that 795 dwellings have been built or committed as of 31 March 2019 within Bidford on Avon. Despite the level of housing provision to date, the provision required within MRC’s is not maximum figure and does not prevent housing development coming forward subject to rigorous assessment in terms of other material considerations. The Council also has a robust 5 year supply position of 6.51 years (as at 31st March 2019) and is looking to deliver in excess of 16,000 homes by 2031.

The scheme seeks to provide 100% affordable housing and therefore would help to meet the Council’s district-wide needs for affordable housing and would be in compliance with policy CS.18.

Balanced against this in-principle support for housing development, due to the location of the development falling within a MRC, policy CS.22 the Core strategy sets out the Council’s desire to retain employment uses where possible, policy ECON1 of the BOANDP is also material. The viability of employment use of this site is therefore of critical importance and as required by policy CS.22, this has to be informed by robust site specific viability and marketing evidence.

As part of the technical evidence to inform the Core Strategy plan-making, the Council commissioned consultants to undertake an Employment Land Market Signals study for Coventry and Warwickshire, on behalf of the Coventry and Warwickshire Councils. This high-level study found that owing to better than expected growth of the sub-regional economy, demand for employment premises was out-stripping supply, with a particular shortage of units of less than 20,000sqft. There is also an issue with the affordability of premises stemming from the lack of supply.
The study looked at the availability of accommodation at the existing industrial estates. Reference is made to Waterloo Park/Wellington Road in Bidford-on-Avon, although it is unclear whether this particular site was included within the analysis. The paragraphs that follow Figures 6.1 and 6.2 are particularly pertinent, with paragraph 6.79 summarising the key issue thus:

“Our consultations and analysis have therefore identified that the relatively high levels of demand at present, the high occupancy levels within existing estates, and the lack of new land/accommodation/refurbishment projects coming through within the lower categories of employment provision (from "startup" space to 20,000 sq ft) and potentially even the next category (20k to 50k sq ft) – are all acting as a barrier to the growth of economic activity at present.”

Prior to the expiry of the retail/industrial planning permission the site was marketed for commercial uses including use classes B1, B2, B8 and A1 retail, for more than a 12 month period. The current application is supported with evidence of this marketing campaign and the corresponding results. This length of marketing campaign is considered to be adequate.

In order to rigorously assess this evidence in light of the technical evidence supporting policy CS.22, the Council commissioned independent consultants, Avison Young, to provide an assessment of the marketing strategy. The consultants assessed the site’s suitability and viability for commercial uses (Use class B1, B2 & B8) and retail (Use class A1), and critique the marketing strategy adopted by the vendors of the site. They also assessed the suitability of the asking price of the land.

Avison Young concluded that the marketing strategy adequately explored both the retail and commercial markets. The land had been marketed for over 12 months and although it was demonstrated that there had been a reasonable level of enquiries, retail and commercial operators failed to come forward with any offer. Avison Young highlight that influencing factors with respect to retail use are ‘the lack of occupier demand for a location with limited resident and catchment populations and competition of stronger nearby centres’.

In light of the independent conclusions drawn by Avison Young, I consider that the applicant has provided robust marketing evidence and demonstrated a lack of demand for the use of the site for alternative commercial and retail uses. I therefore consider that the applicant has adhered to the requirements of Policy CS.22 of the Core Strategy and policy ECON1 of the Bidford-on-Avon Neighbourhood Plan.

At a district wide level there is clearly a demand for smaller ‘start up’ employment as evidenced in the Employment Land Market Signals study for Coventry and Warwickshire. The site has been marketed unsuccessfully and therefore the benefits of providing much needed affordable dwellings in line with Policy CS.18 in order to address the pressing issues of housing affordability across the district, are considered to outweigh the loss of employment land in this instance.

Taking account of the aforementioned policies, I consider that the use of the site for residential development is acceptable in principle, subject to other material considerations. In reaching this conclusion I have considered the implications of the Strategic Objectives and Policy ECON2 of the BOANDP and Para 80 of the NPPF.
**Visual Impacts**

The site is located adjacent to existing residential estates and industrial development. It is within the built up urban form of the village and does not feature on the wider rural landscape. The proposed development would not result in significant effects to the landscape.

Some locally significant visual change would arise for the immediately surrounding properties and users of the highway. However, this change would be broadly positive in officer's opinion given the poor environmental condition of the site.

Existing key features within the site include mature Willow and Silver Birch trees on the Waterloo Road frontage and some trees on the eastern end of the southern boundary. There is also some existing scrub vegetation along the southern and northern boundaries.

The proposals seek to retain the existing Willow tree which fronts onto Waterloo Road and provide a deep planted verge along Waterloo Road. The silver birch tree is a low quality specimen and is proposed to be removed in order to enable access to be achieved. This has been assessed by the Council’s Landscape officer who does not raise objection to this proposal and has verified that the tree is not worthy of any tree preservation order. Additional tree planting is proposed by way of compensation along the rest of the Waterloo Road.

The planting along the southern and south eastern boundaries of the site will be retained which will assist in reducing the visual impact of the development when viewed from the adjoining housing at Copenhagen Way. The proposals also include an area of public open space with children’s play area within the north eastern part of the site which can be viewed from Wellington Road.

Additional tree planting is also proposed along some parts of the internal access road which will assist in softening the impact of the development when viewed from both Wellington Road and Waterloo Road.

In terms of hard landscaping, due to the proximity of the site to industrial uses and to meet with the requirement of the noise report, some of the boundary treatments require 3m high acoustic fencing. This will be provided as either brick walls or closeboard fencing. The position of boundary treatments has been revised to ensure that the impact of these boundaries are softened by tree and shrub planting. I consider these general principles are acceptable, but additional details are required in terms of additional soft landscaping detail and elevational details of the boundary walls, close boarded fencing and iron railings; these will be secured by condition.

Overall, I consider that the proposals result in a development which incorporates existing landscaping features where possible and provides sufficient space in order to accommodate additional planting to soften the impact of the development. I consider that the development is in accordance with the provisions Core Strategy policy CS.5 and CS.9.

**Design and Distinctiveness**

The site has two road frontages, the northern boundary faces onto Wellington Road towards the industrial estate and the western boundary faces out across Waterloo Road to residential units and children’s day nursery and associated car park.
The layout responds to the patterns of development characteristic of the area with the public front of dwellings facing out onto the public highways and side and back boundaries abut other side or back boundaries. This arrangement achieves the aims of maintaining character, establishing active edges with natural surveillance for good safety, establishing a clear definition of public and private, fronts and backs as well as good enclosure of the street space.

The orientation of the houses reinforces the existing hierarchy of routes and so aids navigation and accessibility. The buildings front, by priority, the higher level routes which helps to signal which is the more important route. Appropriate separations are provided between flanking elevations, and suitable garden sizes are provided to serve a mixture of dwelling sizes ranging from 1-bed to 4-bed units. The scheme achieves a density of 45 dwellings per hectare which in my view is acceptable and reflective of adjoining residential character.

The vehicle parking areas are mainly located to the side of the dwellings with some areas of frontage parking mainly in association with the proposed terraced and flat/maisonette properties these areas are punctuated with shrub planting. Furthermore each dwelling has adequate room for bin storage.

The proposal includes a range of house types predominately semi-detached with some terraced and multi-unit flats. There is a mix of roof types predominately double pitched, some gable fronted and some hipped. Similarly in terms of wall and roof materials there is some variety with the use of mainly brick with some render. The designs of the dwelling also follow the characteristics of the surrounding area.

An independent review of the proposed design and layout of the proposals has been carried out by Karl Kropf from Countryside Properties. Mr Kropf concludes that ‘the proposed design and layout of the proposals follow virtually all of the main principles of urban design best practice............... and the scheme fits into and responds well to its location within the Waterloo Road area and its specific corner location. .... Most importantly, while it may not be 'imaginative; special or 'high end', the scheme cannot be said to do any harm. More specifically there is no solid basis in my view to refuse the application of design grounds’.

The site is elevated from the adjoining highway and footway and due to drainage constraints it is not possible to reduce the level to be consistent with the footway. As a result the dwellings are proposed to be built at a slightly higher level to the footpath/highway along Wellington Road by up to 76cm in relation to plot 41 which abuts both Waterloo Road and Wellington Road, however the remaining properties along Wellington Road only have slight level difference with a maximum of approximately 30cm, reducing down to almost level by plots 23 to 28. The dwellings facing Waterloo Road have an increased level difference from the edge of footpath ranging from approximately 76cm for plot 41 to 1.2m by plots 1 & 2 however these plots are set well back from the footpath by approximately 13m.

The street scene in Wellington Road is predominantly industrial in character and the adjoining industrial building known as Peak Dynamics is also set at a higher level to the highway/footway by approximately 1.5m, therefore the proposal is consistent with the levels of the immediately adjoining property. The ridge heights of plots 1 & 2 are also consistent with the residential properties within the adjoining development in Copenhagen Way.
The development requires the inclusion of some 3m high walls/fences, primarily along the Wellington Road frontage in order to meet the noise mitigation levels. The use of walls of this height is not normally appropriate in residential areas, but it is proposed to be softened either by planting or by being set back behind the proposed car parking areas and is considered acceptable in this location.

Whilst the variance in level heights and inclusion of acoustic boundaries particularly along Wellington Road weigh against the proposal, overall I consider that the layout and design of the house types is acceptable, which is acceptable and broadly compliant with Policies CS.9 and ENV9.

**Historic Environment**

There are no listed buildings near to the application site and the site lies 594m north of the Bidford-on-Avon Conservation Area. Due to the intervening built form, I do not consider that the development as proposed will have any harmful impact on this Heritage Asset.

The site lies within an area of low archaeological significance. During the course of planning application 15/00212/OUT on the site WCC Archaeological Services raised no objection to proposed development subject to planning conditions securing a written scheme of archaeological investigation and associated mitigation strategy. Thus, I consider that subject to the inclusion of the same condition, the proposed development would not have an adverse impact on features of archaeological importance or significance and accords with policy CS.8 of the Core Strategy and ENV8 of the Bidford-on-Avon Neighbourhood Plan.

**Residential Amenity**

The proposed housing would be located a sufficient distance from the adjoining dwellings in Copenhagen Way to the south to accord with the separation distances contained within the Council’s development requirements SPD. I consider that these distances will ensure that no harmful impact on neighbouring amenities in terms of overlooking, loss of privacy or overbearing impact would result.

In terms of the internal arrangements within the site, the properties have been sited to ensure there are no unacceptable adverse impacts on neighbours’ amenity by way of loss of light, outlook or privacy or result in any significant overbearing/dominating impact. The proposed dwellings would have access to appropriate levels of internal and external amenity space which would ensure the creation of a satisfactory living environment.

The Council’s Environmental Health officer has assessed the proposals and raises no objections to the proposals. The application has been supported with a noise report and land investigation report and the Environmental Health officer considers that subject to the inclusion of land contamination conditions and the noise mitigation measures set out in the noise report are adhered to, which primarily relate to the inclusion of acoustic boundary treatments, no adverse impact will result with respect to the amenities of the residents within the development.

As such, it is considered the proposed development will have no harmful impact on residential amenities either within or outside the site and therefore complies with Policy CS.9 of the Core Strategy.
Housing Mix and Affordable Housing

This development is proposed to be a 100% affordable housing scheme however the scheme is not being brought forward as a ‘Local Need’ scheme in accordance with criteria G of policy CS.15 of the Core Strategy and therefore policy CS.18 of the Core Strategy only mandates a 35% requirement for affordable housing. The additional provision of affordable housing on this site would meet the wider need for affordable housing within the district rather than meeting the needs of Bidford-on-Avon specifically.

Core Strategy Policy CS.19 provides the required housing mix for both Market and Affordable Housing to be applied to new developments.

The overall mix proposed is as follows;

- 11 x Social Rent (10 x 1-bed maisonettes and 1x 2-bed house)
- 19 x 2, 3 & 4 bed houses for Affordable Rent
- 20 x 2 & 3 bed houses for Shared Ownership sale

Total: 50 dwellings (100%)

In terms of the affordable housing mix to be controlled through the S.106 agreement this would be:

- 11 x Social Rent
- 3 x Affordable rent
- 3 x shared ownership

Total = 35%

Midland Heart Housing Association are the end user for this development and the Housing Enabling Officer raises no objection to the revised affordable housing mix. I note that concern had been raised by the Council’s Housing Enabling Officer regarding the size of one of the 2 bed house types however this house type accords with the Affordable Housing Quality Indicator (HQI) standards (they will not be considered as affordable housing by Homes England if they do not), and therefore the Housing Enabling Officer acknowledges that although the house type is slightly smaller when benchmarked against relevant Nationally Described Space Standards (NDSS) and are therefore acceptable. It is noted that affordable houses of a similar size have previously been accepted elsewhere in the District following the adoption of the Development Requirement SPD.

I consider that the proposed development broadly adheres to the requirements of policy CS.18 and CS.19 and Policy H3 of the Bidford-on-Avon Neighbourhood Plan and would provide a diverse range of properties within the site.

Highways Matters and Parking

Vehicular access to the site was previously derived from the Waterloo Road (for staff vehicles) and from the Wellington Road (for large goods vehicles).

Vehicular access to the proposed development would be achieved through the creation of a new access off Waterloo Road and a series of private access driveways for the proposed dwellings fronting Wellington Road.

The application has been supported with a Transport Statement (TS) and Stage 1 Road Safety Audit. The Transport Statement estimates that the proposed development could generate 15 – 25 two-way traffic movements in a peak hour and over the course of 12 hours may be 188 trips. The TS has considered the
impact of such traffic on the existing highway network and junctions, taking into consideration the additional housing developments completed and committed and concludes that there is sufficient capacity within the highway network. The TS also highlights the use of the land in its former industrial use and also previously approved retail use and considers that when reconciled with previous permitted traffic movements, the impact of the proposals would be negligible.

The proximity of the new vehicular access off Waterloo Road and the additional vehicular access’ off Wellington Road have also been assessed in relation to their proximity to the Waterloo Road and Wellington Road roundabout and also in relation to visibility splays and the Highway Authority have raised no objections to these arrangements.

The Highway Authority has however raised concerns regarding the plots fronting Wellington Road with respect to a potential lack of visibility from the driveways. At present there are no parking restrictions along the length of Wellington Road which may result in vehicles parking alongside the access drives to the dwellings and obscuring their visibility and may result in issues for residents manoeuvring onto their driveways. In order to overcome this issue the Highway Authority recommend a condition requiring parking prevention measures within the vicinity of these driveways. This can be achieved by a Traffic Regulation Order which will need to be obtained prior to the commencement of any development on the site.

Revised tracking drawings have been provided to demonstrate that the Council’s refuse and emergency service vehicles can pass through the site. Both the Highway Authority and the Council’s Waste and Refuse officer also raise no objections on these grounds.

Transport consultants known as ‘The Transportation Consultancy’ have submitted an assessment of the applicants’ transport statement on behalf of Bidford Parish Council. This report considers that the applicants transport statement has deficiencies in particular in relation to separation distances between some private drives and the main access which in their opinion fail to provide sufficient forward visibility for vehicles entering the site or vehicles exiting their driveways. They also consider that the applicants have failed to provide correct swept path analysis for the correct refuse vehicle used in the district, the PIA data should be updated to highlight any underlying highway safety issues that the development is expected to exacerbate, question the sustainability of the site and consider a general arrangement drawing outlining the key junction geometry should be provided.

The Highway Authority has assessed these comments and highlights that the layout has been revised during the course of the application and the private drives are all 15 metres from the junction with Waterloo Road and all subsequent revisions have maintained this distance. The plans have been subject of a Stage 1 Road Safety Audit which has considered all aspects of the layout including drive spacing, PIA data and junction geometry. In addition the County Highway Road Safety Auditors have conducted an independent review of the submitted Audit and have raised no concern in respect of these points. The swept path analysis has also been revised to accommodate the correct refuse vehicle. As a consequence, the Highway Authority raise no objection to the proposals.

During the course of the application additional car parking provision has been accommodated and the layout now allows for the provision of a minimum of 2 car parking spaces per dwelling for all the 2 and 3 bed properties, 3 spaces for the two 4 bed properties and a minimum of 1 space for the 1 bed units which I consider is acceptable. Seven visitor spaces are also proposed and whilst this is
slightly below the requirement set out in the Council’s car parking SPD, which requires 10, I consider that this slight deficit could be accommodated by some limited informal parking on the internal road.

The vehicle parking areas are located to the side of the dwellings with some areas of frontage parking mainly in association with the proposed terrace properties however these areas are punctuated with shrub planting. Furthermore I note that each dwelling has adequate room for bin storage and bin collection points have been identified.

The site is at the northern edge of the village. However, it is within walking and cycling distance of the centre of the village, where other local facilities can be found, as well as the other residential areas of the village.

Existing public transport connections including bus stops for bus routes 247 (Redditch, Evesham, Studley and Alcester) and route X18 (Coventry – Leamington – Warwick - Stratford- Evesham) are identified within 900m of the site (within a 10min walking distance) which provide access to surrounding higher order centres. Footways are located along both sides of the Waterloo Road and Wellington Road which would enable travel on foot as well as use of the bus infrastructure to promote more sustainable modes of transport.

Overall, whilst acknowledging the comments received from the Parish Council’s transport consultants with respect to sustainability, I consider the site is accessible to pedestrians and cyclists, with access to public transport being available, and there are good opportunities for people to walk and cycle between the site and surrounding areas.

For these reasons, in officers' opinion any future occupiers would not be wholly dependent on car borne travel and the site is considered to be a sustainable location in terms of accessibility.

Overall, subject to the imposition of appropriate conditions, I am satisfied that the proposal would assimilate well within its surroundings and would not cause any harm to highway or pedestrian safety in accordance with the provisions of Core Strategy policies CS.9 and CS.26.

**Water Environment and Flood Risk**

The site is identified as being within Flood Zone 1 (lowest risk of flooding) where residential development is considered acceptable in principle by the NPPF in relation to flood risk.

The proposal is also supported by a Flood Risk Assessment and drainage strategy that sets out that the surface water run-off rate will be restricted to 10 litres per second and will discharge into the existing public combined water sewer located in the south west corner of the site. Severn Trent Water have confirmed this the discharge rate. Attenuation storage required for the 1 in 30-year storm duration is proposed to be adopted by Severn Trent Water. Underground Cellular Storage will be provided sized for the 100 year + 40% climate change storm duration and restricted with a flow control device and discharge to the existing sewers.

Foul water drainage is proposed to discharge via an existing public combined water sewer located in the south west corner of the site at a new connection point. Severn Trent Water Pre-Development Enquiry response confirms that a foul connection development could be accommodated in that location.
The ongoing maintenance of the surface water and foul water drainage systems within the development are proposed to be adopted by Severn Trent Water who will carry out the maintenance of the drainage system. This ongoing maintenance will ensure that the drainage systems will operate as originally intended throughout the life of the development.

In light of the measures set out in the supporting FRA, coupled with the LLFA and Severn Trent raising no objections to the proposals subject to conditions, the proposal is not considered to increase the risk of flooding within the site or the locality and would make satisfactory provision for foul and surface water drainage in accordance with the provisions of CS.4 of the Core Strategy and ENV4 and ENV5 of the Bidford on Avon Neighbourhood Plan.

**Natural Environment**

The site is vacant and contains only a small amount of vegetation primarily around the periphery of the site. The County Council Ecologist considers the site to be of low ecological value and raises no objection to the proposals subject to informative notes to protect nesting birds and bats.

I therefore consider that the proposals would accord with policy CS.6 of the Core Strategy and ENV10 of the Bidford on Avon Neighbourhood Plan.

In reaching this conclusion I have also given careful consideration to the standing advice put forward by Natural England and the Natural Environment and Rural Communities (NERC) Act 2006.

**Climate Change and Sustainable Construction**

Government policies in the NPPF require the planning system to support the transition to a low carbon future and shape places in ways that contribute to minimising vulnerability and improving resilience and the re-use of existing resources. Policy CS.2 and SPD Parts D and Q support this stance and the proposal is considered to accord with the expectations of the policies and guidance through the provision of water butts, recycling points and EV charging points.

Part V of the SPD requires the development to meet 15 measures that are outlined in the Checklists at Appendix 1. The applicant has submitted a checklist showing that over 30 measures are met. Whilst I do not consider that they have all been fully met, it is clear that the applicant has made considerable efforts to meet the objectives of the SPD and the purpose of the checklist has been achieved.

Measures include:
- Design standards to allow for future building adaptation including technological adaptation
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- Active frontages/edges with opportunities for natural surveillance;
- Use of sensory features and opportunities to stand and stay, places to sit and stand utilising views and sun (within the proposed POS and gardens);
- Pedestrian friendly;
- Local facilities accessible through walking/cycling;
- Easy access to a range of transport modes;
- Easy transition from cycling and walking to public transport;
- Covered and well-located cycle storage facilities;
- Use of EVCPs;
- Education/promotion campaigns to residents (Travel Plans)
- Use of vegetation for shade in summer (within the POS)
- Low energy lighting and low energy appliances where applicable
- Trees and landscaping in parking areas and open space areas to provide shade;
- Native species to be used across the site;

I am therefore satisfied that the development complies with Part V of the SPD in respect of the checklist at Appendix 1.

**Public Open Space**

Policy CS.25 (Healthy Communities) of the Core Strategy seeks to secure appropriate standards of open space provision. Given this, where there is a deficiency in Public Open Space (POS), new development proposals should seek to make new provision available.

I have had regard to the Arup PPG17 Open Space, Sport, Recreation Assessment Update (September 2014). The Open Space update 2014 identifies that Bidford on Avon have a deficit in children and young people’s equipped play facilities and Unrestricted Natural Accessible Greenspace.

As set out in Part L of the Council’s Development Requirements SPD, provision Unrestricted Natural Accessible Greenspace is collected via CIL payments. Provision of young people’s equipped play facilities are however either provided on site or through an off-site contribution secured via a S.106 agreement.

In this instance, the applicant is seeking to provide an on-site area of equipped play facilities which satisfies the requirements of Policy CS.25 of the Core Strategy.

The facilities have been assessed by the Council’s Leisure Services officer who raises no objections subject to one piece of equipment being re-orientated and clarification of the proposed signage. These matters can be secured via a condition.

**S106 Planning Obligations**

The proposal is subject to S106 planning obligations in relation to the following matters. A draft S106/unilateral undertaking has been submitted/completed in association with the application. The following matters are subject to S106 obligations:

- 35% Affordable Housing
- £41,237 NHS contribution
- £10 per dwelling for Sustainable Welcome Packs
- On-site Public Open Space (management/maintenance)

**CIL (Community Infrastructure Levy)**

It is estimated that this development would attract a CIL payment totalling £565,706.40 under the Council’s current CIL Charging Schedule based on 3,568 square metres new floorspace created. This will be subject to the applicant applying for exception relief for the provision of affordable housing on the site.
**Time Limit**

In light of national and global circumstances at the time of this assessment relating to Covid-19 I consider it reasonable and necessary to add on an additional 6 months to the standard time period that would normally be afforded (3 years) to implement this planning permission.

**Conclusions**

I consider that the current application should be determined in accordance with the adopted Development Plan. I can identify no material considerations that warrant an alternative approach.

Policy CS.1 states that the Council will take a positive approach to applications that reflect the presumption in favour of sustainable development contained in the NPPF. This site is in a sustainable location.

At a district wide level there is clearly a demand for smaller ‘start up’ employment as evidenced in the Employment Land Market Signals study for Coventry and Warwickshire, however, the applicant has demonstrated through a robust marketing campaign that there is no demand at this site and therefore the proposal accords with the requirements of Policy CS.22 of the Core Strategy and policy ECON1 of the Bidford-on-Avon Neighbourhood Plan.

I consider that the benefits of providing much needed affordable dwellings in line with Policy CS.18 in order to address the pressing issues of housing affordability across the district, outweigh the loss of employment land and the criticisms of the design discussed above.

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 sought to remedy these.

On the basis of the above considerations, I have concluded that the proposal is sustainable development. I therefore consider that the presumption in favour does apply in this case and that Planning Permission should be granted.

**RECOMMENDATION**

Officers have made a recommendation on the basis of the Development Plan and NDP and other material considerations. It is for the Committee to weigh and balance these in coming to a decision, based on their judgement of the available evidence.

It is therefore recommended that subject to completion of a S106 obligation covering:

- 35% Affordable Housing
- £41,237 NHS contribution
- £10 per dwelling for Sustainable Welcome Packs
- On-site Public Open Space (management/maintenance)

the application be GRANTED subject to the following conditions and notes, the detailed wording and numbering of which is granted to officers:
1. 3 year 6 months limit
2. Approved plans
3. No development shall take place until a the TRO in relation to the parking control measures on the southern side of Wellington Road has been submitted to the Local Highway Authority and no dwelling with direct access onto Wellington Road shall be occupied until the TRO has been implemented prior.
4. Samples of materials including external facing, roofing, boundary walls and paving (including slab and block paving)
5. Notwithstanding the landscaping scheme submitted, prior to the creation of any works for the foundations of the proposed dwellings, soft landscaping scheme to be submitted for approval. Approved scheme to be implemented.
6. Notwithstanding the hard landscaping scheme submitted, prior to the creation of any works for the foundations of the proposed dwellings, hard landscaping scheme to be submitted for approval. Approved scheme to be implemented.
7. Hedgerow and tree protection details
8. Prior to the construction of any dwelling hereby approved large scale drawings of:
   * ridge, eaves and verge details of all buildings on site,
   * bay window and porch roofs; to be submitted
9. Notwithstanding the LEAP scheme submitted, prior to creation of any works for the foundations of the proposed dwellings, revised details including rotation of the swing frame through 180 degrees so the cradle seat is nearest to the path and additional details of the positioning of the signage on the external railings to be submitted. Approved scheme shall be implemented in accordance with the approved details prior to the occupation of 50% of the dwellings and retained as such thereafter.
10. Foul water drainage details
11. Surface water drainage scheme
12. Water Butts
13. Electric Vehicle charging points
14. Wheelie bin provision
15. Development to be carried out in accordance with the precautionary measures specified in the Ecological Appraisal Report by Midland Ecology dated 8th July 2018
16. Land contamination
17. Prior to the occupation of the development the noise mitigation as outlined in noise.co.uk report 1947-1-R1 shall be implemented in full with the following exception- the brick wall to the rear gardens of plots 2, 45, and 46 (as per figure 5 in noise report 19427-1-R1) shall be at reduced to 2 meters high
18. Construction method statement
19. Fire Hydrant provision
20. Written scheme of archaeological investigation and associated mitigation strategy

Notes:
1. NPPF Note
2. Any Highway Notes as required by WCC Highway Authority.

Robert Weeks
HEAD OF REGULATORY SERVICES