Water Orton
PARISH COUNCIL

Appendix 4 –27th July 2023

Proposed Planning Comments

PAP/2023/0153

Following the meeting on 29th June 2023, Avon Planning Consultancy Services were appointed via WALC to make suggested comments regarding planning application PAP/2023/0153 Water Orton Primary School Disused, Attleboro Lane, Water Orton, B46 1SB. The erection of 59 dwellings, including the restoration and conversion of the former Water Orton Primary School, associated landscaping, and access.

Proposed comments from the Planning Consultant, and additional proposed paragraphs from Cllr Stuart and Cllr Freeman are detailed below for consideration:

Proposed comments from the Planning Consultant

Land Ownership

According to the Land Registry Title there is a parcel of land within the red line application site which is unregistered. This land is known locally at the Village Pound.

The applicant has served notice on Warwickshire County Council under Certificate B. However, given that the owner of the Village Pound is not known, the requisite public notices should have been made and Certificate D should have been completed.

The attached records relate to the Village Pound including maps of its location and a conclusive map of Registered Common Land from 2005 which clearly shows the Pound demarcated as registered Common Land.

The current planning application is therefore invalid and no decision can be made until such time as the correct public notices are placed, the notice period completed and the correct certificates are completed.

Furthermore, and perhaps more fundamentally, the proposed development includes physical works within the Common Land to facilitate the necessary access arrangements for the proposed development. In light of the status of this land it cannot be relied upon as part of the proposed highway works.

Principle of the Development

The site is allocated in the Local Plan for 48 dwellings (Reference H11). The proposal is for 59 dwellings. Water Orton is a reasonably sustainable Category 3 Local Service Centre.

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H11 Former School redevelopment site (excluding original historic school building), Water Orton

The site of the former Water Orton Primary School (2.8 hectares) at Attleboro and Vicarage Lane, Water Orton is allocated for housing. The development will include;

- a range of house types to include housing for the elderly and young people;
- the retention of the original 19th Century School Building; and,
- the provision of a landscaped buffer to the southern boundary of the site, alongside the area safeguarded for the HS2 Phase 2 route.

Highway Safety

Access arrangements look suitable given the 85th percentile of the observed speeds. Road widening and suitable footpaths are included as part of the proposed development. It appears that the necessary visibility splays can be achieved.

The Highway Authority must be satisfied with the proposed accessing arrangements, internal layout and tracking of vehicles and parking provision.

Parking Arrangements

Certain parking spaces are located out of sight to the rear of plots or not within close proximity of the plots. This represents a poor layout. Parking should be within the plots. Off plot parking, particularly where it is not convenient for the home owners, is likely to lead to residents parking their vehicles at the front of their properties causing a potential obstruction on the carriageway. This is particularly likely to occur with plots 58, 47 and 6. Vehicles parking on the carriageway will potentially obstruct emergency vehicles. Tracking diagrams will need to take account of vehicles parked within the carriageway.

Plots 4 and 5 do not have the required 2 spaces as required under the adopted Parking Standards (see attached).

Plot 12 – There is no turning provision is provided which is likely to be a safety issue given the layout (spaces hard against a 2m high close boarded fence) and a bend in the road. This will likely result in drivers having to reverse their vehicles into the road on a bend which may result in conflicting movements with approaching vehicles.

Plots 46-50 have no footpath (although denoted as a private drive).

A large number of the plots have car parking areas within the frontage of the properties. This will lead to the car dominated layout with little or no landscaping or street trees.

Housing Mix

Whilst there is no specific/prescribed housing mix set out in the Local Plan, the proposed development does not provide an even split in the sizes of the dwellings. The proposal is heavily skewed towards the provision of 3 and 4 bedroomed properties. This reduces the availability of housing stock for those looking for a market dwelling who are or a low income and first time buyers. The proposed mix should be determined based on local evidence of housing need.

1 beds (6No) = 10%

2 beds (11No) = 19%

3 beds (30No) = 51%

4 beds (12No) = 20%

Policy H11 requires a "range of house types to include housing for the elderly and young people". The proposal fails to achieve this so in contrary to the allocation and Policy H11.

Provision of Affordable Homes

Policy LP.9 requires all major developments to provide at least 30% of the number of homes provided on-site as affordable homes except in the case of Greenfield (previously agricultural use) sites where 40% on-site provision will be required.

The scheme proposes 59 dwellings, of which 41 (70%) will be private market homes and the remaining 18 (30%) will be affordable homes. The applicant has made the argument that the majority of the site is brownfield land associated with the former Water Orton Primary School and is not considered to be previously greenfield/agricultural land warranting 40% on-site provision of affordable housing.

However, the application as proposed is not in line with Policy LP.9 because approximately 1/3 of the application site is greenfield land, which is not associated with the school or its title.

It is undeniable that this large greenfield land parcel has enabled the proposed development to proceed at the scale proposed and as such, in line with Policy LP.9, the Greenfield (40%) figure should be applied. This would require 23.6 (rounded up to 24) affordable homes to be provided not the 18 proposed by the applicant.

Drainage

Infiltration systems are the preferred means of water disposal. However, in the application, due to the geology and ground water levels on site, infiltration systems such as soakaways have not been considered suitable. As per the planning statement 'The proposed surface water drainage strategy will compromise of gutters, down pipes channels, gullies, pipes, permeable paving, attenuation tanks

and a hydrobrake'. These will connect into a private sewer network and be stored in underground attenuation tanks before restricting the flow rate into the existing Severn Trent Water sewer to the north-east of the site.

The sustainable drainage systems maximum discharge rate for an up to a 100-year storm plus 40% allowance for climate change will be restricted to QBAR = 9.7 l/s. Therefore, whilst the proposal does include discharge into a public sewer, the flow is restricted and considered the most appropriate solution for the site.'

Severn Trent Water may not accept this. There are no automatic rights for a developer to discharge any surface water to a vested foul sewer or for Severn Trent to accept any surface water flows into a foul sewer.

Severn Trent is committed to reducing flooding and pollution from their sewers and consequently have a renewed focus on reducing these risks. Clearly every connection of surface water into a foul sewer adds to the risk of flooding and pollution and reduces capacity within the foul sewer, restricting any other possible development that would wish to connect to the network.

Surface water in a foul sewer adds pressure on the receiving treatment works, as all flows through the foul sewers must be treated, and as such there is an expectation that all new development manages their surface water in a sustainable manner. As a result, Severn Trent Water do not normally accept any surface water into their foul sewer system.

Density

The proposed development of 59 dwellings is in excess of the allocation for 48 dwellings. These figures include the conversion of the original historic school building. The proposed density is 21 dwellings per ha.

However, the Councils housing density target is "no less than 30 dwellings per ha". If you were to apply a density target of 30 dwellings per ha to the application site (which measures 2.80ha) the number of houses would be 84 dwellings.

The increase from 48 units to 59, albeit below the density target, has resulted in a cramped form of development that is car centric and has little provision of green space.

Biodiversity and Landscape Effect

In respect of biodiversity, calculations have been undertake using the Natural England Biodiversity Metric 4.0. With the planting of new native species-rich hedgerow on site the scheme can deliver a greater than 10% net gain only on hedgerow units, amounting to c.+2.80 (112.88%).

However, a habitat loss of -4.94 (-51.50%) habitat units was identified due to the loss of a significant area of medium distinctiveness grassland habitat and trees, with smaller areas of woodland, bramble scrub and ponds also lost.

As a result of the -4.94 habitat unit loss, the Applicants claim they will secure off-site off-set mitigation via Warwickshire County Council or other such providers, to compensate for the habitat loss on-site. This has not yet been secured through a legal agreement. This must be secured prior to any planning permission.

The proposed allocation requires the provision of a landscaped buffer zone along the southern boundary of the site. The proposal does not include any landscape buffer zone so is clearly contrary to Policy H11.

Open Space / Green Infrastructure

There is no requirement for a specific GI figure in policy LP.22 or LP17. However, the scheme will only provide approximately 0.2 hectares of open space (as per the planning statement), the site totals 2.8ha. Open space equates to just 7.1% of the site. This is a clear indication of an over developed and cramped site, providing poor amenity to future occupiers.

Heritage

The local significance of the Village Pound on the site frontage suggest that it should be regarded as a non-designated heritage asset. The applicant should update the Heritage Statement to help understand and assess the historical importance of the Village Pound. The effect and/or harm to non-designated heritage assets is a material planning consideration. Great weight should be afforded to the preservation of these valuable assets.

The former Water Orton Primary School and its grounds, are also considered to be a non-designated heritage asset by the local planning authority. It is identified as a non-designated heritage asset in the Water Orton Adopted Neighbourhood Plan (July 2022)

The north elevation makes a positive contribution to the local streetscape and there are elements of architectural detailing that both provide some aesthetic interest and are also clearly readable as belonging to a style of school building of the period.

Overdevelopment of the site and development within its setting may result in some degree of harm.

Conclusion

Whilst the application site is allocated in the Local Plan, Policy H11 makes it clear that a range of house types must be provided including housing for the elderly and young people. Policy H11 also requires the provision of a landscaped buffer zone on the southern boundary. The proposed

development fails to achieve either of these important policy requirements so cannot be supported in its current form.

The layout appears dense, even though figuratively it may not be. This is almost certainly a consequence of a skewed housing mix towards larger detached 3 and 4 bedroomed properties, frontage parking and a lack of any meaningful landscaping within and throughout the site.

It is disappointing that the design and layout of the scheme has not been landscape led, as the policy suggests, but moreover an exercise to see how many houses could be squeezed onto the site. As a result, the proposal has a very urban feel which is at odds with the local character.

More 1 and 2 bedroom properties and affordable homes should be provided in accordance with the relevant Local Plan policies. A landscape buffer zone measuring at least 10m in depth must be provided along the southern boundary of the site in accordance with Policy H11 and a revised landscape orientated layout should be provided that better reflects local character. A revised drainage strategy must be provided in the likely event that Severn Trent Water will not allow surface water to be disposed on in the public sewer.

Proposed additional paragraph from Cllr Stuart:

The proposed schedule of public consultations detailed within the statements have not been delivered.

Whilst the access to the site from Attleboro Lane is under consideration as part of the application, the impact of increased traffic flow out of Attleboro Lane either towards the centre of the village or down Vicarage Lane also needs to be assessed.

Proposed additional paragraph from Cllr Freeman:

In addition the over-intensification of major development on Attleboro Lane will lead to affected residents being unable to identify the root cause of detriment to their properties. Example: the recent flooding, where red muddy water ingressed into residential property, HS2 stated that the root cause was the new development at the Old School site. Currently there is damage to external and internal walls from the huge compactors used by HS2. When the new development starts to also deploy their compactors, residents will be unable to seek rectification and compensation, as it could be caused by either project.