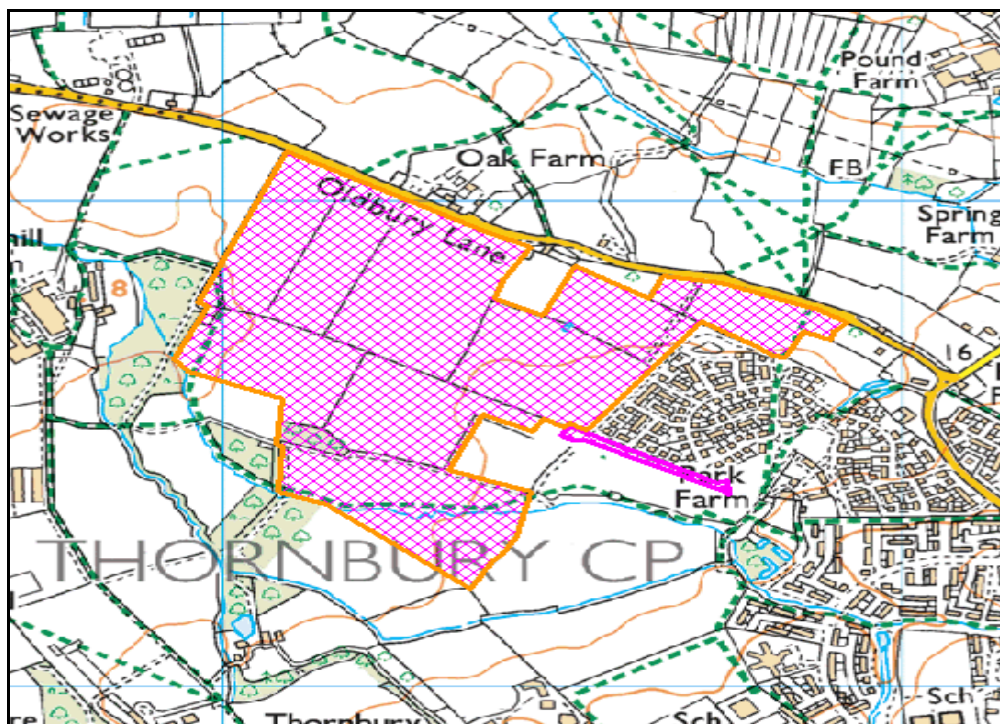


STRATEGIC SITES DELIVERY COMMITTEE - 20th January 2022

App No.:	PT18/6450/O	Applicant:	Barwood Development Securities Ltd
Site:	Land West Of Park Farm Butt Lane Thornbury Bristol South Gloucestershire BS35 1RA	Date Reg:	2nd January 2019
Proposal:	Erection of up to 595 dwellings (Use Classes C3), land for a Primary School (Use Class D1), up to 700m2 for a Retail and Community Hub (Use Classes A1, A2, D1), a network of open spaces including parkland, footpaths, allotments, landscaping and areas for informal recreation, new roads, a sustainable travel link (including a bus link), parking areas, accesses and paths and the installation of services and drainage infrastructure (Outline) with access to be determined and all other matters reserved.	Parish:	Thornbury Town Council
Map Ref:	363829 191392	Ward:	Thornbury
Application Category:	Major	Target Date:	12th April 2019



INTRODUCTION

The applicant has lodged an appeal with the Planning Inspectorate against the Council's non determination of this application. Jurisdiction for the application has now passed to the Planning Inspectorate. The appeal is due to be heard by a Public Inquiry commencing on 29th March 2022. This report seeks to establish the Council's position, if the Council were in a position to determine the application.

In May 2021 a Briefing Note was produced for the executive member concluding that the proposal was considered to be fully policy compliant and that permission should be granted. However, the matter was not taken to committee and never the subject of a full analysis in a committee report.

In light of the appeal against non-determination and in order to be in a position to set out the Council's position at the forthcoming public inquiry the proposal has been completely and fully reconsidered and re-evaluated by a new appointed officer. Therefore, a fresh analysis has been undertaken, taking into account the up to date position in relation to the five year supply and that analysis is set out in this report. It can be seen that a different view has been reached for all the reasons given in the report and it is considered that the full analysis set out in this report is to be preferred to the conclusions reached in the briefing note.

1. THE PROPOSAL

- 1.1 Outline planning permission (PT18/6450/O) is sought for erection of up to 595 dwellings (Use Classes C3), land for a Primary School (Use Class D1), up to 700m² for a Retail and Community Hub (Use Classes A1, A2, D1), a network of open spaces including parkland, footpaths, allotments, landscaping and areas for informal recreation, new roads, a sustainable travel link (including a bus link), parking areas, accesses and paths and the installation of services and drainage infrastructure. Under this outline application access is the only issue to be considered in detail, all other matters are reserved for future determination. The submitted documents include an illustrative masterplan but it is important to stress that site layout is not for consideration as part of this outline application, the illustrative masterplan has been submitted purely to indicate how the development could be accommodated. The only matters for members to consider in addition to the acceptability of the principle of the development are the proposed means of access, the Design and Access Statement and the details included on the Parameter Plans.
- 1.2 The application site consists of 35.97 ha of land comprising agricultural fields bordered by hedgerow and woodland. The land is relatively level, at 10m AOD in the west, and sloping gently eastwards to approximately 15m AOD at the eastern boundary. 24.7ha of the overall site is classed as best and most versatile agricultural land. Parkmill Covert area of Ancient Woodland lies adjacent to the site to the west, a 15m (minimum) buffer zone is detailed on the parameter plans. A tree line runs along a line adjacent to the Pickedmoor Brook in the southern part of the site. There are woodlands to the south and west of the site providing screening from the open countryside. The site is not covered by a tree preservation order.

- 1.3 The Pickedmoor Brook runs from east to west through the southern part of the site. All built development is proposed within Flood Zone 1, as the site predominantly lies within Flood Zone 1. There are areas of Flood Zone 2 and 3 which are associated with the low lying land adjacent to the Pickedmoor Brook and extend between 100m and 150m into the site. There are two Public Rights of Way (PROW) crossing the site north/south between Oldbury Lane and the edge of Thornbury (OTH/18) and broadly east/west along the watercourse (OTH/13). No designated or significant heritage assets lie within the site. The Grade I listed Thornbury Castle and St Mary's Church and Grade II listed Sheilling School are located approximately 500m to the south of the site.
- 1.4 The application site is located on Oldbury Lane which bounds the site to the north and sits adjacent to Parkmill Farm which lies to the west of the site and the Park Farm development site lies to the east. The site lies in the open countryside and outside the settlement of Thornbury, adjacent to the settlement boundary to the east.
- 1.5 In terms of vehicular access, the site is accessed off Oldbury Lane, the site would be served by two points of vehicular access in the form of two new priority vehicle junctions from Oldbury Lane, incorporating right turn lanes that will accommodate buses, provision of street lighting and a reduction in the speed limit to 40mph. A third sustainable link access would be provided via the Park Farm development for walking, cycling and buses only controlled by a bus gate and CCTV measures to be secured via S106 agreement.
- 1.6 Public open space is shown along all site boundaries, and in locations across the development, including 3 zones 'The Destination Park', 'Neighbourhood Greens' and 'Natural Play'. The Green Infrastructure Parameter Plan includes a network of open spaces including footpaths, allotments, formal play spaces, landscaping and areas for informal recreation. Two attenuation ponds are detailed in the north-west corner of the site.
- 1.7 The proposal comprises a mixture of dwellings ranging from 2 storeys in height (ridge height maximum of 9.5m) mainly around the edges of the site, going up to 2.5 storeys (ridge height maximum 10.7 metres) and 3 storeys in the central core (ridge height maximum 11.2 metres), including 35% affordable housing dispersed within the layout and inclusion of self build plots, with an overall density of 35dph on average across the site.
- 1.8 The proposals include a 1 form entry primary school site and a retail and community hub located adjacent to the school site and destination park to include a floorspace of 700m² of use classes A1 (shops), A2 (financial and professional services) and D1 (non-residential institutions).
- 1.9 The site is located outside the settlement boundary of Thornbury in the open countryside and within the Rural Areas, as defined by the Core Strategy. The site does not lie within the Green Belt. The site has not been allocated for development in the Core Strategy.

2. POLICY CONTEXT

2.1 National Guidance

National Planning Policy Framework July 2021
National Planning Practice Guidance
The Community Infrastructure Levy Regulation 2010
National Design Guide 2019
National Planning Practice Guidance – Conserving and Enhancing the Historic Environment
Managing Significance in Decision-Taking in the Historic Environment (GPA 2)
The Setting of Heritage Assets (GPA 3)
Settings and Views of Heritage Assets (GPA 3)

2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

CS1 High Quality Design
CS2 Green Infrastructure
CS4a Presumption in Favour of Sustainable Development
CS5 Location of development
CS6 Infrastructure and Developer Contributions
CS8 Improving Accessibility
CS9 Managing the Environment and Heritage
CS11 Distribution of Economic Development Land
CS14 Town Centres and Retail
CS15 Distribution of Housing
CS16 Housing Density
CS17 Housing Diversity
CS18 Affordable Housing
CS23 Community infrastructure and cultural activity
CS24 Green Infrastructure, Sport and Recreation Standards
CS32 Thornbury
CS33 Housing Opportunity
CS34 Rural Areas

South Gloucestershire Local Plan: Policies, Sites and Places Plan Adopted November 2017

PSP1 (Local distinctiveness)
PSP2 (Landscape)
PSP3 (Trees and woodland)
PSP6 (Onsite Renewable and Low Carbon Energy)
PSP8 (Residential Amenity)
PSP9 (Health Impact Assessments)
PSP10 (Active Travel Routes)
PSP11 (Transport Impact Management)
PSP16 (Parking Standards)
PSP17 (Heritage Assets and the Historic Environment)
PSP18 (Statutory Wildlife Sites: European Sites and Sites of Special Scientific Interest (SSSIs))

PSP19 (Wider Biodiversity)
PSP20 (Flood Risk, Surface Water and Watercourse Management)
PSP21 (Environmental Pollution and Impacts)
PSP28 (Rural Economy)
PSP 32 (Local Centres, Parades and Facilities)
PSP37 (Internal Space and Accessibility Standards for Affordable Dwellings)
PSP40 (Residential Development in the Countryside)
PSP42 (Self Build & Custom House Building)
PSP43 (Private Amenity Space Standards)
PSP44 (Open Space, Sport and Recreation)

2.3 Supplementary Planning Guidance

The South Gloucestershire Design Checklist SPD (adopted)
The South Gloucestershire Waste SPD (adopted)
The South Gloucestershire Residential Parking Standards SPD (adopted)
The South Gloucestershire Affordable Housing and Extra Care SPD (adopted)
The South Gloucestershire Revised Landscape Character Assessment SPD (adopted)
The South Gloucestershire CIL Charging Schedule and the CIL and S106 SPD (adopted)
The South Gloucestershire Biodiversity Action Plan (adopted)

Draft Thornbury Neighbourhood Plan

3. **RELEVANT PLANNING HISTORY**

3.1 PT18/012/SCO Scoping opinion for up to 750 dwellings (Use Class C3), local centre (Use Class A1-A5, D1, D2), open space including children's play provision, landscaping, the provision of two new accesses onto Oldbury Lane and necessary enabling infrastructure

Park Farm

3.2 PT11/1442/O - Erection of up to 500 dwellings on 26.21 hectares of land with public open space, associated works and access. Outline application including access with all other matters reserved

3.3 PT13/0919/RM - Erection of 127 no. dwellings with landscaping, car parking and associated works. (Approval of Reserved Matters to be read in conjunction with Outline Planning Permission PT11/1442/O)

4. **CONSULTATION RESPONSES**

There has been re-consultation during the course of the application. The comments below are a summary of the key points raised throughout all rounds of consultation. Full copies of the letters received can be found on the Council's web site.

4.1 Thornbury Town Council

Thornbury Town Council objects to this application. It considers that the housing development proposed by Barwood Development Securities Ltd & The North West Thornbury Consortium would be detrimental to the town. There is

no evidence that additional housing will be of benefit to the town, rather the additional pressure on local facilities and services, and the inadequate capacity of the local road network and the national road network that it feeds would be highly detrimental to residents old and new.

The site is outside the development boundary as defined in any current strategic planning document, including the South Gloucestershire Core Strategy and the final draft of the Neighbourhood Plan. The location cannot be considered as sustainable due to the distances from the majority of the services necessary to householders and the inability to expand them. The site is at least twice the recommended walking and cycling distance from the majority of the facilities of Thornbury and well beyond recommended distances for others. It is not realistic to expect the community to walk or cycle to the majority of these and this would put intolerable pressure on the local road system, which is already under pressure even before all current sites with planning permission are built out. While it may be possible to eventually provide some shopping facilities on the site it is not physically possible to include everything that is needed.

It is unrealistic when the small plant nursery is cited as the nearest leisure facility. The town's Leisure Centre is not listed with the other facilities in Table 3.1 of the travel plan, presumably because it would highlight the distance to it and provide a negative image. The shortest route between the locations is nearly 3 miles using the route through the centre of the town, which already has problems with congestion at peak times.

There has been no comprehensive assessment of the cumulative impact of all of the infrastructure needs arising from all the recently agreed planning applications both within the town's development boundary and beyond it. The infrastructure to support this development is not in place and there are no plans to address the pressure on secondary schools, roads, health facilities, community facilities etc.

Town Council considers plans for this site ill-conceived and it is very concerned that the cohesive nature of the community will not be maintained due to the rapid increase in population that will come with the high number of speculative developments that are in the planning process. The Town Council understands that South Gloucestershire Council can now demonstrate that it has a 5 year land supply as defined in the NPPF and therefore expects that other policies relevant to such a major development on the edge of Thornbury will be given due weight.

The drainage problems on the site mean that all the properties would sit higher in the landscape than is acceptable and the large number of 3 storey dwellings would lead to unacceptable urbanization of the landscape. The constraints of the site due to the flood risk means that all the properties are pushed into two small areas with no green spaces or play areas to alleviate the hard landscape. This creates an urban landscape in the rural setting and is unacceptable. Play areas are inadequate for such a large development. There is little evidence that the ecology is being adequately protected. It is a matter of necessity to have all the open space around the edge of the development due to the flood risk but

this would put additional pressure on the wildlife as people use the area more intensively. There would need to be more pro-active plans to protect the flora and fauna of the area than suggested in the ecology assessment, which seems to rely heavily on distance to protect species such as the otters, which is inadequate.

Town Council endorses the updated comments of the Conservation officer published on Oct 1st. Residents of Thornbury have been told by a succession of developers that their designs are specific to the landscape and respect the architecture of the town when in fact all of the developments, including this one, are basically the same, with 3 storey buildings towards the centre of the site, 2 storey near the edges, large homes on prominent plots, all of very similar design to the ones on the next door site, with space for unspecified community facilities, the required number of affordable units, allotments and areas of green space dictated by the need to avoid flood plains and protected landscape features. The only difference with this site is the additional necessity of a primary school due to the scale of the proposed development.

Access from the site to the town centre and other facilities is very poor, with an unacceptable walking distance of 1200m (by their own measurements). The opportunities for walking and cycling to all facilities in the town is hampered by these distances which will generate more use of the private car than is calculated in the company's travel plan. The traffic generated onto Butt Lane is unacceptable even at the levels anticipated by the developer. The additional highway works at the junction of Butt Lane and Gloucester Rd may allow traffic to flow onto that road more safely but there is no satisfactory assessment or solution to the amount of traffic then using Gloucester Rd and the wider highway network. Parking in the town is already problematic so any benefit to the businesses of the town that might be generated from the new homes will be negated. It is likely that the lack of easy access will prevent new residents fully engaging in the life of the town, thereby having a detrimental effect on community cohesion. The proposal for a bus route through the current Park Farm development site, even if it can be secured, is totally inadequate, given the scale of the proposed new development and will have very limited impact on traffic generation. The traffic now accessing the town centre at The Plain is causing anxiety due to the narrowness of the road at this point and no plans have been considered to alleviate the problems generated by the current developments. This new proposal would put the road under even more pressure. The Town Council is concerned that this increase in traffic is already encouraging more use of unsuitable rural roads with the "rat run" effect at peak times causing danger on these minor roads. The lack of employment opportunities in Thornbury will further increase pressure on the A38. Travel to work times are already increasing despite efforts to encourage more bus use. In fact buses simply get caught in the queues, making them unreliable and less likely to encourage more use. The effect of 630 more houses on this does not seem to have been assessed. The most likely scenario is that the development will put very large numbers of cars onto the junctions of Gloucester Rd and Grovesend Rd with the A38 at peak times. While junction improvements at these points may get traffic onto that road more quickly it will then simply add to the queues south into Bristol and north towards Gloucester with a particular problem at J14 of the M5, which is already at capacity. The Town council notes

the additional lanes proposed for J14 but does not consider that this is adequate mitigation for the number of vehicles generated by this and other developments currently underway in the town.

The impact on health services, schools, policing, and other services has not been properly assessed. There is a need to assess the impact on these services of existing and developments with planning consent before considering more. The assertion that the original proposal to build a new primary school on the site is no longer necessary is questioned as South Gloucestershire officers have said that schools will reach capacity with the new developments already approved. Health services in the town are already under pressure with reported waits of 4-5 weeks to see a GP. The small area allocated for community use cannot provide the full range of facilities that would be needed by the number of new residents generated by such a large development. There are several inaccuracies in the assessment of the town's facilities, most notably the assertion that there is still a hospital in the town. Should this application proceed the assertions about the facilities available in the town should be tested further for inaccuracies.

The site is far from the development boundary and intrudes into the rural part of Thornbury that provides the setting for the Grade 1 listed heritage assets of the town. It is unsustainable and does not comply with current planning documents. It purports to offer many "new green spaces". Whilst "Green Spaces" have a technical meaning, it is difficult to see how building on green fields ADDS green space. It suggests that 1.4 to 2 kilometres is a "convenient walking distance". This is subjective, but many people would struggle to see how a 4 kilometre round trip only to the edge of the Town is "convenient". The suggestion that a small nursery selling plants and a Rugby Club which is considerably further away are amenities that will appeal to many residents is remarkably optimistic. These require you to have an interest in these specific areas and the more likely trip to the towns Leisure Centre, avoiding the busy town centre area, is 6km. No person currently living in Thornbury would relish the queue to access Gloucester Rd from Butt Lane should this development be given permission. The neighbouring Park Farm estate is already generating large amounts of traffic and phases 3 & 4 of that are still to be completed. There is nothing about this development that recommends it to Thornbury Town Council.

4.2 Other Consultees

4.3 Environment Agency

The Environment Agency has no objections to these amendments, our comments remain as set out under separate correspondence dated 19 March 2020 to the Local Planning Authority concerning this application.

Thank you for referring the additional details concerning the above application, which was received on 13 March 2019.

The Environment Agency has reviewed the submitted correspondence/plan from Peter Brett Associates dated 4 March 2019, and provided the Local Planning Authority (LPA) is satisfied the requirements of the Sequential Test under the National Planning Policy Framework (NPPF) are met, and subject to

the inclusion of a condition, we can now WITHDRAW our earlier objection.

4.4 Natural England

No objection.

Internationally and nationally designated sites – no objection

The application site is approximately 2.8km from the Severn Estuary Special Protection Area (SPA) and Special Area of Conservation (SAC) which are European sites. The Severn Estuary is also listed as a Ramsar site¹ and also notified at a national level as a Site of Special Scientific Interest (SSSI). European sites are afforded protection under the Conservation of Habitats and Species Regulations 2017, as amended (the 'Habitats Regulations'). In considering the European site interest, Natural England advises that you, as a competent authority under the provisions of the Habitats Regulations, should have regard for any potential impacts that a plan or project may have. The Conservation objectives for each European site explain how the site should be restored and/or maintained and may be helpful in assessing what, if any, potential impacts a plan or project may have.

The consultation documents provided by your authority do not include information to demonstrate that the requirements of Regulations 63 and 64 of the Habitats Regulations have been considered by your authority, i.e. the consultation does not include a Habitats Regulations Assessment. In advising your authority on the requirements relating to Habitats Regulations Assessment, and to assist you in screening for the likelihood of significant effects, Natural England offers the following advice:

- the proposal is not necessary for the management of the European site the proposal is unlikely to have a significant effect on any European site, and can therefore be screened out from any requirement for further assessment To meet the requirements of the Habitats Regulations, we advise that you record your decision on whether a likely significant effect can be ruled out. The following may provide a suitable justification for that decision: The Environmental Impact Assessment (EIA) Chapter 12 Ecology assesses potential effects of the construction and operation of the proposed development on the interests of the Severn Estuary designated site. It notes the distance between the development site and the estuary and advises that a 140m buffer will be maintained between any construction and Pickedmoor Brook, which drains into the estuary. It also notes that SPA bird species were absent from the application site during surveys. As such, the conclusion that effects on the designated site from habitat loss or disturbance as a result of the construction phase appears reasonable. The EIA refers to the updated West of England Joint Spatial Plan Habitats Regulations Assessment, which has identified potential for increased recreational pressure from residential development in a 7km zone around the Severn Estuary Site, which would include the application site. The EIA notes however that this distance is precautionary and that more information about visitor numbers, destinations, origins and purpose of visit, accessibility and car parks for the stretches of the Severn Estuary SAC along the West of England boundary will be needed to identify 'zones of influence' based on typical travel distances by visitors to the SAC. The EIA considers the potential for new residents to access the Severn Estuary and for adverse effects on the European site. This involved a review of existing access

opportunities between the development site and the Severn Estuary, which found that public access points and vehicle parking facilities were limited and that the provision of public open space (approximately 17.50 ha) would have the incidental effect of reducing the likely number of visits to the Severn Estuary Site by residents to the extent that there would be no risk or probability of a Likely Significant Effect, alone or in combination. Ahead of the further evidence being gathered to inform the West of England Green Infrastructure Plan and any strategic mitigation measures needed to protect the long term interests of European sites, Natural England considers the EIA provides a fair assessment of the potential effects of this proposed development on the interests of the Severn Estuary European site, and that its conclusion that significant effects are not likely to occur appears reasonable.

Environmental Net Gain

The 2018 National Planning Policy Framework (NPPF), includes a number of strong references to net gain. This approach is also strongly encouraged by the Government's 25 Year Environment Plan and is currently the subject of a Defra consultation that proposes a mandatory obligation for development to deliver net gain. In light of the current NPPF and the forthcoming Joint Spatial Plan priority on development providing a net-gain for biodiversity we would encourage your Authority to seek a net gain in biodiversity from this application. Natural England supports the use of the Defra biodiversity metric as a tool to be used in conjunction with ecological advice to quantify biodiversity net gain in the terrestrial environment. It calculates before and after habitat value in terms of 'biodiversity units'. Natural England encourages the incorporation of the 10 best practice principles developed by CIRIA/CIEEM/IEEMA for those delivering biodiversity net gain. Natural England is working to update the Defra biodiversity metric to take account of stakeholder feedback and we plan to release a new version (Defra Biodiversity Metric 2.0) in Spring 2019, accompanied by detailed guidance and a tool to apply the metric.

We would expect the Local Planning Authority (LPA) to assess and consider the other possible impacts resulting from this proposal on the following when determining this application:

- local sites (biodiversity and geodiversity)
- local landscape character
- local or national biodiversity priority habitats and species.

4.5 Historic England

Historic England has concerns regarding the application on heritage grounds. We consider that the issues and safeguards outlined in our advice need to be addressed in order for the application to meet the requirements of paragraphs 193 and 200 of the NPPF. In determining this application you should bear in mind the statutory duty of section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to have special regard to the desirability of preserving listed buildings or their setting or any features of special architectural or historic interest which they possess and section 38(6) of the Planning and Compulsory Purchase Act 2004 to determine planning applications in accordance with the development plan unless material considerations indicate otherwise.

4.6 Highways England

Recommend that conditions should be attached to any planning permission that may be granted.

HIGHWAYS ENGLAND (“we”) has been appointed by the Secretary of State for Transport as strategic highway company under the provisions of the Infrastructure Act 2015 and is the highway authority, traffic authority and street authority for the Strategic Road Network (SRN). The SRN is a critical national asset and as such we work to ensure that it operates and is managed in the public interest, both in respect of current activities and needs as well as in providing effective stewardship of its long-term operation and integrity. This response represents our formal recommendations to the planning application (Ref: PT18/6450/O) and has been prepared by Rachel Sandy, South West Highways Development Management Team Leader. We have undertaken a review of the relevant documents supporting the planning application to ensure compliance with the current guidance of the Secretary of State as set out in DfT Circular 02/2013 “The Strategic Road Network and the Delivery of Sustainable Development” and the MHCLG National Planning Policy Framework (NPPF), being advised on this matter by our consultants, Jacobs. Statement of Reasons Highways England provided previous responses to the Planning Authority dated 5 February 2019, 26 April 2019, 29 July 2019, 28 January 2020 and 28 July 2020 recommending temporary non-approval of the application to enable the Applicant to complete the Transport Assessment supporting the planning application and undertake the necessary road safety audits and safety risk assessments of a proposed improvement scheme at M5 J14. Our comments below conclude the matters set out within our previous responses.

Background

The proposals referred to as ‘West of Park Farm’, include up to 595 residential dwellings, a neighbourhood hub (local centre) comprising up to 700m² retail and community land uses, and a primary school. Highways England’s interests relate to the operation and safety of the SRN, which in proximity to the site includes M5 J14. M5 J14 is comprised of a single overbridge with slip roads to the north and south and a 3-lane mainline carriageway. The junction is signalised which operates on a part-time strategy, with signals not in operation during the morning peak period between 0645am and 0910am but operational on MOVA control for the rest of the day. During the morning peak period, the junction operates on a simple priority basis. The M5 J14 operates with significant capacity and performance constraints during the morning peak period and vehicle queues typically extend from the northbound off slip onto the mainline. However, previous operation of the signals during the morning peak period resulted in severe queuing and delay on the local road network and it is not considered acceptable to either Highway Authority for the signals to be operational during this time. The junction is therefore sensitive to increases in demand during the morning peak period in particular.

Highways England Planning Response (HEPR 16-01) January 2016 M5 J14 Traffic Impact and Capacity Assessment Stantec (acting on behalf of the Applicant) has determined the forecast vehicle trips generated by the development and the resulting impact at M5 J14. Residential two-way vehicular

trip rates of 0.614 (morning peak) and 0.591 (evening peak) have been derived for the development, which are comparable with other local developments and accepted by Highways England. Trip distribution has been undertaken using a Gravity Model agreed by Highways England and South Gloucestershire Council with approximately 23% of work-based trips and 70% of non-work trips remaining internal to Thornbury. It is predicted that 18% of all external trips generated during the peak periods will distribute via the M5 J14. Highways England is satisfied that the development proposals are forecast to generate an additional 85 movements at the M5 J14 during the morning peak hour, and 86 two-way movements during the evening peak hour. On the basis that the development proposals would result in a significant traffic impact at M5 J14, Highways England required capacity assessments to be undertaken to determine if and when highway improvements would be required to ensure an unacceptable safety impact does not occur on the SRN. Paragraph 9 and 10 of Circular 02/2013 set out that development proposals are normally considered to be acceptable if they do not increase demand for use of a section of the strategic network that is already operating over-capacity, or cannot be safely accommodated within the existing infrastructure provision. Any development proposals which increase demand at M5 J14, which is sensitive to small changes in traffic movements on both the nearby local road network and at the junction itself, and result in mainline queuing (or increases in length, duration or frequency of existing mainline queuing), will be considered as having an unacceptable impact on highway safety. This is due to the high potential severity of collisions between stationary or slow-moving queued vehicles and fast moving through traffic. Development that results in an unacceptable impact on highway safety can be refused on highways grounds in line with paragraph 109 of the NPPF. Stantec has undertaken a 2021 'opening year' capacity assessment of the development proposals at the M5 J14, utilising Highways England's VISSIM model, which is an approved platform for testing development impact at the junction. The modelling assumptions, including growth rates and committed developments, were accepted by Highways England at the time that Stantec undertook the modelling assessment. The modelling assessment demonstrated that on the sensitive northbound off slip, the development proposals would result in a vehicle queue increase of 3m from 1,184m to 1,187m (less than one car length) during the morning peak period compared to the 'without development' scenario. However, since this work was undertaken by Stantec and given that there has been a delay in determining the application, there have been material changes to the committed developments used as part of the forecast assessment. Consequently, forecast year demand and traffic flows at the M5 J14 have also changed resulting in a change to the assessment baseline. As such, to understand the impact of development traffic at the junction which as previously stated is very sensitive to changes in traffic flows, Highways England has Highways England Planning Response (HEPR 16-01) January 2016 undertaken up-to-date testing utilising revised growth assumptions in line with recent consents granted/allowed. Highways England's modelling assessment demonstrates that on the northbound off slip, the development proposals would result in a vehicle queue increase of 24m from 1,241m to 1,265m (approximately 5 car lengths) during the morning peak period compared to the 'without development' scenario. On the basis of the development impact on the northbound off slip, which exacerbates an existing mainline queue (contrary to Circular 02/2013 para 9),

mitigation is necessary to ensure that the development does not result in an unacceptable highway safety impact at M5 J14.

M5 J14 Improvement Scheme

The Applicant is proposing to provide an improvement scheme at the M5 J14 to mitigate the impact of development traffic at M5 J14 and as part of a package of measures to mitigate the wider impact of the development on the local area. The proposed improvement comprises lengthening the two lane off slip to 350m (from 150m) with a localised widening into the verge (Stantec dwg reference 39209/5501/SK31 - M5 junction 14 mitigation scheme 350m 2 lane n/b off slip). The mitigation scheme has been tested for a 2021 opening year scenario utilising Highways England's VISSIM model. The assessment demonstrates that for a 'with development' scenario the improvement would result in an average maximum queue reduction on the northbound off slip from 1,266 to 1,046m (-220m) during the morning peak period. During the AM peak, without the scheme the model predicts queue lengths to exceed the length of the slip-road at 0745. With the scheme in place, it is anticipated that this is delayed until 0800. The scheme delays the on-set of lane starvation whereby the queue in the right turn lane blocks access for vehicles trying to get into the left turn lane which causes the blocking-back onto the mainline M5. Beyond 0800, as demand increases the extent of queuing increases, though this remains below the reference case scenario (betterment). Without the scheme in place, at approximately 0830 when demand is at its greatest, the impact of the development is most significant, and queuing remains consistently higher with the proposed development compared to without. With the scheme in place, the reduction in average maximum queuing is 220m, with a reduction in maximum queuing of 258m at the point when the impact of development is most significant (0830). Highways England accepts that the proposed scheme mitigates the impact of the development and provides some betterment for the SRN over the existing operation and performance of the junction during the morning peak period.

Safety Audit and Risk Assessment

The Applicant has undertaken the required Stage 1 Road Safety Audit (RSA) of the proposed improvement at the M5 J14, which has now been satisfactorily completed. A GG104 safety Highways England Planning Response (HEPR 16-01) January 2016 risk assessment has also been provided, which has been accepted by Highways England. We therefore consider that the proposed improvement is acceptable in highway safety terms with detailed matters to be considered at the next design and RSA stage.

Recommendation

Highways England recommends that planning conditions should be attached to any permission that South Gloucestershire Council is minded to grant in respect of application PT18/6450/O, to the effect that:

1. No more than 100 dwellings of the development hereby permitted shall be occupied unless or until the improvement scheme identified for M5 Junction 14, as shown on Stantec drawing reference 39209/5501/SK31, titled 'M5 junction 14 mitigation scheme 350m 2 lane n/b off slip', or an alternative scheme that provides equal or greater benefit, is completed to the written satisfaction of the

Local Planning Authority (in consultation with Highways England) and is open to traffic.

Reason: To off-set development traffic impacts at the M5 J14. To ensure the safe and efficient operation of the SRN

Informative: Works associated with this consent may impact on public highway assets or involve work within the public highway over which the applicant has no control. Highways England will therefore require the applicant to enter into a suitable legal agreement to cover the detailed design and construction of the works.

Please contact ThirdpartyworksSWarea@highwaysengland.co.uk at an early stage to discuss the details of the highways agreement.

Please be advised that Highways England may charge Commuted Sums for maintenance of schemes delivered by third parties. These will be calculated in line with HM Treasury Green Book rules and will be based on a 60-year infrastructure design life period.

Enc: Development Testing at M5 J14 ADDENDUM (10 November 2020).

4.7 Wessex Water

Proposed Sewerage Infrastructure:

- The site shall be served by separate systems of drainage.
- Sewers can be offered for adoption under a S104 application subject to technical review and satisfactory engineering proposals.
- There are multiple public assets within the site boundary and as such statutory easements will need to be adhered.
- The developer should liaise with our local development engineer development.north@wessexwater.co.uk as early as possible in the development process to agree proposals and submit details for technical review prior to construction.
- Please see guidance notes 'DEV011G – Section 104 Sewer Adoption' and 'DEV016G - Sewer Connections' for further guidance.
- It was previously determined that sites coming forward within this catchment will trigger the need to review capacity upstream from any requested point of connection for this development. There is currently a scheme in place to:
 - Upgrade the 375mm diameter sewer within the site to a 600mm diameter sewer. These upgrade works will continue from the point the existing 600mm diameter sewer connects to the 375mm diameter sewer to the STW.
 - Hydraulic improvement works to enable the STW to receive higher peak flows.

- WW are happy to conclude our acceptance on the foul drainage strategy barring the above works. Any identified offsite improvements will need to match the rate and progression of the site.

Surface Water Drainage

- For a connection to the local public SW sewer, evidence and details of existing runoff rates compared to proposed rate should demonstrate a betterment for climate change.
- The maximum surface water discharge rate for the site is to be agreed by the local land drainage engineer/ LLFA, in consultation with Wessex Water.
- If there are any existing surface water connections to the existing foul water system these should be redirected upon re-development. Redundant drains and laterals should be sealed at the point of connection to the public sewer.
- Land drainage run-off shall not be permitted to discharge either directly or indirectly to the public sewerage system.

4.8 Ministry of Defence

The Ministry of Defence has no safeguarding objections to this proposal.

4.9 Ministry of Housing, Communities and Local Government

I confirm that we have no comments to make on the environmental statement.

4.10 Sustainable Transport

No objection. The Transport Officers' comments are discussed in detail in section 5 below.

4.11 Urban Design

No objection. The Urban Design Officers' comments are discussed in detail in section 5 below.

4.12 Landscape

No objection. The Landscape Officers' comments are discussed in detail in section 5 below.

4.13 Trees

No objection. Having looked at the Arb report on the whole I am satisfied that the trees will be protected in accordance with BS:5837:2012.

It would be good to know what their strategy is regarding the Ash trees on site and the imminent Ash die-back. Some of the significant trees on the site are Ash and their loss from this disease is likely to be imminent.

It would be useful to have an update on the condition of the trees. If this could be done prior to the leaves falling that would be great, if not then mid/late summer next year would be the next available opportunity.

4.14 Public Open Space

The Public Open Space Officer's comments are discussed below. It is considered that the onsite POS and offsite contributions can be secured by S106 Agreement.

4.15 Heritage

The scope and methodology of the assessment as set out within the supporting reports is considered to be acceptable. The findings and conclusions are also largely agreed with.

The only areas of disagreement I would have with in the case presented within the Heritage Appraisal is that along with development causing "less than substantial harm" to the setting and in turn significance of the listed castle building group and Grade I listed church, for the reasons noted above the increased urbanisation this locality would also cause harm to the setting and in turn significance of the Grade II listed Shieling School and Thornbury Conservation Area.

While I would agree that the harm to the identified designated heritage assets would vary and the harm may be considered to be limited or at the lower end of the spectrum of "less than substantial harm" in some cases, once harm has been identified, as laid down by recent case law (Barnwell), this creates a strong presumption against the granting of planning permission and this presumption is a statutory one. Paragraph 199 of the Framework can also be considered to reflect this statutory presumption, as it makes clear that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

Consequently, as a result of the harm found to the setting and significance of the listed buildings and conservation area, the proposed development would not comply with paragraph 199 of the Framework which anticipates that great weight be afforded to the conservation of designated heritage assets, including their setting, nor policies CS9 and PSP17 which seek development that protects, and where appropriate, enhances or better reveals the significance of heritage assets and their settings. Refusal is therefore recommended.

I would however also note paragraph 202 of the Framework which states, "where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use". This "weighing-up" exercise is a matter for the decision maker.

4.16 Archaeology

No objection, subject to conditions. The archaeologist's comments are discussed in section 5 below.

- 4.17 Ecology
No objection subject to the inclusion of conditions. The Ecology Officers' comments are discussed in detail in section 5 below.
- 4.18 Lead Local Flood Authority
Drainage and Flood Risk Management Team (Engineering Group - Street Care) has no objection in principle to this application subject to conditions and informatives. The LLFA comments are discussed in section 5 below.
- 4.19 Housing Enabling
No objection subject to agreement to conditions and the heads of terms set out below.
- 4.20 Self Build
No objection subject to agreement to conditions and the heads of terms set out below
- 4.21 Environmental Policy
I welcome the submission of an Energy Statement with the above application, in line with our Local Planning Application Requirements. I note that the applicant has sought to demonstrate how the proposal addresses Core Strategy Policy CS1 (8) and Policies, Sites and Places (PSP) Plan Policy 6. Furthermore, the applicant has structured the information and data in accordance with the guidance published on the SGC website, which is welcomed.

Reducing Energy Demand & Improving Fabric Standards:

It is recommended that a planning condition is applied to ensure that the development incorporates the measures set out in the Energy Statement and ensures that the development goes over and above the requirements of Building Regulations Part L in terms of energy conservation. It would also be advisable to ensure that the Building Regulations used are those prevalent at the time of construction (i.e. not pre-registered) and that the policy situation at the time of Reserved Matters applications should be adhered to. This is because the national and local situation with regard to energy efficiency in new development is changing quite rapidly at the moment.

Carbon Emissions calculations

It is recommended that a planning condition is applied to require, at Reserved Matters, the submission of an updated energy statement which includes accurate calculations that are based on actual building specifications and actual renewable energy specifications (including for Solar PV basing the yield on local insolation levels) to demonstrate policy compliance with CS1(8) and PSP6.

Renewable energy

A planning condition that requires the submission of accurate calculations of how the 20% minimum carbon reduction requirement will be achieved through

the use of renewable technologies should be applied to any permission. Details of the actual specification of the renewable technology employed should also be provided.

With regard to Solar PV, the applicant is reminded that evidence that the PV design has been approved by an MCS (Microgeneration Certification Scheme) accredited installer, to ensure shading is taken into account within the energy generation calculations, should be submitted within energy statements. The impact of shading (Shading Factor) should be calculated using the Standard Estimation Method as detailed in the current Microgeneration Certification Scheme guidance.

Overheating

Overheating is becoming an increasingly important climate change impact requiring mitigation. We would therefore recommend that an assessment of overheating risk using a recognised methodology such as CIBSE TM52 or appropriate equivalent, to the year 2060, is carried out and the findings used to inform the detailed design of the development. This will help ensure the long term comfort of the future residents and users of the buildings proposed.

Woodburning stoves

The Energy Statement includes reference to the possibility of offering wood-burning stoves or designing dwellings so they could be retrofitted. Given increasing concerns about the air-quality implications of burning wood, we would discourage the applicants from this approach and would suggest that the Council's air quality officer is consulted as there may need to be a request for an air quality impact assessment (which the applicant has mentioned as a possibility in the Energy Statement).

Suggested planning condition:

We suggest that a condition is included on any potential consent.

4.22 Environmental Protection

Noise

It is recommended that a planning condition is included.

In summary: Generally, noise levels in this area are low "Chapter 10 of the Environmental Statement considers the impact of noise; and confirms that subject to appropriate mitigation, and detailed design, that the proposals will not result in a significant noise impact on existing or proposed receptors."

Land Contamination

The following report relevant to potential land contamination has been submitted and reviewed:

- Peter Brett, Land West of Park Farm, Thornbury, Combined Phase 1 and Phase 2 Ground Conditions Assessment. Ref GCA Rev 2 September 2018. Project Ref 39209/3501.

The report presents the findings of a Phase 1 desk study and Phase 2 intrusive investigation including soil and water sampling and gas monitoring.

The report concludes that it would be prudent to undertake additional ground water and ground gas monitoring in order to refine the conceptual model and provide additional data.

The conclusions of the report are accepted.

In order to ensure that the site is suitable for its proposed use and in accordance with The National Planning Policy Framework, conditions are recommended for inclusion on any permission granted.

4.23 Avon and Somerset Police

No objection or comments.

At this early stage where only outline planning is sought, it is very difficult from a crime reduction/prevention point of view to give any detailed comments as the areas to be addressed such as access, layout and detailed design would normally be decided upon at Reserved Matters stage. Paragraphs 91, 95 and 127 of the National Planning Policy Framework July 2018 require crime and disorder and fear of crime to be considered in the design stage of a development. Other paragraphs such as 8, 104, 106, 110, 117, and 127 also require the creation of safe environments within the context of the appropriate section. Where a Design and Access Statement is required CABE does recommend that the statement includes a section that shows that security and safety have been considered and demonstrates how this will be achieved. Crime prevention through environmental design (CPTED) and Secured by Design (SBD) principles look at the whole development. This includes layout of roads, footpaths, parking, lighting, communal areas, boundary treatments and layout and orientation of dwellings. These points all need to be considered at the earliest stage in order to provide a sustainable development where people are safe and feel safe.

4.24 Public Art

In the light of this policy basis and in line with other sites in Thornbury, if the application is approved, the Council should apply a planning condition for a public art programme that is relevant and specific to the development and locality. The condition should require full details and designs to be agreed as part of reserved matters. The programme should be integrated into the site and its phasing plan. The public art programme should be devised and managed by a public art professional and be budgeted in line with percent for art principles to ensure a high quality scheme.

4.25 Waste

No objection. Please include information or drawings of where the waste and recycling containers will be presented for collection and tracking information for the collection vehicle.

4.26 Education

I set out below my response to the *Statement of Points Agreed* prepared by EFM on 17 September 2019 concerning the proposed development on land west of Park Farm.

Education Infrastructure Requirements

Nursery: There is a requirement for a new 60 place nursery arising from the proposed development of 630 dwellings on land west of Park Farm. The basis for this calculation is set out in Table 1 Appendix 1. The Council requests land and a financial contribution for the provision of a new nursery to be co-located on the primary school site. In accordance with Ofsted's recommendations, the school site should be increased by 610.5m² (equivalent to 0.061ha). A financial contribution of £620,000 is requested. Sums will be calculated and adjusted in accordance with the All in Tender Price Index.

Primary: The projected pupil yield arising from the proposed development is 227 children. This is sufficient to generate the need for a new 1 form of entry (FE) primary school providing a total of 210 places. Pupil yield estimates are based on 36 primary school age children per 100 dwellings. The size and type of dwellings to be developed is not yet known and therefore estimates should not be viewed as minimum or maximum requirements and should not be taken as the final position of the Council.

The Council requests both land and a financial contribution for the provision of a new 1FE primary school.

The size requirement for the land for the primary school is 1.12 ha based on Department for Education Building Bulletin 103 *Area Guidelines for Mainstream Schools*.

A financial contribution of £ 4,207,899 is requested based on the current Department for Education cost calculator of £18,537 per additional primary pupil place as at the Quarter 4 2018 value of the Royal Institute of Chartered Surveyors Building Cost All-in Tender Price Index. Sums will be calculated and adjusted on the basis of the prevailing cost calculator at the time of payment and in accordance with the All-in Tender Price Index.

4.27 Oldbury on Severn Parish Council

Oldbury-Upon-Severn Parish Council OBJECTS to this application for the following reasons:

1. The proposed access/egress point at the westernmost part of the site, close to Oak Farm, as illustrated in various documents including planning document ES – Figure 13.29 – Illustrative Landscape Masterplan is considered by this authority to be far too close to what is, in effect, a blind bend. This Council is of the opinion that there would be an unacceptable impact on highway safety were it to be accepted as part of any planning permission granted.

2. This Council considers that taking into consideration all of the past and current developments adjoining Butt Lane there would be a severe residual impact on the road network, especially around the Oldbury Lane/Butt Lane area and the Butt Lane/Gloucester Road junction, irrespective of assessments outlined in document ES Chapter 9 – ‘Traffic and Transport’ and other relevant Traffic and Transport documents of the planning application. ** It is noted here that it is known that at various times there are already problems with traffic movements causing queuing on the A38 accessing Bristol and the motorway system with a result that many motorists use the side roads through villages as ‘rat-runs’.

3. As far as this Council is aware, the site of this planning application is not currently part of South Gloucestershire Council’s vision of areas for development, as it is situated outside the development boundary (SGC Core Strategy) and is not part of the emerging Joint Spatial Plan or the Local Plan. As South Gloucestershire Council can demonstrate it has a 5 year land supply of preferred development sites, this particular application should fail because it applies to land not included within the preferred sites areas.

4. The Statement of Community Engagement makes mention of a ‘Retail and Community Hub’ up to 700m² (approx. 2½ tennis courts). Without a guaranteed definition of a use or uses and a minimum size, a balanced assessment cannot be made on this application.

5. Given the scale and massing of some aspects of the proposed development (i.e., Dwellings up to 3 storeys), this application would have an overwhelming urbanising effect on both the immediate area and the wider countryside aspect. ** It is noted here that in Section 1 of the application Flood Risk assessment, Part 1.4 states “finished floor levels be set to 11.0m AOD or 600mm above the ground level at the edge of Flood Zone 2 adjacent to the development parcel, whichever is highest.” This would have an increased effect on scale and massing and this must be considered when determining approval or rejection of this application.

6. With reference to document ES 8.1 ‘Flood Risk Assessment’, Oldbury Parish Council is aware of the work done by SGC as the lead flood authority and draws attention to its Local Planning Policy and the italicized sub paras within paras 4.3.1, 4.3.2, 4.3.5, 4.3.6, and 4.3.8. This Council has for many years been gravely concerned about the possibilities of fluvial flooding within Oldbury village and is now more concerned that should this application be approved, there would be a possibility that in periods of heavy rainfall, the mitigation measures on-site could be overwhelmed, resulting in a rapid flow of water into the Pickedmoor Rhine and causing almost immediate problems 1 mile downstream in Oldbury village.

7. With reference to the application document ‘Affordable Housing Statement’, this Council notes that within that document there is a defined commitment to supply 35% affordable homes. This Council is aware that developers sometimes do not fulfil such commitments. This application should not be considered unless the developers fully commit to their 35% target.

8. In respect of infrastructure provision, some developers have failed to assist the LA (SGC) substantially in satisfying obvious needs within communities. The parishioners of Oldbury on Severn and other rural areas in the vicinity rely on infrastructure provision in Thornbury such as health services, shopping and secondary schooling; all such infrastructure is already under pressure which will be exacerbated by this sizeable development. When considering this

application, the applicant(s) must convince SGC that they will fulfil all commitments made upon them. As an additional point which is not a material planning concern, this Council wishes to express the opinion that the reference to this application as being at “Park Farm, Butt Lane” is misleading, especially since there are other applications for the existing construction sites at Park Farm being processed at the same time. Although this site is contiguous to the outer limits of the current Park Farm site, the planned links are to Oldbury Lane rather than Butt Lane and this would have been a more appropriate address usage.

Other Representations

4.28 Local Residents

A total of 134 representations have been received from members of the public throughout the rounds of consultation. The following is a summary of the reasons given for objecting:

Transport and Infrastructure

- Increase in traffic
- Insufficient infrastructure to support this and cumulative speculative development in Thornbury including road, rail, doctors, dentists and schools
- Impact of more cars associated with the development
- Insufficient parking in Thornbury
- The development will be car dominated with trips to Thornbury Town Centre and other amenities being too far away
- Insufficient information on sustainable transport options
- Increase in vehicular use of Butt Lane/ Oldbury Lane junction
- No provision for additional infrastructure such as schools and health services
- Increase in cars using the A38 to access Bristol and A38 cannot take more cars.
- New bus route is not supported
- Walk and cycleways will not mitigate or overcome the car issues
- Another community hub will only harm the High Street
- The changes to junction 14 will not get traffic moving
- Traffic light controlled intersections are not in keeping with the historic character of Thornbury
- Travel plan for buses is dependent on Park Farm Infrastructure.
- The access road into the site cannot support the new development and that of Park Farm development
- Travel Plan does not show the road connections to Castle School or town centre.
- More houses will put further strain on the already struggling infrastructure
- Barley Fields is not wide enough to cope with a bus service
- More child nurseries are needed
- Parking provision in Thornbury needs to be reviewed.

- High School cannot support this development
- Needs to be a new secondary school.
- Extending the T1 bus route will increase journey times, thereby impacting existing users with longer journeys.

Landscape and Ecology

- Development on green fields not acceptable
- Unacceptable green field development and impact on food production focus on brownfield redevelopment
- Impact on wildlife including foxes and badgers
- Loss of established hedgerows and trees
- Reduced access to countryside and associated mental health concerns for existing residents
- The green views in Thornbury are disappearing.
- Mature Planting should be used for an effective buffer
- Loss of green sites is a loss of biodiversity

Sustainability and Impact of development on Thornbury

- The Council has a proven 5yr Housing Land Supply and there is no need for this development
- The Council needs to stand up to speculative developers
- The development will destroy the character of living in Thornbury.
- Thornbury does not need so much mass housing development
- The proposal for retail development is needed as it is shows it is too far from the town centre
- Site is outside the development boundary as shown in the core strategy
- Lack of jobs in Thornbury means the proposal will be a dormitory commuter development
- Imbalance of demographic population in Thornbury, tilted towards older cohort.
- More housing will not invigorate the Town Centre
- High Street is being destroyed
- Housing is not for local people
- Valuable agricultural land should not be lost
- The Hub is on the perimeter and makes it closer to the Park Farm development, will not benefit this development
- The design of the development is terrible
- Site is too disconnected from the rest of the town
- Shops will sit empty in the new hub as rents will be too high
- Increased pressure on the High Street
- Not enough employment opportunities in Thornbury.
- Medical and Dental Practices are struggling to deal with existing and, so will collapse with a growth in population.
- Purely speculative development which is not sustainable and does not meet any policies.
- No decision should be made until the Thornbury Neighbourhood Plan is adopted.

Environmental Protection

- Noise levels from the roads will increase to unacceptable levels for the existing residents
- Increase in air pollution as result of more cars on the roads, which will be damaging to human life

Drainage and Flood Risk

- Likelihood of potential flooding in this low lying area has not been given enough consideration
- There should be no development in the flood zone
- Coastal flooding threat has not been addressed
- Rising Sea levels need to be considered.
- Puts residents in Oldbury at further risk of flooding, both coastal and surface run off
- Ground water levels need to be monitored
- Flood relief scheme for Oldbury should be implemented before rainwater and surface water run off from the proposal endangers the inhabitants downstream of Thornbury.

4.29 Representation from Thornbury Residents Against Poorly Planned Development - TRAPP'D

1. Introduction and Summary

Reasons for refusing this application are so overwhelming it is difficult to know where to start. With South Glos now able to demonstrate a land supply well in excess of the 5-year threshold, this application has literally nothing going for it, and the timing of the planning decision to coincide almost exactly with the Examination in Public of the JSP represents the most blatant instance of an attempt at predetermination we can imagine. On the negative impacts, Planning Officers and the Planning Committee need look no further than the eloquent public objections, including those of Thornbury Town Council, to simply feel the outrage that Thornbury has been a 31% increase in the size of the town. If we add this application, it would take us to 2,247 new houses, representing a 43% increase: These figures exclude Bovis which, at the time of writing, is awaiting the outcome of an appeal. If Bovis is included on top of Barwood then we will have seen an increase in the size of the town by more than 50%. It is worth reflecting that of the 1,617 already granted approval, as of March 2018 only 538 (33%) had been completed. Therefore, any strain that Thornbury is already feeling on its infrastructure and services is only the tip of the iceberg.

2. The quantum of recent approvals threatens to overwhelm Thornbury New housing approvals since 2011 have now reached 1,617 prior to this application, representing a 31% increase in the size of the town. If we add this application it would take us to 2,247 new houses, representing a 43% increase: These figures exclude Bovis which, at the time of writing, is awaiting the outcome of an appeal. If Bovis is included on top of Barwood then we will have seen an increase in the size of the town by more than 50%. It is worth reflecting that of the 1,617 already granted approval, as of March 2018 only 538 (33%) had been completed. Therefore, any strain that

Thornbury is already feeling on its infrastructure and services is only the tip of the iceberg. 3. It is outside the boundary of both the existing and draft forthcoming Local Plan

3. It is outside the boundary of both the existing and draft forthcoming Local Plans This is a speculative development which is outside the development boundary as defined in the South Gloucestershire Core Strategy and the emerging Joint Spatial Plan (JSP) or Local Plan. This site was proposed in the "Call for Sites" during the consultation phase of the JSP and was rejected during that process.

4. Predetermination It is expected that the Examination in Public for the JSP will take place in May 2019. The draft JSP policy 7.11 starts with a first bullet point that "a maximum of 500 dwellings ... be developed within the plan period [2036]". Planning permission to reach that number has now unfortunately been granted with Cleve Park and Ainscough. TRAPP'D has fully participated in the JSP consultation stages and has submitted a comprehensive objection to the premise in Policy 7.11 that Thornbury should be designated as a Strategic Development Location, and therefore the planning system has already failed us by depriving us of our democratic opportunity to make our case. This application alone represents additional housing significantly in excess of the "maximum of 500". If it was granted approval, we would find ourselves facing 220% of the number of houses planned in the JSP before our case has even been heard. If Bovis also wins their appeal that would take us to a factor of 3. Our democratic opportunity to make our case to the Examiners of the JSP must not be allowed to be further undermined by this proposal.

5. Inappropriate location Access from the site to the town centre and other facilities is very poor, with an unacceptable walking distance of 1200m, so that access to the town centre and other facilities is too far to walk for the vast majority of inhabitants for most of the time. Cycling is also not attractive because of the few very busy roads available. As with walking, at many times of the year the weather can be cold, wet and windy so it is more convenient to use the private car. Buses are hardly used in the Thornbury area. This would be yet another location sustainable only by the use of the private car, and yet astonishingly in their Statement of Community Engagement (November 2018), the developers proposal to deal with the growing problem of lack of town centre parking is to provide none at all on the grounds that "The provision of additional car parking within the town centre could adversely encourage people to drive rather than travelling by foot, cycle or using public transport" (page 15). Our view is that parking in the town is already problematic and would get even worse. The local roads, such as The Plain, are potential congestion spots. Other rural roads are equally unsuitable but are becoming rat runs at peak times, causing danger on these minor roads. In addition, the inhabitants would be so far out of Thornbury so as to feel isolated (as already observed in the new current developments).

6. Congestion impact

The developers Statement of Community Engagement also reviews the impact of congestion on the A38 on page 14 stating that "the proposals will have a negligible impact". This does the classic trick of looking at the development in splendid isolation. In contrast, the Scoping Report at 3.4.35 states that "it is considered that likely significant cumulative effects [from the developments around Thornbury] are anticipated relating to Traffic and Transport, Socio-Economic and Air-Quality". This speaks the truth of the matter, as witnessed by residents; it is the cumulative impact that counts, and there is real concern particularly in relation to congestion getting in and out of Thornbury, on the A38 and on access to the M5 at Junction 14. The ensuing traffic would be accompanied by pollution which is already at limits in Bristol, and even Thornbury would be in danger of excessive pollution levels. We note that Highways England recommend that planning permission should not be granted for at least another three months (report dated 5th February 2019) pending further assessment of traffic impacts. The Highways England report further comments on road safety as follows "it has to be accepted however, that a worsening of traffic conditions at M5 J14 would result in an increase in the risk of vehicle collisions due, for example, to increased mainline queuing. It is therefore imperative that the impacts of the development on the traffic conditions at M5 J14 are adequately demonstrated".

7. Impact on Infrastructure and Services Many people have commented on the fact that nothing has been done in and around Thornbury to resolve growing problems with Infrastructure and Services to cope with the additional houses. As mentioned previously this perception by residents will be based on only one third of the additional housing having been built. Of particular note is the impact on the following: - Adding so many new houses to the area, already overloaded with current developments, is out of balance with the decreasing employment situation. Thornbury has lost many hundreds of jobs in recent years, a situation which continues today. New inhabitants can expect long commutes, of the order of 30 to 40 kms per day. - Parking in the town is already problematic so any benefit to the businesses of the town that might be generated from the new homes will be negated. - Health services in the town are already under pressure with reported waits of 4-5 weeks to see a GP. Our research shows that the level of patients per GPs are now at a level of 2,434, which contrasts unfavourably with the NHS South Gloucestershire capacity level quoted as 1,700 GPs per patient. The developer suggests that if health service capacity is an issue then this might be resolved by making land available for more GP surgeries. This, however, completely misses the point that it is not additional space that is the problem, it is our inability to encourage enough GPs to work in Thornbury, and moreover to work full-time.

8. 5-Year Land Supply test South Gloucestershire Council can now demonstrate that it has a 5-year land supply as defined in the NPPF. As of December 2018, the Core Strategy is now more than five years old. Therefore, in accordance with the NPPF published in July 2018, the Council has used the new Standard Methodology for calculating the housing supply, which makes reference against the forecast demand published by the ONS, as opposed to a formula that links to the previous Core Strategy. At last we

have a method of calculation that genuinely reflects the expected level of demand, together with an appropriate buffer at 5%. It should be of no surprise that this gives a level of easily above the minimum at 6.3 years. Moreover, this figure ignores the supply from Cleve Park as this was subject to an outstanding judicial review in December 2018 when the Early Extract AMR was published. We now know the outcome of that review, which sadly is to allow the Cleve Park development, which in turn was predicated upon the assumption that the entire 350 houses will be built within 5 years. Adding this figure onto the land supply therefore gives an updated land supply of 6.52 years. Finally, we have a sensible measure and it tells us that there is no shortage of housing in South Gloucestershire. All of the planning policies of the Core Strategy are therefore up to date and relevant, including that which relates to the development boundary in Thornbury. The one and only substantive claimed justification for this development has now been eliminated and planning permission should consequently be rejected.

4.29 Thornleigh Camphill Communities

Thornleigh Camphill Communities is a charity providing accommodation and Support to adults with learning difficulties and a school and Children's Home (Sheiling School) for children and young people aged 6-19 with special educational needs. We offer day and residential placements for 52 weeks a year and have been established on this site since 1952.

The proposal will have a negative impact on both of these provisions and as such Thornleigh Camphill Communities objects to this application.

Principle of Development

It is understood that South Gloucestershire Council can now demonstrate that it has a 5-year land supply as defined in the NPPF and therefore other policies relevant to such a major development on the edge of Thornbury must be given due weight. The quantity of housing development set out in the South Gloucestershire Core Strategy for Thornbury has already been well exceeded, and this large scale development on a greenfield site substantially outside the town represents unacceptable urban sprawl into the countryside.

Specific Impacts on Thornleigh Camphill Communities

Sheiling School and The Hatch Community (Watch Oak Farm) provide a therapeutic environment for all pupils and service users. The landscape plays a significant part in this provision both in terms of context and activity. The proposal would be detrimental to this environment. The proposal will increase the use of the public right of way through Sheiling School grounds, which is already a safeguarding issue for the vulnerable young people and staff here, posing risks to their security, privacy and wellbeing and offering no deterrent to criminal activity.

If this proposal is not to increase security concerns at the school and Watch Oak Farm then substantial boundary upgrades will be needed as current boundaries are hedges through which access is easily possible. Sheiling School has recently suffered an escalation of criminal activity and anti-social behaviour with 12 serious incidents including repeated burglary, vandalism and arson being reported over the past 18 months.

Infrastructure of Thornbury

We are concerned about the cumulative impacts of substantial recent and ongoing development on the infrastructure of Thornbury, which is already in many cases operating at beyond capacity and does not have scope to accommodate further users.

Specifically, medical facilities, play space, schools, leisure facilities and roads are a significant concern. Reasonable and routine access to local GP surgeries, medical professionals and pharmacies are a considerable challenge for our vulnerable service users as these are already under pressure in the Thornbury area. The proposal does nothing substantive to address these concerns particularly in light of its proposed increase in local population.

Traffic congestion, road safety and parking are already huge issues in Thornbury especially at peak times, and the development of a site well out of the town will add further to the amount of unsustainable vehicle journeys undertaken and do nothing to encourage walking or cycling.

Water

This proposal will cause substantial flood problems. Watch Oak Farm which is on the same level and borders on the proposed development has been flooded in previous years due to local conditions outside of our control. These will now be considerably aggravated by further development which will cause faster run off and overwhelming of the small streams which drain this area. Relying on discharge of water to Pickedmoor Brook is unacceptable and will exacerbate flood risk still further. The drainage problems mean that the design of the proposals is unacceptable, with high density, urban-style buildings of three storeys proposed in an area that is rural, open and agricultural. Development which causes or worsens flooding is contrary to planning policy at local and national level and should not be permitted.

Landscape, biodiversity and natural environment

The character of the landscape in the area of the proposal is rural and agricultural, and it has the Severn Vale characteristics of being flat, open and low lying. The proposal will damage the landscape, causing it to become urbanised, with consequent negative impacts for wildlife and biodiversity, as well as changing the character of this area irretrievably.

Design and Historic Environment

The proposal would negatively affect the setting of several historic buildings, including Thornbury Castle (Grade I), St Mary's Church (Grade I) and Thornbury Park (Grade II). Whilst beyond the immediate curtilage of these buildings, their setting is highly sensitive within the wider landscape of the historic Severn Vale. The proposal is also damaging to the Thornbury Conservation Area and the area immediately outside it, described and protected in the South Gloucestershire Conservation Area Statement as "the open closes around the historic town".

Planning Process Objections

Prior to being notified by South Gloucestershire Council in respect of the proposal, Thornleigh Camphill Communities has not had any opportunity to comment or received any invitations to engage on the proposals. Substantial

concerns are raised as to the poor attempts to genuinely engage the community in shaping this development. The Statement of Community Engagement fails to provide the verbatim comments made by those (few) individuals who heard about the proposals, which minimises the opportunity of any adverse criticism being considered in the balance of a decision. Genuine engagement with the community, including all stakeholders, is crucial.

Many of the key documents are unavailable to access on the website so it is unreasonable and premature to be asked to make decisions on a half completed application of this size without full details for comment.

It is noted that the application is to be decided by delegated powers, and we believe this is inappropriate given the scale and impact of the proposal, and request that it is decided by the Planning Committee.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

In establishing the principle of development, the starting point in primary legislation is Section 38 (6) of the 2004 Act which requires applications to be determined in accordance with the development plan, unless material considerations indicate otherwise.

5.2 The National Planning Policy Framework (NPPF) is a material consideration in determining planning applications. The NPPF clearly states that the purpose of the planning system is to contribute to the achievement of sustainable development and that there are three overarching objectives to achieve sustainable development. These are identified as an economy objective, a social objective and an environmental objective. Paragraph 9 of the NPPF states that Planning policies and decisions should play an active role in guiding development towards sustainable solutions, but in doing so should take local circumstances into account to reflect the character, needs and opportunities of each area. This means that the presumption in favour of sustainable development is at the centre of the NPPF. Paragraph 11 advises that for decision making this advises approving development proposals that accord with an up-to-date development plan. Paragraph 12 of the NPPF advises that Local Planning Authorities may take decisions that depart from an up-to-date development plan, but only if material considerations in a particular case indicate that the plan should not be followed.

5.3 Paragraph 15 of the NPPF states that the planning system should be genuinely plan-led and as the Council has an adopted Development plan, the proposal must be considered in the context of the policies of the Development Plan.

5.4 The Council's adopted Development Plan comprises the South Gloucestershire Local Plan Core Strategy (CS) which was adopted in December 2013. The Development Plan also includes the Policies, Sites and Places Plan adopted in November 2017.

5.5 On 22nd December 2021, the Council published an early extract of the 2021 Housing Trajectory and 5-year Housing Land Supply and based on

this new data South Gloucestershire has a 5 year housing land supply (5YHLS) of 6.14 years. The Annual Monitoring report will be published later in 2022

5.6 This 5YHLS is based on:

- An identified supply of 8,724 deliverable homes in the next-five years (2021/22 – 2025/26), in accordance with the 2021 NPPF definition of deliverable sites (NPPF Glossary page 66).
- An annual local housing need (using the standard method for calculating local housing need) of 1,353 dwellings per year (based on the CLG 2014-based household projections for the 10-year period 2021-31 and 2020 affordability ratios (ONS))
- A 2020 HDT of 125% enabling the Council to apply to a 5% buffer to ensure choice and competition in the market for land.

5.7 Policy CS5.3 of the Core Strategy provides that at Thornbury, new development will be of a scale appropriate to revitalise the town centre and strengthen community services and facilities. This is further elaborated upon through policy CS32 and CS33 which identifies a preferred location as a housing opportunity area to the North of Thornbury for up to 500 houses. This is now the Park Farm development and a further site is identified on land off Morton Way North. This too has been developed. The explanatory text to policy CS33 makes it clear that the primary aims of policies CS32 and CS33 is to increase the vibrancy of Thornbury's Town Centre and the viability of its primary schools and other community facilities. Other developments beyond those identified in policy CS33 have also been permitted as they were considered to constitute infill sites or at a time when there was a marginal five year supply.

5.8 It is considered that the part of policy CS34 which seeks to achieve development of a scale appropriate to revitalise the town centre of Thornbury and to strengthen its community services and facilities is wholly consistent with the NPPF.

5.9 This policy has now been satisfied by the realisation of the sites referenced in policy CS33 and other developments that have now been permitted.

5.10 It is considered that the proposal, which goes beyond the level of development anticipated in policy CS33 to be appropriate to revitalise the Town Centre and revitalise services and facilities and in circumstances where other development has also occurred, is not in accord with policy CS5 as it goes significantly beyond the contemplation of what would be of a scale appropriate for new development to meet those aims. It is therefore contrary to this policy.

5.11 Policy CS5(b) provides that defined settlement boundaries will be maintained around rural settlements, which includes Thornbury, and it is anticipated that these boundaries will be reviewed through a subsequent local plan process. It is considered that this part of the policy is also consistent with the NPPF and therefore up to date in that, subject to the development identified in policy CS33, it seeks to maintain boundaries around Thornbury (and other

settlements) and, whilst no review of the boundaries has as yet occurred, as the Council has a five year supply of 6.14 years there are no reasons of housing need to relax maintaining the settlement boundary around Thornbury. As the requirement to boost housing supply has, for the time being at least, been satisfied the maintaining of settlement boundaries is not inconsistent with the NPPF.

5.12 Policy CS34 of the Core Strategy also seeks to maintain settlement boundaries defined on the proposals map around Thornbury (and other rural settlements). It is considered that this policy is also consistent with the NPPF and therefore up to date for the same reasons.

5.13 The proposal lies outside the defined settlement boundary and beyond the additional development anticipated under policy CS33 and is therefore contrary to both policies CS5 and CS34.

5.14 **Urban Design**

Policy CS1 High Quality Design outlined within the Core Strategy (2013) states that development will only be permitted where the highest possible standards of design and site planning are achieved. Policy CS34 – Rural areas seeks to protect the unique and valuable setting provided by the rural areas to the urban areas and other settlements in South Gloucestershire. Policy PSP1 of the Policies, Sites and Places DPD states that proposals will be acceptable that respond constructively to the buildings and characteristics that make a particularly positive contribution to the distinctiveness of the area and locality. Paragraphs 127-130 of the NPPF look to secure high quality and inclusive design that takes into account local distinctiveness without stifling innovation.

5.15 The DAS includes the following parameter plans which have been submitted in support of the application:

- Land Use and Access Parameter Plan
- Scale Parameter Plan
- Green Infrastructure Parameter Plan

5.16 **Residential Amenity**

The site lies north of Oldbury Lane adjacent to Park Farm Mill and properties on the south side and adjacent to the boundary of the Park Farm development and existing properties to the east.

5.17 The impact on the residential amenity of existing neighbouring residents and future occupiers must be considered. As it stands the site is surrounded by a hedge and the proposals include additional landscaping to shield the site appropriately from the residential properties on Oldbury Lane. The landscape strategy plan outlines that a proportion of the existing hedgerows will be retained. The DAS outlines that the proposal has scope at detailed design stage to have regard to the neighbouring properties and consented developments.

- 5.18 The residents of Oldbury Lane, Butt Lane, Park Farm and surrounding properties in Thornbury may be impacted in terms of residential amenity; increased traffic and noise during the construction period. It is considered this could be dealt with via condition to control the hours of operation and require a construction and environmental management plan (CEMP) to minimise disruption to local residents.
- 5.19 Subject to this condition, officers consider that the indicative details and parameter plans indicate the development could be carried out without adverse harm to neighbours and in accordance with Policy PSP8.
- 5.20 Design Principles
The application for consideration is outline, accordingly appearance, layout and scale are reserved for future consideration. The Design and Access Statement (DAS) is the primary document for consideration at outline stage. According to the National Planning Practice Guidance (NPPG) a Design and Access Statement should provide a framework for applicants to explain how the proposed development is a suitable response to the site and its setting and demonstrate that it can be suitably accessed.
- 5.21 The DAS submitted in support of the application demonstrates stakeholder and community engagement, contains an analysis of the local area, a description of the site and its key features, identification of the site constraints and opportunities, and provides a vision for how the site could be developed.
- 5.22 In assessing the DAS it is necessary to consider whether an adequately designed scheme could be delivered on the site without adversely harming the character and visual amenity of the area.
- 5.23 An Illustrative Masterplan provides a vision for how the site may be developed. The parameter plans submitted in support of the scheme fixes design principles for the maximum height of dwellings, the location of land uses, green infrastructure and more detailed design.
- 5.24 The planning system promotes mixed use developments and paragraph 130 of the NPPF requires policies and decisions to ensure the potential of the site is optimised *“to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks”*. Paragraph 129 of the NPPF reinforces the importance of effective design of large scale mixed use developments.
- 5.25 The Urban Design Officer in his original comments stated that the DAS failed to demonstrate sufficient detail of character areas, provided limited information on the community hub and that further assessment of density, building heights and the mix of units was required. Officers requested that the DAS and parameter plans should then be revised to set clear definitive principles.
- 5.26 As a result of officer comments the following changes were made, as outlined on page 54 of the DAS:

- 1.3ha site for a 1FE Primary School, pre-school nursery and associated playing fields
- Relocation to collocate with school and definition of the Retail and Community Hub
- Reduction in dwelling numbers from 'up to 630' down to 'up to 595' to accommodate primary school
- Reduction in proposed building heights from at highest 'up to 14m'.down to no building now proposed to be higher than '12.2m' and with scale reduced in each of the 3 zones
- Additional information was provided on character areas, design details and materials, appropriate to an outline submission
- Green corridor along Oldbury Lane widened to increase planting and provide an improved frontage onto Oldbury Lane
- Recreation and Play Strategy updated to include design principles for the 'The Destination Park', 'Neighbourhood Greens' and 'Natural Play'
- Green Infrastructure Enhancement including a strategy for a higher level of hedgerow retention across the site
- Ecology updated information and the addition of a further newt pond
- Sustainable Drainage Improvements including further design work was to demonstrate that there was sufficient land to deliver attractive and well landscaped attenuation
- Redesign of the Sustainable Transport Link to address highway and urban design officer comments

5.27 The DAS has been amended to reflect comments made by the urban design officer and other specialist officers and improvements to the quality of the design have been made.

5.28 The parameter plans and illustrative masterplan have been revised under definitive design principles that clearly indicate how the development could respond to the identified opportunities and constraints presented by the site.

5.29 Access and Movement:

The access and movement principles include the provision of a sustainable transport link through the Park Farm development to provide a clear, legible and convenient connection to Thornbury town centre for pedestrians, cyclists and public transport users. The two vehicular access points along Oldbury Lane have been assessed from a design and highway safety perspective and the arrival experience considered in detail in the DAS to improve the response to the edge of the rural area. The Main Street proposed connects the 3 main access points to the site. The PROW crossing the site are retained and enhanced and key movement routes will follow desire lines. The DAS demonstrates that there is scope to incorporate places and spaces of interest and direct connections with the ability to achieve walkable neighbourhoods and legible streets, a public transport connection and policy compliant vehicle and cycle parking.

5.30 Structure:

The street hierarchy is set within the principles of the DAS and provides opportunity for a permeable and legible movement network with clear street

frontages and clearly defined public and private spaces and streetscapes. The DAS provides details of the hierarchy of routes including sections of typical primary, secondary, tertiary streets and green lanes/private drives and establishes a separate set of requirements for each type.

5.31 Character and Context:

The principles set out a character area approach across the site, incorporating landscape, green character and a network of green spaces. The design principles also look to incorporate views and vistas into and out of the development and local materials have been identified. The areas are set out below:

- Oldbury Lane Arrival:
- Main Streets
- Key Spaces
- Streets
- Green Frontages

5.32 Landscape:

The Landscape Strategy Plan details the site's green infrastructure and provides a green link to the emerging GI Network to the East. The retention of hedgerows and trees with root protection areas has been improved through the latest iteration of the DAS and the reduction in units has enabled the proposals to retain more of the existing landscape features. A 15 metre buffer to the Park Mill Covert Ancient Woodland and the proposals include an area of parkland categorised by meadow planting in the vicinity of Park Mill. New planting and landscaping, with the provision of additional planting along the north western edge of the site is proposed to reduce the visual impact of the development and provide a more sensitive transition from the surrounding rural area. Landscape measures will also include areas of drainage, informal public open space, community orchards, allotments and formal/natural play areas.

5.33 Land Use:

The proposed mix of uses includes 595 dwellings, including 35% affordable, with a mix of types and tenures; local retail and community hub including site for a 1FE primary school and a network of green infrastructure and green spaces that seek to retain and enhance existing landscape and create usable green spaces.

5.34 The revisions overcome officer concerns and provide sufficient information to determine the impacts of the development and the DAS, design principles and parameter plans provide scope to deliver high quality design.

5.35 Layout and Extent of the Site

The detailed layout will be considered under future reserved matters applications, but broad layout principles should be secured under this outline application to ensure the development provides an acceptable response to the constraints of the site.

- 5.36 Green buffers are included to all boundaries of the site, which are secured in the parameter plans, with the aim of enhancing existing green infrastructure in the locality. The parameter plans submitted secure the size and location of the green buffers. In response to officer comments, the extent of built development at the northern extent of the site has been revised to reduce impacts, provide a more transitioned arrival into Thornbury and soften the edge of the development where it faces onto Oldbury Lane.
- 5.37 The flood zone 2 and 3 designations on the southern area of the site include no residential development. Due to the flood zone designation that affects the southern section of the site, the design response retains the green infrastructure around the Pickedmoor Brook and provides an outline drainage strategy which proposes sustainable urban drainage systems with the addition of attenuation areas.
- 5.38 The site is outside the settlement boundary and effectively extends the western boundary of Thornbury. Based on the revised DAS and improvements secured, officers now consider that the design principles demonstrate that high quality development can be provided, without compromising the character and visual amenity of the site and the surrounding area, thereby meeting policy CS34.
- 5.39 The applicant has now demonstrated that the site could be developed in a way which relates well to the surrounding area through a revised set of parameter plans and the DAS provides further detail of the design response. Based on the revised set of design principles detailed above and changes to the DAS and parameter plans, officers are now satisfied that this could be produced at reserved matters stage.
- 5.40 Density, Scale and Character Areas
The density proposed for the development is approx. 35 dwellings per hectare on average across the site. Building heights are proposed at 2, 2.5 and 3 storeys, at a maximum of 11.2 metres. Concerns were raised by the Landscape and Conservation Officers over limiting storey heights to respond more effectively the settlement edge location, and to ensure the development is more in keeping with the character of the surrounding area.

Building Type	Typical Building Height Range	Approx. Earthworks Tolerance*	Building Height Parameter** (above existing AOD)	Height Parameter Restrictions
2 storey dwelling	7.5m – 9.5m	1m	10.5m	n/a
2.5 storey dwelling	9m – 10.7m	1m	11.7m	n/a
3 storey dwelling	10.3m – 11.2m	1m	12.2m	Up to 50% coverage. Location to be agreed with LPA at reserved matters design stage.
Primary School	8m – 9m	1m	10m	1FE building footprint

Table 1 – DAS Extract

- 5.41 The DAS states, *“Proposed dwellings will typically range from 2 – 2.5 storeys across the site, with some 3 storey buildings used centrally to emphasise prominent focal buildings and create a legible built environment along the main street. Building heights would not exceed two storeys on the southern, western and northern edges of the site, which will aid a sensitive transition with the surrounding countryside.”*
- 5.42 The building heights parameter plan accounts for earthworks requiring land raising of up to 1 metre, which results in building heights ranging between 7.5m and 12.2m at the highest point. Following comments from officers the building heights parameter plan was amended to reduce the percentage of 3 storey dwellings within the zone identified. 2-2.5 storey dwellings are proposed along the development edges to the south, west and north. The parameter plans detail lower storey heights at the residential development edges. The Park Farm development lies to the east of the site and building heights to the eastern boundary reflect the edge of this residential area.
- 5.43 A character assessment was carried out within the Design and Access Statement, which includes examples from Thornbury and the surrounding area, to inform the design process and masterplan. As the masterplan is illustrative at this stage, officers requested that more detailed design principles be included in the DAS. The aim was that the development would address Oldbury Lane and the arrival point into Thornbury with more considered planting and a built form that reflected the move from rural to suburban. Additional detailed design work and landscape assessment was undertaken in response to officer comments. This additional information included the more detailed analysis of the development along the Northern boundary; including layout, character and landscaping, and further design details of the community hub area.
- 5.44 The DAS has been amended to reflect comments made by officers and to incorporate changes requested to improve the quality of the scheme, a summary of these changes from the applicant’s covering letter is below:

“- North West Corner – p92-97 of the DAS comprise new and revised design principles for the North West Corner of the site. These reflect the discussions undertaken with relevant Officers, and incorporate the changes requested from Officers following their review of the draft document.

- Priority Vista – p102 is a new insert into the DAS to reflect the additional level of design detail associated with the three vistas towards St Mary’s Church Tower (p68/p87); and in particular the ‘Priority Vista’. This also reflects the discussions, and Officer review, and the requested changes are included.

- ‘Green Frontage’ Character Area – in response to comments made from the Conservation Officer, an additional design principle is added to this character area (this is explained fully in our earlier response – dated 24 June 2020) and following a request from the Urban Design Officer, the suggested materials have been revised.

- South Parkland – as identified above, the Illustrative Landscape Masterplan has been revised (with this updated at p87 of the DAS. This is supported by an explicit recognition in the DAS (at p86) that the future LEMP for the site would

need to accord with these principles, and also that relevant Officers would need to be consulted as part of the approval process for the LEMP.

- Street Hierarchy – p124-127 are revised following comments received by the Highway Officer (dated 2nd April 2020). The Street Hierarchy (and DAS) should be read alongside the Travel Plan, and combined, these set out the walking and cycling strategy for the site. We note the comments in regard to tracking – and this will follow at the detailed design stage.”

5.45 It is considered that the design principles have been clarified and provide sufficient guidelines for density, scale and response to the character of the area to demonstrate the proposal could respond to the identified opportunities and constraints presented by the site.

5.46 In summary, the DAS and parameter plans have been revised to provide scope for the requirements of Policy CS1 to be met at the detailed design stage and demonstrate that high quality development can be provided, without compromising the character and visual amenity of the site and the surrounding area. In this regard the application is in compliance with the NPPF (para 127 and 130), policies CS1 and CS34 of the Core Strategy and PSP1 of the Policies, Sites and Places DPD and this is considered to be neutral in any balancing exercise.

5.47 **Sustainable Transport**

The site is located to the west of the Park Farm Development on the edge of Thornbury, which is currently under construction. The access for vehicles is proposed from Oldbury Lane to the north of the site via two priority T junctions with right turning lanes. These junctions have been assessed and will accommodate all vehicles including buses. A sustainable link road is proposed from the existing Park Farm development (phase 3) which will be restricted to pedestrians, cyclists and buses. This link would be controlled with a bus gate enforced with a number plate recognition camera and CCTV.

5.48 The application is supported by a Transport Statement which includes vehicle trip rates for the proposed dwellings. A Stage 1 Road Safety Audit has been undertaken which satisfies officers that the proposed layout is acceptable in highway safety terms. The reduction in the number of dwellings from 630 to 595 has resulted in a reduced traffic impact and the introduction of the 1FE school site has been accommodated in the assessment.

5.49 **Accessibility**

The Transport Assessment sets out walking and cycling distances to local facilities in Thornbury, which are not common ground between the Council and developer. Officers have also assessed the distances in relation to a recent appeal decision for the Land South of Gloucester Road, Thornbury for 370 dwellings, in this case the original application was refused by the Council, the list of original refusal reasons included non-compliance with PSP11 due to the distance to local facilities. The appeal was dismissed but the transport refusal

reason was not upheld as the inspector was not persuaded that the distances to facilities were too far to walk and cycle (see extract below).

5.50 The table below sets out a comparison between the following:

- South Gloucestershire Council Policy PSP11 appropriate distances.
- Distances taken from the recent Land South of Gloucester Road (LSOGR) planning appeal to the north of Thornbury.
- The distances measured by the Developer's Agent and the distances measured by Council Officers from this site Land West of Park Farm (LWOPF).

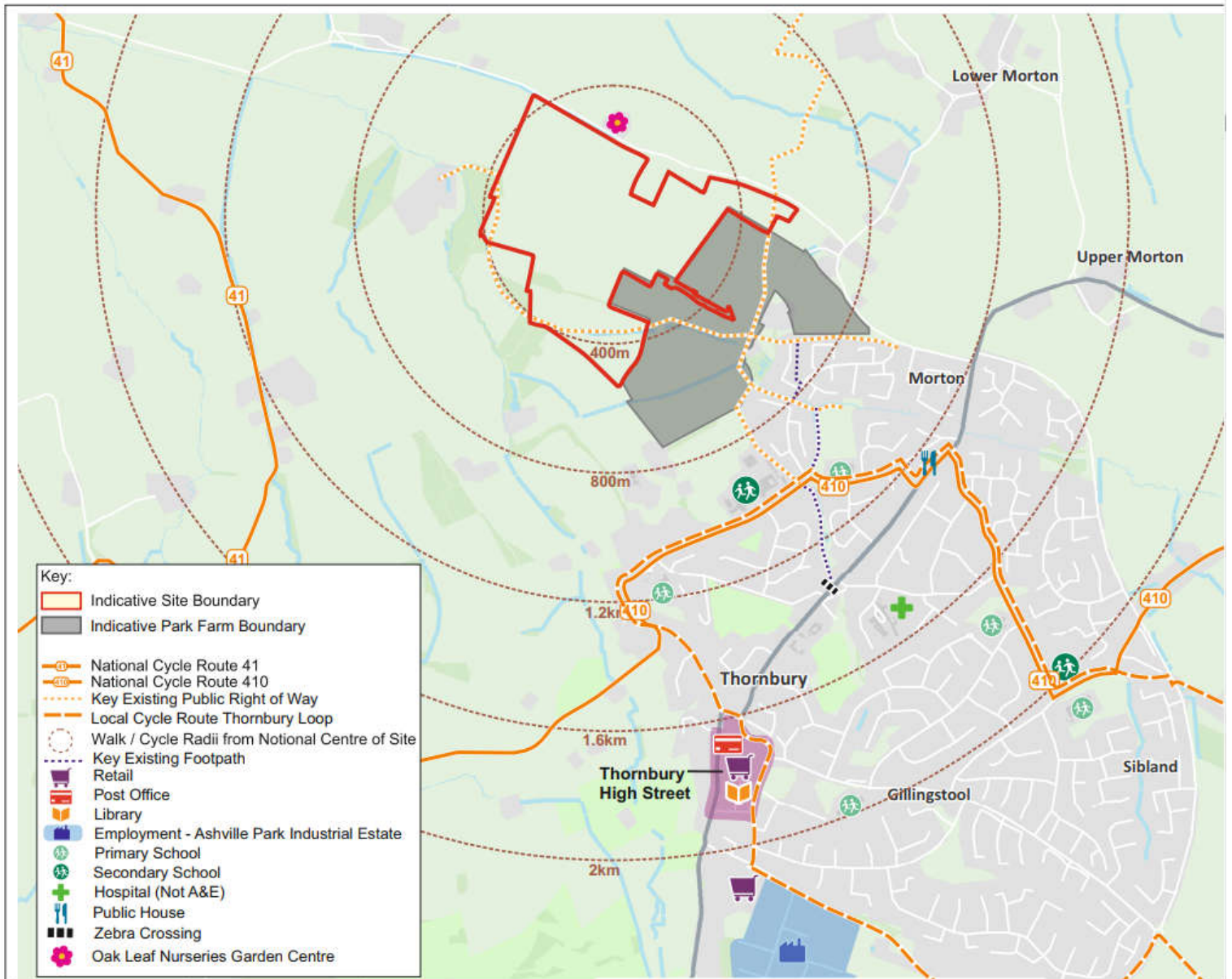
Facility	PSP11 Distance in metres	LSOGR. SGC measured distances in metres from nearest and furthest dwellings. All routes via Morton Fields Phase 2.	LWOPF SGC measured distances in metres from nearest and furthest dwellings.	LWOPF Developer measured distances in metres from nearest and furthest dwellings.
Retail (comparison) shops and services and/or Market towns and Town Centres (Defined in policy CS14 of Core Strategy) Coop at north end of High Street	1,200	2,205 – 2,665	1,940– 2,740. Via Alexandra Way bus or cycle pedestrian link and footpath to Victoria Close.	1,910-2,680. Via Alexandra Way bus or cycle pedestrian link and footpath to Victoria Close.
(Weekly) Superstore or supermarket Aldi Town centre.	1,200	2,205 – 2,665	2,100 – 2,740	2,015 – 2,788
(Day to day) Smaller food (convenience) shops. Location on site to be established.	1,200	1,030 – 1,490. One stop Primrose Drive. 380 – 840. Consented store Badger Road	2,000 – 2,800. Existing Coop Town centre. On-site shop proposed.	1,910 – 2,680. Existing Coop Town centre. On- site shop proposed.
Local health services	800	1,530m – 1,990m	1,565 – 2,365	1,485 – 2,250
Pharmacy	800	1,320m – 1,780m	1,740 – 2,545	1,670 – 2,440
Dedicated community centre. (defined by South Gloucestershire Council) The Chantry	800	2,335m – 2,795m	1,870 – 2,670	1,865 – 2,635
Post Office. Co-op town centre	800	2,205 – 2,665	1,940 – 2,740	1,910 – 2,680
Public House. The Anchor	800 Metres	1,000 – 1,460	1,550 – 2,350	1,443- 2,215
Secondary school. Castle School	3 Miles 4,830m	1,680 – 2,080	1,370-1,990	1,141- 2,215
Primary school. Wanborough	2 Miles. 3,220m	1,340 – 1,800	1,190 – 1,810. New primary school proposed on site	1,012 – 1,780. New primary school proposed on site.

- 5.51 The distances in the table above which are in excess of the appropriate distance in Policy PSP11 must be weighed in the overall assessment of the sustainability of the site; however it should be noted the distance in the policy are not absolute and the proximity of major destinations such as employment areas and the town centre should be given greater weight. There are employment areas at Thornbury Town Centre between 1.9Km and 2.7Km walking / cycling distance and at the Midland Road Industrial area which is between 2.7Km and 3.5Km.
- 5.52 The recent Land South of Gloucester Road appeal decision is a material consideration in determining this application, the Inspectors view on PSP11 in that case is set out in paragraphs 28 and 29 of the decision (see below).

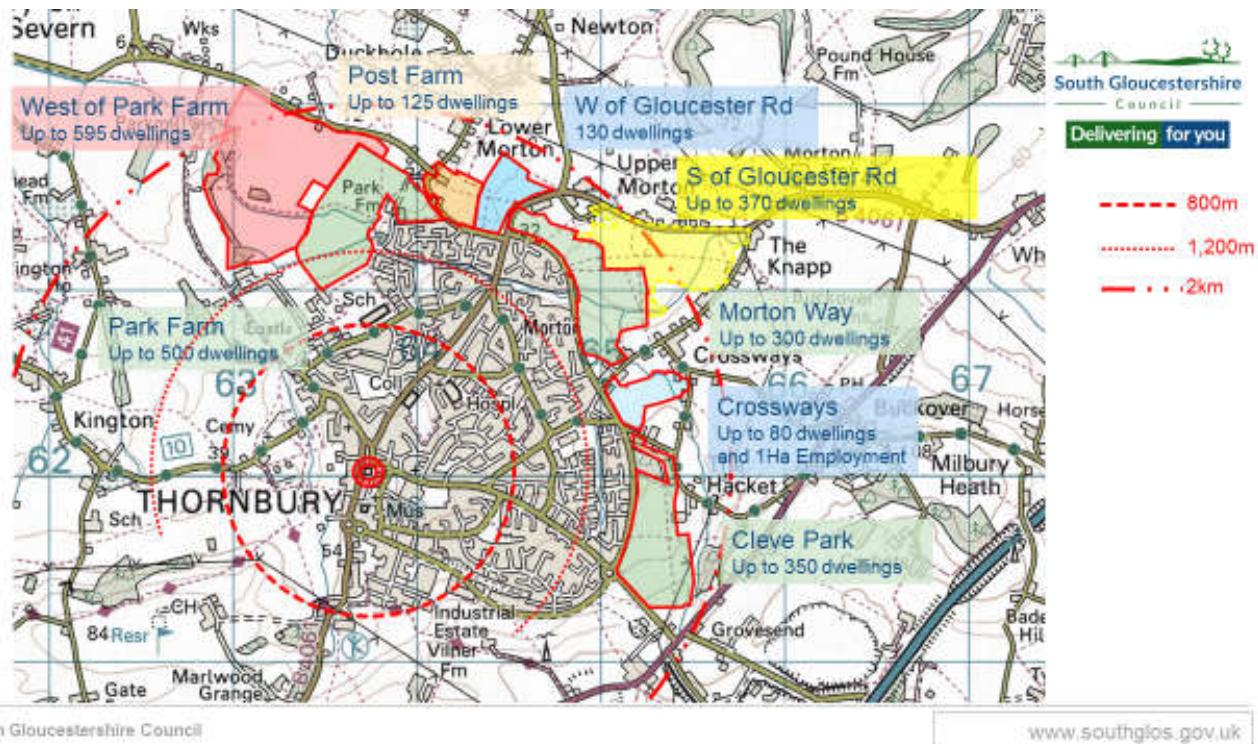
28. Most of the key services and facilities within Thornbury fall outside the walking distances listed in PSP11. However, the supporting text makes it clear that the distances listed are not a pass or fail criteria and a failure to meet PSP11 (3) does not mean that a development would be unacceptable. Any breach is to be considered in the balance with other DP/Framework objectives along with the degree of harm arising. Moreover, the supporting text recognises that dedicated walking and cycling routes may facilitate access to key services and facilities beyond the walking distances listed and in applying the policy consideration should be given to the distances as travelled.

29. Manual for Streets indicates that walking offers the greatest potential to replace short car trips particularly under 2km, a walk time of some 25 minutes. On this measure there are a significant number of facilities and services that would provide for the day-to-day needs of residents within the 25-minute isochrone. Whilst the town centre is beyond that, a walk time of some 30 to 35 minutes, the routes did not strike me as an unacceptable walk for some types of trip. Moreover, most key services and facilities are within an acceptable cycling distance/time of the development.

- 5.53 When assessing the current application it is noted that the walking distances from the two sites to local facilities are broadly similar. The development proposal at Land West of Park Farm includes land for a Primary School and up to 700m² for retail and community hub, which will also provide opportunities to walk and cycle to on site facilities.
- 5.54 The map below shows the walking and cycling routes between the site outlined in red and the local facilities in Thornbury.



5.55 The map below shows the respective locations of the application site, other consented developments in the last 10 years, and the dismissed appeal site at Land South of Gloucester Road. The distances indicated are taken from The Swan in the High Street.



- 5.56 Policy CS33 of the Core Strategy requires development in North Thornbury to address the need for improved sustainable transport links to the Town Centre via Park Road. These transport links have been secured in association with the Park Farm development in the form of a bus, walking and cycling only link incorporated into any future planning application on the Council owned land currently occupied by the Alexandra Way Residential Care Home or an upgrade of the existing public right of way route to Victoria Close to a walking and cycling link.
- 5.57 It is considered that the proposal is compliant in terms of policy PSP 11, particularly taking account of the similarity with the distances from the development at Park Farm to local facilities.
- 5.58 Public Transport
The site is currently beyond a reasonable walking distance from existing bus services. It is proposed that the service be provided through Park Farm with start-up funding from that development would be extended through this site via an internal Park Farm road which would be upgraded to a suitable standard for buses with a bus gate link provided between the two sites to prevent use by general traffic. The bus route would then loop back to Butt Lane via Oldbury Lane. Localised widening would be provided along Oldbury Lane and Butt Lane to enable buses to travel in either direction passing one another and large HGV's which currently use this route to the Power Station.
- 5.59 Bus stops with shelters and Real Time Information would be provided within 400m of all dwellings on the site. The concept locations of the bus stops within the new development are agreed. The bus stops on the adjacent Park Farm development would need to be relocated if and when the Alexandra Way bus

link associated with the Park Farm Development comes forward, which will be secured in the S106 Agreement.

5.60 The Developer has submitted a bus service business case which predicts that with the implementation of a Residential Travel Plan the patronage from this development will make the Park Farm bus service a commercially viable operation, and as such no further start-up funding is needed other than £10,000 to cover the cost of administering the changes. In addition, a contribution of £20,500 has been agreed towards two new bus shelters at The Plain and Rock Street in Thornbury town centre.

5.61 The provision of the bus service within the development will allow residents to reach services and facilities provided within the centre of Thornbury making the development compliant with Policy PSP11 and supported by paragraph 110 of the NPPF.

5.62 Site Access

Access to the site would be via two new priority vehicle junctions from Oldbury Lane. These junctions would incorporate right turn lanes and have been designed to accommodate buses. Street lighting would be provided on Oldbury Lane along with a reduction in the speed limit from the national speed limit to 40mph. A third (sustainable link) access would be provided via the Park Farm development (which is currently under construction). This link would provide for walking, cycling and buses only. A bus gate controlled by a camera and CCTV will ensure the link is not used by general traffic. This link and the control measures would be secured by s106 Agreement, the heads of terms are set out in Section 7 below.

5.63 Impact on Local Highway network

The application is supported by a Transport Assessment, the scope of which was agreed with the Council prior to submission. The vehicle trip rates derived from local surveys, extent of the highway network and list of junctions assessed for a future year of 2028 have been agreed with the Council. The modelling of these junctions has been checked and agreed by Transport DC Officers.

5.64 To address the impact of development traffic on the highway network the following improvements have been agreed, all of which will be secured via S106 Agreement:

1. Oldbury Lane and Butt Lane
Localised road widening to accommodate buses in both directions and buses passing HGV's associated with the power station.
2. Butt Lane junction with Gloucester Road and Morton Way
Road widening and signalisation of the junction to accommodate the extra traffic plus signal controlled crossings for pedestrians and cyclists.
3. A38 junction with B4509 Falfield
Extension of right turn lane to provide additional capacity on the northbound arm of the A38 for vehicles accessing the M5 at junction 14.
4. M5 Junction 14
The impact at Junction 14 and the adjacent junction of the A38 with the B4509 was assessed using Highways England's VISSIM Model of that area.

This work identified the following a significant increase in queuing on the A38 Northbound arm of the junction with the B4509 during the AM peak hour and an increase in queuing on the M5 northbound off-slip during AM peak hour which extended into the mainline of the M5.

Following re-consultation, Highways England (now National Highways) reviewed the amount of committed development in the area and remodelled the junctions. The results indicated a further increase in the M5 northbound off slip queue into the M5 mainline of traffic.

To address these issues, a condition has been recommended by National Highways to allow for the occupation of 100 dwellings only until an improvement scheme is implemented extending the length of the M5 northbound off slip road. This form of condition has been agreed with the applicant.

5. Gloucester Road in Thornbury near the Anchor Inn

Traffic from the development would increase the degree of difficulty experienced by pedestrians crossing Gloucester Road at the existing central refuge crossing point to access Manorbrook primary and Castle Senior schools in particular. The Applicant has agreed to either fund or construct an upgrade of the existing island into a Zebra Crossing.

6. A38 junctions at B4061 Almondsbury, and at Church Road

The combined impact from all developments in Thornbury will result in increased queues forming at the A38 junctions with the B4061 and Church Road (Rudgeway). Contributions towards improvement to mitigate the impact of the development at these junctions have been agreed.

5.65 The proposed highway works are considered to be compliant with policy PSP 11 and paragraphs 111 and 112 of the NPPF. National Highway have identified that mitigation works are required to M5 junction 14 to accommodate the whole development and that only 100 houses can be occupied before the works are required to improve the slip road.

5.66 Design and Access Statement

The Design and Access Statement (DAS) includes details of the internal road hierarchy, general site layout, parking arrangements and movement strategy. These details are consistent with national guidance, South Gloucestershire Council guidance and Core Strategy and PSP Policies. The DAS is considered to provide scope to meet the requirements of the highway authority and suitably inform subsequent reserved matters submissions.

5.67 Travel Plan

A Framework Travel Plan (FTP) has been submitted to support the Planning Application. The FTP includes measure, incentives, targets and management details designed to promote sustainable travel to and from the site and reduce the number of single occupancy vehicle journeys. The Applicant has also agreed to fund a car club for a period of 4 years at a cost of £38,000. The Travel Plan and contributions have been assessed by officers and are considered acceptable.

5.68 Summary

The submitted Transport information demonstrates that the impact of the development on the surrounding highway network can be mitigated by

improvements secured via s106 Agreement which will also include measures to improve sustainable access to the development in accordance with Council Policies CS8 and PSP11. A safe and suitable access for all modes of travel has been included with the proposed development and the proposal is considered acceptable in terms of highways.

5.69 It is considered that the proposal is compliant in terms of policy PSP 11, particularly taking account of the similarity with the distances from the development at Park Farm to local facilities. As the development proposal provides a Primary school and a community hub, which are policy compliant in Transport terms, there will be opportunities to walk/cycle to these elements on the site and from Park Farm. The bus service is a wider benefit beyond the development. The highway works and the M5 junction 14 works will provide a wider benefit beyond the development. Overall, it is considered that the that proposed transports benefits would attract moderate weight.

5.70 **Public Rights of Way**

There are 2 Public Rights of Way (PROW) that cross the site, which provide access to the surrounding countryside from the edge of Thornbury and link through the committed developments to the East. OTH/18 PROW route is north/south between Oldbury Lane and the urban edge and OTH/13 runs east/west from the urban edge along the watercourse. The DAS provides scope for the PROW to be incorporated into the Public Open Space to provide for an attractive green setting, safeguarding the amenity of the routes through the parameter plans, ensuring permeability and accessibility. The Green Infrastructure parameter plan has been designed to ensure that the PROW retain a green setting.

5.71 The DAS states *“Existing Public Rights of Way crossing the site form important links to Thornbury and the wider PROW network. The retention and enhancement of these paths will be key to integrating the proposals into the local context; including linking with the Thornbury Streamside Walk. The provision of new informal recreation walking routes will also be delivered within the proposed open space network. This will enhance accessibility to community facilities and services and deliver meaningful health and wellbeing benefits.”*

5.72 The PROW Officer has requested improvements to the position of the footpath out onto Oldbury Lane, which would require a culvert to enable the footpath to be restored, which can be covered by conditioned for inclusion with details at reserved matters.

5.73 The PROW Officer raised concerns regarding horse riding and requested that links to existing bridle ways in the locality were included through the provision of a multi-user route, however on assessment of the potential options there were no practical options presented to link to existing bridleways in the locality.

5.74 There is scope within the DAS for treatment of the PROW that pass through the site to be improved; the proposals are considered to be acceptable concerning the treatment of PROW and in compliance with Policies PSP10 and CS24, subject to condition. The proposal would be policy compliant for the retention of

the existing PROW through the application site and as such would have neutral weight.

5.75 **Heritage**

There are no designated heritage assets within the application site and the site is 100m to the north of Thornbury Conservation Boundary; however, there are five heritage assets in proximity to the application site.

5.76 The assets are:

- Thornbury Castle, Grade I Listed;
- Thornbury Castle, Grade II Listed Registered Park and Garden;
- Sheiling School, Grade II Listed;
- Park Farmhouse, Grade II Listed : and
- St Mary the Virgin Church, Grade I Listed

5.77 These assets are identified as potentially being affected by the proposal. Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the Local Planning Authority to pay special regard to the desirability of preserving listed buildings, their setting and any architectural features that they possess. The importance of considering the impact of new development on the significance of designated heritage assets is dealt with in section 16 of the NPPF 2021. This section advises that the significance of designated heritage assets can be harmed or lost through alterations or development within their setting. Such harm requires clear and convincing justification. The setting of heritage assets is defined in the glossary of the NPPF as the surroundings in which a heritage asset is experienced. Its extent is not fixed and may change as the asset and its surrounding evolve. Elements of a setting may make a positive or negative contribution to the significance of an asset, may affect the ability to appreciate that significance or may be neutral.

5.78 Paragraph 199 of the NPPF makes it clear that when considering the impact of a proposed development on the significance of a designated heritage asset great weight should be given to the asset's conservation and the more important the asset the greater the weight should be. It must be remembered that in the case of this proposal there are two grade I listed buildings to be considered, Thornbury Castle and St Mary's Church as well as three grade II heritage assets.

5.79 Paragraph 200 of the NPPF makes it clear that any harm to the significance of a designated heritage asset requires clear and convincing justification.

5.80 Paragraph 202 of the NPPF states that 'where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use'. However, in that balancing exercise great weight needs to be given to the harm to the heritage asset.

5.81 The approach within Policy CS9 of the South Gloucestershire Local Plan Core Strategy is different to paragraph 202 of the NPPF as there is no requirement to balance the harm as against the public benefits of the scheme. Policy CS9

- states “new development ...will be expected to ensure that heritage assets are considered, respected and enhanced in a manner appropriate to their significance.”
- 5.82 However, Policy PSP17 of the Policies Sites and Places Plan (2017) is reflective of the heritage advice given within the NPPF. This policy states:
- “Where development would result in harm to the significance of a heritage asset or its setting, planning permission will only be granted when it can be clearly demonstrated that all of the following can be met:*
- the proposal results in public benefits that outweigh the harm to the heritage asset, considering the balance between the significance of the asset affected, the degree of harm and the public benefits achieved”.*
- 5.83 There is therefore a conflict in the approach to assessing the impact of development upon heritage assets contained in policy CS9 of the Core Strategy as against policy PSP17 of the Policies Sites and Places DPD. S.38(5) of the Planning and Compulsory Purchase Act 2004 provides that if to any extent there is a conflict between two policies the conflict needs to be resolved in favour of the policy contained in the last document to be part of the development plan. In this case this is PSP17. Clearly in terms of heritage assessment PSP17 is the most important policy in the development plan. For this reason, whilst policy CS9 is not consistent with the NPPF and arguably out of date for that reason as there is a later policy that forms part of the development plan that is consistent with the NPPF and which is to be preferred over CS9 it is considered that CS9 is not one of the most important policies for determining this proposal.
- 5.84 Both the Historic England and the Council’s Conservation Officer have concerns about the impact of the proposal on the setting of the identified heritage assets, and how the proposal meets the requirements of the NPPF. It is acknowledged that the proposed development would cause harm to the setting of the Grade I listed Castle and building group, the Grade I St Mary’s Church and the Grade II listed Shieling School. The key assessment is the degree of the harm to the setting, and whether the public benefit of the proposal would outweigh that harm.
- 5.85 The Conservation Officer disagrees that the level of harm on the impact of the Grade I assets will be of “negligible magnitude with a “neutral effect” as he considers that once harm is identified it cannot be neutral. This seems logical.
- 5.86 The proposal site is to the north of Thornbury Castle and its grounds and St Mary’s Church. The church and castle sit on higher land and the church, is visible for a considerable distance from certain locations to the north including the proposal site and Oldbury Lane. However, the setting of the Thornbury Castle and church group provides only a limited enhancement of the significance of these structures, with most of this due to the closer parts of its environs which have a parkland character. More widely, there has been considerable change, with enclosure of once open arable fields and modern development. Whilst the character of the modern landscape north of the site is not park-like, copses and trees are a significant element, including relatively

recent plantations. Even in winter, views between the site and the castle complex are filtered, so there are no straight on views of the Castle. The proposal by virtue of its location and nature will change the views of the Church tower from Oldbury Lane, which is to the north of the proposal site. It should be noted that more open view of the Church Tower will still be available from the western part of Oldbury Lane. In addition, any view of the Church Tower from the proposal site and/ or Oldbury Lane would be seen within the context of the Castle in the foreground.

- 5.87 However, overall, the Conservation Officers advice is that the urban design approach whilst it will enable views of the tower from within the development itself and so promote character/local distinctiveness it would not overcome or mitigate for the loss of views of St Mary's Church Tower from Oldbury Lane. He is also of the view that by the inherent nature of the scheme the development will result in change in landscape character and would further erode the character of the historic deer park which makes such a positive and material contribution to the setting of the Thornbury Castle building group. He considers that for similar reasons there would be harm to the other assets as well.
- 5.88 He concludes that the magnitude of harm is less than substantial at the lower end of the spectrum. The concerns that remains are the unavoidable consequences of the dramatic changes in landscape character that comes from greenfield development which contribute to the setting and significance of the designated assets.
- 5.89 Officers were requested by Executive Members to review the Heritage elements of the proposal and officers requested an external view on the heritage proposals from Place Services Group of Essex County Council who concluded that the setting/significance of the heritage assets would not be adversely affected. This view is an outlier given that the Appellants themselves accept that there will be less than substantial harm to the designated assets albeit at the lowest end of the spectrum. It is considered that the views of the conservation officer are to be preferred in relation to the heritage impact and it is on this basis that the report has been prepared.
- 5.90 It is therefore necessary to weigh the less than substantial harm to these heritage assets, which must be given great weight, particularly bearing in mind that two of the assets affected are grade I, against the public benefits of the proposal. This balancing exercise is carried out later in this report.
- 5.91 **Archaeology**
The application is supported by archaeological and heritage assessments by BSA Heritage, by the results of geophysical survey by SUMO and archaeological evaluation by AC Archaeology. The results of the archaeological geophysics and evaluation have determined two areas of archaeological activity that will require further investigation and recording by way of open excavation. These occur in Areas 1 and 10, which uncovered Iron Age and Romano-British occupation and as such excavation will be needed to ensure this archaeology is fully recorded. Whilst the remainder of the site appears to be of low significance, there were features that could not be properly identified as being either natural geology or archaeology. In addition, it cannot be held to

- be definitive that no further archaeology occurs on site based on the evaluation work alone. As such the archaeologist has recommended the remainder of the site should be subject to archaeological monitoring during construction, to ensure that any previously unidentified archaeology is sufficiently recorded.
- 5.92 With regard to archaeology, the Council's archaeologist has confirmed that the application is acceptable, subject to conditions for a programme of archaeological work and to ensure delivery of the archaeological results, post-excavation assessment and analysis and publication. Subject to these conditions, it is considered by officers that the impact on the archaeology of the site is acceptable and conforms to the NPPF and Policy CS9(1) of the Core Strategy and this is neutral in any balancing exercise.
- 5.93 **Agricultural Land**
Policy CS9 of the Core Strategy states that new development will be expected to maximise opportunities for local food cultivation by
(a) avoiding the best and most versatile agricultural land and
(b) safeguarding allotment sites.
- 5.94 Paragraph 174 of the NPPF states that planning decisions should contribute to and enhance the natural and local environment by recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services, including the economic and other benefits of the best and most versatile agricultural land. In particular footnote 58 of the NPPF states that where significant development of agricultural land is demonstrated to be necessary, areas of poorer quality land should be preferred to those of a higher quality.
- 5.95 It is considered that policy CS9 is broadly consistent with paragraph 174 of the NPPF in that CS9 seeks to avoid development of the best and most versatile land and the NPPF seeks to preserve all agricultural land unless it is necessary to develop it and even then, to prefer lower quality land.
- 5.96 In relation to the categorisation of the site as Best and Most Versatile Land (BMV) or good quality agricultural land, it comprises 40% Grade 2 land (very good); 29% Grade 3A (Good). Therefore 70% of the land is of good agricultural quality. Alternatively, 8% is Grade 3B (Moderate) and 20% is Grade 4 (Poor).
- 5.97 The scheme includes allotments of 0.30ha, which will provide a small mitigation for lost food production opportunities, however this is not considered to fully or credibly mitigate the loss due to the high quality of the farmland.
- 5.98 Overall, the proposal fails to avoid development of Best and most Versatile Agricultural land contrary to policy CS9. Given that there is a five year supply of land it is not considered that it is necessary to develop this high quality agricultural land and even if it was necessary this proposal does not prefer lower quality land over higher quality land and is contrary to Paragraph 174 of the NPPF. The weight given to this harm is considered to be moderate.

5.99 **Landscape**

- The proposal site comprises approximately 35.97ha of land predominately in agricultural use and comprises agricultural fields divided and bordered by areas of hedgerow and woodland. The land is relatively level, lying at approximately 10m AOD in the west, and sloping gently eastwards to around 15m AOD by the eastern boundary.
- 5.100 Policy PSP2 – Landscape states that proposal will be acceptable where they conserve and where appropriate enhance the quality, amenity, distinctiveness and special character of the landscape. The landscape design is to be of a high standard, appropriate to the use and character of the development and its location. Paragraph 130 of the NPPF states that development are visually attractive ...as a result of appropriate and effective landscaping. Paragraph 131 states planning decisions should ensure that new streets are tree lined.
- 5.101 The applicant has submitted several plans which relate to the green infrastructure and landscaping of the site for the proposal. These include the Green Infrastructure Parameter Plan; the illustrative Master Plan and the illustrative Landscape Masterplan. It should be noted that the illustrative plans have been prepared to show how the development could be delivered within the context of the Green Infrastructure Parameter plan; but these plans are not submitted for approval. The Design and Access statement also incorporates elements of the illustrative Master Plan.
- 5.102 The Landscape Strategy Plan details the site's green infrastructure and provides a green link to the emerging GI Network to the East, in the Park Farm development. The retention of hedgerows and trees with root protection areas has been improved through the latest iteration of the DAS and the reduction in units has enabled the proposals to retain more of the existing landscape features. A 15 metre buffer to the Park Mill Covert Ancient Woodland and the proposals include an area of parkland categorised by meadow planting in the vicinity of Park Mill.
- 5.103 New planting and landscaping, with the provision of additional planting in the form of hedgerow planting interspersed with trees, on the north western edge of the site is proposed to reduce the visual impact of the development and provide a more sensitive transition from the surrounding rural area. Landscape measures will also include areas of drainage, informal public open space, community orchards, allotments and formal/natural play areas.
- 5.104 The flood zone 2 and 3 designations on the southern area of the site include no residential development. Due to the flood zone designation that affects the southern section of the site, the design response retains the green infrastructure around the Pickedmoor Brook and provides an outline drainage strategy which proposes sustainable urban drainage systems with the addition of attenuation areas. This area will provide for parkland, meadow grassland and tree planting. Furthermore, this area will act as a significant buffer between the proposed residential development and the Grade I listed Thornbury Castle and St Marys Church, allowing views over to and from the Castle and the Church

- 5.105 The site is outside the settlement boundary and effectively extends the western boundary of Thornbury. Based on the revised DAS and improvements secured, officers now consider that the design principles demonstrate that high quality development can be provided, without compromising the character and visual amenity of the site and the surrounding area.
- 5.106 The applicant has now demonstrated that the site could be developed in a way which relates well to the surrounding area through a revised set of parameter plans and the DAS provides further detail of the design response. Based on the revised set of design principles detailed above and changes to the DAS and parameter plans, officers are now satisfied that existing landscape features can be retained and a that the illustrative landscape master plan will create a development of a high standard, which would be appropriate to the residential development in this location.
- 5.107 Officers were requested by Executive Members to review the Landscape elements of the proposal and officers commissioned an independent review of the landscape proposals. This was carried out by 4D Landscape Design.
- 5.108 The independent review raised concerns about the urban heat island effect that will be generated because of the loss of green space to buildings and hard surfaces does not appear to be compensated for in the proposals. The review has suggested that the strategies indicated in the DAS should be translated onto the indicative masterplan so that an assessment can be made. This would also ensure that the good Intentions illustrated in the DAS do not become 'lost in translation' as the detail develops. There is no plausible reason for the proposed street and rear garden tree planting as referenced in the DAS to not be included on the illustrated masterplan given that proposed new tree planting is selectively shown elsewhere. Whilst the vignettes of the planting proposals for the POS and peripheral areas shown in section 9 of the DAS are replicated on the illustrative masterplan, any planting proposals within the built area are not.
- 5.109 The 'Main Street' is an access route through the development with no distinctive character other than a sprinkling of trees. Apart from being at very wide spacings, possibly 20 - 25 m these are proposed to be of upright habit so will do little to mitigate the urban heat island effect created by the development. The mixed-use community hub comprising a primary school, retail and a play park is well located, not just for this development but in symbiosis with the newly constructed neighbouring Park Farm site.
- 5.110 The inclusion of allotments is positive and well located for both the newly completed Park Farm development and this application, It has been noted previously that it is likely that the areas currently shown as POS are likely to be encroached upon and diminished in size in order to accommodate 595 dwellings. Furthermore, it should be conditioned that regardless the SUDS strategy should be as presented and that underground storm water storage tanks will be unacceptable as the design progresses.

5.111 However, as currently presented we consider that the landscape proposals are both inadequate and will prove to be undeliverable to a satisfactory level (in accordance with Building for a Healthy Life) within the scheme as shown on the Illustrative Masterplan. An accurate representation of the numbers of street trees should be included.

5.112 Response to the Review.

This is an outline application for development and the submitted illustrative landscape plan does not form part of the application to be determined. Officers have worked diligently to ensure that the landscape detail forms part of the Design and Access statement which is therefore part of the application to be determined. This means that the green infrastructure and landscaping approach to the development of this site can be conditioned. Furthermore the number of housing units can be conditioned to 595 units to ensure that the agreed landscaping approach is not diluted. This means any subsequent reserved matters application must follow the principles of the DAS. Overall it is considered that a high quality development can be accommodated on this site, and will meet the policies of the Core Strategy and PSP. In meeting the policy requirements the landscaping proposal is neutral in any balancing exercise.

5.113 **Drainage and Flood Risk**

The application is supported by the following documents which outline the assessment of flood risk and the indicative drainage strategy for the site:

- 39209/4001 Flood Risk Assessment Rev G (23/01/2020)
- 39209/4001/SK01 C Indicative Drainage Strategy
- 16-10-SK11 A Landscape Sketch Scheme for the SuDS
- 27982-9410 L Illustrative Masterplan
- 27982-9101 L Constraints & Opportunities
- 16-10-PL-201 E Illustrative Landscape Masterplan

5.114 According to the submitted Flood Risk Assessment, *“A watercourse, known as the Pickedmoor Brook, runs from east to west through the southern part of the site. In addition, approximately 300m upstream of the site there is an unnamed watercourse that branches off the Pickedmoor Brook and later rejoins it approximately 100m downstream of the site. The Pickedmoor Brook joins the Oldbury Naite Rhyne approximately 1.5km downstream of the site before eventually discharging into the Severn Estuary. As such, water levels within the Pickedmoor Brook are tidally influenced up to approximately the western boundary of the site.*

The site is shown by the Environment Agency’s ‘Flood Map for Planning’ to lie predominantly in Flood Zone 1 (the Zone with the lowest flood risk). Some of the site falls within Flood Zones 2 and 3 and these areas are associated with the low lying land adjacent to the Pickedmoor Brook. The extents of Flood Zones 2 and 3 extend between 100m and 150m into the site. The Flood Zones have been derived from hydrological assessments of both fluvial (river) and

tidal flooding. Water levels within the Pickedmoor Brook are predominantly influenced by fluvial process, however the Pickedmoor Brook is also tidally influenced up to the vicinity of the site's western boundary."

- 5.115 The majority of the proposed development site is located in Flood Zone 1, with areas of the site closer to the Pickedmoor Brook falling within Flood Zones 3 and 2. A small area to the west of the development site falls within Tidal and Fluvial Flood Zone 3 and 2. The Environment Agency have stated no objection to the proposed development subject to the inclusion of specific conditions in regard to finished floor levels. Wessex Water have raised no objection, whilst providing conditions and informatives to guide subsequent Reserved Matters submissions and have been consulted as a potential SuDS Adopting Authority. The Lead Local Flood Authority have raised no objection, following negotiation of the principles of the drainage scheme and all residential development, the school site and community hub proposed are within Flood Zone 1. Land within flood zones 2 and 3 within the southern part of the site will be public open space.
- 5.116 The Lead Local Flood Authority (LLFA) requested further information with regard to surface water drainage, attenuation basins, SuDS, on-site ditches and groundwater. The Surface Water Principles set out in 39209/4001 Flood Risk Assessment Rev G are acceptable in principle with the requirement for additional detailed information being conditioned for Reserved Matters. The proposed attenuation is in the form of two attenuation basins in the west of the site. As a result of comments from the LLFA further design work was undertaken to ensure the principles for delivering a robust design for well landscaped attenuation could be achieved at Reserved Matters.
- 5.117 From 39209/3501 Combined Phase 1 and Phase 2 Ground Condition Assessment it is noted that groundwater was encountered in the Exploratory Hole Logs in March 2018. The requirement for further groundwater monitoring is attached at the request of officers to further inform the detailed drainage design of the surface water drainage infrastructure. Appendix A of the Flood Risk Assessment – Figure 4 - On Site Ditches shows the Pickedmoor Brook to be a non-critical ditch. This is the most southern "ditch" indicated on the plan as non-critical with PROW access points near both ends. The LLFA have confirmed that it would not be appropriate to infill this "ditch".
- 5.118 Policy PSP 20 requires that proposals incorporate Sustainable Drainage Systems (SuDS) to reduce surface water runoff and minimise the flood risk, supported by an appropriate surface water drainage strategy. It is considered by officers that the current indicative drainage design complies with Policy PSP20 of the Policies Sites and Places Plan and Policies CS1 and CS9 of the Core Strategy, with further detailed design required at Reserved Matters stage. In response to issues raised through consultation appropriate conditions and informatives have been included at the request of the Lead Local Flood Authority, Environment Agency and Wessex Water.
- 5.119 With the proposal being shown to be policy compliant, it is considered that any benefit would be described as neutral in this context.

5.120 **Affordable Housing**

Affordable Housing is sought in line with National Planning Policy Guidance: Planning Obligations and other requirements under Policy CS18 of the Council's adopted Core Strategy Development Plan Document. This application generates an Affordable Housing requirement of 35% (208) homes. The applicant needs to confirm, prior to the determination of the application that the tenure and type of the Affordable Housing proposed will be in accordance with the Wider Bristol SHMA 2015 and will be provided on site at nil public subsidy and in line with the comments from the Housing Enabling Team.

5.121 The Affordable Housing Statement states that the proposed development will deliver the policy compliant level of Affordable Housing at 35%, which taken as a percentage of 595 is 208 affordable homes. The Affordable Housing Statement also states that 'the tenure split of affordable housing provision will be informed by local need and recent national planning policy changes and agreed with SGC during the application process'. The tenure split is confirmed within the Heads of Terms at Section 7 below. The Affordable Housing Statement outlines that 'The mix of dwellings sizes will also be determined as part of future reserved matter applications'. The sizes for all of the required Affordable Housing units are agreed through the Heads of Terms at this stage of the application. Officers are satisfied that subject to the conditions and Heads of Terms outlined the proposal is in compliance with Policy CS18 and the NPPG. The proposal meets the requirement for providing affordable housing as identified in Policy CS18, this benefit is significant in terms of the provision of housing

5.122 Market Housing and **Self Build**

The development will produce 387 market units which will include a number of self-build units. The size and mix of units are policy compliant. An element of the market housing will be delivered within the next five years. Policy PSP42 self and custom build housing requires developers to supply at least 5% of the total dwellings on residential and mixed-use sites of over 100 dwellings, for sale to self and custom builders, on a sequential basis. Self-build and custom housebuilding are sought in line with National Planning Policy Guidance (NPPG): Planning Obligations and the requirements of Policy PSP42 of the Council's adopted Policies Sites and Places Plan (PSP). The application generates a self and custom housebuilding requirement of 30 serviced plots to be provided on site.

5.123 Officers will secure the following through condition:

- A self-build phasing plan and a Design Code via condition;
- A delivery statement setting out self-build delivery under PSP42;
- A marketing strategy prior to commencement of any self-build phase;
- Plot passports as part of the marketing of each self-build plot; and
- Confirmation of principle access road for the self-build plots.

5.124 In summary, Officers consider that subject to conditions to secure the self-build phasing plan and a Design Code to ensure standards of design the proposals are acceptable and in compliance with Policy PSP42 and the NPPG. The

proposal meets the requirement for providing self build units within the development as identified in Policy PSP42. It is considered that given that the Council has a healthy five year supply of 6.14 years that the provision of market housing is a benefit that attracts moderate weight.

5.125 **Ecology**

The application site mainly consists of grassland fields bordered by a network of hedgerows and ditches. A narrow belt of semi-natural broadleaved woodland occurred in the southern half of the Project Site, and scrub and mature trees were scattered throughout. A fast-flowing stream (the Pickedmoor Brook) runs through the southern half of the application site on an east-west alignment, and two ponds are also on the site.

- 5.126 There are no European-designated sites within or immediately adjacent to the application site. Six European designated sites occur within 10km of the Project Site. The closest of these are the overlapping Severn Estuary European sites which comprise the Severn Estuary Special Area of Conservation (SAC), Special Protection Area (SPA) and Ramsar Site, which lies 2.8km to the west. Four statutory sites of nature conservation value lie within 5km of the Project Site. This includes the Severn Estuary Site of Special Scientific Interest (SSSI), designated for estuarine habitats, important populations of waterfowl; invertebrate populations and populations of migratory fish. Eleven non-statutory sites of nature conservation value, designated for a range of habitats including woodland, unimproved grassland, estuarine mudflats and standing water, lie within 2km of the Project Site. Park Mill Covert Site of Nature Conservation Interest (SNCI), which is designated as 'Ancient and Semi-Natural Woodland'. The application site has no designated sites, which require protection.
- 5.127 In submitting the application, the applicant carried out a number of flora and fauna surveys over a two year period. The surveys did not identify any protected flora but did note the presence of invasive species including Japanese Knotweed. The fauna surveys identified several species on the site.
- 5.128 At least two badger main setts are within the application site and a subsidiary sett. The surveys identified clear badger activity on the site. Sett 1 is located on the margins of the ancient woodland adjacent to the western site boundary and Sett 2 is located on the north-eastern site boundary close to Butt Lane. Whilst S1, situated on the margin of Park Mill Covert SNCI, can be readily protected during construction being situated on the edge of the ancient woodland and adjacent to open pasture, the Illustrative Masterplan shows places a road and housing immediately adjacent to S2. Even with protective fencing proximity of development is likely to put pressure on the animals, most particularly during construction through noise, vibration, vehicular movements and human activity. It is considered that S2 should be better accommodated within the scheme by setting it within a protective zone of landscape planting using species such as bramble. It is considered that this can be dealt with by a planning condition

- 5.129 It should be noted that any construction activity adjacent to the setts would be undertaken under a Natural England Badger Development Licence and that it is a criminal offence to harm a badger or to harm/ destroy a badger sett.
- 5.130 No bat roosts were identified on the 21 trees which had high potential for bat roosts, on the application site. Eight bat species were found to be active through the site particularly in the north-west corner of the application site adjacent to Butts Lane; and the greatest diversity of species (seven) along a path through woodland to the south of the application site. Both areas have been safeguarded within the illustrative masterplan, supported by new semi-natural habitat or structural woodland/scrub planting. Whilst activity was spread across the site, most – if not all – of the hedgerows appear to have been intensively managed historically, thereby limiting their value as commuting or foraging habitat. The most valuable areas of semi-natural habitat for bats and other wildlife are likely to be the Pickedmoor Brook stream corridor and the blocks of (ancient and plantation) broadleaved woodland to the west of the site and in its southernmost section. The Masterplan/GI Plan both show these areas retained within the scheme, set within green open space consisting variously of species-rich grassland, wetland SUDS basins, scrub, ponds and a sort of replicated ‘wood pasture’ which together will only enhance the value of this southern part of the site as foraging for bats and other insectivorous wildlife. The submitted Environmental Statement recognises that some 1.3km of hedgerow (mostly species-poor) will be lost with the main impact on bats being fragmentation of habitat through loss or breakages in the network. Some connectivity is maintained through the green space running diagonally across the scheme although this is likely to be more ornamental and managed, limiting its value for biodiversity. However, the connectivity between the woodland, stream and the new meadow grassland of the semi-natural open space with the countryside to the north and south of the scheme will be maintained, thereby conserving and linking the habitat of greatest value for foraging and commuting.
- 5.131 It is proposed to condition the submission of a lighting plan for each phase of development particularly for the phases where the housing is to be located adjacent to the green spaces. Lighting should also be excluded from the Green Infrastructure areas to the south and west of the application to prevent light spillage deterring use of these areas by bats and other nocturnal wildlife. It is also proposed to condition the location and installation of bat roosting niches and nest boxes, and this will require co-ordination with the overall lighting strategy to ensure light spillage does not deter the bats from using the roosting niches or from emerging or using direct flight paths to their new feeding habitat.
- 5.132 The survey identified the spraint of an otter in the vicinity of Pickedmoor Brook. The ES noted that the watercourses were generally too narrow and shallow to provide optimal feeding habitat. Given this, it concluded that the species was most likely commuting along the stream corridors on an irregular basis.
- 5.133 Whilst included within the development site, the Illustrative Masterplan (and Green Infrastructure Parameter Plan both show the Pickedmoor Brook being

incorporated into a substantial area of green public open space (meadow grassland) with the nearest roads/residential units well removed (c.140m) from the watercourse. At such a distance, pollution incidents which might adversely influence the ecological integrity of the Brook are unlikely; and it also reduces the potential for the noise of construction displacing animals moving along the stream, although this is unlikely to be a factor as otters are predominantly nocturnal.

- 5.134 Accordingly, it is considered that the scheme satisfies the three 'tests' under the Habitat Regulations 2017 and will not compromise the species' Favourable Conservation Status (FCS) locally.
- 5.135 The submitted bird survey showed 35 species of birds within the 2km survey area, including 25 breeding species. 15 were on the Red List of Conservation Concern with a further 13 being Amber-listed. Three of these species – bullfinch, song thrush and barn owl – were also species included within the South Gloucestershire Biodiversity Action Plan (BAP). Other important species found on the site include the dunnock and stock dove. As the hedgerows are mostly intensively managed it would seem as if the broadleaved woodland on and off the site constitutes the most important foraging and nesting habitat within the survey area. In fact, the species' territories are largely skewed towards the woodland/stream corridors towards the southern part of the site.
- 5.136 Most of the hedgerows to be removed as part of the proposal are species-poor and intensively managed, reducing their value to birds as nesting or feeding habitat, which would account for most notable territories were towards the woodlands and streams. Given this, the remaining hedges and the hedges to be planted, as part of the development, need to be managed under an infrequent, low intensity cutting regime to build up structure and fruiting bodies for nesting and foraging to off-set the loss of this poorer vegetation for birds. These will comprise the remaining on-site and boundary hedges, as well as banks of dense scrub which should form 'corner-habitat' within the fields of public open space. These areas offer the opportunity to create extensive areas of species-rich grassland which will help build up invertebrate numbers for insectivorous species of birds. The attenuation basins for the SUDS scheme present an opportunity to create new reed bed habitat for species of birds associated with this habitat.
- 5.137 It is proposed to condition specific the use of house sparrow terraces to encourage birds within the proposed residential development adjacent to the public open space areas. In addition, a scheme of bird nest boxes for a variety of species including owl boxes within the broadleaved woodland will be conditioned and will also form part of the Landscape and Ecology Management Plan for the whole site.
- 5.138 Two ponds were found within the application site itself, with a further 12 ponds within 250m of the application site boundary. A small breeding population of great crested newts were recorded in ponds 110m east of the application site, but none were recorded in the on site ponds. Great Crested newts are a protected species under the Wildlife and Countryside Act and that because of that the applications needs to address any mitigation to protect the great

crested newt. The submitted information indicates that the eastern edge of the development will result in a loss of 0.95ha of a field (improved pasture) alongside Butt Lane which constitutes 'intermediate habitat' for the newt colony associated with ponds. As part of the Landscape and Ecology Management Plan the applicant will need to assess and provide detail as to how the proposal will compensate for the loss of the 0.95h of habitat for the Great crested newts.

5.139 A reptile survey identified the presence of two slow worms in a field in the middle of the application. Slowworm are protected under the Wildlife & Countryside Act 1981 (as amended). Slowworm is furthermore included on the South Gloucestershire BAP as a species which the Council will require developers to take steps to conserve and safeguard. The submitted details indicate that the slowworms are to be relocated, though it is unclear as to where the slowworms are to be relocated. The submitted details indicate that the location would be the southern green open area of the site. The details of this can be confirmed through the conditioned Landscape and Ecology Management Plan.

5.140 It is therefore considered that the development will not result in a likely significant effect on the qualifying features of the Severn Estuary SAC/SPA/Ramsar or the Wye Valley Woodlands or River Wye SACs either alone or in combination. It should also be noted that there is agreement from Natural England. On this basis the proposal accords with Policy PSP 18 – Statutory Wildlife sites.

5.141 The proposed development would not result in the loss or deterioration of irreplaceable habitats. Whilst the proposal would impact upon species identified within the South Gloucestershire BAP, the applicant has put forward a number of mitigation measures to overcome the impact. On this basis it is considered that any less harmful impacts would be mitigated against and that the proposal aligns with Policy PSP 19 Wider Biodiversity and the principles within section 15 of the NPPF. Therefore, it is considered that the net biodiversity gain is of moderate benefit.

5.142 **Environmental Protection**

Air Quality

In terms of air quality, the Environmental Protection Team have reviewed the submitted information and concur with the findings of the Environmental Statement (ES); in respect of: "*Chapter 10 of the Environmental Statement considers the impact of noise; and confirms that subject to appropriate mitigation, and detailed design, that the proposals will not result in a significant noise impact on existing or proposed receptors.*" It is considered that proposals are in accordance with Policy PSP 21, subject to the required condition and informatives relating to noise in the construction phase.

5.143 Noise

The proposal raises no additional matters related to noise that cannot be overcome by condition and is in accordance with Policy PSP 21. A condition

requiring the submission of a Construction Environmental Management Plan prior to commencement of development is suggested by officers.

5.144 Land Contamination

A Combined Phase 1 and Phase 2 Ground Conditions Assessment has been submitted in support of the application and reviewed by the Environmental Protection Team. The report presents the findings of a Phase 1 desk study and Phase 2 intrusive investigation including soil and water sampling and gas monitoring. The report concludes that it would be prudent to undertake additional ground water and ground gas monitoring in order to refine the conceptual model and provide additional data.

5.145 No significant potential sources of contamination have been identified. The conclusions and recommendations of the Phase 1 Ground Conditions Desk Study Report submitted in support of the application are accepted by officers. In order to ensure that the site is suitable for its proposed use and in accordance with The National Planning Policy Framework, conditions are included to secure further monitoring.

5.146 The overall proposal meets the requirement for PSP 21 Environmental Pollution and Impacts as the proposal will not create unacceptable levels of pollution thereby creating a neutral benefit.

5.147 Public Open Space

The Informal Recreational Open Space on site and Natural and Semi Natural Open Space are provided over and above the policy requirement. A contribution towards off-site provision and/or enhancement and a maintenance contribution would be provided for Outdoor Sports Facilities and Allotments.

5.148 There were issues raised by the Public Open Space Officer regarding proposed provision for Children and Young People. The Provision for Children and Young People and allotments are now stated as policy compliant, in accordance with Policy CS24. Following the submission of revised plans, including changes to the Design and Access Statement changes have been made in response to comments from the Public Open Space Officer.

5.149 In summary, Officers have raised no objection to the revised layout from a Public Open Space Perspective, subject to policy compliant provision being demonstrated and secured via S106 Agreement and the inclusion of conditions including for the provision of a play strategy prior to submission of Reserved Matters.

5.150 Core Strategy Policy CS24 seeks appropriate arrangements to secure the satisfactory future maintenance of any open spaces and outdoor recreation facilities (for sport, recreation and play) that are to be provided in conjunction with new development. As the applicant proposes private management of POS and surface water infrastructure the Council must be confident that the value of any service to the public is sustainable and does not create ambiguity in how people access those services should they have concerns or requests; it is important that the community receives a seamless service.

5.151 Provisions to ensure suitable and secure in-perpetuity arrangements for operation, management and maintenance of all the public open spaces and surface water infrastructure (SWI within POS that is not adoptable by a statutory undertaker) will need to be incorporated into the Section 106 and the Council charges a fee (£52.00 per 100sq.m.plus £500 core service fee) to inspect the open spaces to ensure their compliance with the approved plans prior to transfer to the private management entity. This can be reviewed in the post resolution s106 discussions if the Council's preference changes in the near future from the use of Management Entities to Council managed POS arrangements. The proposal is policy compliant in relation to the provision of public open space. The proposed open space will be available to use by residents other than those in the proposed development. Currently existing residents can use the footpath network in that part of the open countryside that forms the site. It is considered that the use of this space will be used by existing residents in close proximity to it and that this is a benefit which attracts low to moderate weight.

5.152 Community Facilities (including Education)

The applicant has submitted a Land Use Parameter plan which shows an area set aside for a primary school in the north eastern part of the site, close to the boundary with the Park Farm development. The plan also shows an area set aside to the south east of the primary school, for the retail/community hub. As this is an outline application no further details have been provided.

5.153 In submitting the application, the applicant stated that South Glos Council had not shown a demonstrable need for a primary school. It is clear from the Education Officer comments that the development of this size and in this location generated the need for a one form entry primary school with 210 spaces and for a co – located 60 place nursery facility. Whilst there are no specific policies for the provision of educational facilities, it is clear that the school is needed to cater for this development and to prevent other primary schools suffering pressure for a demand for places. The proposal will deliver land for a primary school to ensure that future residents have access to a school and will not put pressure on existing schools. This is considered to be a policy compliant proposal brought about by the needs generated by the proposal and is of neutral weight

5.154 The applicant is proposing a 700sqm retail/ community development, and this needs to be considered within the context of policy CS14 Town Centre and Retail and PSP32 Local Centres, Parades and Facilities. These policies seek to ensure that development in local centres would be for local needs only and would be of an appropriate type and scale. As this is an outline application little information has been provided as to how the 700sqm of space would be utilised. A retail use would meet the day to day needs of the new population

and would also encourage walking and cycling to the retail units, reducing the reliance on the car.

5.155 The applicant has suggested that the building could accommodate a health care facility but that there is space within existing surgeries to cope with the increase in population. The applicant did observe that 0.5 of a dentist is needed in the area. It is suggested that the provision of a health care facility should be conditioned in order to provide a local service for the growing population. This is considered to be brought about by the needs generated by the proposal and is of neutral weight.

5.156 **Sustainable Energy**

An Energy Statement was submitted in support of the application and revised in line with comments from the Environmental Policy Team. The Energy Statement demonstrates how the proposal addresses Core Strategy Policy CS1 (8) and Policies, Sites and Places (PSP) Plan Policy 6.

5.157 As a result of reviewing the amended Environmental Statement conditions are recommended by officers at detailed design stage to secure improvements to energy conservation and an update to the Energy Statement to ensure carbon emissions calculations are based on actual building specifications and actual renewable energy specifications. Conditions are also required to inform the Reserved Matters stage to secure the submission of accurate calculations of the 20% minimum carbon reduction requirement and the use and specification of renewable technologies in addition to an assessment of overheating risk using a recognised methodology to the year 2060.

5.158 Subject to conditions, the proposal is considered to be in compliance with Core Strategy Policy CS1 (8) and Policies, Sites and Places (PSP) Plan Policy 6 and is therefore considered acceptable from a sustainable energy perspective and would have neutral benefit.

5.159 **Economic Benefits**

The Applicants suggest that the proposal will create 121 permanent jobs; 132 temporary jobs on and off site; that it will support the local economy with an estimated £9.44m additional expenditure per annum and estimated CIL revenue of £.5m and council tax revenue of £.7m. It is considered that these benefits attract moderate weight.

5.160 **CIL and Developer Contributions**

The application is also CIL liable; which is the mechanism adopted by South Gloucestershire Council to determine the level of contributions for community infrastructure; including but not limited to off-site community space, health, policing, and education services resulting from the development, the CIL charge levied for the application is outside the remit of members for consideration. All highway infrastructure, open space and affordable housing planning obligations have been carefully considered to ensure they meet the tests for S106 obligations.

5.161 **Consideration of likely impact on Equalities**

The Equality Act 2010 legally protects people from discrimination in the workplace and in wider society; it sets out the different ways in which it is unlawful to treat someone. As a result of this Act the public sector equality duty came into force. Among other things those subject to the equality duty must have due regard to: eliminate unlawful discrimination, harassment and victimisation; advance equality of opportunity and foster good relations between people who share a protected characteristic and those who do not. The general equality duty therefore requires organisations to consider how they could positively contribute to the advancement of equality and good relations. It requires equality considerations to be reflected into the design of policies and the delivery of services. With regards to the above this planning application it is considered to have a neutral impact on equality.

6 PLANNING BALANCE AND CONCLUSION

S. 38(6) of the 2004 Act requires that where, as is the case here, regard should be had to the development plan the determination must be in accordance with the development plan unless material considerations indicate otherwise.

- 6.1 The NPPF is a material consideration. Paragraph 11 of the NPPF states that where the policies which are most important for determining the development plan are out of date the tilted balance in paragraph d) ii) applies unless the application of policies in the NPPF that protect assets of importance provides a clear reason for refusing the development proposed. This includes policies in the NPPF that protects designated assets including paragraph 202.
- 6.2 The most important policies are deemed to be out of date if there is no five year supply but that is not the case here as the Council has a healthy five year supply of 6.14 years. Alternatively, the most important policies are deemed to be out of date if the HDT indicates delivery substantially below the Council's housing requirement namely less than 75%. This is also not the case as the Council has 125% delivery rate as against its HDT. Again, a very healthy position.

- 6.3 It is therefore necessary to consider whether in fact the most important policies for determining this application are out of date. It is considered that these policies are as follows:

CS1 High Quality Design
CS2 Green Infrastructure
CS4a Presumption in Favour of Sustainable Development
CS5 Location of development
CS6 Infrastructure and Developer Contributions
CS8 Improving Accessibility
CS14 Town Centres and Retail
CS15 Distribution of Housing
CS16 Housing Density
CS17 Housing Diversity
CS18 Affordable Housing
CS23 Community infrastructure and cultural activity
CS24 Green Infrastructure, Sport and Recreation Standards
CS32 Thornbury
CS33 Housing Opportunity
CS34 Rural Areas

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PSP1 (Local distinctiveness)
PSP2 (Landscape)
PSP3 (Trees and woodland)
PSP6 (Onsite Renewable and Low Carbon Energy)
PSP8 (Residential Amenity)
PSP10 (Active Travel Routes)
PSP11 (Transport Impact Management)
PSP17 (Heritage Assets and the Historic Environment)
PSP19 (Wider Biodiversity)
PSP20 (Flood Risk, Surface Water and Watercourse Management)
PSP21 (Environmental Pollution and Impacts)
PSP28 (Rural Economy)
PSP 32 (Local Centres, Parades and Facilities)
PSP40 (Residential Development in the Countryside)
PSP42 (Self Build & Custom House Building)
PSP44 (Open Space, Sport and Recreation)

- 6.4 This report has considered each policy and it is considered that overall, the most important policies for determining this application are up to date and therefore the tilted balance is not engaged. The proposal must therefore be considered on an un-tilted balance applying the policies in the development plan.

- 6.5 PSP17 reflects paragraph 202 of the NPPF, both require the harm to the heritage asset to be weighed against the public benefits of the proposal.
- 6.6 The harm to the designated assets of which there are five in total and where two of the assets affected are grade I buildings, although at the lower end of the less than substantial harm spectrum, is considered to be serious and attracts great weight.
- 6.7 This report has identified which are considered to be the public benefits of the proposal and the weight it is considered appropriate to attach to each benefit. For ease of reference these benefits are set out in the list below together with the weight it is considered appropriate to attach to each benefit:
- Walk / Cycle opportunities – moderate benefit
 - Highway works - moderate benefit
 - Provision of Affordable Housing – significant benefit
 - Market and Self Build housing - moderate benefit
 - Ecology protection – moderate benefit
 - Provision of Public open space – low to moderate benefit
 - Economic - Moderate benefit
- 6.8 In balancing the harm to the heritage assets to which great weight is attached as against the identified public benefits it is considered that this harm is not outweighed by the benefits of the proposal. For this reason, the proposal is contrary to PSP17. In addition, even were it to be considered for any reason that the most important policies for the determination of the application were out of date the heritage impact provides a clear reason for refusal under paragraph 11 d) ii) of the NPPF, the tilted balance is not engaged and permission should be refused.
- 6.9 Moreover, there are other reasons why this proposal should be refused. The proposal is also contrary to policies CS5 and CS34 of the Core Strategy which seek to limit the development in Thornbury to an appropriate scale and to maintain settlement boundaries. This proposal is outside the settlement boundary and it not of a scale considered appropriate to support and strengthen facilities.
- 6.10 The proposal is also contrary to policy CS9 which seeks to avoid the use of best and most versatile land and the NPPF paragraph 174 which seeks to protect agricultural land unless it is necessary to use it. In light of the five year supply clearly it is not, moreover the NPPF states that where it is necessary to use agricultural land, land of lesser value is to be preferred. This is also not the case here.

6.11 In considering the harms caused by this proposal to heritage, high quality agricultural land, the development of land outside the settlement boundary and at a scale not appropriate to Thornbury it is considered that these harms are not outweighed by the benefits of the proposal. Even if the tilted balance is to be applied, which it is not considered is the case here, then the adverse impacts significantly and demonstrably outweigh the benefits.

6.12 It is therefore considered that permission should be refused for this proposal.

7. RECOMMENDATION

7.1 That planning permission be **REFUSED** for the following reasons:

1. The proposed development would cause less than substantial harm at the lower end of the spectrum to the setting of the Grade I listed Thornbury Castle and St Mary's Church and the Grade II listed Shieling School and Thornbury Conservation Area. Great weight is required to be attached to this harm and in applying PSP17 and paragraph 202 of the NPPF it is not considered that the public benefits of the proposal outweigh that harm.
2. 14.4ha, 40% of the site is grade 2 and 10.3ha, 29% is grade 3A agricultural land. The proposed development would develop most of this land. The development of this amount of high quality agricultural is considered to be significant. Policy CS9 seeks to avoid the development of best and most versatile land and paragraph 174 of the NPPF seeks to protect soils in a manner commensurate with their quality. Paragraph 175 seeks to allocate land for development with the least environmental value and requires that where significant development of agricultural land is necessary poorer quality land should be preferred to higher quality land. In light of the Council having a five year supply it is not considered that the development of this land is necessary and in any event, it is not of lower quality land. The proposal is therefore contrary to policy CS9 and paragraphs 174 and 175 of the NPPF
3. The proposed development is speculative in nature and would result in development beyond the defined settlement boundary of Thornbury in the open countryside, beyond the scale of development considered appropriate and provided for to revitalise the town centre and strengthen community services and facilities in Thornbury. Therefore, the proposal is contrary to policies CS5 and CS34 of the adopted South Gloucestershire Core Strategy.

Case Officer: Eileen Paterson
Authorising Officer: Eileen Paterson

