



SUMMARY PROOF OF EVIDENCE

Site: Land at Sodbury Road,
Wickwar

For: South Gloucestershire Council

Appeal Ref: APP/P0119/W/23/3323836

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QUALIFICATIONS AND EXPERIENCE

My name is Elizabeth Fitzgerald. My qualifications and experience are set out in my main proof of evidence.

My evidence for this Inquiry draws upon the material comprising the planning application, the Appellant's Statement of Case and SGC's Statement of Case. It should be read together with the Proofs of Evidence of Mr Robert Nicholson, (heritage); and Ms Jane Jarvis (landscape).

My evidence considers the appeal scheme against relevant Development Plan policies and supplementary planning documents, the NPPF, PPG and other guidance.

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1.0 **PLANNING ANALYSIS**

1.1 The key issues in the determination of this proposal are ::

- 1) Conflict with the spatial strategy of the Plan.
- 2) Landscape Harm.
- 3) Heritage Harm.
- 4) Transport Sustainability.
- 5) Loss of agricultural land.
- 6) Impact on the SSSI.

5 Year Housing Land Supply

1.2 It is common ground that the tilted balance under paragraph 11(d)(ii) is engaged.

1.3 In respect of housing delivery, the Housing Delivery Test has been met.

Year	Housing Delivery Test Result	Housing Delivery Test: Consequence
2018	131%	None
2019	134%	None
2020	125%	None
2021	133%	None

1.4 The Council have reported a 5-year housing land supply since 2019, with the most recent AMR advising of a 5.35yr supply.

1.5 In 2019 the Core Strategy was more than 5 years old, accordingly, the Council reviewed its housing need and supply of sites in accordance with Paragraph 74 of the NPPF and applied the Standard Method.

1.6 I have considered the sites in dispute and I am of the view that the Council has a five year supply of s 5.32years.

1.7 Policy CS15 is agreed as not a most important policy for the determination of this appeal or for considering the 5YHLS.

1.8 The delivery of housing is afforded significant weight in the planning balance.

Settlement Strategy and development in Wickwar

1.9 It is acknowledged that Policy CS5 and CS34 are out-of-date.

1.10 I have set out in my main proof of evidence the development of Wickwar which has a long history

1.11 Further development has occurred on the eastern side of Sodbury Road to the south of the village. Both developments, were granted outline planning permission when the Local Planning Authority could not demonstrate a 5YHLS and continued the built form of the settlement on the eastern side of Sodbury Road, as a natural continuance of the settlement tapering to Pincots Lane.

1.12 There has been no formal or planned growth on the western side of Sodbury Road. Built form remains more sporadic and linear in its form, with a clear break in built form between the settlement itself and the linear development along Sodbury Road.

1.13 Since the consideration of the development on the eastern side of Sodbury Road, the access to facilities has diminished.

1.14 The proposed development is essentially a backland site that protrudes into open countryside, with only the northern access and allotments visible at the top of the site when viewed from Sodbury Road, with some frontage development to the southern access point. It is further divorced from the

- rear of the existing properties fronting Sodbury Road by a slither of land that falls outside the application boundary.
- 1.15 The proposed development parcels and indicative landscape strategy and the proposal fails to reflect the established character, to its detriment.
- 1.16 I consider that the proposals given their location, configuration, scale and depth will always appear as an isolated backland development. .
- 1.17 I have concerns that the location of a retail store within the appeal site will undermine the village and its settlement pattern. The location of a retail shop away from the village and its limited services and facilities will in my view dissuade people from linked trips to the centre of the village. There can be no confidence that such a store would in fact be provided and it can only attract little if any weight.
- 1.18 Overall, setting aside settlement boundaries and settlement hierarchy, this proposal will undermine the village of Wickwar, both in its evolution and its scale without securing the necessary mitigations.

Affordable Housing & Housing Mix

- 1.19 I have attached a note on affordable housing need and projected supply.
- 1.20 In summary, the SHMA 2009 (CD4.32), that underpinned the Core Strategy 2013 is out-of-date and no longer reflects the local affordable housing need.
- 1.21 The LHNA 2021 represents the most up to date position for the West of England and South Gloucestershire. The LHNA considers affordable housing need over two periods 2020-2035 and the longer period 2020-2040.

- 1.22 It is not necessary to assess any historic shortfall as this is accounted for within the total amount of, residual and forecast, dwellings required over the assessment period.
- 1.23 These figures are calculated as:
- Approximately **411 homes per annum** the plan period 2020-35,
- Or
- Approximately **370 affordable homes per annum** in the plan period 2020-40.
- 1.24 The conservative forecasts held by the Council anticipate a delivery of an average of 470 affordable dwellings per annum.
- 1.25 The significant weight is given to the delivery of affordable housing.

Landscape Harm & Urban Design

- 1.26 Landscape impact and impact on the character and appearance of the area is dealt with by Jane Jarvis.
- 1.27 The landscape setting of the site is particularly open, with many of the boundaries of the site being defined by hedgerows with intermittent trees. A group of four willow trees straddle the proposed northern access location, these willow trees are subject to a Tree Preservation Order. Two are stated by the Appellant to be removed to create the northern access.
- 1.28 The Appellant has failed to demonstrate that the proposed 180 dwellings (accepting the description says 'up to') can physically be accommodated on this site, together with delivery of robust landscaping, to avoid significant harm to the character of the area.

- 1.29 The layout demonstrates a lack of understanding of the character of the site and its rural context. This proposal fails to provide anything akin to the level of landscape and green infrastructure seen on recent developments, but instead proposes a road heavy, dense layout.
- 1.30 The approach to the village will now become a retail unit surrounded in a swathe of car parking, should the unit come forward, or be residential development with a lack of frontage landscaping to alleviate the site frontage, with the northern access dominated by the proposed allotments. Cumulatively this creates an urban development in a rural location.
- 1.31 The loss of protected trees adjacent to the northern access is also detrimental to the visual amenities of the area.
- 1.32 The proposal will have significant adverse landscape impacts and will detrimentally affect the character and appearance of the area, this harm should attract significant weight.

Heritage Harm

- 1.33 Heritage impact is dealt with by Robert Nicholson..
- 1.34 Whilst Mr Nicholson reasonably concludes that there is no harm to the Conservation Area, regard must also be given to the character and appearance of the area.
- 1.35 The stone wall, proposed, in part, for removal, is a built element that contributes to the character and appearance of Wickwar along this part of Sodbury Road. This represents a non-designated heritage asset .

- 1.36 The removal of this section of wall together with the Willow Trees that are behind it and its replacement with a vehicular access to service a modern housing estate will have a detrimental impact on the character and appearance of this part of Wickwar which should be weighed as an adverse impact in the planning balance.
- 1.37 The position in respect of South Farm is an agreed matter. There will be an adverse impact on the setting of Grade II listed South Farm that will cause 'less than substantial harm' to the significance of this designated asset and that this harm attracts great weight against the proposal..
- 1.38 It is considered that there is an impact to the significance of Frith Farm due to the harm caused to its setting. The property benefits from a rural character with limited views of the more recent development on the eastern side of Sodbury Road. The character is agricultural and rural. Any development on the Appeal Site will result in a discernible change in the landscape character and relationship between Frith Farm and its setting, that would be harmful. This will cause 'less than substantial harm' to the significance of this asset that attracts great weight against the proposal.

Transport Sustainability

- 1.39 Wickwar has limited services and facilities and cannot support an effective and viable bus service. Any development in Wickwar will be essentially car borne even if a limited bus service can be supported which is extremely unlikely.
- 1.40 A temporary bus service is currently operated by The Big Lemon bus company. The service is only funded until April 2024.

- 1.41 The Dynamic Demand Responsive Transport service (DDRT), is a flexible service that requires advanced booking, accessed through telephone, website or apps, with a 1 hour service level. Funding is in place until April 2025.
- 1.42 By the time this proposed development would start delivering houses, there is a realistic prospect that the existing limited service will have ceased and there will be no bus service provision within the area.
- 1.43 Contributions have been sought by WECA and an alternative proposal offered by the Appellant. In short, neither contribution offers a realistic opportunity to make the development less dependent on the car in the long term. Even if the level of provision could be returned to the level pre-April 2023 it will still be a car borne development. The fact that it is highly unlikely that a bus service will be provided merely exacerbates that.
- 1.44 The Appellant's Technical Note on the proposed alternative bus route (CD7.4) has been reviewed and it is considered to be flawed, with potential to run at a deficit of £448,000 per annum.
- 1.45 Whether in the short or medium term, this proposed development will be unsustainable in transport terms and that this harm is serious and should attract substantial weight.

Agricultural Land Classification

- 1.46 It is my opinion that this is Grade 3 land. There is no suggestion within the Application or Appeal submission that this land is not productive agricultural land as part of the wider holding. It is therefore evident that the proposal will result in the loss of productive agricultural land.

- 1.47 Accordingly, it is considered that the loss of this land should be weighed in the planning balance overall.

Recreational Pressure on the SSSI

- 1.48 A contribution towards the Lower Woods Reserve has been proposed. The Gloucestershire Wildlife Trust (GWT) have been contacted for confirmation as to whether this would resolve their concerns.

2.0 **PLANNING BALANCE**

2.1 The planning balance is ultimately a matter of judgement for the decision maker.

Benefits

2.2 The Local Planning Authority place **significant weight** on the delivery of market, affordable and self-build housing within the District.

2.3 There is no certainty and indeed much ambiguity over whether the proposed shop will be delivered. I consider that only **limited weight** can be afforded to this element of the proposal.

2.4 Other benefits attract **limited weight** in favour of the development.

Disbenefits

2.5 The loss of agricultural land, should be afforded **limited weight** .

2.6 The impact on the SSSI is given a **limited weight** in the balancing exercise.

2.7 Whilst the resultant harm to both South Farm and Frith Farm is not considered to provide a clear reason for refusal in its own right, the harm nevertheless attracts **great weight** and is a serious disbenefit of the proposal that strongly weighs against it.

2.8 The Landscape harm, including the harm to the character and appearance of Wickwar and its surrounding in my view strongly weighs against the proposed development. It is considered that **significant weight** attaches to this harm which weighs strongly against the scheme.

2.9 Neither contributions sought or proposed to address the provision of public transport within Wickwar will address the fundamental problem that Wickwar is a car borne location. The development is in an unsustainable location and should be afforded **substantial weight** against the proposed development.

2.10 In my view given the above considerations the adverse impacts of this proposal significantly and demonstrably outweigh its benefits and permission should be refused.