

Agenda Item 13

DEVELOPMENT CONTROL (EAST) COMMITTEE – 15 DECEMBER 2016

App No.: PK16/4006/O

Applicant: Gladman
Developments Ltd.

Site: Land South Of Poplar Lane Wickwar
Wotton Under Edge South
Gloucestershire GL12 8NS

Date Reg: 7th July 2016

Proposal: Outline planning permission for up to 80 residential dwellings (including up to 35% affordable housing), landscaping, informal public open space, children's play area, new access and associated works (Outline) with access to be determined. All other matters reserved.

Parish: Wickwar Parish
Council

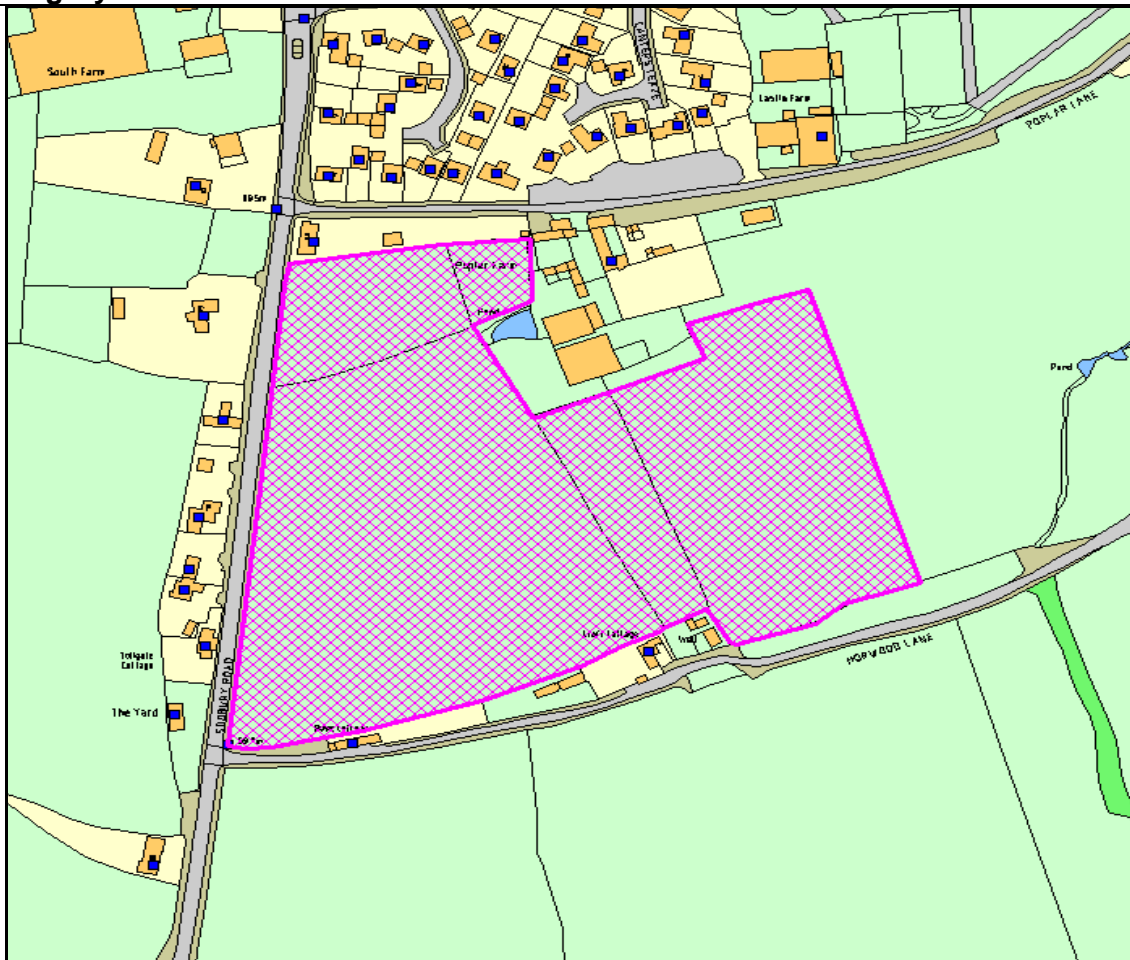
Map Ref: 372636 187755

Application Major

Ward: Ladden Brook
Target 3rd October 2016

Category:

Date:



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PK16/4006/O

INTRODUCTION

This application was referred to the Development Control Committee given its strategic importance, position outside of the settlement boundary and the 5 year housing land supply.

Members will recall that the Sites Inspection Committee visited the site on 4th November 2016. Following the site visit, Members requested that a report be brought forward to the Committee to include the following:

- A detailed Transportation Section to include consideration of the local transport improvements that may be necessary to make the scheme acceptable including the provision of a footway along the frontage of the site.

This is included at 5.12 below

- Details of the local Youth Centre.

The Youth Centre is situated approximately 470 metres to the north of the application site on the Sodbury Road. It is run by a management committee and is a registered charity and at present it offers sessions for 11-13 year olds and those aged 13 plus.

1.0 THE PROPOSAL

- 1.1 The applicant seeks outline consent for the erection of up to 80 dwellings (35% to be affordable housing), with the access to be determined. All other matters are reserved for future consideration (layout, scale, appearance and landscaping). The site access is shown from Sodbury Road.
- 1.2 Submitted details show an illustrative layout and landscaping, informal open space and surface water attenuation. The site area is 4.37 ha of which 2.10 ha would be Green Infrastructure largely on the eastern side of the site comprising green space, an equipped play area, planting, hedgerows, (all existing trees are to be retained and hedgerows are to be largely retained apart from at the access), and a wetland area with a community orchard and allotments.
- 1.3 The site comprises 4 different sized fields of agricultural land bounded by hedgerows. The site is located to the south of Poplar Lane with the northern boundary running along the side of No.83 Sodbury Road and the farm buildings associated with Poplar Farm. The site lies to the east of Sodbury Road and to the north of Horwood Lane and of four properties that lie along that lane. The eastern boundary of the site adjoins further agricultural fields that are associated with Poplar Farm.
- 1.4 The application site is immediately to the south of the settlement boundary of Wickwar (which runs along Poplar Lane to the north). The site is not located within the Green Belt and is situated within Flood Zone 1, an area of low flood risk. A Public Right of Way runs diagonally across the site from Sodbury Road to Horwood Lane via the side of a property on that lane. All existing trees on the site are protected by a Tree Preservation Order.

- 1.5 In support of the application alongside the plans and design and access statement the applicant has submitted a Transport Assessment, Travel Plan, Ecological Appraisal and Phase 1 Site Investigation, Aboricultural Assessment, Flood Risk Assessment, Landscape and Visual Assessment, Foul Drainage Analysis, Air Quality Screening Report, Noise Assessment Report, Archaeology Desk based assessment, Statement of Community Involvement (an addendum has been submitted to reflect further responses), Sustainability Appraisal and Socio-Economic Sustainability Statement.

2. POLICY CONTEXT

2.1 National Guidance

National Planning Policy Framework (NPPF) March 2012
National Planning Policy guidance (NPPG) 2014

2.2 Development Plans

South Gloucestershire Local Plan (Adopted) January 2006 (saved policies)

H3	Housing in rural areas
T12	Highway safety
L9	Species Protection
L11	Archaeology
L13	Listed Buildings
L15	Buildings and structures which make a significant contribution to the character and distinctiveness of the locality.
L16	Protecting the best agricultural land
LC1	Contributions for Community Facilities
LC2	Contributions for Education Facilities

South Gloucestershire Local Plan Core Strategy (Adopted) December 2013

CS1	High Quality Design
CS2	Green Infrastructure
CS5	Location of Development
CS6	Infrastructure and developer contributions
CS7	Strategic Transport Infrastructure
CS9	Heritage and the natural environment
CS16	Housing Density
CS17	Housing Diversity
CS18	Affordable Housing
CS20	Extra Care Housing
CS23	Community Infrastructure and Cultural Activity
CS24	Sport and recreation standards
CS34	Rural Areas

Emerging Plan

Proposed Submission: Policies, Sites & Places Plan June 2016

PSP1	Local Distinctiveness
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PSP2	Landscape
PSP3	Trees and Woodland
PSP8A	Settlement Boundaries
PSP8B	Residential Amenity
PSP10	Development Related Transport Impact Management
PSP16	Parking Standards
PSP17	Heritage Assets and the Historic Environment
PSP19	Wider Diversity
PSP20	Flood Risk, Surface Water and Watercourse Management
PSP21	Environmental Pollution and Impacts
PSP39	Private Amenity Space Standards

2.3 Supplementary Planning Guidance

Residential Parking Standards SPD (Adopted 2013)
Affordable Housing and Extra Care Housing SPD (Adopted May 2014)
South Gloucestershire Biodiversity Action Plan (Adopted)
The South Gloucestershire Design Check List SPD (Adopted August 2007)
Trees on Development Sites SPD Adopted Nov. 2005
Waste Collection Guidance for new developments January 2015 SPD
South Gloucestershire Landscape Character Assessment (adopted Nov 2014)
Wickwar Ridge and Vale LCA 5
South Gloucestershire Landscape Character Assessment (adopted Nov 2014)
Cotswold Scarp LCA 4
South Gloucestershire Council Community Infrastructure Levy (Cil) and Section 106 Planning Obligations Guide SPD (Adopted March 2015)

Other Documents

Rural Settlements and Villages 2015 Topic Paper; Sustainable Access to Key Services and Facilities & Demographic Information (November 2015)
Wickwar Village Plan 2005

3. **RELEVANT PLANNING HISTORY**

3.1 There is no relevant planning history

4. **CONSULTATION RESPONSES**

4.1 **Wickwar Parish Council**

Wickwar Parish Council acknowledges the need for more housing in the Wickwar area and specifically for affordable housing. It further acknowledges the undoubted benefits that a limited number of extra residents would bring to the Village in terms of greater vitality, taking up spare capacity at the Village Junior School, bringing extra customers to our Village shop, Coffee Shop, Pub and Social Club as well as likely new members to our Church and various social activities such as for example the Football Club and Women's Circle.

Despite this open, positive approach, Wickwar Parish Council objects to the above "Gladman" development for the following reasons:

- Gladman representatives attended Parish Council meetings on June 3 and July 6 and having assured us of their intention to work closely with the Community and in full consultation, launched its bid on July 7 in the knowledge that the Council would not convene again until September and that by then any deadline for objection would be past. Far from encouraging community involvement, this developer seems to have deliberately circumvented the process and denying the greater number of local Parishioners a chance to be involved. This underhand tactic is enough to convince us that whatever Gladman says it may do to benefit the community, its promises are worth nothing, and we do not wish to work with a Company which behaves in such an untrustworthy manner.
- Recent developments in North Yate - specifically the thousands of new homes in and around Peg Hill and Brimsham Park -have lessened the need for housing within Wickwar and increased traffic dramatically through our Village with no corresponding improvement in infrastructure capacity, no new roads, no new junctions, roundabouts nor traffic lights and no discernible improvement in public transport facilities.
- The proposed development is outside of the Wickwar settlement boundaries and as such is not acceptable under current legislation.
- A proposal for 80 homes, increasing the size of the village by over 10% is not "small scale development" and as a result is not acceptable under current legislation.
- Pedestrian access: Extremely limited and increasingly dangerous to walk along the main road with its increased traffic. There is not a good range of facilities within walking distance, which is a requirement of planning policy. Crossing the road which would be inevitable is dangerous and clearly a breach of the stated intention that pedestrian access to any new development should be "safe". Similar dangers exist for cyclists and are only increased for those with any disability.
- Vehicle congestion at the traffic lights at the junction of the Downs Road, Station Road and Wickwar High St. This has already reached dangerous levels and will only worsen as more traffic comes online from the 2700 new houses in North Yate. More traffic from any new development in Wickwar could only make an already bad situation worse. A clear breach of SGLP Policy T12 which expressly targets no deterioration in local traffic conditions.
- Sustainability: The proposal details converting green fields to housing. This is clearly outside the spirit of converting "brownfield" sites or converting or reusing existing buildings. It is in no way sustainable.
- Public transport: Poor. Everyone drives. And there are no direct linkages to London, Swindon, Cardiff and certainly not to Bristol or Heathrow airports.

- Education: there is no secondary education available within the Village.
- Health: There are no medical services available within the Village.
- Any new development would adversely affect the view of the Cotswold Edge as seen from the Village and the Sodbury Road.
- The applicant has offered to build a children's' play area and fitness trail. This is supposed to be a "benefit" to the community. There is no need for these facilities in Wickwar. We already have a well-used playing field and large children's area at the King George V playing fields. There is no need for, and no benefit from building a new facility here.

In summary, this development is not "sustainable", would lead to significantly increased traffic congestion, present a real and new danger to pedestrians and cyclists as well as traffic turning into or out of Sodbury Road, and destroy an ancient view of the Cotswolds. We believe any advantages that may arise from this proposed new development are significantly outweighed by the obvious disadvantages and sincerely hope that South Gloucestershire Council will agree with our OBJECTION to any planning permission being granted at this time.

Tortworth Parish Meeting

No comment other than the application is part of a series of applications within the locality and further afield and there needs to be a joined up approach to infrastructure and facilities. Consideration needs to be given to the ever increasing transport and vehicle movements in this part of South Gloucestershire and Tortworth.

4.2 Other Consultations

Archaeologist

No objection. A condition for a programme of archaeological work should be applied to any consent granted. The condition recommended is as follows:

Prior to the commencement of development a four phase programme of archaeological work must be submitted to and approved by the local planning authority. Phase 1 will be a programme of archaeological work and subsequent detailed mitigation and publication strategy, including a timetable for the mitigation strategy which must be submitted to and approved by the local planning authority. Thereafter the approved programme of mitigation measures, phase 2 Open Area Excavation where necessary, phase 3 Watching Brief where necessary and Phase 4 Publication/archiving where necessary, shall be implemented in all respects.

Environmental Protection

Contamination

There is no objection to the proposal however given the former use of the land potential sources of contamination have been identified in the submitted preliminary risk assessment. Conditions should be added to any decision notice to ensure a detailed site investigation to confirm whether contamination is present and then if that is the case the appropriate mitigation is undertaken. All this to take place prior to commencement of development however a condition should also require immediate action/remediation should contamination be found once work has commenced.

Noise

(initial comments) – An acoustic report is requested to assess the impact upon the development of the nearby Country Style Supplies

Noise (following the submission of a noise assessment report, the following comments have been received)

No objection - Having reviewed the Noise Assessment Report (Wardell-Armstrong, October 2016, Ref: LE13383-001) I have the following comments:

The report has identified that noise mitigation measures would need to be incorporated into the proposed site design to ensure that the guideline noise levels are achieved within outdoor living areas, internal living rooms and bedrooms due to noise from the nearby Sodbury Road. I would recommend that the development be designed in line with the mitigation set out in the report (Chapter 5 Noise Attenuation Scheme).

Air Quality

These comments relate to the Air Quality Screening Report prepared by Wardell Armstrong, dated 15 June 2016. There are shortcomings with the Screening Report in that it incorrectly states that there is currently one air quality management area (AQMA) within South Gloucestershire; there are three AQMAs. However, none of the AQMAs are relevant to the proposed development due to their distance from it; the closest being the Staple Hill AQMA approximately 9 miles away. The other shortcoming is the use of 2011 Defra background maps, which are used to provide estimates of background concentrations for specific pollutants. The more recently published 2013 background maps should have been used, however, this would not affect the overall outcome of the screening report as the background concentrations for nitrogen dioxide would only slightly increase from $10.10 \mu\text{g}/\text{m}^3$ to $10.38 \mu\text{g}/\text{m}^3$, and the particulate matter (PM_{10}) background concentrations would decrease from $18.16 \mu\text{g}/\text{m}^3$ to $14.78 \mu\text{g}/\text{m}^3$. The estimated 2016 background concentrations are well below the national health-based objectives for both nitrogen dioxide and PM_{10} .

The overall screening report conclusions are not affected by the above shortcomings. The potential impacts of traffic arising from the development have been screened out using recognised guidance (Institute of Air Quality Management (IAQM) and Environmental Protection UK (EPUK); Land-use Planning & Development Control:

Planning for Air Quality (May 2015)) as the indicative criteria requiring the need for an air quality assessment are not met in terms of the predicted traffic generation from the proposed development. Thus, it is considered that the impacts on the existing receptors, and proposed receptors that would be introduced by the development, would not be significant. With the low background pollutant concentrations, the relevant air quality objectives are unlikely to be approached or exceeded.

It is strongly recommended, however, that the following good practice principles identified in the above mentioned IAQM and EPUK; Land-use Planning & Development Control: Planning for Air Quality Guidance are applied as conditions to the development to mitigate and reduce emissions and thereby, contribute to better air quality management:

- Where on-site parking is provided for residential dwellings, Electric Vehicle (EV) charging points for each parking space should be provided.
- All gas fired boilers to meet a minimum standard of <40mgNO_x/kWh.

For the construction phase, the screening report considers that there will be a negligible impact from construction dust. In this respect, a site specific mitigation scheme to minimise the risk of dust emissions during the construction phase should be identified in line with recognised guidance produced by the Institute of Air Quality Management (IAQM); "Guidance on the Assessment of dust from demolition and construction" (Feb 2014). The mitigation scheme should be incorporated into a Dust Management Plan (DMP) and/or a Construction Environmental Management Plan (CEMP) and submitted to the planning authority for approval prior to work commencing on site. It is recommended that a condition be added to this effect.

In summary, there is no basis to object to the proposed development in respect of air quality subject to the recommended conditions above.

Housing Enabling (summary)

Housing Enabling seeks the provision of affordable housing in line with Policy CS18 of the Council's Core Strategy Development Plan. The Affordable Housing and Extra Care Housing SPD provide further guidance on this policy. The affordable housing heads of terms include:

35% of dwellings to be delivered as affordable housing, as defined by the NPPF. The applicant has stated 35% of dwellings will be provided as affordable housing in line with policy CS18. Based on 80 dwellings 28 homes should be provided as affordable. Tenure split of 73% social rent, 5% affordable rent and 22% intermediate housing, as identified by the Wider Bristol Strategic Housing Market Assessment (SHMA) 2015.

Public Open Space Officer (summary)

Using current average occupancy data and the proposed number of dwellings, we estimate the proposed development of 80 dwellings would generate a total population increase of 192 residents.

It is reasonable to expect the future residents of the proposed development to require access to a range of open spaces. The provision of on-site open space is welcomed. Subject to a legal agreement to secure on-site provision of Informal Recreational Open Space, Natural and Semi-Natural Open space, provision of play space for children and young people and allotments to accord with the Council's space standards and an off-site contribution towards off-site provision and/or enhancement of Outdoor Sports facilities and satisfactory provision for its future maintenance there is no objection to the proposed development.

Arts and Development Officer

No objection. The Council should apply a planning condition for a public art programme that is relevant and specific to the development and/or locality and commensurate with its size and/or importance. The programme should be integrated into the site and its phasing plan.

Children and Young People (summary)

There are surplus places at both the secondary and primary schools that serve Wickwar. There is no objection subject to a contribution towards transport to the nearest secondary schools through a legal agreement. The provision of such money would contribute to the sustainability of the site. Access to secondary education through means other than the private motor car is a clear need that arises from the development.

Drainage Engineer

No objection to the development subject to a condition to secure a detailed Sustainable Urban Drainage system

Wessex Water

No objection – an informative is advised to remind the applicant that there must be no surface water connections to the foul water sewer network. Agreement will be required to connect to the Public Sewer.

I can advise that subsequent to a review the receiving sewage treatment works has available current spare capacity to accommodate the predicted foul flows from 80 dwellings

Avon Fire and Rescue

There will be the need for a fire hydrant associated with the application and the costs for this should be borne by the developer.

Ecologist

There are no ecological constraints to granting planning permission.

In line with previous judicial reviews, it is considered that the application gives sufficient reassurance that development meets the second and third 'tests' under

Regulations 53/56 of the Habitat Regulations 2010 in relation to the great crested newt (European Protected Species) colony adjacent to the application site.

Conditions should be attached in relation to great crested newt, reptiles, hedgehog, badger, bird nest boxes, street lighting and a Landscape & Ecological Management Plan.

Public Rights of Way Team

This development will affect the recorded public footpath, reference LWR/21/10, which runs from the Sodbury Road, in a generally south easterly direction across the site, exiting the field at its SE corner where it runs through a narrow path alongside Croft Cottage to join Horwood Lane.

The public footpath is shown on the plan as being retained on its original line and crossed by one internal road. It is shown passing through a green corridor of landscaping with buildings set back to afford a reasonable degree of openness and visual amenity. For this reason public rights of way do not object to the development.

Recommendations:

- A condition should be applied to secure a suitable surface for LWR/21/10 and suitable exist points (path furniture)
- The southern end of LWR21 passes out of the development and bisects the private garden of Croft Cottage, running for approximately 15m to Horwood Lane. The width of the path is unsuitable for the volume of walkers the development will generate and cannot be considered for improvements. There is a good alternative route around Croft Cottage which should be pursued by the developer. The cost of a diversion order, minor groundwork and provision of a suitable BS compliant stock proof gate would be J4000
- The sum of J2680 should be secured to ensure compliant accessible gates and bridge surface improvement
- There is an aspirational requirement in the Local Plan to provide a multi-user link in order to provide a connection from Wickwar to Yate. A link must be incorporated into the design for a 3 metre wide path from the northern end of the site linking to Horwood Lane to the South
- There is no link from the site on the eastern edge of the development to Poplar Lane. This omission would deny new residents safe and easy access to the countryside via Poplar Lane and the network of footpaths to the wider expanse of common land and woodlands beyond. The provision of a pedestrian connection at the main road onto Poplar Lane is noted, but the expectations for a development of this size would be to deliver better pedestrian access to the rural environment and the network of public paths. A short link from the green space to the nearby LWR/20/10 would provide a link to Poplar Lane and the woodland and common beyond. This could be created with landowner agreement or by order. If the developer were unable to secure this link by agreement, a contribution of at least J3500 towards a creation order would be required. This is to cover the administration and advertising costs of a path creation order under Section 26 Highways Act 1980.

Plumbers Trench

Officers have noted that there is considerable public interest in opening up Plumbers Trench for equine access to the Lower Woods Nature Reserve. Plumbers Trench is approximately 0.5 km from the site, is registered common land that is managed by SGC and has access rights on foot (walkers and runners) by way of its common land status; there is also a footpath, ref. LHA40, that leads from Sturt Bridge, across three fields towards the Nature Reserve and Inglestone Common. There are various challenges to providing a bridleway, including :-

- a) There are no recorded equine rights of access along Plumbers Trench.
- b) Construction of a path capable of safely accommodating horse riders would involve the use of heavy machinery to re-grade the gully/streambed, which would destroy a unique natural feature and the flora and fauna within an area of Special Scientific Interest (SSSI).

The desire for an east/ west multi –user link for Wickwar is understood, but officers consider that this particular route it is beyond the scope of the application, in terms of both scale and feasibility

Landscape Officer (summary)

Landscape Visual Impact Assessment – It is felt that the submitted LVIA is a fair representation and appraisal of the proposed development and its possible effect on the visual landscape. Item 7.9 of the LVIA assesses the development in relation to the Cotswold AONB. Para 2 of the landscape strategy for LCA 4 (Cotswold Scarp) mentions the need to protect tranquillity including the preservation of dark skies. There is therefore a need to consider street and other external lighting that minimises light pollution.

Soil Report - The soil report identifies an area of grade 3a agricultural land which is normally protected from development. The grade 3a land occupies an area currently proposed for POS & pond and houses in the southeast corner. It is noted that the SGC POS Officer queries the provision of allotments and it is recommended that the grade 3a land would be best suited for this purpose.

A master plan, drawn to scale, does not appear to have been submitted with the application. The landscape illustrations and plans throughout the DAS Design Proposals (Section 4) (including Illustrative Master Plan p39 and Illustrative Plan fig13 p40) are felt to be acceptable and generally appear to conform to the relevant SGC Planning Policies and the landscape strategies for LCA 4 & 5. It is expected that these landscape design intentions will be followed through and further developed in any future planning application. The robust landscape structure shown at this stage will be expected in future submissions and any reduction of landscape structure will not be welcome. The reduction of Green Infrastructure at later stages will be unacceptable.

Other matters:

- Use of consistent boundary treatments is welcomed

- Back gardens incorporating tree planting welcome – dividing boundaries will need to be carefully considered inc hedge planting
- A Community Orchard is welcome
- It would be useful to see the Sustainable Drainage Scheme (SuDS) at this stage however in any case the scheme should be carefully integrated with the landscape design
- In final scheme the pumping station would be better located outside the Public Open Space area
- Open water should be integrated into the landscape/Suds scheme
- A better form of traffic calming will be required than that depicted

Tree Officer

A tree report has been submitted to support this application. All C and B category trees that were surveyed are proposed for retention. There will be some partial hedge removal. For this I defer to SGC's Ecologist. Of the 25 trees surveyed, only 9 are within the red line boundary.

The retained trees are all located to the edge of the site and should be considered a material constraint and protected as such throughout the development. An area of green space is proposed to the east of the site with proposals for tree planting which is welcomed.

I consider that the trees on site can be retained and protected throughout the development and so I have no arboricultural objections in principle to these proposals. For the reserved matters stage I will require the following:

An Arboricultural Implications Assessment
An Arboricultural Method Statement
A Tree Protection Plan

Urban Design Officer

An initial comment was received as follows:

Objection. The D&A statement lacks a clear assessment of townscape character and therefore fails to provide any substantive commitment to enhancing local character and distinctiveness. The D&A Statement should be reviewed accordingly. Sustainability and waste principles/commitments should be simplified and clarified.

Following the submission of a revised design and access statement the following comments were received:

I have reviewed the amended Design & Access Statement (Rev D). Further to my previous comments I can confirm that the D&A statement now provides a much clearer and robust set of principles with which to inform subsequent reserved matters. I therefore now find the D&A Statement acceptable and have no further objection.

Heritage Officer

The proposal will affect the settings of a number of listed buildings which are some

distance from the actual development site in addition to the closer locally listed buildings which are non-designated heritage assets.

The buildings which are most affected by the proposals are the small group of farm buildings at Poplar Farm. The building is locally listed and one of a number of substantial historic farmhouses within the vicinity of Wickwar which was itself an important settlement in the late and post medieval period. The gradual encroachment of housing into the surrounding open countryside diminishes both the significance of these farmsteads individually but also their collective significance and the contribution they make to the significance of Wickwar as a historic settlement.

Whilst the Heritage Statement also refers to the nearby Scheduled Ancient Monument known as Sturt Bridge which is recognised as being of medieval origin, the assessment considers that although the development will affect a small part of its landscape setting, there will be no direct inter-visibility, and considers that the development will have a neutral impact because its site does not contribute to the significance of the asset. I take the view that the further encroachment of development into the landscape here will not only impact upon the rural landscape setting of the scheduled monument, it will cause harm to its setting and distract from the appreciation of the bridge as a late medieval feature in a rural landscape that contains a surprising number of surviving late medieval and post medieval farms. The former toll house, situated so as to be prominently visible on the highway is another of the immediately affected locally listed buildings. Whilst the later alteration and loss of the Toll Gate has diminished its significance, it still reads as a Toll House within the landscape and as such it is visible not just along the line of the road but also within the surrounding landscape. The extension of urban development up to the toll house will encroach further upon its formally open setting causing harm to its setting and significance.

Similarly by extending the area of modern development further beyond the boundary of the historic settlement of Wickwar it further divorces the historic town from its rural hinterland making it harder to appreciate the historically close relationship between the settlement and its surrounding historic landscape. The Conservation Area was designated to protect the special character of the historic core of the settlement and the further spread of modern development within the landscape setting of the town causes harm to both its setting and overall significance.

I shall not go through the impacts on all the affected heritage assets. I consider the potential impacts of the proposed development to be greater than has been stated within the Heritage report, however even after reaching this conclusion I do not believe that any of these impacts would result in substantial harm such that paragraph 133 of the NPPF applies.

Furthermore I note that it is proposed to limit development to two storey buildings with a maximum height of 9m (Design and Access statement p56) and that there appears to be scope within the illustrative layouts included in this document to reconsider the way in which the layout relates to these affected heritage assets and their settings.

Having concluded that the level of harm arising from the development would be less than substantial harm such that paragraph 134 of the NPPF would apply, I also note that the design philosophy set out within the supporting documentation implies that the

development will combine the use of traditional materials, careful detailing that respects local distinctiveness and respect the traditional scale and forms of development here and a sensitive design approach would also help to reduce harm to the affected heritage assets.

Should it be considered that the development would deliver significant public benefits then I take the view that on balance I would not resist the principle of development here, although clearly a more detailed assessment of impacts and mitigation should inform any reserved matters application.

Spatial Planning Team (summary)

Paragraph 49 of the NPPF is engaged and paragraph 14 of the NPPF applies to determination of this proposal.

Wickwar has a range of community facilities and services, including dedicated community centre, pubs and a post office within notional walking and cycling distance, this is acknowledged in the 2015 Topic Paper.

To give weight to the acknowledged facilities and services it is considered necessary to provide certainty that they are accessible by walking and cycling from the proposal site. Although confirmed as within an appropriate 800metre and 2km distance to existing employment opportunities, the 2015 Topic Paper did not consider route quality, safety and usability. As no footpath currently exists on the eastern side of the B4060 between the site and services and facilities in Wickwar, it is unclear if future residents will be able to access the facilities. I defer to detailed comments on this issue from transport colleagues. The conclusions they reach are considered central to determining the degree of weight to give the range of “community facilities” and nearby employers which can be accessed from the proposal site.

The facilities indicated by the applicant are overstated. The presence of multiple drinking establishments, a brewery (which offers tours) and range of community meeting venues, does not off-set the lack of food shopping facilities to meet weekly and general need, medical facilities and range of employment opportunities to cater for the stated numbers of economically active residents which form part of the proposal.

As a demonstrable need to travel beyond Wickwar to access key services and facilities exists, the role of public transport in making Wickwar a sustainable location is central to the decisions making process under para14, CS8 and sustainability provisions of the NPPF. It is therefore considered that considerable weight should be attached to the need for future residents of this proposal to travel to access daily, weekly and occasional key services and facilities, not present in Wickwar, which can only be made sustainability by appropriate public transport access to other locations. To arrive at a conclusion, it is necessary to defer to the more detailed analysis and understanding of the future running and long term viability of these services, provided by transport colleague. The comments provided in relation to the services which exist should be used to conclude whether available public transport offers a suitable means of sustainability accessing food shopping, health facilities and employment

opportunities beyond Wickwar. Connected to this issue is the issue of safe access to the bus stop from the proposal site. Public transport as a means of access facilities and services carries significant weight in determining the overall sustainability of the proposal under para 14, in relation to CS8 and sustainability provisions in the NPPF.

The applicants set out in para 3.3.17 of the Planning Statement that contributions to public transport could be potentially made, it might be necessary to ensure that public transport services can adequately mitigate the otherwise unsustainable lack of services and facilities within Wickwar, to ensure this proposal is acceptable under CS8 and relevant provisions of the NPPF. I defer to comments and conclusion of public transport provision provided by transport colleagues to assist in concluding this issue.

Sustainable Transport Team (Summary)

The application is seeking permission for construction of 80 residential homes on land located just outside the settlement boundary of Wickwar. This is in form of outline application with all matters reserved except for access. The proposed access is directly off Wickwar Road and the submitted plan shows a simple 'T'-junction type of access. The application has been supported by a Transport Statement.

The site is located just to the south of Poplar Lane and east of the B4060 Sodbury Road and it sits immediately outside the Wickwar village development boundary.

The site is located in a less than ideal' position for a new large residential development as the location is distant from many facilities and key services such as major foodstore, medical services and higher education and employment and it is outside the settlement boundary. The proposal would therefore result in an over-reliance on outward commuting of cars because of the limited provision of public transport.

However, if in the event that due to a lack of a 5 year land supply the development will be recommended for approval then this would be subject to the applicant first voluntarily entering into an agreement under Section 106 of the Town and Country Planning Act 1990 (as amended) to secure the following;

- 1) Construct new access to the Council's adoptable standards together with minimum visibility splays of 2.4m by 43m including a 3m wide footway along the whole site frontage on Sodbury Road with exception to the land fronting no. 83 Sodbury Road where this footway may be locally reduced to minimum of width of 1.6m all as shown on 'ILLUSTRATIVE MASTERPLAN 6957-L-05 – A. The said footway shall be connected to the existing footway network in the area together with all associated highway works including lighting, drainage, kerbing of the road edge along the site frontage and signage with all details first to be agreed with the Highway Authority.
- 2) Provision of traffic calming measures (with the design first to be agreed with the Highway Authority) on Sodbury Road together with all associated works as shown in-principal only on drawing no.4746/38/01D and for avoidance of doubt, the exact nature of such traffic calming and its full design first to be approved by the Council.

A contribution of J180,668 towards a new footway along the western side of Sodbury Road between 'the Timber Yard' and Frith Lane.

- 3) A contribution of J80,000 towards provision of a new footway along the Citroen garage on High street – Wickwar. And in the event that such footway facility is not possible due to land ownership issue then, to design alternative provisions that may include traffic calming measures at this location in order to help pedestrian to safely cross the road and back again.
- 4) A contribution of J35,000 towards provision of the missing footway through the shuttle signal section along the western side of the High Street -Wickwar.
- 5) A contribution of J50,000 towards upgrade of two local bus stops in the Wickwar and to include improve access to bus stop and provisions for raised pavement for disable plus bus shelter to 'Real Time Information' (RTI) standard and include appropriate connection to electricity supply.

4.3 **Other Representations**

Luke Hall MP

An objection raised on the following grounds on behalf of residents in the village:

- The application for 80 houses is not on land identified in the South Gloucestershire Council strategic development plan
- The development would result in a significant increase in traffic adding to congestion in the village and Wickwar Road particularly as there are few facilities in Wickwar (Secondary school, GP surgery, employment) resulting in in/out commuting. The impact of the development should be read alongside the new Yate new neighbourhood
- The public transportation infrastructure in the area is limited and is not to be improved as a result of this development
- The proposal will result in air, light and noise pollution and the natural beauty of the area
- There is a safety concern relating to the pond near the proposed children's park
- There is a concern that insufficient footpaths and pavements have been included with the development

Local Residents

There have been 72 letters received (with in some instances more than one response from the same address/correspondent) raising objections to the proposed development. The grounds of objection can be summarised as follows:

- The development is on greenfield land and is contrary to the South Gloucestershire Council Development Plan
- The site is unsustainable – there are limited facilities in Wickwar and limited employment opportunities increasing the need to travel by car.
- Public Transport in the area is erratic/poor
- The development is too large for Wickwar in terms of its scale location and impact upon existing services

- There is not a need for further housing given the proposed developments in Yate and Chipping Sodbury
- The development should comprise 90% affordable housing
- The proposed development with a new access onto Sodbury Road will be result in a reduction in highway safety and increase in pollution.
- The impact of the development upon the highway must be read in conjunction with other planned development in the area. There are already high volumes of traffic on this road travelling at unsafe speeds
- Concern regarding possible highway mitigation measures
- There are already traffic jams in the High Street because of the volume of traffic using the road
- The proposed access is not safe given limited visibility given the hedgerow
- Pedestrian Access to and from the site to the village is not appropriate and cannot be improved. Wheelchair access from the site to the village is also not possible.
- Pedestrian access for children who wish to access the park area is not safe nor is pedestrian access from the site to the school safe given that the development is at distance from the school
- The proposal will add danger to other users of the surrounding country lanes in particular horse riders
- The transport assessment is full of inaccuracies and does not reflect the reality of how busy Sodbury Road is and does not address the poor condition of surrounding lanes
- Employment is located at the other end of the village
- Concern that future occupiers will be affected by poor air quality given the proximity to the Sodbury Road
- The density of the development is too high and out of character with the area
- The proposal would involve loss of privacy, light and result in overshadowing for neighbouring occupiers
- The development must include improved access to Lower Woods and Hawkesbury Common by opening up "Plumbers Trench – this has fallen into disrepair
- There need to be improvements made in Frith Lane and Plumbers Trench to improve access for horse riders
- The proposal would be detrimental to the landscape character of the area and would affect the setting of Wickwar
- Views to the Cotswolds would be removed/impaired
- A residential development on the land would be detrimental to the ecology of the site
- Concern over who would be responsible for the onsite open space and pond
- The area does not drain well
- The sewerage system will not cope with further demand
- The developer has undertaken a poor consultation with local people and has not reflected their views in the submitted statement of community involvement. The proposal is contrary to the wishes of the people of Wickwar
- The submission of the application has been deliberately submitted one day after a meeting of Wickwar PC.

There has been one letter of support received

Petition submitted to South Gloucestershire Council

A petition was submitted to South Gloucestershire Council dated 17th July 2016. The petition has not specifically been submitted as a response to this application that was only registered on 7th July 2016. The petition is signed by 158 people with a further 199 having signed the petition on-line.

The covering letter states:

With the proposed housing developments in the village and the 3,000 houses being built in North Yate, the traffic through Wickwar will continue to increase. The petition itself states:

We, the undersigned, petition the Council to improve safety for pedestrians on the B4060 Wickwar Road, south of Wickwar. We request the pavement is extended from Horwood Lane at least as far as Frith Lane, and the introduction of traffic calming measures such as chicanes, which as well as allowing for the widening of the pavement at its narrowest parts, would slow northbound traffic as it approaches the village and prevent reckless overtaking by southbound traffic.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

The proposal is for up to 80 residential dwellings (of which it is agreed that 35% shall be of affordable housing), with associated access, parking, hard/soft landscape works, public open space/children's play area and allotments. The application is made in outline form, with the principle of the proposal and means of access to be determined at this stage and all other matters reserved for later consideration (these are appearance, landscaping, layout and scale). Even though these matters are reserved, it is appropriate to analyse them at this stage in light of the information that has been made available with this outline application, specifically the Design and Access Statement.

The National Planning Policy Framework sets out that the purpose of the planning system is to contribute to sustainable development (para 6) and the three dimensions to achieving sustainable development are an economic, environmental and social role (para 7). This application therefore stands to be assessed against whether it contributes towards achieving sustainable development in the light of the policies listed above and other material; planning considerations.

Housing Land Supply

Para 47 of the National Planning Policy Framework (NPPF) states:

Local Planning Authorities should identify and update annually a supply of specific deliverable sites sufficient to provide five years' worth of housing against their housing requirements...

Para 49 of the NPPF states:

*Housing applications should be considered in the context of the presumption in favour of sustainable development. **Relevant policies for the supply of housing should not be considered up to date if the local planning authority cannot demonstrate a five year supply of deliverable housing sites***

In June 2015 in considering the appeal against the refusal of 106 dwellings on land to the South of Wotton Road Charfield, having examined in detail the Council's Housing supply, the appeal inspector concluded that there was a shortfall. The Inspector concluded that this shortfall was 750 homes and the supply figure was 4.63 years not the 5 years as set out in para 49 above.

The latest five housing year supply is set out in the 2015 Authority's Monitoring Report (AMR). Table 2.3, on page 31 of the AMR sets out the 5 year supply position:-

The five year supply deficit: **1,451**

Five year supply figure: **4.28**

At the time of writing this report, this position is not considered to have changed.

The Council therefore acknowledges that Paragraph 49 as set out above is engaged and accordingly all policies that relate to the supply of housing cannot be given weight in the determination of this application. A Court judgement has also provided clarity to the interpretation of paragraph 49 of the NPPF (Richborough Estates Partnerships LLP v Cheshire East Borough Council and Secretary of State for Communities and Local Government). The key conclusion from the Court of Appeal is that Paragraph 49 should be interpreted widely and it applies to all policies which are restrictive of where housing development can go. With this in mind, for the purposes of this application with specific regard to permitting housing development, policies CS5 and CS34 of the Core Strategy are considered to be out-of-date, as well as saved policy H3 of the Local Plan.

CS5 the key locational policy in relation to development states that development on land such as the application site which is located in the open countryside outside a settlement boundary (but outside the Green Belt) should be strictly limited. Furthermore CS34 focusing on Rural Areas states that settlement boundaries around rural settlements should be maintained and that development outside those boundaries should be strictly controlled. Therefore historically, given the local of the proposed development there would have been an "in principle" objection to this development.

Given the Council cannot demonstrate a five year housing supply, the above policies are out of date and thus it is necessary for decision makers to follow the requirement set out in Para 14 of the NPPF which states:

*At the heart of the National Planning Policy Framework is a presumption in favour of sustainable development which should be seen as a golden thread running through both plan-making and decision taking. **For decision taking where the development plan is absent, silent or relevant policies are out of date, granting permission unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this framework***

The housing proposed, providing it can be delivered within a five year period would contribute to the identified unmet housing need with the District. In addition it should be noted that in accordance with Policy the applicant will provide 35% of dwellings to be delivered as affordable housing, as defined by the NPPF. For the proposed development of up to 80 dwellings in total, this would equate to 28 affordable homes. This represents a significant material benefit in the planning balance undertaken to accord with para 14 of the NPPF and in achieving the social dimension of sustainable development.

In assessing whether the development can be delivered within 5 years, the Council has previously suggested 150 houses as the upper limit which informed the Planning, Sites and Places (Regulation 18) Consultation (Nov 2015) which sought to address the housing under supply issue. It is also important to note that this site has one landowner thus avoiding the legal issues that can delay delivery. The site is also not considered to have significant on-site constraints in the form of mitigation that needs to take place prior to the commencement of works which can delay the delivery in certain locations. These factors would tend to suggest that the housing could reasonably be delivered in 5 years notwithstanding that reserved matters permission will need to be sought.

Loss of Agricultural Land

The application site is currently in an agricultural use as aside from the hedgerows it comprises grassland. For this reason in considering whether the development is acceptable in principle, the loss of the agricultural land is a material planning consideration.

The National Planning Policy Framework (para 112) states:

Local planning authorities should take into account the economic and other benefits of the best and most versatile agricultural land. Where significant development of agricultural land is demonstrated to be necessary, local planning authorities should seek to use areas of poorer quality land in preference to that of a higher quality. Annex 2 indicates that the best and most versatile agricultural land is in grades 1, 2 and 3a.

Policy CS9 of the Core Strategy also states that development should “maximise local food cultivation by avoiding the best and most versatile agricultural land”.

The applicant has submitted a detailed agricultural land classification report which includes soil analysis of ten points across the site. The findings of the report are that the land is predominantly in the lower of agricultural land, Grade 3b with an area at the south-western corner that is Grade 4. There is a small area of land (0.4ha or 9% of the site) towards the south-eastern side of the site that is Grade 3a which would fall within the “most versatile” category. This has been noted and this area has been identified by officers as suitable for allotment use. Accordingly the illustrative framework has been amended and it is considered that this ensures that the development will within the spirit of Policy CS9 in maximising local food cultivation. This is considered to weigh in favour of the proposed development.

In summary therefore the presumption against the principle of development set out in Policies CS5 and CS34 of the South Gloucestershire Local Plan Core Strategy no longer applies as these policies are out of date. Therefore as set out in paragraph 14 of the National Planning Policy Framework the remainder of this report will weigh the benefits of the scheme against the adverse impacts.

5.2 **Access to Services and Local Facilities**

Key to the social role in achieving sustainable development is the creation of built environments with accessible local services that reflect the community's needs and support its health, social and cultural well-being. Access to facilities that can be accessed by walking, cycling and public transport is considered a vital component in determining the overall sustainability of a development (paragraphs 17, 28, 29, 34, 37, 55 and 70 of the NPPF). Policy CS8 of the Core Strategy also states that:

New development proposals which generate significant demand for travel will be more favourably considered the nearer they are located to existing and proposed public transport infrastructure and existing facilities and services. Developments which are car dependent or promote unsustainable travel behaviour will not be supported.

Within context Wickwar is approximately 7km to the north of Chipping Sodbury and 7.5km from the nearest part of Yate. Wickwar is approximately 6.8km to the south of Wotton-under-Edge. It is at these locations that there are Secondary School, Health and Retail facilities. The major urban centres of Bristol and Gloucester are 33km and 45km away respectively.

In November 2015 South Gloucestershire Council published the "Rural Settlements and Villages 2015 Topic Paper; Sustainable Access to Key Services and Facilities & Demographic Information (November 2015)", a technical evidence document for the PSP, was produced to provide an understanding of the relative sustainable access to services and facilities in rural villages and settlements of South Gloucestershire. This forms the evidence base for the available facilities discussed in detail below.

Public Transport

Bus Services at the time of this report operating through Wickwar are as follows (Travel Line). These are supported services:

Service S8 Twice Daily to/from Katherine Lady Berkeley School Kingswood

Service 84 Stagecoach. (Monday to Saturday) Serving a circular route in one direction with the 85 in the opposite direction. Route serving Yate train station, Yate Shopping Centre, Wickwar, Cromhall, Charfield, Wotton-Under-Edge, Hawkesbury Upton, Horton, Chipping Sodbury back to Yate. Frequency is every 90 minutes

Opportunities to use public transport are therefore available but strictly limited but would to a degree mitigate against the poor access to some facilities. It is considered however that a large number of journeys, bearing in mind the scale of the development/number of new households in relation to the availability of services, for larger shopping trips, hospital, access to the rail network and employment will be made by car. Access to schools is discussed elsewhere in this report and can

potentially be mitigated by the provision of funding to support transport to the nearest Secondary school(s).

Retail Facilities

Wickwar has a small convenience store (that incorporates a Post Office), there is also one Public House. While this would provide a limited range for convenience shopping, it is not considered to provide the scale of products necessary for a weekly shop. The nearest facilities appropriate to a weekly shop are located in Chipping Sodbury, Yate and Wotton under Edge. These are accessible by the Public Transport as set out above.

Community Facilities

Wickwar has a dedicated community centre, village hall and town Hall that are accessible on foot. There is also a Youth Centre. The nearest formal indoor leisure facilities are at Yate and Wotton under Edge.

The village of Wickwar also has a playing field (King George V) on its western edge but the proposal itself includes community allotments and a large area allocated to open space on the eastern side of the site which provides opportunities for play. This is considered to be a significant benefit and subject to be secured through a legal agreement and it being subject to an appropriate maintenance regime is considered to weigh in favour of the proposal in terms of its sustainable credentials.

Health Facilities

There is no doctor's surgery or other health facility in Wickwar. The nearest such facilities are in Chipping Sodbury/Yate and Wotton. There is a bus route to those facilities (as described above).

Education Facilities

Primary - There is a Primary School in Wickwar (Alexander Hosea Primary School).

Secondary – The nearest available schools are Brimsham Green (3.4 miles) and Chipping Sodbury School (4 miles).

As indicated above in the consultation response from Council Officers there is a projected surplus in spaces at both Primary and Secondary Schools in the area. However given the distance (above three miles) and dangerous route to Secondary Schools it is considered that there would be a great tendency to drive children to school. It is for this reason that a contribution towards dedicated school transport (minibus) for the 14 additional secondary school pupils that the development would generate, to the nearest facilities has been requested and agreed and will be secured through an appropriate legal agreement.

Employment

The applicant in their submission (Socio-Economic Infographic) indicates that 99 people are expected to be economically active in employment on the site.

There are limited employment opportunities in Wickwar, with no major employers, however there are two Safeguarded Employment Areas (Core Strategy Policy CS12) located at nearby Arnolds Fields Trading Estate and Old Cider Mill Trading Estate. The presence of these two light industrial areas has to be acknowledged. Wickwar Quarry employs about 60 people.

It is considered however unlikely that many of the future residents would be employed at these sites and no evidence has been supplied to justify this claim. Access to wider employment in Yate, Chipping Sodbury and Wotton under Edge is available and can be accessed by Public Transport. Access to a wider area would be most likely to be private motor vehicle.

5.3 **Impact upon the Character and Form of Wickwar**

While as discussed above, the lack of a 5 year housing supply ensures that an automatic presumption against development in the open countryside no longer applies, consideration must still be made as to whether the dimensions to sustainable development set out in the NPPF are achieved. As part of the Social Dimension (para 7) consideration of the impact of new development upon the health, social and cultural well-being of the community is required. In addition in terms of the environmental role of planning there is a requirement for development to protect and enhance among other factors the natural and built environment.

Thus while many of the provisions of Policy CS5 (Location of Development) are not a material consideration in the determination of this application, it is considered that Policy CS5(d) is applicable. This states that:

“any changes/proposals should be commensurate with the locality in terms of its form, character and landscape”

In addition Policy C34(3) is also of relevance, which states that development proposals will:

“protect the unique and valuable setting provided by rural areas to the urban areas and other settlements in South Gloucestershire, which contributes to the district’s distinctive sense of place and identity”

In terms of the design of the development Policy CS1 requires new development to achieve the highest possible design and site planning. The detailed layout, scale and appearance of the development would be considered at the reserved matters stage however the scale parameters, (ie maximum height and number of units), are considered at this outline application stage. It is considered that the site is capable of accommodating 80 dwellings, with a density of 49 dwellings per hectare allowing for the provision of green infrastructure on more than a third of the site area. It is considered that the Design & Access Statement provides a clear and robust set of principles with which to inform subsequent reserved matters. In addition there is the opportunity to provide an appropriate scheme of Public Art and a condition is recommended to secure this below.

With respect to the character of Wickwar, The “Rural Settlements and Villages 2015 Topic Paper; Sustainable Access to Key Services and Facilities & Demographic

Information (November 2015)", a technical evidence document for the emerging PSP, provides a relatively robust and up to date understanding of the population and dwelling numbers in South Gloucestershire's rural settlement and villages. As a technical document which informs the sustainability assessment required as part of the overall planning balance, it is considered that this paper should be afforded some weight. The 2015 Topic Paper, which was subject to public consultation, sets out the existing number of dwellings within the Core Strategy defined settlement boundary of Wickwar.

This establishes Wickwar as having 584 households. Thus an additional 80 dwellings would increase the number of households in Wickwar by 13.69%. It is considered that this increase is not excessive.

5.4 Flood Risk/Drainage

Policy CS1 and CS9 of the South Gloucestershire Local Plan Core Strategy in accord with Chapter 10 of the National Planning Policy Framework seeks to reduce and manage the impact of flood risk through location, layout, design, choice of materials and the use of Sustainable Urban Drainage Systems (Suds).

The application site is located within Flood Zone 1, the lowest area of Flood Risk. In terms of surface water drainage, the proposal is considered acceptable in drainage terms subject to the final development incorporating a full sustainable urban drainage system. An informative provided by the Council Drainage Officers detailing the level of information required in order to fulfil the drainage requirements would be attached to the decision notice in the event that the permission is given for the proposal.

Given that landscaping and drainage requirements are intimately connected, particularly on a rural greenfield site such as that under consideration, the above drainage scheme will need to be submitted for approval with any future reserved matters application. This will allow the proposed landscaping and drainage to be assessed at the same time. A condition is therefore recommended that requires the submission of these drainage details with any future reserved matters application.

In addition an informative will be attached to the decision notice to advise the applicant that where works are required to any ordinary watercourse/ditch, this might require formal consent from the Council.

With respect to the foul water drainage agreement will be needed with the service provider (Wessex Water). Wessex Water state that the existing sewage treatment works has spare capacity to accommodate the development.

Subject to the above recommended condition and informatives the proposed development is considered acceptable in drainage terms.

5.5 Environmental Protection

Policy CS9 indicates that new development will be expected to protect land, people and buildings from pollution and also to promote the re-use of contaminated land with appropriate remediation.

Given the previous agricultural use of the land, a preliminary risk assessment has identified the potential for the land to be contaminated. No objection to the proposal is raised subject to conditions to ensure a detailed site investigation to confirm whether contamination is present and then if that is the case the appropriate mitigation is undertaken. All this must take place prior to commencement of development however a condition is also recommended to ensure immediate action/remediation in the event of contamination being found once work has commenced.

With respect to impact upon the development from existing noise sources, an acoustic report was requested in order to assess the impact upon the development of the nearby Country Style Supplies located slightly to the north of the site on the opposite side of Sodbury Road.

The submitted report which has been viewed by the Environmental Protection Team sets out noise attenuation measures for the residential areas of the site and these would particularly apply to those on the western side of the site. These measures include; sensitive location of gardens, provision of boundary treatments and appropriate glazing. The detailed layout is not being considered at this time however the eventual design/layout should reflect the findings of the report. A condition requiring the development to be designed in accordance with the findings of the report is therefore recommended in the interests of the amenity of future occupiers.

Concern has been raised that the proposed development site could be affected by existing air quality and could in itself adversely affect air quality. The considered views of the Council's Environmental Protection Team are set out in section 4 above. It is considered that background pollution is low in this location. A condition is also recommended to secure a Construction Management Plan to include a Dust Management Plan in order to mitigate against any adverse impact from the development itself.

5.6 **Heritage Issues**

Paragraph 133 of the NPPF indicates that *“where a proposal will lead to a substantive harm to or total loss of significance of a designated heritage asset local planning authorities should refuse consent unless there are substantial benefits that outweigh that harm”*.

Paragraph 134 of the NPPF 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”*.

Local Development Plan Policies L13 of the South Gloucestershire Local Plan (saved policy) and CS9 of the South Gloucestershire Local Plan Core Strategy both seek to ensure that heritage assets are conserved, respected and enhanced in a manner appropriate to their significance.

The submitted heritage statement identifies Poplar Farmhouse as the nearest heritage asset. This is located immediately to the north of the site. The building is locally listed but is not proposed for demolition. The Farmhouse is considered to be part of a pattern of such substantial farmhouses, a reflection of the prosperous nature of

Wickwar in the late and post medieval period. It is considered that the gradual encroachment of housing in the surrounding countryside including the modern housing to the north of the site has diminished the significance of these large farmsteads both individually and collectively.

Also identified within the heritage Statement is Sturt Bridge, a scheduled ancient monument and Grade II Listed building/bridge which crosses the Little Avon River approximately 800 metres to the east of the built form proposed. It is not disputed as set out in the submitted heritage statement that there is no direct inter-visibility between the site and the late medieval bridge however it is considered that encroachment into the countryside would, albeit from a distance, affect its rural setting, notwithstanding that the proposed landscaping area along the eastern side of the site would provide a buffer screen. The site is close to another locally listed building, a former Toll House situated opposite the entrance to Horwood Lane located to the south of the site. It is considered that this property has been diminished in its significance by alterations but an urban development would cause some harm to its setting and significance.

Clearly an extension to the southern boundary of Wickwar will further distance the historic part of the town sited with a Conservation Area from its rural hinterland something that has already taken place through the relatively recent modern developments to the north of Poplar Lane.

Taking into account all the above impacts which are to the setting of locally listed buildings and to the listed bridge to the east of the site, it is not considered that any impact would result in substantial harm such that paragraph 133 of the NPPF as set out above would apply. This finding of less than significant harm is also predicated on the necessity of limiting the scale parameters, (to a maximum height of 9 metres as set out in the Design and Access Statement), and the scope when the reserved matters application is submitted to alter the layout or enhance landscaping. Also it will be essential to ensure that the development uses traditional materials, reflects local distinctiveness. It is therefore considered that a sensitively designed development has the capacity to significantly reduce any harm to the heritage assets described above.

In conclusion therefore it is considered that Paragraph 134 of the NPPF applies and thereby it is considered that there is a finding of less than substantial harm. This is not to state or imply that there is not a harm to heritage assets but does ensure that the Council has the ability to assess whether the public benefits resulting from the development clearly outweigh the harm to those assets.

5.7 Archaeology

Policy CS9 seeks to ensure that new development conserves, and enhances heritage assets in a manner appropriate to their significance.

The applicant has undertaken a geophysical survey of the site. The Council Archaeologist has viewed the results which indicate that there is an absence of archaeology of national significance. The results do not demonstrate clearly however that archaeology does not exist on the site and as such a detailed condition is recommended to secure trial trenching leading to the production of a detailed

mitigation strategy to be applied to the construction phase of the development. There is no objection to the proposal on archaeological grounds subject to this condition.

5.8 **Landscaping**

Policy CS1 of the Core Strategy requires that development of a sufficient scale or significance explains how it contributes towards the vision and strategic objectives of the locality. Policy CS9 states that new development will be expected to “*conserve and enhance the character, quality, distinctiveness and amenity of the landscape*” and that character is identified in the South Gloucestershire Landscape Character Assessment (Wickwar Ridge and Vale) that was adopted as a supplementary planning document in November 2014.

This is an outline application with the proposed landscaping and layout being considered in detail at the outline stage. Thus the principal consideration at the outline stage is the impact of the proposal upon the existing landscape character, nevertheless the design and access statement is required to inform the detail to be brought forward at the reserved matters stage having regard to how the development responds to the site and its setting. Alongside the Design and Access Statement the applicant has submitted a Landscape and Visual Impact Appraisal (LVIA) which has been assessed by the Council Landscape Officer.

The Character Appraisal identifies key characteristics of the Wickwar Ridge and Vale indicating that it is a diverse undulating landscape covered with a mix of farmland, woodland and common and stressing that it has a strong visual relationship with the Cotswold escarpment and thus is within the setting of the Area of Outstanding Natural Beauty (AONB). It is considered that the proposed housing would be located on a relatively flat site albeit with a slight drop in levels eastwards. The site consists of pasture land bordered by small hedges and hedgerow trees. There is a continuous hedgerow frontage along Sodbury Road.

The submitted LVIA assesses the effect of the proposal on the landscape as a resource in its own right and assesses the effect on specific views as well as the general impact upon visual amenity experienced. The report assesses the effect on the landscape taking into account existing elements of the landscape that will be lost or changed and the degree to which key characteristics of the landscape will be altered by removal or addition of new elements. The report in assessing the visual effect maps views to the site from 12 points of varying distances. The report concludes that *the development would have no greater than a moderate effect where views where views are possible within and in close proximity to the site declining to be negligible where views are more distant including those within the AONB.*

It is considered that the LVIA is a fair appraisal of the development site and its effect on the visual landscape including the impact in relation to the AONB. Officers are mindful that careful consideration will need to be made at the detailed planning stage in relation to street and external lighting having regard to the preservation of dark skies (part of the landscape strategy for the Cotswold Escarpment).

Turning to the intentions set out in the illustrative masterplan and illustrative plan within the Design and Access Statement, while landscaping is to be considered at the reserved matters stage it will be expected that these intentions are followed through

and included within this future planning application. The development considered at the reserved matters stage must have regard to the landscape strategy set out in the Landscape Character assessment which is summarised as follows:

To protect areas of tranquillity from disturbance that would harm landscape character, including lighting.

The active management of the hedgerow, tree and woodland framework.

To reinforce traditional field and hedgerow patterns

To ensure sensitive treatment for development outside the settlement boundary to ensure integration with the wider landscape. Robust framework of green infrastructure

To ensure that recreational pressures are managed through adequate provision of green infrastructure.

To ensure development respects and integrates with host landscape and/or settlement pattern and reinforces local distinctiveness.

Within this context the use of consistent boundary treatments is to be welcomed. It is considered that the planting palette for boundary and other structural planting should be kept to a minimum and be mainly native species or native in character with ecological benefits to wildlife. It is important that boundaries, reflecting the rural character are not suburban in style ie close boarded fencing but incorporate hedge planting. Tree planting in the back gardens of future properties is also welcome as is the provision of a Community Orchard. It is considered that the illustrative details of the proposed scheme which includes approximately one third of the site as green infrastructure satisfies the strategy as set out above.

In summary the impact upon the existing landscape is considered acceptable in principle and the submitted details illustrate that the proposed landscaping has the potential to secure the objectives of the landscape strategy set out in the Landscape Character Assessment however the latter will be considered in detail at the Reserved matters application stage.

5.9 Impact Upon Trees

Policy CS1 and Policy CS9 of the Core Strategy indicate that development must safeguard, conserve and enhance existing features of the landscape. The site is covered by a tree preservation order.

The proposed area of open space within the site is welcomed and provides the opportunity for tree planting.

With respect to the existing trees on the site the Arboricultural Report submitted with the application has been viewed by the Council Tree Officer. It is noted that all C and B category trees that were surveyed are proposed for retention and there will be some partial hedge removal at the proposed site entrance. The trees are all located on the edge of the site and are either Ash or Oak. These trees must be protected/retained and to this end an appropriate condition is recommended to secure the submission of

an Arboricultural Implications Assessment, Arboricultural Method Statement and a Tree Protection Plan for approval with the future reserved matters application. Subject to this condition the proposed development is considered acceptable in these terms.

5.10 **Public Rights of Way**

Policy CS8 states that all new development will be encouraged to support travel by other means than the private car, with this being achieved among other means by the provision of and integration of walking, cycling and public transport into the local network. The policy along with Policy CS6 allows for developer contributions to secure improvements to existing facilities.

Policy T12 of the South Gloucestershire Local Plan (2006) seeks safe access for all to a site and requires that development shall not have an unacceptable effect on road, pedestrian and cyclist safety. In addition it allows for the provision of contributions towards pedestrian and cyclist links. Policy T6 indicates that proposals which would prejudice the function, convenience attractiveness and or safety of existing and proposed cycle and/or pedestrian routes will not be permitted, unless an alternative route of acceptably similar function, convenience, attractiveness and/or safety is provided.

Policy LC12 also indicates that all such existing facilities will be safeguarded.

There is no objection to the proposed development providing certain matters are satisfactory considered and secured by condition or legal agreement.

Firstly a condition is recommended to be attached to the decision notice to ensure that prior to the commencement of development full details of the proposed surface of the enhanced footpath LWR/21/10 that runs across the site to include detail of “path furniture” ie kissing gates will be provided.

Secondly, as the above path crosses a ditch around the edge of the field via a small bridge, the applicant has agreed to contribute J2580 towards a compliant bridge and gates and this will be secured within a legal agreement.

Thirdly it will be expected that the final layout submitted with the reserved matters application will include a 3 metres wide multi-user link running from the north to the south. This will be integral to the overall layout and therefore a condition is recommended to require these details to be submitted at that stage for approval.

It has also been noted that there is no direct link from the site on its eastern edge to Poplar Lane and thus on to the wider network of footpaths. A short link from the green space at the eastern side of the site to Public Right of Way LWR/20/10 would provide this access to Poplar Lane and woodland and common land beyond. The land is owned by the same landowner as the site and they are amenable to securing this additional footpath by a separate legal agreement.

Lastly while the application has been with the Council for consideration a concern has been raised by the owner of a property (Croft Cottage) that faces onto Horwood Lane to the south of the site. The final part of Footpath LWR21, a length of 15 metres currently runs to the side of that property. The path is narrow at this point and runs immediately to

the side of the property close to its windows. The Public Rights of Way Team consider that there is an acceptable alternative route around the property which would have the effect of providing an improved footway in terms of its width as well as an improvement to the amenity of that occupier. The cost of a diversion order, minor groundwork and provision of a new access gate would be J4000.

The applicant has agreed to the above measures and therefore the Public Rights of Way Team raise no objection to the development subject to the above matters being satisfactorily concluded through a suitable legal agreement and subject to informatives being applied to remind the applicant of their duties and responsibilities towards public rights of way during the construction phase. It is considered that this weighs in favour of the development.

Comments have been received in relation to opening up a feature known as Plumbers Trench which is approximately 500 metres from the site to the east in order to allow equine access to the Lower Woods Nature Reserve. Advice from the Public Rights of Way Team indicates that there are significant issues that stand in the way of achieving this aim. Firstly there are no recorded equine rights of access along Plumbers Trench. Secondly the construction of a path capable of safely accommodating horse riders would involve the use of heavy machinery to re-grade the gulley/streambed, which would destroy a unique natural feature and the flora and fauna within an area of Special Scientific Interest (SSSI). Officers are aware of concerns from Wildlife Groups about this possibility. Thirdly the desire for an east/ west multi-user link for Wickwar is understood, but officers consider that this particular route is beyond the scope of the application, in terms of both scale and feasibility.

Lastly however it is not considered that this proposal would meet the tests of a planning obligation. It is not necessary to make the development acceptable and it is not directly related to the development being more than 500 metres from the site.

5.11 **Ecology**

The National Planning Policy Framework (Section 11) indicates that the planning system should contribute to and enhance the natural and local environment primarily through minimising impacts on biodiversity and providing net gains in biodiversity where possible (para 109). Core Strategy Policy CS9 and Saved Policy L9 of the Adopted South Gloucestershire Local Plan also require that new development shall conserve and enhance the natural environment, avoiding or minimising impacts on biodiversity.

A detailed Ecological Appraisal has been submitted with the application which has been supplemented with additional information at the request of the Council Ecologist.

The site which comprises intensive agricultural fields is not covered by any statutory or non-statutory nature conservation designations. Bishops Hill Wood – designated as a Site of Special Scientific Interest (SSSI) and Site of Nature Conservation Interest (SNCI) for its calcareous grassland and broadleaved woodland – and the Little Avon River and Tributary SNCI – designated for its open flowing water and bankside vegetation – lie to the southeast and east of the application site respectively although neither will be directly affected by the development.

Additional planting is welcomed. It is considered that the provision of 1.45 hectares of public open space comprising a mixture of wet (species-rich) grassland, mixed woodland/scrub planting, SUDS (designed to have value for a range of herpetofauna, particularly great crested newts) and a community orchard will have a significant benefit to local biodiversity and thus this enhancement weighs in favour of the proposal. A condition is recommended to require the submission of a Landscape and Ecological Management Plan to accord with the submitted Ecological Appraisal prior to the commencement of development. This plan will be expected to include details of the existing habitat to be safeguarded (hedges, trees and grass buffer strips) and all new habitat being created ie water bodies, grassland, hedged, woodland).

Turning to individual fauna identified in the submitted appraisal:

Badgers – Some evidence of badger activity was found at two locations however no setts are recorded within the site. A condition is recommended to require a re-surveying of the site prior to the commencement of any development

Dormice - 62 doormouse tubes were sited on the site between May and October. The species is not considered to be found on the site

Bats - These have been recorded within the neighbouring SSSI, 2km to the north-east (Bishops Hill Wood) and Lower Woods SSSI to the east of the site. The appraisal identifies potential roost sites within the hedgerows on the site. Surveys recorded 11 species of bat passing the site primarily along the southern and eastern boundaries. It is considered that the new semi-natural habitat will be of benefit to bats providing a feeding habitat replacing agricultural land and consequently it is considered unlikely that the development would adversely affect bats continued use of the site. A condition is recommended in relation to a scheme of street lighting in the interests of protecting the foraging areas.

Reptiles – slowworm and grass snake are protected under legislation and the former is also listed on the South Gloucestershire Biodiversity Action Plan as a species the Council will require specific measures for its conservation and enhancement. A mitigation strategy has been set out in the submitted appraisal and in this regard a condition is recommended to ensure compliance with this strategy.

Birds – A variety of species have been recorded that are typical of farmland and woodland habitats. Hedgerows are retained and as indicated above additional planting is proposed which will be of benefit. The submitted appraisal proposes a scheme of nest boxes within the residential built form and a condition is recommended to secure this.

Hedgehog – The submitted appraisal identifies the potential for hedgehog on the site and identifies a mitigation strategy to avoid harm to the species during the development. The Hedgehog is a priority species nationally and is included on the South Gloucestershire Biodiversity Action Plan. A condition is recommended to ensure that the development is carried out in accordance with the mitigation plan.

Great Crested Newts – A survey has found these to be present in a small pond outside the boundary of the site at Poplar Farm. The existing farmland habitat is deemed to be a poor habitat for the species and the main impact would be the removal of some areas of hedgerow however it is considered that this is more than compensated for by the

proposed new “green” open space which will comprise mixture of standing water (SUDS basin), wet grassland, broadleaved woodland/scrub planting and a community orchard all constituting high quality terrestrial habitat for the species. As indicated above a condition is recommended to secure a suitable Landscape and Ecological Management Plan. In addition the submitted appraisal sets out a number of provisions to allow the population to span road intersections and through hedges (tunnels/underpasses). A condition is recommended to ensure that the development proceeds in accordance with these provisions

Subject to the conditions set out above the proposed development is considered to be acceptable in ecological terms.

5.12 **Transportation**

As indicated above, this outline application fixes the position of the access. The key material considerations fall broadly into two areas, firstly whether the development is in a sustainable location and secondly whether the proposal will have an adverse impact upon the surrounding highway network.

With regard to the location of new development, para 7 of the NPPF indicates that the planning system has an economic role in contributing to a “strong, responsive and competitive economy” by ensuring that development takes place in the right place. In addition the NPPF as a core principle (para 17) states that planning should:

Actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling, and focus significant development in locations which are or can be made sustainable.

With regard to the specific impact of development upon the highway network NPPF (para 32) states:

Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe

Turning to the Council’s adopted policies Policy CS8 of the adopted Core Strategy states that new development proposals which generate significant demand for travel will be more favourably considered the nearer they are located to existing and proposed transport infrastructure and existing facilities and services. Developments which are car dependent or promote unsustainable travel behaviour will not be supported”. Also of relevance, the policy promotes the provision of off-site local transport improvements as may be necessary and the provision and integration of walking, cycling and public transport infrastructure into the local network.

Policy T12 of the South Gloucestershire Local Plan (2006 – saved policy) looking more specifically at the impact of development upon the immediate highway network, indicates that new development should “make adequate, safe and appropriate provision for the transportation demands that it will create and minimise the adverse impact of motorised traffic.

Sustainability

As indicated above the site is located such that there are few sizeable employment opportunities within the immediate vicinity of Wickwar. Although there is one shop which includes a post office, the nearest supermarket facilities are in Wotton under Edge and Yate. In addition there are no health facilities in Wickwar. The nearest secondary schools are also in Yate/Chipping Sodbury which will also place a reliance on motor vehicle travel. In partial mitigation however in this regard a contribution has been secured for school transport provision.

Wickwar itself has a primary school which is currently operating under capacity. There is a village shop with post office, hairdressers, coffee shop/café and public house (at the other end of the village). The village has a Community Centre (Olive Pollard Rooms), Town Hall and Village Hall, Youth Club and Social Club. The village also has access to playing fields (King George V Playing fields) on the western side of the village with football pitches, cricket pitch, pavilion and playground. The application site itself will provide access to an appropriate level of open space including children's play area as well as providing allotments.

With respect to Public Transport provision, this is described in Section 5.2 above however in summary there are two bus services that cover the same route between Wotton under Edge and Yate (in opposite directions). The frequency is every 90 minutes with no service on a Sunday. The service is therefore limited but does give access to the nearest centres with key facilities. As with all rural services this is a supported service, (By public subsidy) and vulnerable to change.

It is considered that walking and cycling are particularly important to this development and it's sustainability. The ability to access/connect to those facilities available in Wickwar itself by means other than private motor car is essential. Within the submitted Transport Assessment the applicant identified that there were a number of facilities within the village considered to be within easy walking distance of the site. Officers consider that while "as the crow flies" this may be the case, the applicant in this assessment has however made no assessment of the suitability and quality of the available routes necessary to make this connection. There are gaps in footway provision between the site and the centre of the village. For example there is no footway outside the Citroen Garage and there is a section of footway that is missing along the High Street towards its northern end between the shuttle traffic lights.

In addition it should be noted that there is an aspiration by local residents that the Council provides a new footway along Sodbury Road between 'the Timber yard' and Frith Lane. A petition has been received by the Council (see consultation section above) asking for this improvement among other measures. The Councils' Traffic Management department has this on its 'task list' but there are no funds no identified funds at present for implementing such scheme. In the event that planning permission were to be granted for this development, given the increased development traffic, the necessary improvements would have to be brought forward in order to maintain highway safety for the intended residents.

Cycling - There is no formal/designated cycle route within the immediate vicinity of the proposed site. The applicant refers to the National Cycle Network Route 410 a kilometre from the site, through the northern end of Wickwar via West End Road,

Downs, Station Road, however, no assessment is made by the applicant as to the quality of the connecting routes or how this development will be linked to it.

The applicant has submitted a draft 'Travel Plan' in order to encourage more sustainable modes of travelling. Agreement has been reached to secure mitigating measures (set out at the end of this section).

Impact upon the Highway Network

In traffic terms, the proposal will result in significant increase of traffic movements in the area. Based on the information submitted within the supporting Transport Assessment the predicated traffic during the morning peak hour will be about 51 (two-way movements) and during PM peak there would be around 52 two-way movements to and from the new development. Over the course of a 12 hour period (between 07.00am & 19.00pm), the figures suggest that the development will result in just over 400 two-way vehicular movements. It is considered that when one takes into account for the local factors including the sustainability issue and the site being remote from some of key services such major food supermarket, medical and dental services and secondary educational establishment and in accounting for leisure-based trips in the evenings, etc. then the resultant traffic from this site will be likely to exceed those figures mentioned above.

Access

In terms of the access, the plan submitted with the application shows a new junction in form of a 'simple priority 'T' junction' onto Sodbury Road. The Visibility splays shown from this are 2.4m by 43m. This visibility is suitable for a 30mph road but the road at this location is subject to a speed limit of 40mph. As part of the scheme, it is proposed to extend the 30mph speed limit further south to include the site frontage and the applicant is proposing to implement traffic calming along this section of Sodbury Road. In broad terms officers are satisfied with the principle of the proposed access and traffic calming measures but the final approval to this will remain subject to the approval of the final detail design. This will therefore be secured through a S106 agreement.

Footpath to the front of the site

Members requested following the site inspection, details on whether it would be possible to provide a footway along the frontage of the site. A revised plan has been submitted that shows a new 3m wide footway on Sodbury Road along the site frontage except (where the applicant's land ownership runs out) outside the property no. 83 Sodbury Road. At this location, the footway will be approximately 1.7 m wide (i.e. limited to adopted highway verge).

It is considered that it would be preferable for the footway to be constructed along the road edge. It should be noted however that to provide a 3 metre wide footway in this location would require the removal of the hedge and a replacement hedge to be planted behind it. It is considered by both the ecologist and the landscape officer that the retention of the hedge is important as it provides a functional habitat for wildlife as well as a visual amenity benefit. An acceptable compromise has been reached with the applicant agreeing to provide a 3 metre wide footway behind the hedge along the

entire length of the frontage. The path would be accessible for all future occupiers of the developer and would be accessible to those outside the site from four access points, firstly at the southern end at the junction with Horwood Lane, secondly at the site entrance, thirdly from the access to the existing public footpath and lastly at its northern end. It should be noted that there will some impact to the existing hedge for access and for visibility splays however as noted in the landscape section above, the ecologist and landscape officers considered that any loss will be more than compensated for through the provision of the open space and proposed planting elsewhere on the site.

Summary

It is considered that the site is located in a less than ideal location given that it is some at distance from key facilities such as medical services, major retailers, employment and a secondary school (although the applicant has agreed to provide a contribution towards school transport). The site would therefore rely upon outward commuting cars. There is however a public transport service to Yate/Chipping Sodbury and Wotton under Edge, albeit this service is limited and is subsidised. Wickwar does have a limited number of facilities including a primary school village shop with post office, hairdressers, coffee shop/café, public house (at the other end of the village). The village also has a Community Centre (Olive Pollard Rooms), Town Hall and Village Hall, Youth Club and Social Club. The village also has access to playing fields (King George V Playing fields).

In acknowledging the impact of the development proposal and following discussion, the applicant has now agreed to provide the following mitigating measures:

- A financial contribution toward the provision of a new footway from timber Yard to Firth Lane.
- A financial contribution towards provision of footway improvements within Wickwar village in order to improve accessibility on foot to the existing services /facilities in the area. This will include a 3 metre wide footway along the edge of the site
- A contribution toward improving public transport infrastructure and specifically improving accessibility to bus stops for all users of public transport in the area.
- The provision of traffic calming measures to be agreed with the Highway Authority

It is considered on balance, having regard to all the above matters and with the improvements secured through a legal agreement (being secured through a legal agreement as set out in 7.1 below), that the development is acceptable in highway terms.

5.13 **PLANNING OBLIGATIONS**

The Development will be CIL liable so the S106 requirements (Planning Obligations) would be secured in addition to the CIL liability. Unlike planning obligations the collection and liability for CIL is not -negotiable as part of the planning application.

The Community Infrastructure Levy Regulations 2010 set out the limitations of the use of Planning Obligations when considering planning applications.. Essentially the regulations (regulation 122) provide 3 statutory tests to be applied to Planning Obligations and sets out that a planning obligation may only constitute a reason for granting planning permission for a development if the obligation is;

Necessary to make the development acceptable in planning terms;

Directly related to the development; and

Fairly and reasonably related in scale and kind to the development.

In this instance, it is considered that the following planning obligations are required in order to secure financial contributions towards: the provision of Affordable Housing; the provision of new and works to existing Public Rights of Way; the provision of a financial contribution towards transport to the nearest Secondary School; the provision of on-site open space/green infrastructure with all necessary provisions to ensure its operation, maintenance and management (public open spaces and surface water infrastructure), the provision of a financial contribution towards off-site provision and/or enhancement of Outdoor Sports facilities, and the provision of necessary highway infrastructure are consistent with the CIL Regulations (Regulation 122).

5.14 **Affordable Housing**

Affordable Housing is sought in line with Policy CS18 of the Core Strategy and Affordable Housing/Extra Care Housing SPD. Accordingly the provision of the following terms (secured in a S106 agreement) is necessary for policy compliant scheme:

- 35% of dwellings to be delivered as affordable housing, as defined by the NPPF (based on 80 dwellings 28 homes should be provided as affordable).
- Tenure split of 73% social rent, 5% affordable rent and 22% intermediate housing, as identified by the Wider Bristol Strategic Housing Market Assessment (SHMA) 2015. In this instance as a scheme of 80 dwellings would only trigger 1 home for affordable rent it is considered that a tenure split consisting of 73% social rent and 27% intermediate (to be delivered as shared ownership) i.e. 20 social rent and 8 shared ownership is appropriate.
- A range of affordable unit types to meet housing need based upon the findings from the SHMA 2015 shown below. As an outline application the housing mix/types are not known at this stage however this indicates the mix percentages.

Social Rent

Percentage	Type	Min Size m2
15%	1 bed 2 person flats	50
15%	2 bed 4 person flats	70
28%	2 bed 4 person houses	79
34%	3 bed 5 person houses 2 storey	93
8%	4 bed 6 person houses 2 storey	106

Intermediate

Percentage	Type	Min m2	Size
8%	1 bed 2 person flats	50	
16%	2 bed 4 person flats	70	
35%	2 bed 4 person houses	79	
41%	3 bed 5 person houses 2 storey	93	
0%	4 bed 6 person houses 2 storey	106	

- 8% of the affordable housing to meet wheelchair accommodation standards. Based on 80 dwellings 2 x wheelchair standard affordable homes should be provided for social rent (to be agreed at Reserved Matters Stage to ensure the correct housing type is used).

Affordable housing is to be delivered without any public subsidy. The Council to refer potential occupants to all first lettings and 75% of subsequent lettings.

- Affordable housing should be distributed across the site in clusters of no more than 6 units, or 12 units on sites of more than 100 dwellings, unless a specific pepper-potting strategy is approved. No more than 6 affordable flats should share an entrance and communal areas. Registered Providers would generally expect flats within a single block to be of the same tenure.
- Design and specification criteria: All units to be built in line with the same standards as the market units (if higher) and to include at least Lifetime Homes standard, Part 2 of Secured by Design, and compliance with the RP Design Brief as follows; all rear gardens to be turfed and generally to have 1.8m high close boarded fencing to boundaries and privacy panels; all properties to have vinyl/tiles on floor in all ground floor rooms; ceiling height tiling to 3 sides of bathroom to be provided; provide wall mounted shower (either electric or valve and kit); p- Provide gas and electric points to cooker space (where gas is available);- Painted

softwood curtain battens to each window (where construction is traditional as opposed to timber frame)

- Delivery is preferred through the Council's list of Approved Registered Providers. The Council works in partnership with Registered Providers to deliver affordable housing to development and management standards. In the event of the developer choosing a Registered Provider from outside the partnership then the same development and management standards will need to be adhered to. In terms of phasing the Affordable housing is to be built at the same time as the rest of the housing on site in line with agreed triggers as per S.106 agreement. Where the development will proceed over more than one phase, the location, amount, type and tenure of the affordable housing in each phase will need to be set out in an Affordable Housing Masterplan and Schedule. The plan and schedule to be approved prior to submission of the first residential Reserved Matters application.
- The Council will define affordability outputs in the S.106 agreement, without any further information regarding sales values the affordability standards are as follows:-
 - Social rents to be target rents, set in accordance with the Direction on the Rent Standard 2014
 - Shared ownership: no more than 40% of the market value will be payable by the purchaser The annual rent on the equity retained by the RP should be no more than 1.5% of the unsold equity
 - Affordable rents to include service charges in line with NPPF definition and set at up to 80% local median market rents
 - Service charges will be capped at J650 (April 2016 base) to ensure that the affordable housing is affordable
- Social rented to be retained as affordable housing in perpetuity. Right to Acquire does not apply where no public subsidy is provided.
- Any capital receipts on intermediate housing to be recycled as capital expenditure on approved affordable housing schemes in South Gloucestershire, on the basis that the subsidy increases by any capital appreciation on that subsidy.

These terms have been agreed with the applicant.

5.15 Education (Transport to School)

Policy CS6 of the Core Strategy seeks to secure contributions towards the provision of necessary infrastructure to support the development of sustainable and healthy communities. It should be noted that contributions towards additional school places are now funded through the Community Infrastructure Levy (being included on the list required by Regulation 123 of that act) and therefore are not secured as was the case previously through a Section 106 agreement. Notwithstanding this however it can be reported that there are surplus places at both the secondary and primary schools that serve Wickwar.

It is considered necessary to request a contribution towards transport to the nearest secondary schools through a legal agreement. The provision of such money would contribute to the sustainability of the site. Access to secondary education through means other than the private motor car is a clear need that arises from the development and as such securing this through a legal agreement is considered to meet the test of a planning obligation.

The money would go towards the provision of transport to the nearest secondary school which is Brimsham Green (3.4 miles) or Chipping Sodbury School (4 miles). Both schools are over three miles and it is considered reasonable to require a Section 106 contribution towards costs for transport to school. According to the pupil number calculator 14 additional secondary pupils would be generated by this development.

Officers consider that the most cost effective mode of transport to either Brimsham Green or Chipping Sodbury School would be by minibus, costing J120 per day for 14 pupils in both cases. There are 190 school days in the school year, therefore the cost would be J22,800 per year. A student will be in secondary education for 7 years. The total cost of transport to school for 14 secondary pupils is therefore $J22,800 \times 7 = J159,600$

The applicant has agreed to this contribution.

5.16 Open Space/Green Infrastructure

Policy CS2 of the South Gloucestershire Local Plan Core Strategy 2013, (reflecting the principles set out in Chapter 8 of the NPPF – *promoting healthy communities*), seeks to ensure that existing and new Green Infrastructure is planned delivered and managed as an integral part of creating sustainable communities and to enhance the quality of life of future occupiers. The policy also recognises that the appropriate provision of Green infrastructure aside from providing direct benefits such as for recreation and access, (for mental and physical well-being), can be a means of improving landscape quality, improve biodiversity and provide opportunities for food production.

More specifically to ensure the provision of the above benefits Policy CS24 of the Core Strategy seeks the provision of green infrastructure, outdoor space, sport and recreation facilities. The policy requires that new developments must comply with all the appropriate local standards of provision in terms of quantity, quality and accessibility, be delivered on-site, unless it is demonstrated that partial or full off-site provision or enhancement creates a more acceptable proposal and the functionality and usability of spaces and facilities must be suitable for their intended purposes. Environments for play are required to be delivered as an integral part of site design within both public and semi-private communal open space areas.

Using current average occupancy data and the proposed number of dwellings, it is estimated that the proposed development of 80 dwellings would generate a total population increase of 192 residents. Having regard to this figure Appendix 5 of the Core Strategy sets out the Green Infrastructure, sport and recreational standards that would be expected to be provided, (where there is an existing shortfall and in

this case an audit of existing provision has demonstrated that there is an existing shortfall of all categories of open space within the recommended access standards).

The applicant submitted indicative plan shows an intention to provide 2.1ha of green infrastructure. Within this will sit the open space categories of Informal Recreational Open Space, Natural and Semi-natural Open Space, Provision for Children and Young People, and Allotments. Within the green infrastructure there will also be a trim trail, a community orchard and surface water infrastructure. As discussed elsewhere in this report the provision of the allotments would be on the small area of higher grade agricultural land (grade 3a). The provision for these categories as shown would therefore exceed the policy requirement to meet the needs of future occupiers and as such this is a factor that weighs in favour of the proposal in particular given the improved links to the remainder of Wickwar. The S106 agreement will require minimum spatial requirements to comply with the standards set out in Appendix 5 of the Core Strategy as follows:

Category of open space	Minimum spatial requirement to comply with policy CS24 (sq.m.)
Informal Recreational Open Space	2,208 (1.4ha per 1000 population)
Natural and Semi-natural Open Space	2,880 (1.5 ha per 1000 population)
Provision for Children and Young People	480 (0.25 ha per 1000 population equipped play space)
Allotments	384 (0.2 ha

In the terms of the maintenance of the on-site open space set out above the applicant has proposed that this will be undertaken through a private management company. This maintenance regime (for public open space and surface water infrastructure) will cover in-perpetuity arrangements for its operation, management and maintenance. The legal agreement will also require the inspection of the open space provision prior to its transfer to the private management company to ensure that it is being provided in accordance with the above requirements (the Council charges a fee (J52.00 per 100sq.m.plus J500 core service fee) for this inspection.

Outdoor Sports Facilities will not be provided on site but a financial contribution to create new facilities or improve existing facilities at King George V Playing Fields is required. The provision of J147,757.06 as a contribution towards off-site provision and J44,721.25 towards its maintenance will be included within the legal agreement.

The applicant has agreed to the above terms.

5.17 Public Rights of Way

Section 5.8 of the report above considers in detail the impact of the development upon existing public rights of way and considers the need for improvements/enhancements to this provision to accord with Policy T12 and LC12 of the Adopted Local Plan (saved policies) and Policy CS1 and CS8 of the Core Strategy. Policy CS6 allowing for developer contributions to secure improvements to existing facilities. The request is also in accord with the objectives of Section 8 (para 75) of the NPPF that supports

the protection and enhancement of public rights of way including, (and this is relevant to the third contribution listed below) adding links to existing rights of way networks).

The following provision is sought and has been agreed by the developer:

- J4000 towards the diversion order, minor groundwork and provision of a suitable BS compliant stock proof gate to provide an alternative route around Croft Cottage for Public Right of Way LWR21/10
- J2680 towards upgrading path furniture to include BS compliant accessible gates or kissing gates and bridge surface improvement for Public Right of Way LWR20/10 to the east of the site.
- J3500 to facilitate a footpath linking the eastern edge of the site to footpath LWR/20/10 (and thereby a link to Poplar Lane and the woodland and common beyond). This would provide money towards a creation order (administration and advertising costs) under Section 26 Highways Act 1980

The applicant has agreed to the above terms.

5.18 Transportation

To accord with Policy T12 of the South Gloucestershire Local Plan Adopted) saved policy 2006 and Policy CS1 and CS8 of the South Gloucestershire Local Plan Core Strategy 2013, the following matters will be included in the legal agreement:

- The construction of a new access to the Council's fully adoptable standards
- Provision of traffic calming measures (with the design first to be agreed with the Highway Authority) on Sodbury Road.
- A contribution of J180,668 towards a new footway along the western side of Sodbury Road between 'the Timber Yard' and Firth Lane.
- A contribution of J80,000 towards provision of a new footway along the Citroen garage on High street – Wickwar. And in the event that such footway facility is not possible due to land ownership issues then, to design alternative provisions that may include traffic calming measures at this location in order to help pedestrian to safely cross the road and back again.
- A contribution of J35,000 towards provision of the missing footway through the shuttle signal section along the western side of the High Street Wickwar.
- A contribution of J50,000 towards upgrade of two local bus stops in the Wickwar and to include improved access to bus stop and provisions for raised pavement for the disabled plus a bus shelter with 'Real Time Information' (RTI) standard and include appropriate connection to electricity supply.

The applicant has agreed to the above terms.

5.19 Fire Hydrant

A request for a fire hydrant has been made. No details have been provided of the location, whether it is needed on the site or elsewhere and the Fire Authority have indicated that there are unable to specify the requirement until they have details of water supply. It is considered that this is a matter for the applicant to discuss with Avon Fire and Rescue and an informative will be added to the decision notice to this effect. As submitted this request fails the statutory tests required for a planning obligation.

5.20 Planning Balance

Housing applications must be considered in the context of the presumption in favour of sustainable development. The Council is not able to demonstrate a five-year supply of deliverable housing sites, so (as per paragraph 14 of the National Planning Policy Framework), the relevant policies for the supply and location of housing cannot be considered up to date. Thus an “in principle” objection to the development on the grounds that the application site lies outside of a settlement boundary is no longer supported by a policy. Where relevant policies are out of date the presumption in favour of sustainable development means granting permission unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against policies in the Framework taken as a whole or where specific policies indicate that development should be restricted. The site does not fall under one of the restrictive policies listed in footnote 9 to the NPPF in so far as the site is not within the Green Belt or AONB and the impact upon heritage assets as discussed above in para 5.6 is considered less than substantial.

Having determined that the Council is unable to demonstrate a 5 year housing supply, it is therefore necessary to assess the sustainability of the site when assessed against the NPPF as a whole. There are three dimensions to sustainability.

Environmental

The site lies immediately to the south of the settlement boundary of Wickwar being separated from it by the width of Poplar Lane. The site itself has no landscape designation. The site is bounded to the south partly by scattered properties along Horwood Lane and by Sodbury Road to the west. The eastern boundary is with open countryside. The site is greenfield land and will result in encroachment upon the countryside. It is considered that the proposal would therefore result in some environmental harm. Some hedgerow would be removed to form the access however it is considered that this harm would be mitigated by the suggested landscaping proposals and the open space provision. It is not considered given its location that the development would have an adverse impact upon the setting of the Area of Outstanding Natural Beauty.

It is not considered that the proposal would result in any ecological harm, indeed it is considered that the open space provision and planting provides the opportunity to enhance the ecological value of the site and that this constitutes a benefit that weighs in favour of the proposal. There is not considered to be a harm arising from increased flood risk and officers consider that it is possible for a future development to adopt a

fully integrated sustainable drainage, with this being considered at the reserved matters stage.

Some weight is attached to the harm caused to the setting of locally listed buildings and listed bridge as discussed in 5.6 above although that harm is limited and that impact can be further reduced by restricting the scale parameters of the development and careful consideration of the detailed layout and design of the proposal at the reserved matters stage.

The provision of a new access would result in environmental harm as there would be increased vehicle movements particularly given that the site is situated at distance from some key facilities. The proposal would however secure some improvements to footways in the locality commensurate to the scale of the development. It is acknowledged however that the footway to the front of No.83 Sodbury Road with a width of 1.6 metres would fall below the 2m width standard. The provision of the footway to Frith Lane has been a long standing objective which has been requested locally but has not been possible because of funding issues. It is considered that the impact of the development can be mitigated through traffic calming measures and that these measures would have wider benefits to more than just the future occupiers of the development. .

Lastly, while the detailed layout would be considered through a future application, it is considered that the applicant has demonstrated in the design and access statement that while there is an acknowledged harm through encroachment into the countryside it is possible through sensitive design, use of landscaping and provision of open space to reduce the impact.

Social

The proposal would provide housing in accordance with the NPPF objective to increase housing delivery. 35% of the housing or 28 units would be affordable. It is considered that if allowed these units can be provided within 5 years and therefore contribute to the Council's land supply. It is considered that this is a significant and important social benefit which addresses a long term need for such provision in the district which has a significant shortfall in its housing delivery and in line with the national situation, a pressing need for affordable housing.

The site is located at distance from some key facilities and employment opportunities as set out elsewhere in this report and there will be a reliance on motor vehicles for accessing these. The site is in close proximity to a bus service that gives access to services in Yate and Wotton and the applicant has agreed to provide enhancements to the infrastructure, including a new bus stop and provide money to support transport for secondary school pupils. Notwithstanding this all rural bus services are vulnerable to change. On balance the reliance on motor vehicle access to facilities is a harm that results from the proposal and as such weighs against it when considering the planning balance. With respect to access to facilities in Wickwar as indicated above footpath infrastructure improvements will go some way to ensuring a social connection with the village and provide some benefits to the wider community.

It is considered that there would be some modest social benefits through the provision of play space and managed open space as well as through the provision of a

contribution to off-site sports facilities within the village. Improved footpath links would make it possible for this to be accessible to existing residents as well as future occupiers.

Economic

The economic role of sustainable development is to ensure that sufficient land of the right type is available in the right places at the right time to support growth. This site being on greenfield land is not of the right type or the right place being outside the settlement boundary, however as indicated above the NPPF is clear that where there is a need to increase the supply of land to meet housing requirements this harm need not be fatal and must be weighed against any benefits.

The economic dimension is supported by the provision of new dwellings, where construction jobs and supply chain would benefit although the benefit that the construction would bring to the immediate area would be very limited so little weight is given to this benefit. There would be some modest benefit to the local facilities in Wickwar through some additional spending power of the new population and through the additional pupils attending the primary school.

The development would secure a financial contribution from the New Homes Bonus and Community Infrastructure Levy however on balance this would have a neutral impact.

In summary your officer considers that the proposed development results in both harm and benefits as set out above. The harm is that the development would place great reliance on motor car use as many facilities are not readily available for future occupiers. In addition the proposal does result in encroachment into the countryside and there would be an impact upon the setting of heritage assets.

On balance however it is considered that the proposal would fulfil three strands of sustainability. The provision of housing would support growth. A S106 agreement would ensure that appropriate infrastructure is provided both for the site itself and to the benefit of the wider area providing new footways and enhancing existing routes. The development would provide a social role in helping to provide the supply of housing needed to meet the needs of the present and future generations in particular through the provision of affordable housing. The proposal would also result in a net gain in Green Infrastructure both in terms of landscape features and biodiversity.

In conclusion therefore it is considered by your Officer that the adverse impacts of the development would not significantly and demonstrably outweigh the benefits of the proposal and therefore that permission should be granted subject to the signing of a S106 legal agreement and the conditions set out below.

5.21 Informatives

Standard Informatives relating to land ownership and access rights to undertake work

An informative that planning consent must be read in conjunction with the S106 Legal Agreement

An informative advising the applicant as to their duties and responsibilities in relation to the on-site Public Right of Way

Advice regarding duties and responsibilities in relation to nesting birds

Advice regarding the possible need for formal consent to undertake works to a watercourse/ditch.

Advice in relation to the recommended Archaeological Condition

An informative to advise the applicant to contact Avon Fire and Rescue regarding the provision of fire hydrant(s)

6. CONCLUSION

6.1 In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004, Local Planning Authorities are required to determine applications in accordance with the policies of the Development Plan, unless material considerations indicate otherwise.

6.2 The recommendation to grant permission has been taken having regard to the policies and proposals in the South Gloucestershire Local Plan (Adopted) January 2006 and South Gloucestershire Local Plan Core Strategy 2013 set out above, and to all the relevant material considerations set out in the report.

7. RECOMMENDATION

7.1 That authority be delegated to the Director of Environment and Community Services to grant permission, subject to the conditions set out below and the applicant first voluntarily entering into an agreement under section 106 of the Town and Country Planning Act 1990 (as amended) to secure the following:

a) Affordable Housing

- 35% of dwellings to be delivered as affordable housing, as defined by the NPPF (based on 80 dwellings 28 homes should be provided as affordable).
- Tenure split consisting of 73% social rent and 27% intermediate (to be delivered as shared ownership) i.e. 20 social rent and 8 shared ownership.
- In all other respects the development shall comply with the requirements as set out in para 5.14 above

Reason:

To accord with Policy CS18 of the South Gloucestershire Core Strategy 2013 and the Affordable Housing and Extra Care SPD 2014

b) Transport to School

- A financial contribution of J159,600 towards the costs of providing home to (secondary) school transport

Reason:

To accord with Policy LC4 of the South Gloucestershire Local Plan Core Strategy (Adopted 2006 Saved Policy) and Policy CS23 of the South Gloucestershire Local Plan Core Strategy (Adopted) 2013

c) Public Rights of Way

- J4000 towards the diversion order, minor groundwork and provision of a suitable BS compliant stock proof gate to provide an alternative route around Croft Cottage for Public Right of Way LWR21/10
- J2680 towards upgrading path furniture to include BS compliant accessible gates or kissing gates and bridge surface improvement for Public Right of Way LWR20/10 to the east of the site.
- J3500 to facilitate a footpath linking the eastern edge of the site to footpath LWR/20/10 (and thereby a link to Poplar Lane and the woodland and common beyond). This would provide money towards a creation order (administration and advertising costs) under Section 26 Highways Act 1980

Reason:

To accord with Policy T12 and LC12 of South Gloucestershire Local Plan (Adopted 2006 Saved Policy) and Policy CS1 and CS8 of the South Gloucestershire Local Plan Core Strategy (Adopted) 2013

d) On and Off-Site Public Open Space and Sports Facilities

- On-site provision of 2208 sq.m of Informal Recreational Open Space
- On-site provision of 2880 sq.m of Natural and Semi-Natural Open Space (which will include surface water infrastructure)
- On-site provision of 480 sq.m of provision for children and young people (equipped children's play areas, including provision for young people)
- On-site provision of 384 sq.m of allotments
- On-site Informal Recreational Open Space, Natural and Semi-Natural Open Space, Children's and Young People provision and Allotments to be privately managed and will be subject to a Management and Maintenance Scheme. Provisions to ensure the in-perpetuity arrangements for the operation, management and maintenance of all public open spaces and surface water infrastructure that will not be adopted by a statutory undertaker. An inspection fee will be charged to ensure compliance with the approved plans prior to the transfer to any private management company.
- J147,757.06 towards off-site provision and/or enhancement of Outdoor Sports facilities (King George V Playing Fields Wickwar) and J44,721.25 towards the maintenance of this provision.

Reason:

To accord with Policy CS24 of the South Gloucestershire Local Plan Core Strategy (Adopted)

e) Highways Works and Infrastructure

- The construction of a new access to the Council's adoptable standards together with minimum visibility splays of 2.4m by 43m including a 3m wide footway along the whole site frontage on Sodbury Road with exception to the land fronting no. 83 Sodbury Road where this footway may be locally reduced to minimum of width of 1.6m all as shown on 'ILLUSTATIVE MASTERPLAN 6957-L-05 – A. The said footway shall be connected to the existing footway network in the area together with all associated highway works including lighting, drainage, kerbing of the road edge along the site frontage and signage with all details first to be agreed with the Highway Authority.
- Provision of traffic calming measures (with the design first to be agreed with the Highway Authority) on Sodbury Road together with all associated works as shown in-principle only on drawing no.4746/38/01D and for avoidance of doubt, the exact nature of such traffic calming and its full design first to be approved by the Council.
- A contribution of J180,668 towards a new footway along the western side of Sodbury Road between 'the Timber Yard' and Firth Lane.
- A contribution of J80,000 towards provision of a new footway along the Citroen garage on High street – Wickwar. And in the event that such footway facility is not possible due to land ownership issues then, to design alternative provisions that may include traffic calming measures at this location in order to help pedestrian to safely cross the road and back again.
- A contribution of J35,000 towards provision of the missing footway through the shuttle signal section along the western side of the High Street Wickwar.
- A contribution of J50,000 towards the upgrade of local bus stops in Wickwar (which may include the provision of a new bus stop outside the application site) and to include improved access to bus stops and provisions for a raised pavement for the disabled plus provision of 'Real Time Information' (RTI) standard and inclusion of an appropriate connection to electricity supply.

To accord with Policy T12 of the South Gloucestershire Local Plan (Adopted) saved policy 2006 and Policy CS1 and CS8 of the South Gloucestershire Local Plan Core Strategy 2013.

- 7.2 That should the agreement not be completed within 6 months of the date of the Committee resolution that delegated authority be given to the Director of Environment and Community Services to refuse the application.

Contact Officer: David Stockdale
Tel. No. 01454 866622

CONDITIONS

1. Approval of the details of the layout, scale and appearance of the building(s) and the landscaping of the site (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority in writing before any development is commenced and the development shall be carried out in accordance with the approved details.

Reason

This is an outline permission only and the reserved matters shall be made to the Local Planning Authority.

2. Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.

Reason

To comply with the requirements of Section 91 of the Town & Country Planning Act 1990 (as amended).

3. The development hereby permitted shall be begun either before the expiration of three years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

Reason

To comply with the requirements of Section 91 of the Town & Country Planning Act 1990 (as amended).

4. The development hereby permitted shall be carried out in accordance with the principles and parameters set out in the design and access statement dated November 2016 and Illustrative Framework Plan 6957-L-04-H. No part of the development shall exceed 9 metres in height above existing ground level.

Reason

To ensure that the proposed development remains of an appropriate scale, in keeping with the character of the surrounding area, in accordance with the requirements of Policies CS1 and CS9 of the adopted South Gloucestershire Local Plan Core Strategy 2013.

5. Ecology (Great Crested Newts, Herpetofauna, Hedgehogs, Badgers)

All works in relation to the species listed below shall be carried out strictly in accordance with the provisions detailed in the Supplementary Ecological Appraisal (August 2016) and Ecological Appraisal (March 2016) by FPCR.

(i) Great Crested Newts

(ii) Herpetofauna (slowworm, grass snake and toad)

(iii) Hedgehog

(iv) Badgers

Reason

To protect the wildlife and the ecological interests of the site to accord with Policy CS9 of the adopted South Gloucestershire Local Plan Core Strategy 2013.

6. Ecology

Prior to development commencing, a scheme of new bird nesting boxes/features shall be submitted to and approved in writing by the Local Planning Authority. The scheme should include the type and location of all nest boxes and design features, to cover a variety of species including starling, house martin and house sparrow. All works shall be carried out in accordance with the approved details.

Reason

To protect the wildlife and the ecological interests of the site to accord with Policy CS9 of the adopted South Gloucestershire Local Plan Core Strategy 2013.

This will be integral to the development and will need to be agreed prior to the commencement of work to avoid the need for remedial action.

7. Lighting

Prior to the commencement of development details of a scheme of street lighting shall be submitted to and approved in writing by the Local Planning Authority to prevent light spill over great crested newt habitat and bat commuting/foraging habitats (European Protected Species). All works shall be carried out in accordance with the approved details.

Reason

To protect the wildlife and the ecological interests of the site to accord with Policy CS9 of the adopted South Gloucestershire Local Plan Core Strategy 2013.

This will be integral to the development and will need to be agreed prior to the commencement of work to avoid the need for remedial action.

8. Landscape/Ecology

Prior to the commencement of development a Landscape and Ecological Management Plan shall be drawn up and agreed with the Council in writing. The Plan should accord with the supplementary ecological appraisal dated August 2016 (and ecological appraisal dated March 2016) and include details of the existing habitat to be safeguarded (hedges, trees, hedges and grass buffer strips); and any new habitat to be created (species-rich grassland, hedges, woodland, scrub and water bodies). It should also include details of its management regime and a programme of monitoring of all works for a period of 5 years. All works are to be carried out in accordance with the approved details.

Reason

To protect the wildlife and the ecological interests of the site to accord with Policy CS9 of the adopted South Gloucestershire Local Plan Core Strategy 2013.

This will be integral to the development and will need to be agreed prior to the commencement of work to avoid the need for remedial action.

9. Contamination

- A. A preliminary risk assessment (Phase I desk study) submitted to the Local Authority in support of the application has identified that unacceptable risks exist on the site, as represented in the Conceptual Site Model. Prior to the commencement of development a further scheme of detailed investigation shall be carried out by a suitable competent person to more fully ascertain the extent, nature and risks the contamination may pose to the development in terms of human health, ground water and plant growth. A report to address those unacceptable risks identified shall be submitted prior to the commencement of the development for the written approval of the Local Planning Authority, led by the findings of the preliminary risk assessment, and identify what mitigation measures are proposed to address unacceptable risks (Remediation Strategy). The resulting Remediation Strategy shall include a schedule of how the works will be verified (Verification Strategy). Thereafter the development shall proceed in accordance with any agreed mitigation measures.
- B. Verification Strategy - Prior to occupation, where works have been required to mitigate contaminants (under section A) a report verifying that all necessary works have been completed satisfactorily shall be submitted to and agreed in writing by the Local Planning Authority.
- C. If unexpected contamination is found after the development is begun, development shall immediately cease upon the part of the site affected. The Local Planning Authority must be informed immediately in writing. A further investigation and risk assessment should be undertaken and where necessary an additional remediation scheme prepared. The findings and report should be submitted to and agreed in writing with the Local Planning Authority prior to works recommencing. Thereafter the works shall be implemented in accordance with any further mitigation measures so agreed.

Note: An appropriate investigation is likely to include the following:

- i) A comprehensive desk study to identify all potential sources of contamination both arising on-site and migrating onto site from relevant adjacent sources.
- ii) A comprehensive ground investigation including sampling, to quantify the extent and nature of contamination.
- iii) An appropriate risk assessment to determine the scale and nature of the risks to human health, groundwater, ecosystems and buildings arising from the contamination. This will normally be presented in the form of a conceptual model.
- iv) A report detailing the remediation options including the final proposals for mitigating any identified risks to the proposed development.
- v) All works should be carried out with reference to the most relevant, appropriate and up to date guidance.

For further advice on contaminated land investigations, the applicant can contact Environmental Services on (01454-868001).

Reason

To ensure that adequate measures have been taken to mitigate against contaminated land to accord with Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 and the National Planning Policy Framework. A pre-commencement condition is needed in order to avoid the need for future remedial action.

10. Plans

This decision relates only to the plans identified below:

Received 30th June 2016

6957-L-01B Site Location Plan

Received 2nd November 2016

6957-L-04-H Illustrative Framework Plan

6957-L-05 A Illustrative Master Plan

4746/38/01 Rev D Proposed Junction Layout

Reason

For the avoidance of doubt

11. Public Art

The reserved matters details referred to in condition 1 shall include full details for a unique site specific integrated public art scheme including but not limited to detailed designs, timescales and triggers. For the avoidance of doubt the submission shall be prepared in line with recommendations in the Council's Art and Design in the Public Realm - Planning Advice Note.

Reason:

To protect the character, distinctiveness and visual amenity of the site and the surrounding locality; and to accord with Policy CS23 - Community Infrastructure and Cultural Activity and Policy CS1 - High Quality Design Point 7 of the South Gloucestershire Local Plan: Core Strategy (adopted December 2013).

12. Sustainable Urban Drainage (Suds)

The reserved matters details referred to in condition 1 shall include full details of a Suds (Sustainable Urban Drainage System) e.g. soakaways if ground conditions are satisfactory), for flood prevention; pollution control and environmental protection will be required to be submitted with the Reserved Matters Application for approval.

The submitted details will be required to include the following:

- A clearly labelled drainage layout plan showing the pipe networks and the location of the attenuation pond and conveyance swales (if ground conditions are satisfactory). The plan should also show any pipe node numbers referred to within the drainage calculations.

- Drainage calculations to show there is no flooding on site in 1 in 30 year storm events; and no flooding of buildings or off site in 1 in 100 year plus a percentage for climate change storm event
- Where attenuation forms part of the Surface Water Network, calculations showing the volume of attenuation provided, demonstrating how the system operates during a 1 in 100 year plus 30% climate change storm event.
- A plan showing the cross sections and design of the attenuation ponds and its components (to include an all-around access track for maintenance).
- A drainage layout plan showing exceedance / overland flood flow routes if flooding occurs and the likely depths of any flooding.
- A manhole / inspection chamber schedule to include cover and invert levels.
- Details of the maintenance regime in relation to the Surface Water Network and components such as the Attenuation Pond and Flow Control Devices.

Reason

To ensure that a satisfactory means of drainage is provided, and to accord with policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 and the National Planning Policy Framework.

13. Trees

The landscaping details submitted pursuant to condition 1 shall include the submission of an Arboricultural Implications Assessment, Arboricultural Method Statement and a Tree Protection Plan for approval. The development shall be carried out in accordance with the approved details.

Reason

To protect the health of the trees and thereby the character and visual amenity of the area to accord with Policy CS1 and CS9 of the adopted South Gloucestershire Local Plan Core Strategy 2013 and the Trees on Development Sites SPD Adopted Nov. 2005

14. Archaeology

Prior to the commencement of development a four phase programme of archaeological work must be submitted to and approved by the local planning authority. Phase 1 will be a programme of archaeological work and subsequent detailed mitigation and publication strategy, including a timetable for the mitigation strategy which must be submitted to and approved by the local planning authority. Thereafter the approved programme of mitigation measures, phase 2 Open Area Excavation where necessary, phase 3 Watching Brief where necessary and Phase 4 Publication/archiving where necessary, shall be implemented in all respects.

Reason

In the interest of archaeological investigation or recording, and to accord with Policy CS9 of the adopted South Gloucestershire Local Plan Core Strategy (Adopted) 2013.

A pre-commencement condition is needed in order to avoid the need for future remedial action.

15. Public Right of Way

The reserved matters details to be submitted for approval referred to in condition 1 shall include full details of improvement works to Footpath LWR/21/10 that crosses the site. For the avoidance of doubt the submitted details shall include details of a suitable surface and path furniture at the exit points and the development shall thereafter be carried out in accordance with the approved details.

Reason

In order to ensure the integration of walking infrastructure in the development and to accord with Policy LC12 of the South Gloucestershire Local Plan (saved policy) and Policies CS1 and CS9 of the adopted South Gloucestershire Local Plan Core Strategy 2013.

16. Multi-User Link

The reserved matters details to be submitted for approval referred to in condition 1 shall include full details of a 3 metre wide multi-user link to run from the north to the south of the site alongside the Sodbury Road. The approved details shall then be implemented prior to the first occupation of the development.

Reason

To accord with Policy LC12 and T12 of the South Gloucestershire Local Plan 2006 (saved policy) and Policy CS1 and CS8 of the adopted South Gloucestershire Local Plan Core Strategy 2013 and the provisions of the National Planning Policy Framework 2012.

17. Noise Attenuation

Prior to the commencement of development a scheme for the protection of the occupiers of the dwellings hereby permitted from road traffic noise to achieve British Standard 8233:2014 internal ambient noise levels shall be submitted to and approved in writing by the Local Planning Authority. All relevant works that form the approved scheme shall be completed before each of the dwellings hereby permitted are first occupied. The required internal noise levels are: living rooms 35dB LAeq 16-hour (0700 to 2300); bedrooms 30dB LAeq 8-hour (2300 to 0700). All habitable rooms must be afforded noise mitigation measures including appropriate glazing and ventilation so as to achieve the above standards. In addition the layout and/or mitigation measures employed shall achieve a general daytime noise level in rear gardens not exceeding 55dB LAeq 16-hour (0700 to 2300).

Reason

In order to protect the amenity of future occupiers of the development and to accord with Policy CS9 of the adopted South Gloucestershire Local Plan Core Strategy 2013 and the provisions of the National Planning Policy Framework 2012

18. Construction Method Statement

Prior to the commencement of development, including any works of demolition, a Construction Method Statement shall be submitted to and approved in writing by the

Local Planning Authority. All works shall proceed in accordance with approved details. For the avoidance of doubt, the Statement shall include details of:

- (i) The hours of working
- (ii) The parking of vehicles of site operatives and visitors
- (iii) Loading and unloading of plant and materials
- (iv) Storage of plant and materials used in constructing the development
- (v) The erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
- (vi) Wheel washing facilities
- (vii) A detailed Dust Management Plan (DMP), with measures to control the emission of dust and dirt during construction
- (viii) A scheme for recycling/disposing of waste resulting from demolition and construction works

Reason

In order to protect the amenity of the area during the construction period and in the interests of highway safety to accord with Policy CS9 of the South Gloucestershire Local Plan Core Strategy 2013 and the provisions of the National Planning Policy Framework 2012.

A pre-commencement condition is needed in order to avoid the need for future remedial action.



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Site Boundary (4.37Ha)

Residential Area (2.24Ha)
Up to 80 dwellings at 35 dph

ACCESS

- V** Proposed vehicular access
- I** Indicative vehicular route
- T** Indicative trim trail and pedestrian route
- P** Potential realignment of Public Right of Way
- C** Potential pedestrian connection to Poplar Lane
- C** Indicative 3.0m pedestrian and cycle route
- E** Existing Public Right of Way

GREEN INFRASTRUCTURE

- G** Total Green Infrastructure (2.13Ha)
- E** Existing trees and hedgerows
- P** Existing ponds and ditches
- A** Equipped Children's Play Area
- A** Potential location for attenuation basin (Size and location to be confirmed)
- T** Proposed trees and hedgerows
- O** Potential location for community orchard
- A** Potential location for community allotments
- S** Potential location for ecological scrapes

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Gladman Developments Ltd
Land south of Poplar Lane
Wickwar

ILLUSTRATIVE MASTERPLAN

1:1250@A3
3rd November 2016 Dm CEP/ Chkd KMN

6957-L-05 **A**

masterplanning
environmental assessment
landscape design
urban design
ecology
architecture
arboriculture

FPCR Environment and Design Ltd
Lockington Hall
Lockington
Derby DE4 2RH
t: 01509 672772
f: 01509 674666
e: mail@fpcr.co.uk
w: www.fpcr.co.uk

TOWN AND COUNTRY PLANNING ACT 1990 OUTLINE PERMISSION FOR DEVELOPMENT

Gladman Developments Ltd.
Gladman House
Alexandria Way
Congleton
CW12 1LB

APP REF: PK16/4006/O
DATE VALID: 4th July 2016
DECISION DATE: 24th May 2017
PARISH: Wickwar Parish
Council

NOTICE OF DECISION

South Gloucestershire Council in pursuance of powers under the above mentioned Act hereby PERMIT:

APPLICATION NO: PK16/4006/O

DESCRIPTION OF DEVELOPMENT: Outline planning permission for up to 80 residential dwellings (including up to 35% affordable housing), landscaping, informal public open space, children's play area, new access and associated works (Outline) with access to be determined. All other matters reserved.

APPLICANT: Gladman Developments Ltd.

LOCATION: Land South Of Poplar Lane Wickwar Wotton Under Edge
South Gloucestershire GL12 8NS

In accordance with the application and accompanying plans, subject to the conditions specified below:

CONDITIONS

1. Approval of the details of the layout, scale and appearance of the building(s) and the landscaping of the site (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority in writing before any development is commenced and the development shall be carried out in accordance with the approved details.

Reason

This is an outline permission only and the reserved matters shall be made to the Local Planning Authority.

South Gloucestershire Council, Department for Environment and Community Services,
PO Box 299, Strategic Planning, Civic Centre, High Street, Kingswood, Bristol, BS15 0DR
Telephone: 01454 868004 Email: planningapplications@southglos.gov.uk

2. Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.

Reason

To comply with the requirements of Section 91 of the Town & Country Planning Act 1990 (as amended).

3. The development hereby permitted shall be begun either before the expiration of three years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

Reason

To comply with the requirements of Section 91 of the Town & Country Planning Act 1990 (as amended).

4. The development hereby permitted shall be carried out in accordance with the principles and parameters set out in the design and access statement dated November 2016 and Illustrative Framework Plan 6957-L-04-H. No part of the development shall exceed 9 metres in height above existing ground level.

Reason

To ensure that the proposed development remains of an appropriate scale, in keeping with the character of the surrounding area, in accordance with the requirements of Policies CS1 and CS9 of the adopted South Gloucestershire Local Plan Core Strategy 2013.

5. Ecology (Great Crested Newts, Herpetofauna, Hedgehogs, Badgers)

All works in relation to the species listed below shall be carried out strictly in accordance with the provisions detailed in the Supplementary Ecological Appraisal (August 2016) and Ecological Appraisal (March 2016) by FPCR.

(i) Great Crested Newts

(ii) Herpetofauna (slowworm, grass snake and toad)

(iii) Hedgehog

(iv) Badgers

Reason:

To protect the wildlife and the ecological interests of the site to accord with Policy CS9 of the adopted South Gloucestershire Local Plan Core Strategy 2013.

6. Ecology

Prior to development commencing, a scheme of new bird nesting boxes/features shall be submitted to and approved in writing by the Local Planning Authority. The scheme should include the type and location of all nest boxes and design features, to cover a variety of species including starling, house martin and house sparrow. All works shall be carried out in accordance with the approved details.

Reason:

To protect the wildlife and the ecological interests of the site to accord with Policy CS9 of the adopted South Gloucestershire Local Plan Core Strategy 2013.

This will be integral to the development and will need to be agreed prior to the commencement of work to avoid the need for remedial action.

7. Lighting

Prior to the commencement of development details of a scheme of street lighting shall be submitted to and approved in writing by the Local Planning Authority to prevent light spill over great crested newt habitat and bat commuting/foraging habitats (European Protected Species). All works shall be carried out in accordance with the approved details.

Reason:

To protect the wildlife and the ecological interests of the site to accord with Policy CS9 of the adopted South Gloucestershire Local Plan Core Strategy 2013.

This will be integral to the development and will need to be agreed prior to the commencement of work to avoid the need for remedial action.

8. Landscape/Ecology

Prior to the commencement of development a Landscape and Ecological Management Plan shall be drawn up and agreed with the Council in writing. The Plan should accord with the supplementary ecological appraisal dated August 2016 (and ecological appraisal dated March 2016) and include details of the existing habitat to be safeguarded (hedges, trees, hedges and grass buffer strips); and any new habitat to be created (species-rich grassland, hedges, woodland, scrub and water bodies). It should also include details of its management regime and a programme of monitoring of all works for a period of 5 years. All works are to be carried out in accordance with the approved details.

Reason:

South Gloucestershire Council, Department for Environment and Community Services,
PO Box 299, Strategic Planning, Civic Centre, High Street, Kingswood, Bristol, BS15 0DR
Telephone: 01454 868004 Email: planningapplications@southglos.gov.uk

To protect the wildlife and the ecological interests of the site to accord with Policy CS9 of the adopted South Gloucestershire Local Plan Core Strategy 2013.

This will be integral to the development and will need to be agreed prior to the commencement of work to avoid the need for remedial action.

9. Contamination

A. A preliminary risk assessment (Phase I desk study) submitted to the Local Authority in support of the application has identified that unacceptable risks exist on the site, as represented in the Conceptual Site Model. Prior to the commencement of development a further scheme of detailed investigation shall be carried out by a suitable competent person to more fully ascertain the extent, nature and risks the contamination may pose to the development in terms of human health, ground water and plant growth. A report to address those unacceptable risks identified shall be submitted prior to the commencement of the development for the written approval of the Local Planning Authority, led by the findings of the preliminary risk assessment, and identify what mitigation measures are proposed to address unacceptable risks (Remediation Strategy). The resulting Remediation Strategy shall include a schedule of how the works will be verified (Verification Strategy). Thereafter the development shall proceed in accordance with any agreed mitigation measures.

B. Verification Strategy - Prior to occupation, where works have been required to mitigate contaminants (under section A) a report verifying that all necessary works have been completed satisfactorily shall be submitted to and agreed in writing by the Local Planning Authority.

C. If unexpected contamination is found after the development is begun, development shall immediately cease upon the part of the site affected. The Local Planning Authority must be informed immediately in writing. A further investigation and risk assessment should be undertaken and where necessary an additional remediation scheme prepared. The findings and report should be submitted to and agreed in writing with the Local Planning Authority prior to works recommencing. Thereafter the works shall be implemented in accordance with any further mitigation measures so agreed.

Note: An appropriate investigation is likely to include the following:

- i) A comprehensive desk study to identify all potential sources of contamination both arising on-site and migrating onto site from relevant adjacent sources.
- ii) A comprehensive ground investigation including sampling, to quantify the extent and nature of contamination.
- iii) An appropriate risk assessment to determine the scale and nature of the risks to human health, groundwater, ecosystems and buildings

arising from the contamination. This will normally be presented in the form of a conceptual model.

iv) A report detailing the remediation options including the final proposals for mitigating any identified risks to the proposed development.

v) All works should be carried out with reference to the most relevant, appropriate and up to date guidance.

Reason

To ensure that adequate measures have been taken to mitigate against contaminated land to accord with Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 and the National Planning Policy Framework. A pre-commencement condition is needed in order to avoid the need for future remedial action.

10. Plans

This decision relates only to the plans identified below:

Received 30th June 2016

6957-L-01B Site Location Plan

Received 2nd November 2016

6957-L-04-H Illustrative Framework Plan

6957-L-05 A Illustrative Master Plan

4746/38/01 Rev D Proposed Junction Layout

Reason:

For the avoidance of doubt

11. Public Art

The reserved matters details referred to in condition 1 shall include full details for a unique site specific integrated public art scheme including but not limited to detailed designs, timescales and triggers. For the avoidance of doubt the submission shall be prepared in line with recommendations in the Council's Art and Design in the Public Realm - Planning Advice Note.

Reason:

To protect the character, distinctiveness and visual amenity of the site and the surrounding locality; and to accord with Policy CS23 - Community Infrastructure and Cultural Activity and Policy CS1 - High Quality Design Point 7 of the South Gloucestershire Local Plan: Core Strategy (adopted December 2013).

12. Sustainable Urban Drainage (Suds)

The reserved matters details referred to in condition 1 shall include full details of a Suds (Sustainable Urban Drainage System) e.g. soakaways (if ground conditions are satisfactory), for flood prevention; pollution control and environmental protection will be required to be submitted with the Reserved Matters Application for approval.

The submitted details will be required to include the following:

- A clearly labelled drainage layout plan showing the pipe networks and the location of the attenuation pond and conveyance swales (if ground conditions are satisfactory). The plan should also show any pipe node numbers referred to within the drainage calculations.
- Drainage calculations to show there is no flooding on site in 1 in 30 year storm events; and no flooding of buildings or off site in 1 in 100 year plus a percentage for climate change storm event
- Where attenuation forms part of the Surface Water Network, calculations showing the volume of attenuation provided, demonstrating how the system operates during a 1 in 100 year plus 30% climate change storm event.
- A plan showing the cross sections and design of the attenuation ponds and its components (to include an all-around access track for maintenance).
- A drainage layout plan showing exceedance / overland flood flow routes if flooding occurs and the likely depths of any flooding.
- A manhole / inspection chamber schedule to include cover and invert levels.
- Details of the maintenance regime in relation to the Surface Water Network and components such as the Attenuation Pond and Flow Control Devices.

Reason

To ensure that a satisfactory means of drainage is provided, and to accord with policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 and the National Planning Policy Framework.

13. Trees

The landscaping details submitted pursuant to condition 1 shall include the submission of an Arboricultural Implications Assessment, Arboricultural Method Statement and a Tree Protection Plan for approval. The development shall be carried out in accordance with the approved details.

Reason:

To protect the health of the trees and thereby the character and visual amenity of the area to accord with Policy CS1 and CS9 of the adopted South Gloucestershire Local Plan Core Strategy 2013 and the Trees on Development Sites SPD Adopted Nov. 2005

14. Archaeology

Prior to the commencement of development a four phase programme of archaeological work must be submitted to and approved by the local planning authority. Phase 1 will be a programme of archaeological work and subsequent detailed mitigation and publication strategy, including a timetable for the mitigation strategy which must be submitted to and approved by the local planning authority. Thereafter the approved programme of mitigation measures, phase 2 Open Area Excavation where necessary, phase 3 Watching Brief where necessary and Phase 4 Publication/archiving where necessary, shall be implemented in all respects.

Reason:

In the interest of archaeological investigation or recording, and to accord with Policy CS9 of the adopted South Gloucestershire Local Plan Core Strategy (Adopted) 2013.

A pre-commencement condition is needed in order to avoid the need for future remedial action.

15. Public Right of Way

The reserved matters details to be submitted for approval referred to in condition 1 shall include full details of improvement works to Footpath LWR/21/10 that crosses the site. For the avoidance of doubt the submitted details shall include details of a suitable surface and path furniture at the exit points and the development shall thereafter be carried out in accordance with the approved details.

Reason:

In order to ensure the integration of walking infrastructure in the development and to accord with Policy LC12 of the South Gloucestershire Local Plan (saved policy) and Policies CS1 and CS9 of the adopted South Gloucestershire Local Plan Core Strategy 2013.

16. Multi-User Link

The reserved matters details to be submitted for approval referred to in condition 1 shall include full details of a 3 metre wide multi-user link to run from the north

to the south of the site alongside the Sodbury Road. The approved details shall then be implemented prior to the first occupation of the development.

Reason:

To accord with Policy LC12 and T12 of the South Gloucestershire Local Plan 2006 (saved policy) and Policy CS1 and CS8 of the adopted South Gloucestershire Local Plan Core Strategy 2013 and the provisions of the National Planning Policy Framework 2012.

17. Noise Attenuation

Prior to the commencement of development a scheme for the protection of the occupiers of the dwellings hereby permitted from road traffic noise to achieve British Standard 8233:2014 internal ambient noise levels shall be submitted to and approved in writing by the Local Planning Authority. All relevant works that form the approved scheme shall be completed before each of the dwellings hereby permitted are first occupied. The required internal noise levels are: living rooms 35dB LAeq 16-hour (0700 to 2300); bedrooms 30dB LAeq 8-hour (2300 to 0700). All habitable rooms must be afforded noise mitigation measures including appropriate glazing and ventilation so as to achieve the above standards. In addition the layout and/or mitigation measures employed shall achieve a general daytime noise level in rear gardens not exceeding 55dB LAeq 16-hour (0700 to 2300).

Reason

In order to protect the amenity of future occupiers of the development and to accord with Policy CS9 of the adopted South Gloucestershire Local Plan Core Strategy 2013 and the provisions of the National Planning Policy Framework 2012

18. Construction Method Statement

Prior to the commencement of development, including any works of demolition, a Construction Method Statement shall be submitted to and approved in writing by the Local Planning Authority. All works shall proceed in accordance with approved details. For the avoidance of doubt, the Statement shall include details of:

- (i) The hours of working
- (ii) The parking of vehicles of site operatives and visitors
- (iii) Loading and unloading of plant and materials

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- (iv) Storage of plant and materials used in constructing the development
- (v) The erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
- (vi) Wheel washing facilities
- (vii) A detailed Dust Management Plan (DMP), with measures to control the emission of dust and dirt during construction
- (viii) A scheme for recycling/disposing of waste resulting from demolition and construction works

Reason:

In order to protect the amenity of the area during the construction period and in the interests of highway safety to accord with Policy CS9 of the South Gloucestershire Local Plan Core Strategy 2013 and the provisions of the National Planning Policy Framework 2012.

A pre-commencement condition is needed in order to avoid the need for future remedial action.

IN ACCORDANCE WITH ARTICLE 35 OF THE TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) ORDER 2015.
POSITIVE AND PROACTIVE STATEMENT:

In dealing with this planning application the Local Planning Authority have worked with the applicant in a positive and proactive manner on seeking solutions to problems arising in the following ways:

The Local Planning Authority has worked with the applicant to secure improvements to the proposal and appropriate mitigation through conditions and a legal agreement to ensure that the development meets the criteria of sustainable development.

ADDITIONAL INFORMATION

- 1. This permission shall not be construed as granting rights to carry out works on, or over, land not within the ownership, or control, of the applicant.**
- 2. You must obtain the prior written consent of the owner and occupier of any land upon which it is necessary for you to enter in order to construct, externally finish, decorate or in any other way carry out any works in connection with this development including future repairs/maintenance, or to obtain support from adjoining property. This permission does not authorise you to take such action without first obtaining this consent. Your attention is also drawn to the Access of Neighbouring Land Act 1992 and Party Wall Act 1996.**

3. If breeding birds are present, development (including any clearance of vegetation or trees) should only take place outside the nesting season to avoid potential offences under the Wildlife & Countryside Act 1981 (as amended) or CROW Act 2000. Generally speaking, this will be between March and August inclusively although it will vary according to seasonal temperatures
4. The applicant is advised that the application indicates works to an ordinary watercourse/ditch. These works may require formal consent from South Gloucestershire Council. Application forms and guidance can be obtained by emailing LeadLocalFloodAuthority@southglos.gov.uk.
5. The applicant is advised in relation to condition 17 that the phases indicated shall be as follows:

Phase 1:

Archaeological field evaluation will take place across the development site. Where necessary postexcavation work including assessment and potentially analysis will be undertaken if it is necessary to inform the subsequent mitigation strategy.

This phase of work will be a condition attached to the outline application and must be undertaken absolutely prior to ANY form of ground disturbance including any preparatory work including exempt infrastructure and remediation works. It will involve the submission of a method statement/written scheme of investigation by the archaeological contractor prior to works commencing.

This work will result in the production of a mitigation strategy for dealing with the archaeology on site. This mitigation strategy will be assessed and once approved by the council will be used to cover all remaining construction activity and ground disturbance on site. The mitigation strategy will inform the location, intensity and nature of phases 2 and 3.

Phase 2:

Where areas of significant archaeology are identified these will be subject to open area excavation. As with previous investigations, a full method statement will be set out in a written scheme of investigation to be submitted to, and approved by, the council archaeologist in advance of commencement of fieldwork.

The results of these excavations will be fully assessed through completion of a full assessment report and, following a further round of consultation, full analysis of the findings will be undertaken.

Phase 3:

In areas to be impacted by development activities, and where no mitigation excavation has been carried out, an appropriate programme of archaeological monitoring (watching brief) will be maintained. The results of this watching brief (including any post-excavation works that are required) will be included in any final assessment and publication.

Phase 4:

Full publication of the site will occur, in an appropriate local or national archaeological journal, or, should the site prove to be of high significance, published as a monograph. This publication will include the results of all phases of work (including all post-excavation analysis) and if necessary further desk-based analysis will be undertaken to supplement these (such as LiDAR).

Until the council are satisfied with the proposed publication approach the outline planning application will not be discharged.

6. This permission is to be read in conjunction with the **AGREEMENT AND UNDERTAKING** dated 23rd May 2017; in pursuance of Section 106 of the Town & Country Planning Act 1990, as amended by Section 12 of the Planning & Compensation Act 1991.

PLEASE NOTE: The development hereby permitted must be implemented in accordance with plans hereby approved and any conditions specified above. The conditions may specify that works are to be carried out or details are required to be submitted for further approval, before all or part of the development is otherwise commenced. If the permission is commenced without these requirements being fully met, or in any other manner, the development may be unauthorised and the permission invalidated. The council holds a definitive copy of this planning decision notice. You should be aware of the risk that subsequent copies of the decision notice may be subject to unauthorised alteration and if necessary you are advised to refer to the council for verification. The definitive copy can be viewed via the council's planning website.



DEVELOPMENT MANAGER

DATE: 24th May 2017



PLANNING PERMISSION THE NEXT STEPS

Your Decision could be subject to conditions. It is essential that you comply with these conditions in order to protect your planning permission. If you have conditions requiring details to be submitted prior to the commencement of development then failure to discharge these conditions could invalidate your planning permission and result in enforcement action being taken against the development.

HOW TO APPLY TO DISCHARGE CONDITIONS ON YOUR PLANNING PERMISSION

If the condition requires you to agree something in writing with the Authority before development commences then you will need to consider submitting these details at least 8 weeks prior to starting work. In order to submit your application, you can do so by one of the following options:

- Submit an online application using the Planning Portal online application service www.planningportal.gov.uk/
- Complete an application form online via the Planning Portal online Application service, www.planningportal.gov.uk/ printing it off and enclosing it with the correct plans, fee and details before sending it to Development Services.
- Download a copy of the application form from the South Gloucestershire website on www.southglos.gov.uk/planning.
- Request a paper copy from our PT&SE Customer Contact Centre by calling 01454 868004.
- Visit one of the Council One Stop Shop receptions to collect a paper copy of the application form.

The fee amount is £28 per request relating to 'householder' applications and £97 for any other full planning applications.

The fee is payable for each submission (a single submission may be for more than one condition to be discharged).

COMMUNITY INFRASTRUCTURE LEVY (CIL)

If this application has been identified as being liable to CIL you should not commence development until the requirements and obligations under CIL have been established. If we require further information we will write to you requesting this. Where we already have clear information about the proposal and assumed liability we will issue a liability notice shortly. Further information can be found on our website at

www.southglos.gov.uk/environment-and-planning/planning/community-infrastructure-levy

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PO Box 299, Strategic Planning, Civic Centre, High Street, Kingswood, Bristol, BS15 0DR
Telephone: 01454 868004 Email: planningapplications@southglos.gov.uk

**BUILDING REGULATIONS**

You might require separate Building Control approval and you can also secure this through the Council. For advice on development requiring Building Regulations approval please visit the Planning Portal or contact our Team on 01454 868271

ACTING AS AN AGENT?

Please forward the full copy of this decision to your client and advise them of any conditions. The Council continues to be involved with enforcement action taken against applicants who claim not to have been passed the decision by their Agent.

South Gloucestershire Council, Department for Environment and Community Services,
PO Box 299, Strategic Planning, Civic Centre, High Street, Kingswood, Bristol, BS15 0DR
Telephone: 01454 868004 Email: planningapplications@southglos.gov.uk

APPEALS AGAINST THE DECISION OF THE LOCAL PLANNING AUTHORITY (LPA)

If the applicant is aggrieved by the decision to refuse permission/consent for this proposal or to grant permission/consent subject to conditions, he may appeal to the Secretary of State for the Department of Communities and Local Government (SOS) in accordance with the provisions below. All appeals should be submitted on a form obtainable from The Planning Inspectorate, at the address below.

- (a) Refusal of planning permission for Householder applications – within 12 weeks (Article 37 of the Town & Country Planning (Development Management Procedure) (England) Order 2015)
- (b) Refusal of planning permission or permission granted subject to conditions - within 6 months (Section 78 Town & Country Planning Act 1990 (T & CPA) and Article 37 of the Town & Country Planning (Development Management Procedure) (England) Order 2015)
- (c) Refusal of Listed Building consent or consent granted subject to conditions. Refusal of Conservation Area consent or the decision of the LPA on an application to vary or discharge conditions attached to a Listed Building consent within 6 months (Regulation 8 of the Town & Country Planning (Listed Buildings and Conservation Areas) Regulations 1990 and Section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990.
- (d) Refusal of consent for display of advertisement or consent granted subject to conditions - within 8 weeks of the date you receive the Council's decision - please refer to separate notice attached where necessary.
- (e) Refusal of Tree Preservation Order consent or consent granted subject to conditions. Issuing of an Article 5 certificate on refusing consent or an Article 6 direction on granting consent to fell any part of a woodland – within 28 days Town & Country Planning (Trees) Regulations 2012.

The SOS has power to allow a longer period for the giving of a notice of appeal but will not normally be prepared to exercise this power unless there are special circumstances which excuse the delay in giving notice of appeal. He is not however required to entertain an appeal if it appears to him that permission for the proposals could not have been granted by the LPA, or could not have been granted otherwise than subject to the conditions imposed by them, having regard to the statutory requirements, to the provisions of the development orders and to any directions given under the orders.

In the case of refusal of permission to develop land or refusal of Listed Building consent or the granting of permission or Listed Building consent subject to conditions whether by the LPA or SOS and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development works which has been or would be permission, he may serve on the Council in which the land is situated a Purchase Notice (or Listed Building Purchase Notice) requiring the Council to purchase his/her interest in the land in accordance with the provisions of Part VI, Chapter 1 of the Town & CP Act 1990 and Part 1, Chapter III of the Planning (Listed Buildings and Conservation Areas) Act 1990.

In certain circumstances (not applicable to Advertisement proposals) a claim may be made against the LPA for compensation where permission is refused or granted subject to conditions by the SOS on appeal or on reference of the application to him.

NOTES IN RESPECT OF SUBMISSION OF APPEALS

Data Protection: Please note all appeal documentation will appear on the Planning Casework Service website.

When submitting an appeal, please note that an identical set of documents should be sent to both the local authority and The Planning Inspectorate at the following addresses:

South Gloucestershire Council.
Department for Environment and Community Services
PO Box 299

The Planning Inspectorate
Room 3/04 Kite Wing
2 The Square

Strategic Planning
Civic Centre High Street Kingswood Bristol BS15 0DR

Temple Quay
Bristol BS1 6PN

Please ensure this instruction is complied with in order to avoid any unnecessary delay.
NOTES IN RESPECT OF APPLICATIONS FOR CONSENT TO DISPLAY ADVERTISEMENTS

1. Under the provisions of Schedule 2 of the Town & Country Planning (Control of Advertisements) Regulations 2007 before any advertisement is displayed, the permission of the owner of the land, or building on which the advertisement is to be displayed must be obtained.
2. If a conditions imposing a time limit has been expressly included as part of a consent, then that condition must be observed. If no such condition is imposed Regulation 14 (7) of the 2007 Regulations provides that any consent is granted for a period of FIVE YEARS from the date hereof.
3. Where the Authority grant consent for a period shorter than five years they shall (unless the application required such a consent) state in writing their reasons for doing so, and the limitation in respect of time shall for the purposes of these Regulations be deemed to be a condition imposed upon the granting of consent.
4. At any time within a period of 6 months before the expiry of a consent granted under these Regulations, application may be made for the renewal thereof and the provisions of these Regulations relating to applications for consent and to the determination thereof shall apply where application is made for such renewal.
5. Penalty for Contravention. The amount of the fine to which a person who displays an advertisement in contravention of these Regulations is liable on summary conviction as set out in Section 224 of the Town and Country Planning Act 1990 and Regulation 30 of the 2007 Advertisement Regulations.

NOTES IN RESPECT OF ALL APPLICATIONS

1. Attention is drawn to the need for strict compliance with the approved plan(s), failing which appropriate action will be taken.
2. If planning permission has been granted for the development, please note that should this involve any work within the highway, such as the construction of a vehicular access, the consent of the Highway Authority should be obtained.
3. WHERE PLANNING PERMISSION OR LISTED BUILDING CONSENT HAS BEEN GRANTED, APPROVAL MAY ALSO BE REQUIRED UNDER THE BUILDING REGULATIONS BEFORE ANY WORK IS COMMENCED.
4. Although planning permission may have been granted, should the proposed work involve the demolition, alteration or extension of a Listed Building or the demolition of an existing building in a Conservation Area, Listed Building or Conservation Area Consent will also be required before the work commences.
5. If the work authorised by this permission requires the supply of utility or other public services, you are requested to contact the appropriate statutory or other undertaker as soon as possible following the receipt of the decision. Failure to do so may result in delay in the provision of these services.
6. If planning permission has been granted this may be subject to condition(s) as listed on the decision notice. Some of these conditions require details to be submitted or other work to be carried out before development commences (conditions precedent). If you start development without complying with any such conditions you may invalidate the permission itself. Requests to discharge or confirm conditions made under Article 27 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 should be submitted on the appropriate forms and with any required fee.

Any further information concerning this decision may be obtained from the Director of Environment and Community Services Please quote the Reference Number of this permission in any correspondence.

