

**APPEAL ON BEHALF OF REDCLIFFE HOMES LTD,
AGAINST THE REFUSAL OF PLANNING PERMISSION BY
SOUTH GLOUCESTERSHIRE COUNCIL FOR:**

**ERECTION OF 35 NO. DWELLINGS WITH GARAGES
AND ASSOCIATED WORKS**

LAND SOUTH OF BADMINTON ROAD, OLD SODBURY

Appeal Ref: APP/P0119/W/22/3303905

LPA Ref: P21/03344/F

**Rebuttal to LPA's Evidence in respect to Five-Year
Housing Land Supply & Delivery – Miss Coral Curtis
(MRTPI) (MPlan)**

October 2022

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REPORT CONTROL

Project:	Old Sodbury
Report Type:	Rebuttal Proof – 5YHLS
Client:	Redcliffe Homes Ltd
Our Reference:	477/A3/CC
Date:	28 th October 2022
Version:	V1

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1.0 INTRODUCTION

- 1.1 This rebuttal has been prepared in response to Mr Stockdale's evidence in relation to matters of five-year housing land supply, in respect to an appeal made on behalf of Redcliffe Homes Ltd against South Gloucestershire Council, for the refusal of planning permission for 35 no. dwellings and with garages and ancillary works, at land south of Badminton Road, Old Sodbury.
- 1.2 I do not comment on every part of the evidence provided by Mr Stockdale as elements would be better discussed as part of the Inquiry round table session on the subject – therefore, if I have not referenced a specific site, it should be clarified that this does not mean that I agree to the evidence presented by the authority.
- 1.3 Unfortunately, it has been necessary to provide this rebuttal to comment on the substantial levels of new evidence that have been presented by the Council as part of their Proof of Evidence in relation to this matter – most notably new completions data, deliverability forms, email exchanges and copies of Planning Performance Agreements (PPAs). We are aware that the majority of this information was available in advance of exchange of evidence, and it is both surprising and unreasonable that this wasn't mentioned during the CMC and as part of the initial discussions held in connection with the preparation of a Statement of Common Ground on this issue, or generally discussed as part of ongoing dialogue with the authority.
- 1.4 I respectfully request that the Inspector considers this information alongside my original Proof of Evidence in light of the information presented to me on the 18th October 2022.

2.0 COMPLETIONS DATA

- 2.1 Completions data has now been provided by the Council for the years 2021 – 2022, as of the 18th October 2022. It is noted in paragraph 3.4 that the Residential Land Availability surveys took place in April 2022, therefore the authority must have had this information for some time. Again, it is unreasonable that this was not provided to the appellants, or its availability highlighted, as part of the CMC or SoCG procedure.
- 2.2 Presenting this data at such a late stage makes it difficult to calculate the supply going forward – should one include the completions it provides us with new evidence, or should it be disregarded as it essentially ‘rolls forward’ the trajectory position? If the authority is utilising this data to justify sites which have delivered homes and will deliver homes in the next five years, I consider it is also appropriate to re-examine sites that have not come forward as anticipated to provide the balanced and realistic picture of delivery, and not simply cherry picking those that support the council’s case on delivery. I have undertaken this work, but it has resulted in significant time and effort on the appellant’s part. The need to provide this rebuttal could have been avoided if the data on which the Council now relies was made available prior to the exchange of proofs.
- 2.3 Having studied the DLUHC Housing Flows Reconciliation Return User Guide¹, it is unclear to me how the Council identifies completions – in my view the easiest way of recording this would be to confirm with various developers the number of legal completions on the site within the monitoring year. This data is readily available from developers but does not seem to have been obtained to inform the council’s position.
- 2.4 Paragraph 3.3 of the LPA’s Proof of Evidence states that *‘the RLAS is a rigorous exercise undertaken by the local planning authority... The Inspector should therefore have every confidence that compiling and maintaining the RLAS information is a precise, accurate and robust exercise that is based on a tried and tested methodology’*.
- 2.5 However, having now been presented with the completions data for the monitoring year 2021-22, I have some concerns with the numbers presented which may be used to justify higher completion rates for the remainder of the five year period. I have set this out on a site-by-site basis for ease of reference, as well as other evidence in response to the new information presented by the Council (where considered necessary).

¹https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1093173/HFR_Guidance_-_2021-2022.pdf

3.0 DISPUTED SITES

1. Land at Harry Stoke

Parcel 0021b

- 3.1 I note the authority's position in respect to this site. However, the level of completions presented by the LPA as part of their evidence for the monitoring year 2021-22 seems extremely high – 191 dwellings. As such, this led me to consider historic Google Earth imagery to check whether this is in fact correct.
- 3.2 The December 2021 AMR recorded 10 completed units in April 2021. However, imagery below taken from May 2021 clearly shows that far more than 10 dwellings were completed at this time on parcel 0021b.



Figure 1. Google Earth imagery taken from May 2021

- 3.3 Turning then to the authority's position on the number of completions on the site for April 2021 – 2022, it is claimed that all 112 units on the Linden parcel have been completed. However, Google Earth imagery taken from July 2022 shows this not to be the case (although a majority are complete).



Figure 2. Aerial Imagery from July 2022 (Linden parcel shown in green)

- 3.4 A development plan available on Crest Nicholson's website is shown below in figure 3 which shows the extent of Linden's land control.



Figure 3. Development Plan of 0021b

- 3.5 In light of this evidence, I would question the validity of the authority's monitoring data that claims that 191 completions have been made on parcel 0021b in the April 2021-22 period, particularly when used to justify the higher delivery rates on this site. It is clear to me that some of these completions occurred in the year before that, and the full balance of the Linden site had not been completed by April 2022 as figure 2 shows.
- 3.6 It should also be noted that as far as we are aware, Sovereign are not operating under a separate outlet (and therefore delivering homes as a separate developer) but are in a joint venture with Crest Nicholson and have agreed to buy completed properties from them for rent. This is confirmed on the following website: <https://www.sovereign.org.uk/media-centre/229m-joint-venture-with-crest-nicholson-announced>. As these first phases of the parcel including large blocks of flats, it is likely that delivery of affordable has been front loaded, which is often the case where revenue from Registered Providers such as Sovereign is used to pay for site infrastructure and set up costs.
- 3.7 Unfortunately due to the lack of valid information in relation to completions, I have had to consider a more appropriate figure based on the imagery provided and site layouts (Appendix 1).
- 3.8 Having studied this, I consider that the following was likely delivered between the two developers:
- April 2020 – April 2021 – Circa 106 units (64 on Crest, 42 on Linden)
 - April 2021 – April 2022 – Circa 107 units (77 on Crest, including 47 apartments sold to Sovereign) and 30 on Linden)
 - Remainder: 34 on Linden, appropriate delivery rate put forward for Crest as the remaining outlet (average of 70 dwellings per annum based on two years' previous delivery).

RLS Ref.	Planning Application Number	Address	Past Completions				Years 1 to 5					Total
			2017/ 2018	2018/ 2019	2019/ 2020	2020/ 2021	2021/ 2022	2022/ 2023	2023/ 2024	2024/ 2025	2025/ 2026	
	PT17/5810/RM	Land at Harry Stoke, Stoke Gifford - Crest, Linden & Sovereign				106	107	104	70	70	70	421

Figure 4. Revised Trajectory for Parcel 0021b

- 3.9 As a result, **184 dwellings** have been removed from the supply (previously 233).

2. Land east of Harry Stoke

Parcel 0135da

- 3.10 The LPA relies on pending application ref: P22/02357/F by Taylor Wimpey to justify the delivery rates for this parcel. I had discounted this application for the following reasons.
- 3.11 The site only partly lies within the East of Harry Stoke NN allocation, as shown below in figure 4 (I have outlined the site in orange for ease of reference). The remainder of the site is designated as Green Infrastructure within the approved East of Harry Stoke New Neighbourhood Development Framework SPD (relevant extracts provided at Appendix 2). Therefore, in planning policy terms, a significant proportion of the site is land allocated for a different purpose other than residential development, and designed to provide strategic green infrastructure.



Figure 5. Extract of East Harry Stoke NN SPD – blue hatching represents green infrastructure and habitat designation (site outlined in orange)

- 3.12 I have been unable to find any comments from planning policy officers on this application, so it is unclear whether the proposals are acceptable in principle or not. Having reviewed other consultee comments from the highways team, Public Open Space and urban design, there appear to be major concerns that require addressing, with the latest urban design officer comments (Appendix 3) stating the following:

“Objection. Although some improvement appears to have been made in terms of the quantum of POS and connectivity, this remains a poor submission. In terms of placemaking it still

appears to be a pre-determined mix of poorly conceived house types shoehorned onto the site with little positive regard in terms of creating distinct characterful streets or spaces. POS is poorly surveilled in places, wildlife corridors are insecure, levels still appear unresolved, and the street hierarchy still makes little sense etc. Consequently, substantive amendments in accordance with the above comments are required.”

- 3.13 The urban design officer has also noted the SPD designation of the site as majority green open space.
- 3.14 Lastly, whilst I note there is a PPA provided in Appendix U of the LPA evidence, this does not provide the Council with an obligation to grant planning permission if the proposals are unacceptable in principle given the site’s designation as greenspace in the adopted SPD, and as set out above considerable changes are required to address the Urban Design Officer’s concerns.
- 3.15 I therefore do not consider that the evidence presented is sufficient to demonstrate deliverability, in terms of the relevant guidance.

3. North Yate

Parcels 0133, 0133ab, 0133ae, 0133ai, 0133aj, 0133ak, 0133am, 0133an (Barratt Homes)

- 3.16 In respect to Parcel 0133, it is acknowledged that there is a third application (Application Ref: P22/02306/RM) for 186 units, which was validated in April 2022. However, a suite of revised plans have only just been re-submitted (October 2022), so there may be further issues to address after re-consultation of consultees has been completed. No other evidence has been provided by the authority that confirms deliverability of these units.
- 3.17 Furthermore, all three pending RMs are submitted on behalf of Barratt Homes, who already control a significant proportion of the site. No consideration of appropriate delivery rates, and how this interlinks with the other parcels on site, appears to have been undertaken by the LPA in light of these parcels being delivered by just one developer.
- 3.18 The Council has presented new evidence in respect to delivery rates across these parcels. I therefore must respond to this new evidence.
- 3.19 According to the authority’s figures, Barratt completed 61 units between Apr 2021-Apr 2022. Parcels 0133aj and 0133ak have not delivered as anticipated by the authority and set out in the five-year housing land supply trajectory (under delivery of 62 units); this results in dwellings being pushed back within the supply and some dwellings being removed.

- 3.20 Given the latest completions data, Barratt Homes have delivered the following number of homes over the last four years:

2018/19	2019/20	2020/21	2021/22	Total	Average
14	119	127	61	321	80

Table 1. Number of homes delivered across Barratt-controlled parcels of land on NYNN

- 3.21 Accordingly, as the average number of homes delivered over four years is 80 dwellings per annum by Barratt Homes, it is considered that the figures presented by the Council, of which in one year there are 199 dwellings anticipated to be completed, are unrealistic. I have revised the trajectory accordingly to reflect this going forward.

Parcel 0133af – David Wilson Homes

- 3.22 I did not previously comment on this site as I considered it was reasonable to include within the trajectory. However, having now received the Council's completion figures, I have the following comments to make.
- 3.23 The LPA contend that on parcel 0133af there were no completions in April 2021, but 106 completions between April 2021 – 2022. However, when considering Google Earth imagery from July 2021 (shown below in figure 5), it is clear that a fair proportion of homes appear to be completed and occupied.



Figure 6. Parcel 0133af – July 2021 imagery

- 3.24 The July 2022 data then shows the site completed (see below, figure 7). As such I again query the Council's methodology for counting completions, which appears to inflate the levels of delivery within a single year.



Figure 7. Parcel 0133af – July 2022 (Site shown as complete)

- 3.25 Therefore, I have assumed that circa 88 completions occurred before April 2021 and a further 18 were completed after in the 2021-22 monitoring year, based on the approved site layout (Appendix 4).

Parcel 0133ah – David Wilson Homes

- 3.26 The Council have recorded 51 completions at this site in April 2022 and it appears from Google Earth imagery that homes have been completed and occupied. I can accept that this site is now delivering homes and will likely deliver the balance of land within five years.
- 3.27 Whilst Barratt David Wilson Homes fall under the same trading name, they are operating from two different outlets – one as Barratt Homes, the other as David Wilson. For the DWH parcels of land, I have taken an average of the completion rates over the last 4 years (equating to 60 dwellings per annum) and have put this forward in the trajectory.

Parcel 0133al – Taylor Wimpey

- 3.28 This site was controlled by DWH, but is now controlled by Taylor Wimpey. It is acknowledged that this site has detailed planning permission, however, works are yet to start and TW are not advertising the development at all on their website (<https://www.taylorwimpey.co.uk/>). It seems unrealistic therefore that there will be 52 completions before April 2023 and I suggest that the trajectory is shifted back to accommodate this. I have accepted the Council's rates of delivery which is circa 35 dwellings per annum.

Conclusion on North Yate New Neighbourhood

- 3.29 In light of the evidence presented, I consider some adjustments should be made to the levels of delivery at the North Yate New Neighbourhood. This has been updated to account for completions data presented by the Council, with the exception of parcel 0133af for the reasons given above, which I have had to make reasonable assumptions for given that dwellings were clearly completed prior to April 2021. I have adjusted the rates to account for previous delivery on Barratt controlled parcels and incorporated parcel 0133ah, which previously I was challenging but now I accept will deliver homes on the site. This has resulted in the following revised table:

RLS Ref.	Planning Application Number	Address	Past Completions				Years 1 to 5					Total
			2017/ 2018	2018/ 2019	2019/ 2020	2020/ 2021	2021/ 2022	2022/ 2023	2023/ 2024	2024/ 2025	2025/ 2026	
0133	PK12/1913/O	Land at North Yate (PK12/1913/O) Barratt/DWH										0
0133ab	PK17/5388/RM	Land at North Yate - Barratt PL23a, PL23c		14	46	8	6	3				9
0133ae	PK18/1723/RM	Land at North Yate - Barratt PL12b, PL13b			73	119	34					34
0133ai	P19/14361/RM	Land at North Yate - Barratt PL14a						48				48
0133aj	P19/12246/RM	Land at North Yate - Barratt PL12a, PL13a					21	30	50	50	4	155
0133ak	P20/16804/RM	Land at North Yate - PL7, 8, 9 & 11							30	30	40	100
0133am	P21/04892/RM	North Yate - Land at Ladden Garden Village (75 C2 bed)								9		9
0133an	P21/03161/RM	North Yate - PL19, 20, 28 and 29									40	40
APPELLANT'S ESTIMATES OF BARRATT DELIVERY - NYNN				14	119	127	61	81	80	89	84	395
0133ac	PK17/5389/RM	Land at North Yate - DWH		25	41	7	10					10
0133af	PK18/3185/RM	Land at North Yate - DWH PL15a, 16a, 16b				88	18					18
0133ah	P19/2525/RM	Land at North Yate - DWH PL17a, 17b, 18a, 18b & 21					51	60	60	58		229
APPELLANT'S ESTIMATES OF DWH DELIVERY - NYNN				0	41	95	79	60	60	58	0	257
0133al	P21/02473/RM	Land at North Yate - PL15c and PL16							35	35	35	105
0133b	P19/11377/RM	Land at North Yate - Bellway PL24, 25, 26 & 27					85	90	72			247
APPELLANT'S ESTIMATES NYNN			0	39	160	222	225	231	212	147	84	1,004

Figure 8. Revised 5YHLS for North Yate New Neighbourhood

- 3.30 This results in **483 dwellings** being removed from the Council's AMR trajectory (previously 452 dwellings in my PoE).

4. Cribbs / Patchway NN

Parcel 0134aa

- 3.31 Bellway Homes have confirmed that Berwick Green will launch in Winter 2022. The site is yet to open a show home and Google Earth imagery shows limited construction works are ongoing.



Figure 9. Google Earth imagery (March 2022) showing Bellway Homes site at Cribbs/Patchway

- 3.32 It seems unrealistic, given that it is now October 2022, that 37 homes will be completed before April 2023. <https://www.bellway.co.uk/new-homes/south-west/berwick-green>

Parcel 0134ba

- 3.33 I previously shifted the trajectory back and lowered it to 130 dwellings within the five-year period. As part of the Council's evidence, Persimmon have provided a deliverability form (Appendix T) which has confirmed 136 dwellings are anticipated for delivery within the next 5 years. I have adjusted my rates to reflect this as I consider this to be reasonable.
- 3.34 In conclusion, I have revised the anticipated delivery rates for Cribbs Patchway NN as follows:

RLS Ref.	Planning Application Number	Address	Past Completions				Years 1 to 5					Total
			2017/ 2018	2018/ 2019	2019/ 2020	2020/ 2021	2021/ 2022	2022/ 2023	2023/ 2024	2024/ 2025	2025/ 2026	
0134a	PT14/0565/O	Cribbs/Patchway NN - West of A4018 Haw Wood								16	45	61
0134aa	P21/04349/RM	Land at Cribbs Causeway (Berwick Green / Haw Wood) - Bellway Homes							37	46	42	125
0134ab	P21/04748/RM	Parcels 14-19 Land at Cribbs Causeway (Berwick Green / Haw Wood) - Taylor Wimpey								50	50	100
0134b	PT12/1930/O	Cribbs/Patchway NN - Wyke Beck Rd/Fishpool Hill										0
0134ba	P21/05421/RM	Land at Wyck Beck Road and Fishpool Hill - Persimmon Homes							40	48	48	136
0134bb	PT15/4165/F	Cribbs/Patchway NN - Charlton Common - Redrow Homes							20	30	30	80
0134c	PT14/3867/O	Cribbs/Patchway - Former Filton Airfield YTL (PT14/3867/O)										0
0134ca	PT18/5892/RM	Parcelss RO3 and RO4 - Former Filton Airfield YTL					45	95	162			302
APPELLANT'S ESTIMATES CRIBBS / PATCHWAY NN			0	0	0	0	45	95	259	190	215	804

Figure 10. Appellant's revised estimates of Cribbs/Pathway NN

3.35 As such, I have removed **680 dwellings** from the supply (previously 686 dwellings).

5. Other Sites

Parcel 0035

3.36 In respect to land south of Douglas Road, I note that the authority have recorded 40 completions in year 2021-2022. As such, based on the residual balance of the land, I accept that the remainder of this site is deliverable and I can include 11 dwellings in the trajectory.

4.0 CONCLUSION

4.1 In conclusion, I consider that the evidence presented by the LPA does not change the appellant's position substantially, and in fact raises some further concerns regarding the validity of completions data. I have reviewed the evidence provided by Mr Stockdale in relation to housing land supply and maintain that the authority is unable to demonstrate a position of five or more years of deliverable land.

4.2 I have revised the summary table of deductions that I have made in respect to each site. The following steps have been undertaken:

- I have updated the trajectory to account for completions data provided by the Council for years 2021 – 2022, except where stated above;
- I have accepted that parcel 0035 – Douglas Road Kingswood is deliverable. I have removed this from the list of sites that are being challenged.
- I have accepted that parcel 0133ah – North Yate NN is deliverable. I have removed this from the list of sites that have been challenged.
- In contrast, I now consider it appropriate, when taking into account this up-to-date evidence, to challenge parcels 0133af, 0133ak, and 0133an for the reasons set out. These are highlighted in orange.
- The sites already agreed with the authority that should be discounted within the SoCG have been included (highlighted in green).
- I have included the additional small sites completions (+66 dwellings).

In Parcel Ref.	Site Name	AMR Position	My Delivery Rates	Difference against AMR, but including updated completions data
0021b	Land at Harry Stoke	605	421	-84
0021c	Land at Harry Stoke	125	0	-125
0135a	East of Harry Stoke (South of Railway)	55	0	-55
0135aa	East of Harry Stoke (South of Railway)	142	144	+2
0135b	East of Harry Stoke (North of Railway)	100	0	-100

0135da	East of Harry Stoke (Land off Old Gloucester Road, Hambrook)	100	0	-100
0135d	East of Harry Stoke (Residual Land)	53	0	-53
0256	The Hoodlands, Hambrook Lane	50	0	-50
0036az	Parcel 30 Emersons Green East	68	63	-5
0036ca	Land at Lyde Green Farm	50	0	-50
0133	Land at North Yate	200	0	-200
0133ak	Land at North Yate (PL7, 8, 9 & 11)	183	100	-83
0133an	Land at North Yate – PL19, 20, 28 and 29	100	40	-60
0133af	Land at North Yate (PL15a, PL16)	106	18	-88
0133al	Land at North Yate (PL15c & PL16)	157	105	-52
0134aa	Land at Cribbs Causeway (Berwick Green / Haw Wood)	162	125	-37
0134ab	Parcels 14-19 Land at Cribbs Causeway	244	100	-144
0134b	Cribbs / Patchway NN – Wyke Beck Road/Fishpool Hill	100	0	-100

0134ba	Land at Wyck Beck Road and Fishpool Hill	235	136	-99
0134c	Cribbs/Patchway – Former Filton Airfield	300	0	-300
0226	Watermore Junior School, Lower Stone Close	27	5	-22
0227	Cleve Park, Thornbury	14	0	-14
0251	University of the West of England – Phase 1	270	0	-270
0252	Block B Cheswick Village	37	0	-37
Small Sites Contribution (Previously 210 units)		66	66	+66
Total		3,483	1,257	-2,160

Table 2. Revised table of disputed sites

- 4.3 Overall, I can confirm that in light of the Council's new evidence, **2,160 dwellings have been removed** from the Council's trajectory, equating to a deliverable supply of **6,564 dwellings**. The appellant's revised position is **4.51 years**.

Appendix 1 – Approved Site Layout for Parcel 0021b



Key

- Application red line boundary
- Macadam - adoptable roads with opportunity to change materials at junctions and crossing points (to engineers detail)
- Macadam - adoptable footpaths (to engineers detail)
- Private drives/footpaths (to engineers detail)
- Block paving - refer to detail landscape proposals
- Public Open Space or Highway Verges - refer to detail landscape proposals
- Plot Soft Landscape - refer to detail landscape proposals
- Tree Planting - refer to detail landscape proposals
- Existing Hedge Retained
- Existing Tree Retained (with Root Protection Zone)
- Plot Number/Parking Number
- Visitor Parking
- 1.8m Boundary Walling (opportunity to consider variation in bonding)
- 1.8m Close Board Fence
- 1.8m Panel fence
- Pedestrian Access Gate

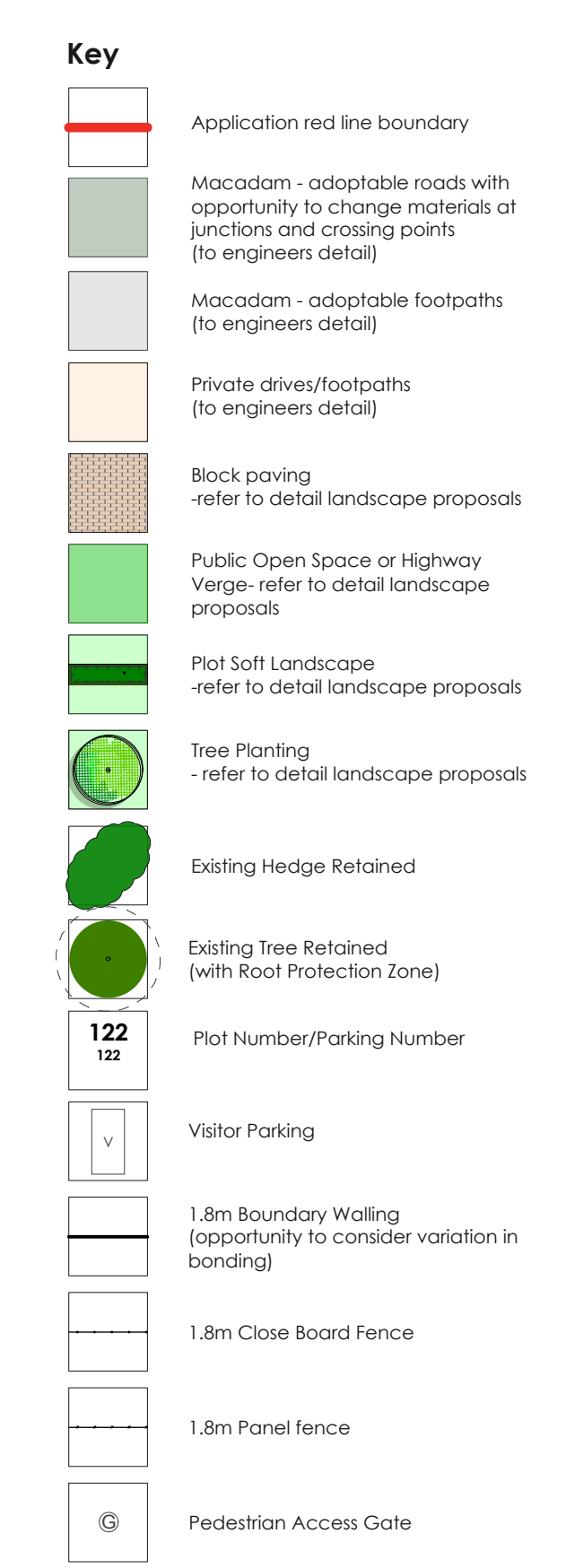
Note. All meter boxes to be detached and semi detached units not to be located on front elevation. Meter boxes to end landscaped units to be on side of units and not landscaped within front drop recess or porch or hidden behind screening hedges.

N	Amended in response to comments received from SGC.	MNR	23/9/19
M	Amended in response to comments received from SGC.	MNR	19/7/19
L	Amended in response to comments received from SGC.	MNR	4/7/19
K	Amended in response to comments received from SGC.	MNR	25/6/19
J	Amended in response to comments received from SGC.	MNR	13/6/19
I	Amended in response to comments received from SGC.	MNR	12/6/19
H	Amended in response to comments received from SGC.	MNR	7/6/19
G	Amended in response to comments received from SGC.	MNR	22/5/19
F	Amended in response to comments received from SGC.	MNR	14/5/19
E	Amended in response to comments received from SGC.	MNR	30/4/19
D	Amended in response to comments received from SGC.	MNR	23/4/19
C	Amended in response to comments received from SGC.	MNR	22/3/19
B	Amended in response to comments received from SGC.	MNR	14/3/19
A	Amended in response to comments received from SGC.	MNR	22/2/19

PLANNING

13308/5020/19 Harcourt Land Harry Stoke
Scale: 1:500 Date: 04/01/2020 Drawing Title: Planning Layout (1 of 2)
All dimensions to be checked on site. OS Licence No: 10002942
pad Design Ltd - The Tobacco Factory - Kaseg Road - Belper DE5 3JF - Tel: 01773 838359 - www.pad-design.co.uk

HARCOURT LAND HARRY STOKES - PLANNING LAYOUT (1 OF 2)



	Amended in response to comments received from SGC.	MNR	2/28/19.
MA	Amended in response to comments received from SGC.	MNR	1/17/19.
	Amended in response to comments received from SGC.	MNR	4/7/17.
	Amended in response to comments received from SGC.	MNR	2/26/19.
	Amended in response to comments received from SGC.	MNR	1/22/19.
	Amended in response to comments received from SGC.	MNR	1/22/19.
	Amended in response to comments received from SGC.	MNR	7/16/17.
MG	Amended in response to comments received from SGC.	MNR	2/25/19.
	Amended in response to comments received from SGC.	MNR	1/4/19.
ME	Amended in response to comments received from SGC.	MNR	3/14/19.
	Amended in response to comments received from SGC.	MNR	2/28/19.
MC	Amended in response to comments received from SGC.	MNR	2/23/19.
	Amended in response to comments received from SGC.	MNR	1/4/19.
	Amended in response to comments received from SGC.	MNR	2/22/19.
	Amended in response to comments received from SGC.	By Note	

Appendix 2 – Extracts of East Harry Stoke New Neighbourhood SPD

East of Harry Stoke New Neighbourhood Development Framework SPD

Adoption Draft

January 2016



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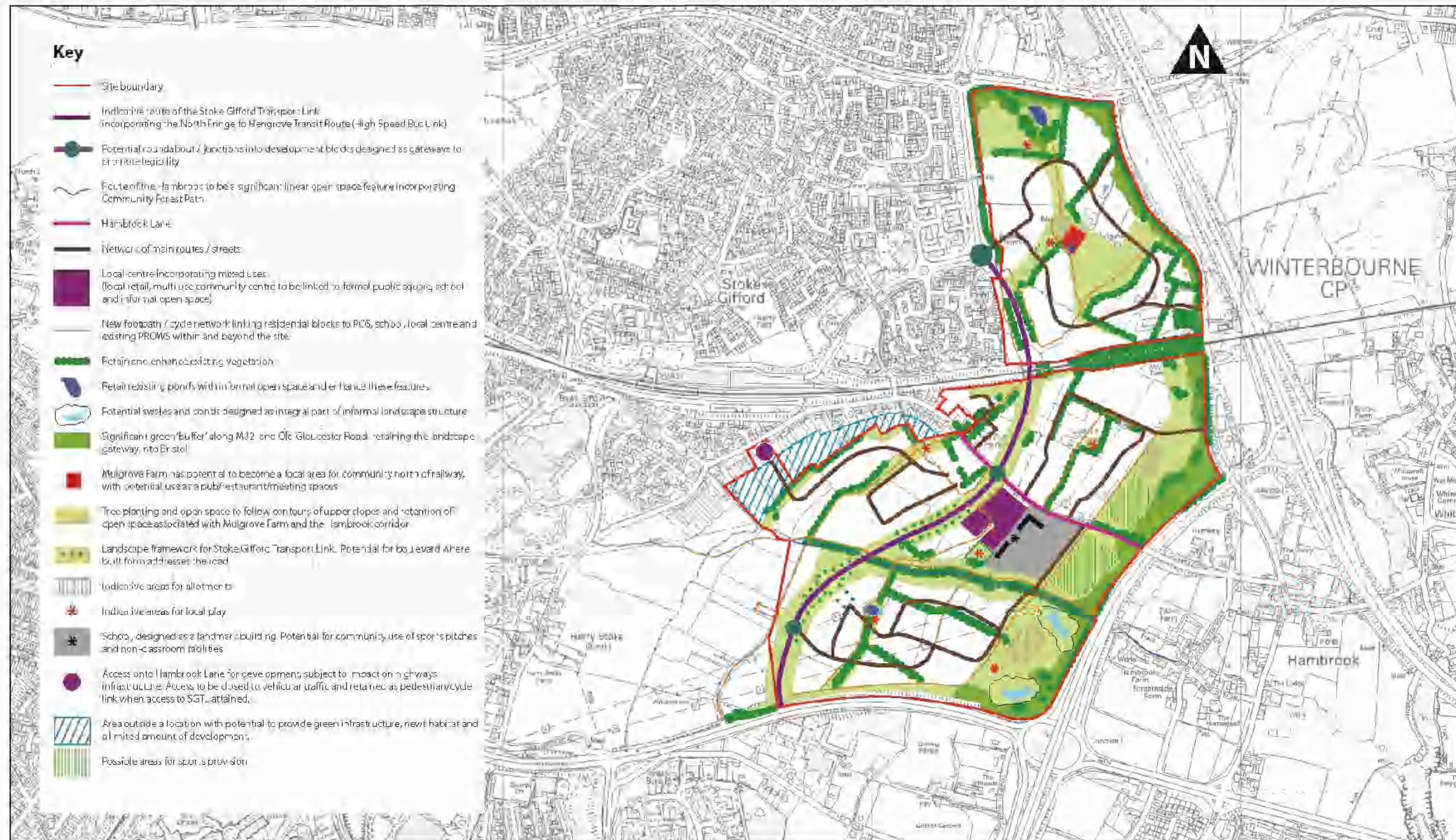
4. Implementation

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Appendix A Policy CS27 East of Harry Stoke New Neighbourhood
Appendix B East of Harry Stoke Infrastructure requirements

East of Harry Stoke Framework Diagram - illustrative



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Appendix 3 – Urban Design Officer Comments in respect to Application Ref: P22/02357/F

South Gloucestershire Council

Memorandum to: Eileen Medlin
from: Dan Jones
Urban Design Officer
Cc:
Date: 17th Oct 22 – AMENDED PLANS
Your Reference: P22/02357/F
Our Reference:
Telephone: 01454 863738
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Site Ref: P22/02357/F – application for 85 dwellings off Hambrook Lane, East of Harry Stoke New Neighbourhood.

Key Planning Policies (Design).

NPPF (July21) – Design (para 126-136)

South Gloucestershire Core Strategy (Dec 13)

CS1: High Quality Design

CS25: Communities of the North Fringe of the Bristol Urban Area

CS27: East of Harry Stoke New Neighbourhood

NPPG – Design

National Design Guide (NDG)

National Model Design Code (NMDC)

Building for a Healthy Life (BfHL)

South Gloucestershire Policies, Sites & Places DPD

PSP1: Local Distinctiveness

PSP6: Onsite Renewable & Low Carbon Energy

PSP43: Private Amenity Space Standards

East of Harry Stoke SPD (Jan 2016)

East of Harry Stoke Newt Strategy (Oct 18)

Tree SPD

SUDS SPD

COMMENTS RE AMENDED PLANS IN BLUE TYPE

Comments

The NDG was published in 2019. The NPPF (July 2021) states that *‘the creation of high quality, beautiful & sustainable buildings and places is fundamental to what the planning and development process should achieve’* (para 126) and at para 134 clearly raises the bar in stating that, *‘development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design (the NDG & NMDC)...’*. Para 133 also refers to assessment frameworks such as BfHL to help assess schemes.

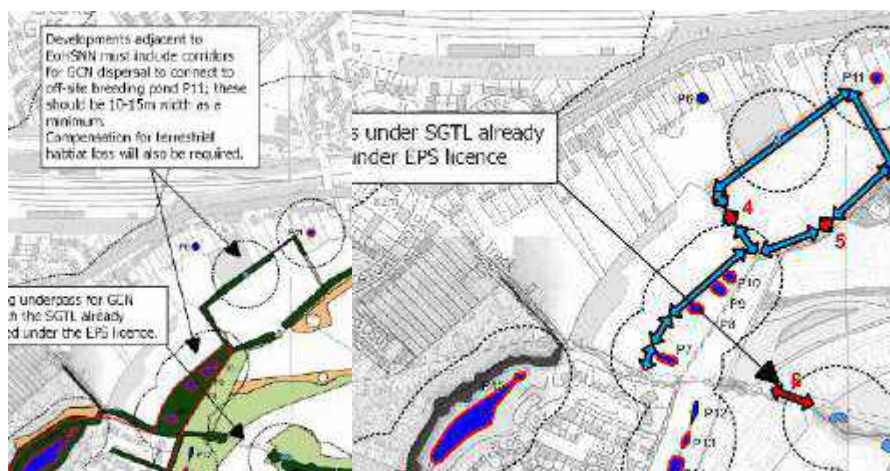
The application site is partially in the East of Harry Stoke New Neighbourhood (Core Strategy Policy CS27). Plots 1-27 sit outside the new neighbourhood (CS27) area. Precisely which plots fall in and which fall out will need clarifying as this will have implications for infrastructure contributions.

The site is though within land described within the East of Harry Stoke SPD (Jan 2016) – Illustrative Framework Diagram (pg7) – Extract below.



The purple spot in the key reads: 'Access onto Hambrook Lane for development subject to impact on highways infrastructure. Access to be closed to vehicular traffic and retained as pedestrian/cycle link when access to SGTL attained.' The hatched land is earmarked as '...potential to provide green infrastructure, newt habitat and a limited amount of development'. The dark green is , 'retained enhanced existing vegetation'.

A Great Crested Newt Strategy for the New Neighbourhood has also been agreed with Natural England. It includes 'Design Principles' & 'Habitat Connectivity' Plans (see respective extracts below):



There is a very clear intent that a 10-15m wide corridor should be preserved along the southern boundary of the site. Compensation for terrestrial habitat loss is also required. The D&A statement refers to a 7m ecological offset along this boundary. It is not clear why.

The new Local Plan (nLP) Phase II document promotes a number of localities throughout the district as suitable for 'Urban Lifestyles'. In essence, in accordance with the NPPF etc it is promoting efficient, more intensive use of land in the most accessible locations. This site is within one such location due to its proximity to Parkway Station, Metrobus and other services and facilities. The respective draft policy (see link below) promotes net densities of 80-120dph in this location (Parkway, Stoke Gifford to UWE corridor), which supporting information characterises as terraces and small apartments etc. The NDG promotes 'compact' forms of development, *that is...relatively high residential density...preserves more open landscape and makes efficient use of land and resources* etc (pg20). The submitted DAS states that Parkway Station is only some 13 minutes walk away. The density is stated at 35dph gross, so probably about half the nLP target for this area.

[Phase 2 planning policies | BETA - South Gloucestershire Council \(southglos.gov.uk\)](https://www.southglos.gov.uk/phase-2-planning-policies)



The increase in dwelling numbers is noted, but the scheme still appears cramped and unresolved in many ways. See below.

Key Issues

1. **PSP6** requires that a 20% further reduction on the building regs applicable at the point of approval of a scheme. Consequently the 2021 regs will be applicable. The submitted energy statement does not accord with this requirement. This may have significant implications for energy supply (no gas), layout and use of PV, i.e. ensuring that roof tops are orientated appropriately and can accommodate the required quantum of panels etc. The energy strategy should be reviewed to meet the required standard and worked up in parallel with revised plans.

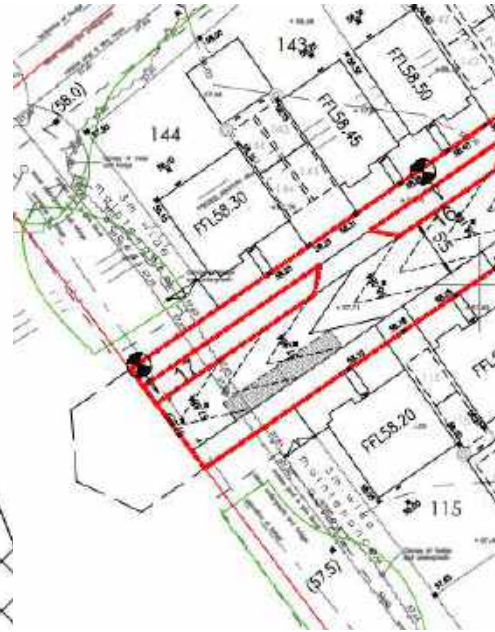
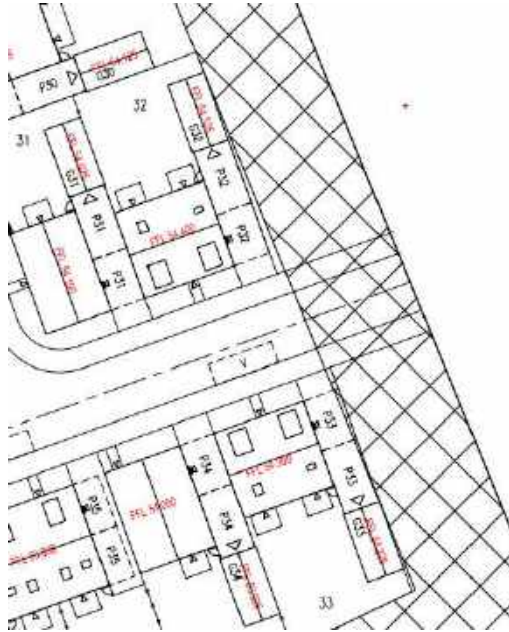
New development - sustainable energy requirements | South Gloucestershire Council (southglos.gov.uk)

The Energy Statement now appears to reference the new building regs (Part L 2021) that will bite in June 2023. I otherwise defer to the Council's Sustainability Officer with regard the respective calculations and subsequent strategy.

2. **Access & Movement:** Good practice & the SPD (see above) requires that the site connects to the new neighbourhood to the east. This is to provide for desire lines/more direct walking routes etc to Parkway Station and new facilities in the Harry Stoke development (via Poppy Close) and to Sainsbury's and the former B&Q site, aswell as back to the SGTL metrobus stops etc etc. These routes through the site should be clear, safe, attractive and direct. The adjoining site access arrangements have been specifically designed to enable this connection. The adjoining site is also under construction so there should be no issue with timing etc. The requirement of the original SPD to downgrade access onto Hambrook Lane to only a foot/cycle connection is thus entirely feasible. The highway through this site and along these key desire lines should be designed as per the Crest Phase 1 primary route, with a verge. The threshold between the two sites will need to be designed carefully to enable wildlife/newts to cross as per the GCN strategy plans above. The disconnect as shown is entirely unacceptable.

I note the bollards outside plot 30. These would appear to be a sub-optimal solution. If, as stated in the Planning Statement, the permanent solution is only intended as a foot/cycle connection between the north and southern part of the site, then that is what should be planned for. If construction/highway access is required temporarily through this point then a mechanism should be agreed to enable its subsequent replacement with a path only. Reducing the extent of hard surfacing at this point would also accord with the SPD to, '*retain & enhance existing vegetation*'.

I note the footpaths (north side) between the TW & Crest schemes do not align and there is a substantial difference in slab levels (4metres!) between the Crest side and what is proposed. The respective topo surveys are showing an almost 3m difference along the boundary just south of plot 23. Something is clearly amiss and needs sorting out. The tree-lined verge as per the Crest scheme should also be included along the remainder of the street.



3. The pedestrian route at the western end of the site, dog legging via the allotments and LEAP doesn't yet appear to provide for a suitably high quality direct route. Further consideration is required and detail as to how it connects to the footpath network at this point. Some offsite works may be necessary to achieve a safe walking route.

It is unclear on many plans whether a footpath connection to the west is included or not and what works are proposed offsite if any. This is important as it is likely to be a heavily used route given proposed amenities in the adjacent Harry Stoke 1 site and desire lines towards B&Q & UWE etc.

Other

The 'in and outs' around the visitor spaces along the northern access should be straightened to improve the alignment. The visitor spaces could be simple interspersed with a street trees.



4. **Green Infrastructure & SUDS:** GI appears piecemeal and squeezed. Drainage is provided by hard engineered solutions. Given the vegetated nature of the site & existing ecology, good design would dictate that greater effort is made to incorporate and link existing GI and utilise the natural topography to create some wetland and more useable open spaces. Consideration should be given to creating a distinct space(s) character wise as opposed to the nearby LEAP in the EoHSNN Phase 1. At the top of the site there may be views that could be taken advantage of, could a more formal terraced approach be designed around the tree just south of plot 83, pond(s) and roadside swale could/should be incorporated into the southwestern part of the site. Certainly the LAP to the front of plot 83 is cut off / surrounded by tarmac so very uninviting and the LEAP at the bottom end of the site appears very unimaginative and potentially heavily overshadowed at certain times of the year.

The consolidated POS area in the centre of the site would appear to be an improvement. The design of the space though looks a somewhat uninspired jumble of play equipment, fencing and left over gaps that makes very poor use of this space. Its difficult to discern any 'design rationale' as such. Could the whole space have a railing, hedge and more formally arranged line of trees around its edge? Could a large tree be provided to 'endstop' the main entrance road? Could the sloped area be included into the LEAP and utilised in some way? The gap down the western edge of the LEAP could also be incorporated. Could the LAP equipment be incorporated into the LEAP to provide one play zone? Etc etc. At the southern end of the space plot 92's parking and garage protrudes clumsily into the space. This needs removing.

A mown path also appears to encourage people along the back of properties into another rather unsatisfactory space that is characterised by a blank gable (plot 85), rear of properties and parking jutting into it.

At either end of this central GI area are further small, poorly surveilled unusable spaces i.e. to the side of plot 30 and rear/side of plots 60-64. Plot 64's parking and garage would no doubt be susceptible to anti-social behaviour and should be removed / replanned away from this dead space.

I defer to others re the quantum & typologies of POS, but as yet these spaces appear unresolved in terms of their own design and the built form around them, in terms of providing safe, secure, high quality attractive places. See further comments below.

5. **Appearance & Street scenes:** The character appraisal in the DAS has undertaken the usual rather predictable exercise of carrying out a rudimentary assessment of all the various styles and ages of dwellings in the locality and boiling them down to some very generic and rather pointless 'considerations' (pg30). This is why PSP1 requires that proposals demonstrate an understanding of, and respond constructively to the buildings and characteristics that make *a particularly positive contribution to the distinctiveness of the locality*. BfHL similarly states that context appraisal should 'review the wider area for sources of inspiration...' (pg44), and in terms of what red looks like, not 'reference generic or forgettable development nearby to justify more of the same' (pg48).

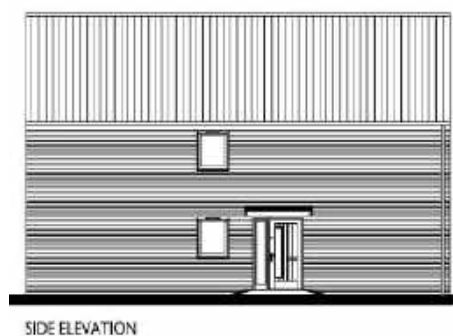
The character appraisal appears to have been filled out with even more 'stuff'. This wasn't the point. In localities like this with a great variety of built form, appraisals should be succinct in usually identifying the historic vernacular (pre-war) and distilling some cues/inspiration from it in order to inform the new development. This may involve looking wider than the immediate site surroundings, which is the point the BfHL seeks to make. However, another approach in such localities is to seek to create a high quality distinctive development in its own right. In looking at these proposals there is no clear connection with any of the local historic vernacular characterised by the pennant stone and ornate brick decoration etc, which parts of the Harry Stoke 1 site and Hoodlands Character Area of the East of Harry Stoke New neighbourhood seek to emulate. However, I note the appearance of some half brick and half render dwellings in the proposals. If it hadn't been noted, the Common Mead character area (see pg54-58 of the Phase II EoHS Design Codes) proposes such styling to create a distinct signature to the area. The coding sets a target of 75% of dwellings to be so styled (ground floor brick/first floor render). This styling also finds its way into the Crest Phase 1 scheme. Complemented by simple modern details. I would have no objection to this theme being carried through. (See comments below).

6. In respect of the streets, there is clearly some design going on, but I cannot see a single strong concept or defining feature(s), to create cohesive and attractive streets, just more of a collection of buildings along some very standard highway.

Again the design continues to lack any strong concept or theme overall or in terms of the key spaces. E.g. I note the gable fronted EMA42 housetypes. These or a similar such gable fronted housetypes could be concentrated around the main POS area. It would seem a simple plot substitution to replace plots 1,2,24&25 with gable fronted units fronting towards the POS. Unfortunately, the EMA42 is a rather lop sided ugly dwelling. TW have used more pleasing gable fronted units at the Haw Wood site (see PA44 below). Similarly, plot 29 is unbalanced and ugly in comparison with the recently approved PT36 at Haw Wood. Switching plots 1-3 & 23-25 to the PA44 & plots 29 & 30 to the PT36 (with feature chimneys) would provide a much simpler and therefore stronger theme around the principal POS area.



In so far as the main southern street goes this is a rather horrible jumble of units dominated by frontage parking with the the somewhat unattractive elevation below terminating the view along it. It requires some serious reconsideration.



In essence:

i, plots 86-92 need reconsideration to 'open up' and provide some surveillance / frontage along the POS. Care will be needed to site a building that presents and contains the southern edge of

v, The block at the end (plots 56-58) is a key building and needs treating as such. Form as well as elevations needs reconsidering to provide interest & acceptable presentation to all sides.



- Plot 73 sits awkwardly behind the build line with a large retaining wall outside its rear window. It should be pulled forward as per the other plots. Couldn't its parking simply be provided at the end of the turning head?
- Plot 81's parking interrupts the area of POS and should be removed elsewhere.
- Plot 85 is unacceptably overshadowed by the large tree. Parking again juts out into the POS undermining the quality of the space. I would query the need for so much parking for the se 2 bed homes. A plot in this position should also front onto the POS (so bookend the terrace).
- Plot 64's parking is particularly insecure being exposed to the area of landscaping and should therefore be removed and this area widened out.
- Again care needs to be taken to provide some surveillance over the POS between plot 64 & 65.
- The 2.5 storey EMB51's appear somewhat sprinkled about the place. I can see no real logic for their use in those positions.
- On balance, I think that plots 21 & 22 should present fronts into the parking court to improve surveillance in this space. Walling is also required to boundaries around the parking court.
- Rear boundary to plots 56-59 should be wall in this exposed location.
- Field gates and post and rail fencing should be used to demarcate access into the wildlife corridors around the scheme where public access is not required. (See Crest scheme adjacent).

- A robust treated hit&miss style fence can provide a more attractive and sturdy boundary to the wildlife corridors.

7. The dwellings themselves do not really know what they want they to be, combining clean simple forms and fenestration in a contemporary style with traditional details. Some are particularly poor and unbalanced in terms of elevational treatment. I would describe such units as being designed inside out, i.e. value engineering, marketing & build considerations have trumped external elevational considerations, such that fenestration often doesn't quite align, facades lack symmetry and roof pitches are rigidly low throughout with no consideration of appearance or location.

The housetypes themselves have not changed, so I say again elevationally, the balance of some of the dwellings are poor. The NPPF now promotes 'beauty'. A good few of these housetypes are certainly not that and should be reconsidered. This is in contrast to the Haw Wood scheme approved recently. Style wise clearly they have changed. As stated above the Common Meads character area of the East of Harry Stoke NN (see phase 2 design codes) promotes a half & half aesthetic as a defining characteristic. I would be content to see this approach rolled out through this parcel also. The housetypes, key spaces and streetscenes should thus be reviewed accordingly.

8. Unfortunately, therefore the scheme falls into BfHL, the 'what red looks like' (pg 49) criteria...'using predetermined housetypes to dictate a layout, arranging buildings next to each other in a way that do not create a cohesive street scene and poor replication of architectural features or details' (or lack thereof). In terms of materials, the Bekstone Yate Grey is a particularly poor imitation of the local pennant and render can stain easily if not combined with high quality robust detailing. I can see nothing here that assures me that this will be a memorable place (BfHL pg44&45) nor of any beauty (NPPF).

The proposed brick is an improvement.

9. **Pre-app, public consultation & design review:** The NPPF, NPPG, NDG and BfHL etc all suggest that tools such as pre-app services, public engagement and design review should be used ahead of submission to help shape and formulate planning applications. Neither pre-app or design review and only very limited public consultation has been undertaken. Given the sensitive and challenging nature of the site, and proximity to existing residents etc, the absence of any such engagement with the Council, community or design review service is very poor practice.

Nothing to add.

10. Other:

- The Combined Services plan clearly illustrates that no account has been taken of proposed tree planting. The Council typically requires a combined services, drainage, street light and soft landscape plan so that services and trees can be planned together, so avoiding trees being omitted during construction as they conflict with services already in place etc. **A combined services, street lights and landscape plan is still required as conflicts are still apparent.**
- There are large retaining structures and steps in many plots. Plot 65 is particularly poor with a north facing rear garden with an approx 3m high cribb lock retaining structure about 3m from the rear of the house creating very poor outlook and useability. A terrace/slope is included in the rear garden of plot 25 which is specifically for wheel chair use. A 2-3m retaining structure is proposed alongside an existing hedge to the rear of plots 83-85, with no doubt consequences for its health. **The scheme has generally improved in this regard although noting the issue with plot 73 and the difference in stated levels between the Crest scheme and this site which need resolving.**

- Plots 56-62 & 72-77 create a very car dominated streetscape. **Parking needs removing from the POS (spaces P65x2 and the visitor space) and a robust detail is required for the landscaping strips between bays. A combined services, street lights and landscaping plan is required as services are shown in conflict with trees on this street and no doubt elsewhere.**
- There is one shared space street. Its not clear why there are no others / what the rationale is for the highway hierarchy and tarmac appears to dominate. **Further streets could be downgraded to shared space, i.e. from plot 48 west and plot 4 east. There should be a clear threshold demarcated by a change in material or copenhagen style crossing where appropriate. Surfacing should be distinct from other highway typologies. Suggest a minimum of 50% block paving to tarmac. Use hot rolled asphalt with a colour chip to further help define these streets. Block should generally be avoided on junctions. Parallel visitor bays should be subtly demarcated in a different material. Use conservation kerbs 125mm upstand to avoid unauthorised parking and vehicle overrun and 25mm elsewhere.**

Conclusion

Objection. Central Government's expectations in terms of design quality have clearly risen in the last year or so. Developers have also now had chance to absorb the implications of new policy in the NPPF (2021) and guidance such as the NDG, NMDC and BfHL. This is also a challenging site, so it should be expected that a standard approach and all standard housetypes may not be sufficient. In so far as the proposals go; given the site's proximity to Parkway Station, Metrobus services and a wide range of services and facilities, this is a very sustainable location and therefore the land should be used efficiently. As per the NDG implies I would therefore suggest that more compact forms should be used, but alongside protection of more of the green infrastructure. As it is, the proposals are squeezing a high number of pre-determined (including many detached) housetypes onto the site, which is leading to problems with levels and poor quality restricted green infrastructure. The site also fails to provide connectivity to the adjoining parcel, fails to address energy requirements and is generally uninspired in terms of appearance and street scenes etc. In essence it fails to respond adequately to the site and context, so is not 'well designed'. The NPPF states that *'the creation of high quality, beautiful & sustainable buildings and places is fundamental to what the planning and development process should achieve,'* (para 126) and para 134 clearly raises the bar in stating that, *'development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design (the NDG & NMDC)...'*. My view is that the scheme requires substantive amendments such that it would be a materially different scheme. These proposals should thus be withdrawn or refused, so that a proper design process can be undertaken, starting with involvement of the Design Review Panel, proper public engagement, thorough discussion of constraints *and opportunities*, a more succinct but insightful character appraisal and response, and clear energy strategy / target that recognises the new building regs and PSP6 etc.

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Objection. Although some improvement appears to have been made in terms of the quantum of POS and connectivity, this remains a poor submission. In terms of placemaking it still appears to be a pre-determined mix of poorly conceived house types shoehorned onto the site with little positive regard in terms of creating distinct characterful streets or spaces. POS is poorly surveilled in places, wildlife corridors are insecure, levels still appear unresolved, and the street hierarchy still makes little sense etc. Consequently, substantive amendments in accordance with the above comments are required.

Dan Jones
Principal Planning Officer – Urban Design

Appendix 4 – Approved Site Layout for Parcel 0133af





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