

Charfield Neighbourhood Development Plan

Independent Examiner's Clarification Note

Context

This note sets out my initial comments on the submitted Plan. It also sets out areas where it would be helpful to have some further clarification. For the avoidance of any doubt matters of clarification are entirely normal at this early stage of the examination process.

Initial Comments

The Plan responds positively to an interesting set of issue in the neighbourhood area. The distinction between the policies and the supporting text is very clear.

I have read the submitted documents and the representations made to the Plan. I have also visited the neighbourhood area. I am now in a position to raise some initial issues for clarification. They are primarily for the Parish Council. There is a specific question for South Gloucestershire Council.

The comments that are made on these points will be used to assist in the preparation of my report. They will also inform any potential modifications that may be necessary to the Plan to ensure that it meets the basic conditions.

Questions for Charfield Parish Council

Policy specific questions

Policy 001

Is it reasonable for the policy to require that all homes have fast charging points given the content of paragraph 110e of the NPPF?

Charfield Parish Council Stands by this policy. We have declared a Climate Emergency, along with the County Council and National Government due to the very specifics of the village and how it is used by its residents. Charfield is largely a dormitory village, with very little employment, and its residents commute to workplaces generally in the greater Bristol area but also into Gloucestershire and other areas. Local public transport is slow or non-existent and even with the oft proposed and now expected reopening of the railway station in Charfield, it is unlikely our residents will choose not to commute by car.

The government has announced a ban on the sale of new petrol- and diesel-engined cars, including hybrid vehicles, from 2035. In this context, and to encourage the take-up of electric vehicles, we feel it is important to make it as easy as possible for residents to be able to charge such a vehicle. Whilst NPPF paragraph 110e says that "applications for development should be designed to enable charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations", we envisage that in the near future, people will require fast charging points at their home. It is much simpler and cheaper to install these points when a house is being built, than have to install them after-market.

Also, if a home already has a charging point, this is more likely to encourage electric car ownership. Whilst the NPPF statement would seem to be satisfactory, our experience of developments, with promised and achieved infrastructure, informs us that we need to be fully prescriptive. We shall fail our residents if a development results in a hundred homes and a dozen chargers in shared parking bays.

Policy 005

How does the Parish Council anticipate that South Gloucestershire Council will be able to apply the policy given that different parts of the neighbourhood area have different densities?

What is the evidence for the proposed 3 metre gap between dwellings?

In any event is it too prescriptive? Should the policy take account of circumstances particular to individual planning applications and sites?

This policy addresses the desire of the community to maintain an open feel to the village. However, the Parish Council recognises that putting it into practice presents some challenges. Charfield does have a varying density across its housing, with some of the more recent developments, in particular, being more dense than we are used to. This is a trend we wish to stop. Even with the inclusion of social housing quotas, we would like to see the overall density of a new development be no worse than the current overall housing density.

If the policy is applied, we see no reason why the 3-metre gap should not be achievable, thereby providing a little space around each building and providing residents with some much-valued personal space. The current COVID-19 crisis has shown just how important it is for people to have their own space when their normal social routine is disrupted. The application of this policy, and the enforcement by South Glos of their own Private Amenity Space standards (PSP43), will help maintain Charfield's feel as a pleasant and spacious place to live.

Policy 010

As submitted, this 'policy' reads as an Aspiration rather than as a policy. Is its intention to ensure that pavements are designed to meet the standards specified by South Gloucestershire Council for new developments in general, and residential developments in particular?

As this is covered by South Glos / Highways policies, and therefore redundant, we will remove this policy. We would, however, note that South Glos have not enforced the current standards in the recent new developments and would urge them to be more attentive in this area. A recent development, Kings Meadow, was allowed to go ahead with what is best described as kerbs rather than pavements. Despite it being a cul-de-sac development of only eighteen houses, the lack of safe space for, e.g., child buggies or indeed small children, creates a hostile environment.

Policy 012 (now 009)

This policy reads as an Aspiration. However, it is capable of being a policy if it provides support for a business hub. I am minded to recommend accordingly.

Does the Parish Council have any comments on this proposition?

This is a development plan, and despite any misgivings about the sustainability of significant development in the village we seek to plan and prepare for what the community needs and would need into the future.

COVID-19 has changed the way we work, and it is likely that even after the pandemic is over things will not return to the way they were. Neither should they. This plan was not written with COVID-19 in mind, but it was written with a low carbon economy at its heart. We need more people to stay in the village, to work remotely where practicable, rather than drive in and out of the village each day. Not everyone can do this, by nature of their work, and not everyone can work at home, because of their domestic circumstances.

This plan proposed a policy that enables those with smaller homes, or with domestic circumstances that preclude a home-office solution, to access a small purpose-built business hub. Hired in short- or medium-term periods, it would offer a cost-effective solution to many, who may then find reductions in the need to drive to the office every day. This is a low-carbon initiative fully in line with national and local climate emergency declarations.

However, as we have no immediate plan to build a business hub, nor have we identified a site, we are happy to change the wording of the policy to instead provide support for the building of a business hub, should the opportunity arise within a new development application.

Policy 016 (now 010)

This policy could be either a policy or an Aspiration. In either case it needs modification to meet the basic conditions.

For it to become a policy the Plan would need to identify the 'large development' which would generate a community centre. Otherwise its focus is on an associated outcome and not on the principal development.

Please can the Parish Council advise on its intentions for the policy?

The reasoning for this policy is much the same as for Policy 012 (Business Hub). However, as we have no immediate plan to build a new community centre, nor have we identified a site, we are happy to change the wording of the policy to provide support for the building of a community centre, should the opportunity arise within a new development application.

Policy 019 (now 013)

What is the current provision of allotments in the neighbourhood area?

What are the current occupancy levels and the existing demand for any existing allotments?

Given that the majority of new development in the Plan period will be of a domestic or a minor nature should the policy be designed to be proportionate to the scale of development concerned?

Parish Councils are required to consider the provision of allotments if ten registered electors demand it. Charfield Parish Council has been approached time and again for allotments but does not hold any land available for such a provision. Neither is such land likely to be available, given that all land in the area is 'optioned' for housing development. We propose to change the policy wording to require that where a developer provides allotments, that a minimum 50% of those allotments should be set aside for those on the current waiting list to have first refusal.

Policy 020

How would this policy work in practice through the determination of planning applications?

Could it more realistically be an Aspiration?

Without an action plan to actively reduce greenhouse gas emission, this does sound like an aspiration and should probably be better worded as such.

Policy 022 (now 015)

Is this policy necessary given that the issue will eventually be managed through the Building Regulations once the necessary legislation is enacted?

Once these Building Regulations come into force, this policy will become redundant. Until that time, this will help with the sustainability aspirations of the village.

Policy 024 (now 017)

Is the principal issue the separation of new developments from existing dwellings rather than the specific details included in the policy?

In some cases, would it be beneficial for new developments to be connected by footpaths/open space with existing developments/community facilities?

The principal issue is to protect the outlook of current residents where they do not currently look out upon other buildings. At consultation events with the existing community there were comments that peripheral dwellings had established with no expectation of being encircled, and that landscape buffering would mitigate the impact of new development. Whilst future developments may block the views over open fields, we can at least try to ensure that there is some landscaping put in place. This will have the added advantage of providing corridors for wildlife, and there is already mention in the policy for linked footpaths so that any new development is not seen to be cut off from the rest of the village. Recent large developments have not done a good job here.

Policy 025 (now 018)

Is there a specific reason for this policy's focus on hedgehogs?

Hedgehogs are one of several protected species found in Charfield, and are one of the species with the largest territorial spread. They are adversely impacted by the erection of impenetrable walls and examples of these exist within the more recent developments in Charfield. Hedgehogs have recently been in the news by being reclassified as vulnerable to extinction, and it is important that measures are put in place to allow for their territorial roaming, through wildlife corridors but also by breaches in walls and travel routes.

Policy 029 (now 021)

This policy reads as though it is a condition or an advisory note on a planning application.

Was this intentional?

In any event is it appropriate for a general policy to be explicit on hours of working without understanding the details of specific proposals (including their locations in the neighbourhood area)?

CEMP are important elements of any build, but in Charfield we have examples, time and again, where construction practices have led to unsatisfactory outcomes for residents, commuters, and infrastructure. There are standards, and guidance notes, and South Gloucestershire policies. Despite these, we can evidence many times when construction sites have blighted the community. It is the community we serve, and the community demands we embed the tightest requirements into any developments that come to Charfield.

The included photographs show some of the impactful events we have faced in recent years. From failure to prevent mud leaving site through lack of wheel washing, to traffic backups because of peak hour deliveries, to loss of safe footway and lack of CDM segregation. Enforcement records at South Gloucestershire should also indicate the number of times out of hours working has been remarked upon, with consequent noise issues for nearby residents often during weekends and early in the mornings. None of these issues needed to arise, were

promised not to arise, and yet time and again arose. This policy is needed in order to push back against failures of other controls.

General Comments - Policies 008/009/013/014/015/028

I understand the importance of these matters to the local community. Nevertheless, in my judgement they are Aspirations rather than land use policies.

As such I am minded to recommend that that are repositioned to Appendix 4 as additional Aspirations. Does the Parish Council have any comments on this general proposition?

These policies will be moved to the Aspirations section, but see the specific comments below.

In particular the Parish Council's specific comments on the following would be helpful:

Policy 008

Are there specific bus routes which could be identified in an Aspiration?

We will take this matter up separately with South Glos.

Policy 013

Is the intended policy issue one of offering support for the development of new small retail units?

This policy came about as a result of specific requests from residents for the types of retail unit they would like to see. However, as we have no plan to build any such units, this can be turned into an aspiration, should the opportunity arise.

Policies 014/015

Are there specific funding streams and timetables which could be included within Aspirations on these matters?

Policy 014 – Tortworth Footway – is largely out-of-boundary, so would better be supportive of a S.Glos initiative perhaps, and will be turned into an Aspiration.

Policy 015 – the Greenway – This is a statement supporting an existing strategy being managed by an adjacent authority. It can be moved to the Aspirations section if it belongs there.

Question for South Gloucestershire Council

Is the Council continuing to work to its published timetable for the production of the South Gloucestershire Local Plan 2020?

Representations

Does the Parish Council wish to comment on any of the representations received on the Plan?

In particular does it have any comments on the representations made by:

- CEG/Charfield Landowners Consortium; and
- South Gloucestershire Council.

We do have comments on these representations. Please see the separate document on this subject.

Protocol for responses

I would be grateful for responses to the various questions by 23 November 2020. Please let me know if this timetable may be challenging to achieve. It reflects the factual basis of the questions raised.

In the event that certain responses are available before others I am happy to receive the information on a piecemeal basis. Irrespective of how the information is assembled please can all responses be sent to me by South Gloucestershire Council and make direct reference to the policy/issue concerned.

Andrew Ashcroft

Independent Examiner

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9 November 2020

Photographic evidence for our response on Policy 029



