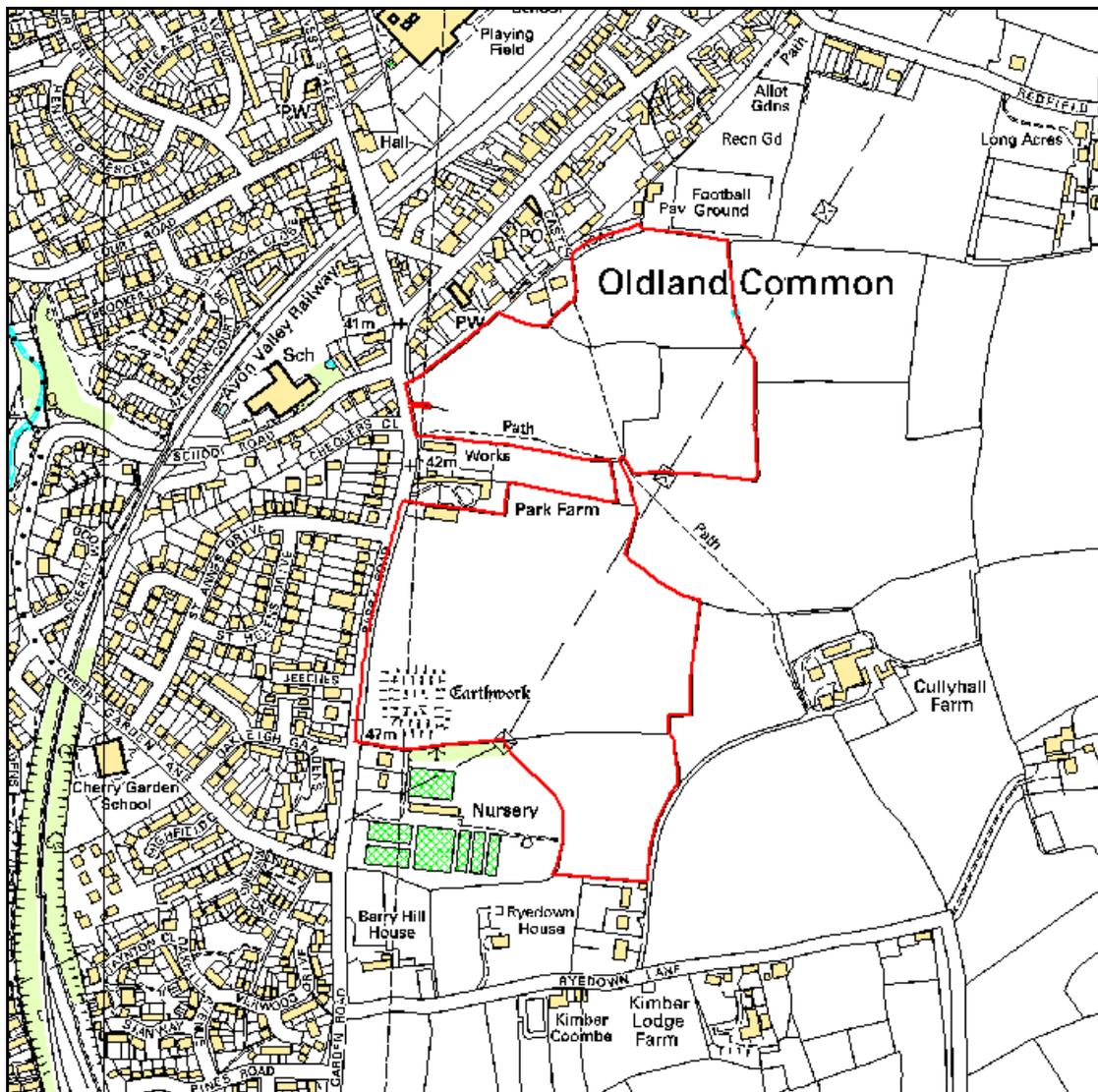


# Agenda Item 11

## DEVELOPMENT CONTROL (EAST) COMMITTEE – 13 MAY 2010

<b>App No.:</b>	PK10/0484/O	<b>Applicant:</b>	Strategic Land Partnerships
<b>Site:</b>	Land To The Rear Of Park Farm Barry Road Oldland Common Bristol South Gloucestershire	<b>Date Reg:</b>	5th March 2010
<b>Proposal:</b>	Mixed use development across 17.93 hectares of land comprising 450 dwellings, care home (Use Class C2), 1486m <sup>2</sup> local centre, one form entry primary school with associated infrastructure and works. Outline with all matters reserved except access.	<b>Parish:</b>	Bitton Parish Council
<b>Map Ref:</b>	367421 171066	<b>Ward:</b>	Bitton
<b>Application Category:</b>	Major	<b>Target Date:</b>	31st May 2010

---



## **INTRODUCTION**

The application is referred to the Development Control East Committee as it is a major application of a strategic nature.

### **1. THE PROPOSAL**

- 1.1 The proposal consists of a mixed use development across 17.93 hectares of land comprising of 450 dwellings, care home (Use Class C2), 1486sq m local centre, one form entry primary school with associated infrastructure and works. The application is in outline with all matters reserved apart from access.
- 1.2 The site currently comprises 5 fields, recently converted from permanent pasture into arable use. The land is largely level or gently sloping, rising from a height of 40m AOD in the west to 60m AOD in the south east corner of the site. The site sits at the foot of the Oldland Ridge, a prominent north south running ridgeline which forms the backdrop to local views from Bath Road and Barry Road. The site is bounded by development and the A4175 on the western edge and by a garden centre to the south. Open countryside lies to the east and north. Land within Park Farm itself is excluded from the site, so that the site lies in two distinct halves, linked by a narrow 'band' of land.
- 1.3 The site consists of open fields outside the settlement boundary of the Bristol East Fringe, within the open countryside and is designated Green Belt. There is an earthwork, an ornamental fishpond, of archaeological significance in the south-west corner of the site. The site is crossed by pylons from the north-east to the south-west. There are two public footpaths that cross the northern section of the site, which appear to be well used.
- 1.4 The proposals include 35% of dwellings as affordable, which would result in 157 affordable dwellings, a 60 bed residential care home, informal and formal public open space, a local centre including B1 offices as well as shops and provision for a 1 year entry primary school. Two accesses are proposed into the site from Barry Road, one opposite Chequers Close serving the northern section of the site, and one opposite no. 42/44 Barry Road, serving the southern section of the site. The two sections of the site are linked via the narrow band of land running directly behind Park Farm, although this is proposed as a footpath link, not a vehicular one.

### **2. POLICY CONTEXT**

#### **2.1 National Guidance**

PPS1	Delivering Sustainable Development
PPG2	Green Belts
PPS3	Housing

PPS5 Planning and the Historic Environment  
 PPS7 Sustainable Development in Rural Areas  
 PPS 9 Biodiversity  
 PPS12 Local Spatial Planning  
 PPG13 Transportation  
 PPS5 Planning for the Historic Environment  
 PPS25 Planning and Flood Risk  
 Circular 01/2006

## 2.2 Development Plans

### Regional Planning Guidance for the South West (RPG10)

Policy SS2 Regional Development Strategy  
 Policy SS3 The Sub-Regional Strategy  
 Policy SS4 Green Belt  
 Policy SS5 Principal Urban Areas

### Joint Replacement Structure Plan (JRSP)(Saved Policies)

Policy 1 Aims and Objectives  
 Policy 2 Locational Strategy  
 Policy 16 Green Belt  
 Policy 33 Housing

### South Gloucestershire Local Plan (Adopted) January 2006

D1 Design  
 L1 Landscape Protection and Enhancement  
 L4 Forest of Avon  
 L9 Species Protection  
 L11 Archaeology  
 L17 and L18 The Water Environment  
 EP1 Environmental Pollution  
 EP2 Flood Risk and Development  
 GB1 Development within the Green Belt  
 T7 Cycle Parking  
 T8 Parking Standards  
 T12 Transportation Development Control Policy  
 E6 Employment Development in the Countryside  
 H2 Proposals for Residential Development within the Existing Urban Area  
 H3 Residential Development in the Countryside  
 H6 Affordable Housing  
 RT7 Shopping Facilities for New Residential or Commercial Development  
 LC1 Provision for Built Sports, Leisure and Community Facilities (Site Allocations and Developer Contributions)  
 LC2 Provision for Education Facilities (Site Allocations and Developer Contributions)  
 LC8 Open Space and Children's Play in Conjunction with New Residential Development  
 LC12 Recreational Route  
 LC13 Public Art in major new development

- S1 Service Infrastructure in new development
- S2 Proposals for Health Provision (Site Allocation and Developer Contributions)
- S3 Proposal for Social Services Provision (Site Allocation and Developer Contributions)

2.3 Emerging Development Plan Policy

Draft Regional Spatial Strategy Secretary of State's Proposed Changes

Development Policy A: Development at Strategically Significant Cities and Towns (SSCT's)

Development Policy D: Infrastructure

Development Policy E: High Quality Design

Development Policy F: Planning and Delivery of Major Development

Development Policy RE5: Decentralised Energy Supply to New Development

2.4 South Gloucestershire Core Strategy Pre-Submission Publication Draft

- Policy CS1 High Quality Design
- Policy CS2 Green Infrastructure
- Policy CS4 Renewable or Low Carbon District Heat Networks
- Policy CS5 Location of Development
- Policy CS6 Infrastructure and Developer Contributions
- Policy CS7 Strategic Transport Infrastructure
- Policy CS8 Improving Accessibility
- Policy CS9 Environmental Resources and Built Heritage
- Policy CS15 Housing Density
- Policy CS17 Housing Diversity
- Policy CS18 Affordable Housing
- Policy CS23 Community Buildings and Cultural Activity
- Policy CS24 Open Space Standards
- Policy CS29 Communities of the East Fringe of Bristol Urban Area

2.5 Supplementary Planning Guidance

Design Checklist SPD

Green Belts SPD

Landscape Character Assessment SPD

Affordable Housing SPD

Other

Biodiversity Action Plan

Trees and Development SPG

**3. RELEVANT PLANNING HISTORY**

- 3.1 PK09/5056/O Mixed use development across 17.93 hectares of land comprising 450 dwellings, care homes (Use Class C2), 1486m2 local centre with associated infrastructure and works. Outline with all matters reserved except access. Refused on 15 October 2009 for the following reasons:

1. The site is located within the Bristol/Bath Green Belt and the proposal does not fall within the limited categories of development normally considered appropriate within the Green Belt. The applicant has not demonstrated that very special circumstances apply such that the normal presumption against development within the Green Belt should be overridden. The proposal is therefore contrary to the provisions of PPG2, Policy 16 of the Joint Replacement Structure Plan and Policy GB1 of the South Gloucestershire Local Plan and the South Gloucestershire Green Belt SPD.
2. The application site lies outside the urban area of the Bristol East Fringe, as defined on the South Gloucestershire Local Plan Proposals Map, within the open countryside and as such the proposal is contrary to Policy H3 of the adopted South Gloucestershire Local Plan.
3. The application site lies outside the urban area of the Bristol East fringe, as defined on the South Gloucestershire Local Plan Proposals Map, within the open countryside, and as such, the proposal is contrary to Policy E6 of the South Gloucestershire Local Plan
4. The proposal, due to the impact of the loss of views from the urban edge, change in character of the site from agricultural to urban and the reduction in the amenity value of the area would result in an adverse impact on the landscape. Furthermore, the open space provision, provided in a number of different parts of the site does not enhance the landscape in a manner the contributes to the character, quality, distinctiveness and amenity of the locality. As such the proposal is contrary to Policy L1 of the South Gloucestershire Local Plan
5. The application does not set out a strategy for the production of design codes, that would create a high quality public realm, streets, courtyards, buildings and landscape as well as safe and secure environment that is comprehensively designed, distinctive and informed by the local character. The application is therefore contrary to PPS1, PPS3, draft RSS Policy F, South Gloucestershire Policy D1 and the South Gloucestershire Design Checklist .
6. The amount of development is insufficient and does not make efficient and effective use of land. The proposals are therefore contrary to PPS1, PPS3, draft RSS Policy H2 and South Gloucestershire Local Plan Policy H2 and the South Gloucestershire Design Checklist.
7. The Design and Access Statement does not contain sufficiently robust principles and parameters to ensure a high quality, comprehensive development will emerge that is compliant with PPS1, PPS3, draft RSS Policy E, South Gloucestershire Local Plan Policy D1 and the South Gloucestershire Design Checklist.
8. The application does not have a strategy for a proportion of the energy used in the development to be generated from zero or low carbon sources. The application is therefore contrary to PPS1 and its draft supplement

Planning and Climate Change, draft RSS Policy RE5 and the South Gloucestershire Design Checklist.

9. The proposed site access junctions are considered unsatisfactory as the proposal would lead to increased safety conflicts thereby interfering with safe and free flow of traffic on the A4175, Barry Road, all to detriment of highway safety. This is contrary to policy D1 and T12 of the South Gloucestershire Local Plan.
10. In absence of the necessary S106 planning obligation to secure mitigating measures, and contributions towards public transport in the area, the proposed development would result in unacceptable impact on the public highway and as such the development is contrary to Policy T12 of the South Gloucestershire Local Plan
11. Insufficient information has been submitted with the application to fully assess the drainage implications of the proposal, with special regard to sustainable drainage on site. As such the proposal is contrary to Policies EP2 and L18 of the South Gloucestershire Local Plan.
12. Insufficient information has been submitted with the application to fully assess the impact of the proposals on the hedgerows, protected species and their habitats including bats, badgers and reptiles (slow worms) as well as nesting/breeding birds listed on the UK, Avon or South Gloucestershire Biodiversity Action Plans. As such, the proposal is contrary to Policies L9 and D1 of the South Gloucestershire Local Plan.
13. The outline application contains insufficient information to fully assess the proposal on footpaths PBN 20 and PBN 23, part of the historic footpath network that cross the site. As such the proposals are contrary to Policies T12 and LC12 of the South Gloucestershire Local Plan.
14. The outline application is not supported by an agreed Section 106 obligation, which requires the provision of affordable housing on site, and in this respect is contrary to Policy H6 of the South Gloucestershire Local Plan.
15. The outline application is not supported by an agreed Section 106 obligation, which requires the provision of leisure, recreation and other community facilities and in this respect the proposal is contrary to Policies LC1 and LC8 of the South Gloucestershire Local Plan
16. The outline application is not supported by an agreed Section 106 obligation which requires the provision of primary school places and youth and social services contributions and in this respect the proposal is contrary to Policies LC2 and S3 of the South Gloucestershire Local Plan.

The Government Office for the South West considered that the development did not warrant the submission of an Environmental Impact Assessment.

## 4. CONSULTATION RESPONSES

### 4.1 Bitton Parish Council

Bitton Parish council has considered this application at great length and has resolved to oppose it in the strongest possible terms for the following reasons:

- Regional Spatial Strategy: this application is premature in that it pre-empted the RSS decision
- Green Belt: the land of this appeal is not, unless and until its status is changed from Green Belt, available for development
- Other developments near the site: this application represents only part of any future additional development by the applicant. The application totally fails to take any account of recent development in the area
- Land availability: the proposals fail to show that there is insufficient land available elsewhere for development
- Community participation: the application includes no consideration of the views of local people on the principle of development at this site
- Effects on the community: the application does not seek to merge the proposed development with the existing community. The proposals would have an adverse effect on the existing community of Oldland Common due to the significant rise in population.
- Environmental Impact Assessment: The application did not include an EIA
- Loss of quality farmland: the farmland has not been tested for grading and the local farming community consider this land would be at least grade 3A
- Listed Buildings: the application pays scant regard to nationally and locally listed buildings in the area. The setting of these would be swamped by the proposed new development
- Access and Highway Considerations: The A4175 at Barry Road has junctions with other existing roads which are demonstrably sub-standard, given their present usage. The proposed development would add unacceptably to this situation. The application is deeply flawed in its anticipated traffic volumes, which fail to take proper account of the number and direction of vehicle movements. The application fails to address general highway issues that would be exacerbated by large-scale development to the east of the A4175 occasioning more pedestrian movements across the road. The application fails to illustrate that the proposals for development are sustainable in terms of traffic generation. The application fails to address sufficiently the impact of the two new junctions. The application fails to address the adverse impact that the proposed development would have on local and major roads in the area.
- Other forms of transport: the number of people walking or cycling to the site is vastly over-estimated and the application seeks an undue reliance on cycling and walking to facilities which are realistically only accessible by car
- Local infrastructure: the application wrongly claims that the existing infrastructure can cope with new housing
- Effect on existing retail facilities: the proposed development is likely to have an adverse impact on existing local shops

- Provision of services: the application fails to recognise that many local services such as doctor's surgeries and the dental practice already operate under considerable pressure
- Opportunity for local employment: the application's claims that new residents will find employment opportunities locally to which they can cycle or walk is totally unfounded
- Visual amenity of Green Belt land: The application would destroy views of the rising green belt land from the A4175 and towards Oldland Common
- Public Rights of Way: the three footpaths that presently cross the site would be turned into more urban walkways to the detriment of those who use them
- Wildlife: Development of the site would have a serious and detrimental effect on the ecology and biodiversity of the area
- Drainage: the loss of natural drainage of this area must be to the detriment of other locations, which would suffer from a more serious and regular incidence of flooding
- Pollution: concerns about the amount of pollution that the proposed development would give rise to
- Archaeology: the development of this site would severely restrict any future investigation of known of archaeological interests

#### 4.2 Hanham Abbots Parish Council

- Green Belt is precious to the local community and serves a critical function in providing a boundary between nearby towns
- Proposals do not contain any exceptional reasons for removal of green belt

#### 4.3 Other Consultees

##### Cllr Jane Allinson

- Developer makes presumption that land will be released for development but overlooks strict planning controls and stringent tests on development in Green Belt
- Development would encroach on the AONB
- Overwhelm the character of Oldland Common
- Application makes assumption that there would be sufficient access on foot and cycle to employment in the area, which is not correct
- The developer has not taken into account the views and needs of the community

#### 4.4 Hanham District Green Belt Conservation Society

- There is no exceptional value to the developer's plan that would override Green Belt controls
- There is no need to impinge on any green belt land

#### 4.5 Environment Agency

No objections in principle subject to conditions relating to surface water drainage and sustainable drainage systems.

#### 4.6 Campaign for the Protection of Rural England

The CPRE strongly objects to the planning application as the RSS has yet to be adopted and the Draft Core Strategy makes no reference to any proposals for development in this area. The Green Belt designation has not changed and there are strict controls on green belt land regarding inappropriate development.

#### 4.7 Roger Berry MP

- I express my total opposition to this planning application.
- The proposal would undermine the credibility of the green belt between Bristol and Bath. My constituency has seen its fair share of development in recent years. Further development on green belt would be entirely unacceptable.
- The proposal would out housing in the wrong place. New housing should be built nearer to where people work.
- This proposal should be rejected because of the resultant damage to the environment- It would cause further traffic problems, further congestion, pollution and noise

#### 4.8 Cllr Mark Scawen

I support Cllr Jane Allinson's comments and add my concerns for the wildlife on the site and the surrounding area.

#### 4.9 Cllr Valerie Lee

I would like to object to this planning application on grounds that the land is in the Green Belt

### **Other Representations**

#### 4.10 Local Residents

976 representations have been received to the scheme, all objections. The reasons for objection are as follows:

- Brownfield sites should be developed first.
- Proposed density too high.
- Existing local infrastructure cannot cope with increase.
- Existing social infrastructure cannot cope with increase.
- Local roads cannot cope with increase.
- Need to preserve what Green Belt is left.
- Plenty of brownfield sites available.
- Green Belt should only change when all other alternatives properly considered.
- RSS still being debated, not finalised.
- Loss of good quality farm land.
- A4175 very busy and cannot cope with increase.
- Lack of adequate NHS facilities.
- Area used for informal recreation, at time of critical national concern over obesity.
- Happy with community as it is.
- Land is designated and protected Green Belt.

- There are a thousand empty dwellings in South Gloucestershire – these should be developed first.
- High density development and style of housing and available floorspace per unit is below European norms and does not meet citizens' right to a healthy family lifestyle.
- Application outside the scope of the current Local Plan which seeks to develop 21000 dwellings elsewhere without building on Green Belt land.
- Application is premature as RSS has yet to emerge from the democratic process and may well not be approved.
- Site is part of Kingswood Forest, it is consequently of unique and ecological interest.
- There are unexcavated Roman and medieval archaeological remains within site.
- Not enough jobs in Oldland area, development would increase commuter traffic.
- Development reduces the regions productive agricultural land, thus necessitating the import by HGV of yet more food products from overseas.
- Land is suitable for agricultural use.
- Enough housing and facilities in Oldland.
- Effects on property prices.
- Oldland Common is a village.
- Public transport into Bristol and Bath from Oldland poor.
- Development will result in flooding, especially on roads.
- Pollution levels in area very high, development will make it worse.
- Developers just trying to tick the right boxes
- Loss of views and greenery.
- Loss of wildlife and wildlife habitats in the area.
- Children will play on the roads instead
- Roads not designed to take the traffic.
- Lack of consultation on application.
- Building more homes encourages more people to migrate.
- Loss of community spirit of Oldland.
- Do not want provision for Gypsies and Travellers within the site
- Developing near pylons will result in a health hazard for future residents.
- Area has already undergone significant housing development over the years.
- Additional traffic movements will not help reduce carbon emissions.
- Utilities would be overstretched.
- Low numbers of homeless people in South Gloucestershire.
- No proven requirement in area for business units.
- Construction would cause noise and disturbance to residents for a long period.
- Increase in traffic in area would cause highway safety problems
- Listen to what the local community wants not what Westminster wants.
- High density development will not fit in with local character.
- Already have 3 primary schools in area.
- Siston Brook will not cope with run off from development.

- South West Regional Assembly an unelected quango.
- Impact of proposed shops on local shops maybe devastating.
- Development disproportionate given size of community.
- Increase traffic within the Siston Conservation Area.

## 5. ANALYSIS OF PROPOSAL

### 5.1 Principle of Development

Policy GB1 of the Local Plan states that within the Green Belt the construction of new buildings will only be permitted for the following:

- agriculture and forestry.
- essential facilities for outdoor sport and recreation.
- Cemeteries.
- limited extension, alteration or replacement of existing dwellings.
- limited infilling within the boundaries of settlements.

5.2 It is clear that the proposed scheme falls outside these categories and is therefore inappropriate development within the Green Belt. PPG2 states that inappropriate development is, by definition, harmful to the Green Belt. It is for the applicant to show why permission should be granted. Very special circumstances to justify inappropriate development will not exist unless the harm by reason of inappropriateness, and other harm, is clearly outweighed by other considerations.

5.3 The applicants have put forward the following very special circumstances that they state are factors that weigh substantially in favour of the site:

- The contribution the site would make to meeting the urgent need for housing in South Gloucestershire
- The significant shortfall in the 5 year supply as required by PPS3
- The sites suitability for development potential, as evidenced in the RSS and the Council's Core Strategy Issues and Options
- The site has a sustainable location within easy walk to service and facilities
- The site is a sequentially highly preferable location adjacent to the Strategically Significant Town and City (SSCT) of Bristol as defined in the emerging RSS
- The provision of affordable housing, assisting the local authority in meeting their identified shortfalls
- Provision of a care home, employment, primary school and retail centre will benefit future and existing residents and provide an opportunity to integrate with the existing urban area
- New housing will support existing services and will provide a greater critical mass to support both new and existing services

5.4 Given the very special circumstances put forward by the applicant it is necessary to look at the emerging policy regarding Green Belt, which is linked to the 'urban extensions' identified in the emerging draft RSS. The Draft RSS Panel report also confirmed that the Green Belt would be altered in certain locations to accommodate urban extensions. The proposed site lies on land to

the east of the urban area that does not form part of this Area of Search (or any other Area of Search) identified by the draft RSS (Diagram 4.1 West of England in the Draft RSS and Key Diagram Inset 1 in the Secretary of State's Proposed Changes July 2008) .

- 5.5 The Secretary of State's Proposed Modifications to the RSS published in July 2008 published for consultation an area of search (1C) for 8000 dwellings to the east of the Kingswood urban area.
- 5.6 The Secretary of State's Proposed Changes to the RSS increased the scale of housing provision for South Gloucestershire over that proposed by the Panel. Although the proposed modifications to the draft RSS were published in July 2008 there was no further progress until September 2009. Following a further letter regarding the delay in June 2009, a press release was issued from the GOSW on 25 September 2009 , which stated that following a High Court judgement into the East of England RSS , GOSW had decided to carry out a new Sustainability Appraisal of the Draft RSS . The letter stated that the Government wishes to be satisfied that the Sustainability Appraisal to the Draft RSS are properly tested and represent the most sustainable way forward for the region.
- 5.7 Following this, a further letter was received in December 2009 from GOSW stating that the Sustainability Appraisal is being undertaken with an anticipated publication date of March 2010. The letter further states: 'In relation to individual planning decisions, our advice remains that the Proposed Changes to the RSS are likely to be material considerations for any planning decisions bearing on development envisaged in the Areas of Search, or otherwise covered by RSS policies. How much weight to give each policy or proposal is a matter for decision makers, and this will need particular consideration in cases relating to an Area of Search proposal added or amended at the Proposed Changes stage.' At the time of writing this report, no further communications have been received from GOSW in this regard.
- 5.8 In the light of the ongoing delays with the RSS, the Areas of Search for East of the urban area are considered to have limited weight and as such, it is not considered that the current Green Belt policy, which is adopted policy, can be given less weight than emerging policy. Furthermore, PPG2 states in para 2.6: 'Once the general extent of a Green Belt has been approved it should be altered only in exceptional circumstances. Similarly, detailed Green Belt boundaries defined in adopted local plans should be altered only exceptionally.'
- 5.9 Given the above, it is considered that the proposed scheme is inappropriate development in the Green Belt. PPG2 states that inappropriate development is by definition harmful to the Green Belt. The very special circumstances put forward by the applicant, which are discussed in more detail below, are not considered to justify the harm by reason of inappropriateness of the development, and any other harm. The other harm to the green belt is discussed below in the Landscape Section. In view of the presumption against inappropriate development set out in PPG2 and Policy GB1, the proposed development is considered contrary to PPG2, RPG10 Policy SS4, JRSP Policy

16, Policy GB1 of the adopted Local Plan, Policy CS5 of the emerging Core Strategy and the Green Belt SPD.

- 5.10 Whilst the site area was included within a potential development site in the South Gloucestershire Core Strategy Issues and Options document (April 2008), following reassessment of relevant circumstances, this has not been taken forward into the Core Strategy Pre-Submission Publication Draft (March 2010) following assessment of the evidence base. The emerging Core Strategy identifies the location of development of new neighbourhoods in Policy CS5 at Cribbs/Patchway, East of Harry Stoke and at Yate/Chipping Sodbury. There is no intention in the emerging Core Strategy of altering the Green Belt, apart from west of the M32 post 2020.
- 5.11 This position is further confirmed by Policy CS29 Communities of the East Fringe of Bristol Urban Area which does not include any major new housing development, apart from at Emersons Green in accordance with Policy M2 of the adopted local plan. Paragraph 13.5 of the emerging Core Strategy states that outside the development of Emersons Green, provision will be via smaller scale developments that contribute to improving the opportunities and environmental quality of the area. This does not alter the position that the Green Belt remains as existing.
- 5.12 Policies CS5 and CS29 of the emerging Core Strategy represents the spatial vision for South Gloucestershire. This is supported by Policy H3 of the adopted local plan, which states that proposals for new residential development outside the existing urban area will not be permitted unless they are affordable housing on rural 'exception sites', housing for agricultural or forestry workers or replacement dwellings. Together these policies express the spatial strategy relating to the Bristol East Fringe.
- 5.13 The application is clearly outside of the criteria set out in Policy H3 and is therefore contrary to this policy. However, it is necessary to look at policy guidance set out in PPS3: Housing, which post-dates Policy H3 and is therefore more up to date policy.
- 5.14 Paragraph 71 of PPS3 states that where Local Planning Authority cannot demonstrate a up-to-date five year supply of deliverable sites, they should consider favourably planning applications for housing, having regard to the policies within the PPS and including the considerations in paragraph 69. Paragraph 69 states that in deciding planning applications, Local Planning Authorities should have regard to: achieving high quality housing, ensuing developments achieve a good mix of housing reflecting the accommodation requirements of specific groups, the suitability of the site for housing, using land effectively and efficiently, and ensuring the proposed development is in line with planning for housing objectives, reflecting the need and demand for housing in, and the spatial vision for, the area and does not undermine wider policy objectives.
- 5.15 The latest published Annual Monitoring Report (December 2009) states that the housing supply for South Gloucestershire is 5.2 years. As such, the Council can demonstrate that it has an up-to-date five year supply of deliverable sites ,

- and therefore paragraph 71 of PPS3 is not engaged, and this is not considered that housing supply is an exceptional circumstance that overrides the harm to the Green Belt as a result of this inappropriate development.
- 5.16 The proposal also includes 1486 sq m of a local centre to 743 sq m of B1 offices and 743 sq m of retail use. Policies relating to retail and employment are therefore relevant. However, both these uses fall outside of appropriate development within the Green Belt when assessed by PPG2, RPG10 Policy SS4, JRSP Policy 16 and local plan policy GB1.
- 5.17 Policy E6 of the adopted Local Plan states that new employment uses will not be permitted outside the existing urban areas, with the exception of the re-use of existing rural buildings, outside the Green Belt, extension of existing employment uses or a safeguarded employment site. Since the application does not fall into any of these categories, it is contrary to Policy E6 of the adopted Local Plan.
- 5.18 For the reasons given above, the proposed scheme is considered unacceptable in principle. A more detailed analysis of the scheme is set out below.
- 5.19 Whilst there is an in principal objection to development on this land, where significant development proposals do come forward, there is a need for these to be comprehensively planned in the light of the wider growth agenda and to address the needs of existing local communities. It is not possible to determine what the appropriate spatial mix for individual land parcels (such as the current application site) would be without that wider assessment. Whilst this planning application incorporates elements of employment, retail, community and other infrastructure provision, this has been put forward without a wider assessment of strategic and local needs. There is therefore insufficient evidence to demonstrate that the development, due to its land use mix, would result in sustainable, inclusive mixed communities as required by PPS1 and PPS3. Furthermore, the South Gloucestershire Design Checklist, Question 11 asks 'Is the use and amount of development appropriate to the site's accessibility to jobs, shops, local services, community facilities and the frequency of public transport service?' At present it is not possible to answer this question and as such the proposal is contrary to PPS1, PPS3 and the South Gloucestershire Design Checklist.
- 5.20 Landscape and Visual Amenity  
Policy L1 of the Local Plan states that in order to conserve and enhance the character, quality and amenity of the landscape, development will be permitted only where the attributes and features of the landscape which make a significant contribution to the character of the landscape are conserved and where the amenity of the landscape is conserved.
- 5.21 The site lies within character area 12 of the South Gloucestershire Landscape Character Assessment- Westerleigh Vale and Oldland Ridge. The document describes the area as follows:  
'The Oldland Ridge to the south forms a distinct linear rural landform of rising ground and skyline, greatly influenced by the adjacent prominent urban edge

and audible effect of traffic on the A4175, along its lower slopes. The rural framework of clipped and overgrown hedgerows define the small to medium scale fields adjacent to the settlement edge, with some hedgerows replaced by fencing around paddocks. The rising ground of the ridge forms a prominent rural backdrop, within views from the urban edge and intermittent views from along the A4175 and A420 corridors.

A powerline following the lower slopes is the only prominent built feature within the rural context. The few scattered farms and properties along lanes, which climb towards the ridge, are small scale and generally well integrated with the vegetation structure.

From the open upper slopes and crown of the ridge, there are extensive views of the urban edge and Bristol to the west and of the large scale landform of the Ashwick Ridges to the east.'

The assessment also identifies the high amenity and recreational use of much of the character area, together with important features for the Oldland area of the Dramway, the fishpond earth work and the dominance of pennant stone in walls and buildings.

- 5.22 There are a few local features present on and around the site. The strongest feature is the hedgerow network. Largely unmanaged, the hedges are 4-8m tall and together with a few hedgerow trees create enclosure on the lower part of the site. The hedgerows are generally classified as important under the hedgerow regulations and a proportion of them are important for bats as well as more generally for ecological interest.
- 5.23 The proposal tabled locates a local centre close to the junction of Barry Road and High Street with a primary school site and playing field adjacent. The highest part of the site is occupied by the care home, assuming some landscaped grounds around the property. Development on the higher, eastern parts of the site are shown limited in height to two storeys, with a maximum of 3 storeys elsewhere. All principal hedgerows and hedgerow trees are shown retained within the development, within the open space network or in 10m wide belts facing house fronts and footpaths. Strengthening of hedgerows with new planting is proposed together with an increase in tree cover in the hedges. Hedgerows would be breached in a number of locations to create road links and to create access to the football ground.
- 5.24 The principal impact of the proposal is the permanent change from open agricultural land to fairly dense built development. The visual impact of this change is principally on views from Barry Road and the houses around the edge that look across the site and the footpaths which cross the site and run eastwards to the ridge top. Lesser views will occur from high ground to the north where only part of the site is visible. In long views from the west only the easternmost part of the site will be visible above the intervening development but height, materials, colour and scale could all affect the visibility of the development in relation to the existing urban area.
- 5.25 The proposal will clearly affect the openness of the Green Belt throughout the site area. Whilst the majority of the site features are retained within the outline scheme, there is an impact on the landscape resulting from loss of views from the urban edge, the change in character of the site from agricultural to urban

and the reduction in the amenity value of the footpaths. The development is therefore contrary to South Gloucestershire Local Plan Policy L1, and Policy GB1 and emerging Core Strategy Policy CS29, as the character, quality and amenity of the Green Belt and landscapes of South Gloucestershire are not conserved or enhanced by the proposal.

## 5.26 Design

### Appraisal of Context

PPS1 states that 'good design should make places better for people. Design which is inappropriate in its context or which fails to take the opportunities for improving the character and quality of an area and the way it functions should not be accepted'. PPS3 repeats this principle. Policy D1 of the SGLP states that 'the character, distinctiveness and amenity of the local area should inform design'. The first question of the South Gloucestershire Design Checklist asks whether the site context has been appraised, identifying all the factors that contribute to the character of the site and its context.

5.27 The contextual analysis contained in the Design and Access statement accompanying this outline application concentrates largely on an analysis of the site features. There is no assessment at all of the way in which this area functions socially or economically. The short chapter on local character (chapter 4) focuses largely on architectural detail rather than morphological information. Urban structure is derived from settlement characteristics, linkages to surroundings, historic routes, block patterns, plot shape, the relationship of the block and plot to the public realm and building massing, as well as architectural detail such as materials, roof pitches and elevational treatments.

5.28 Given that the evidence of context in the DAS is mainly of individual buildings and not of the form and structure of the existing context, the design principles set out in chapter 5 of the DAS on character areas cannot be directly linked to patterns of local distinctiveness derived from the contextual analysis that will be consistent with the requirements of Policy D1, the South Gloucestershire Design checklist or PPS1 & 3.

5.29 Given the above, it is considered that the contextual analysis is not complete. The formulation of design principles based on context is ignored and therefore it is not possible to justify the design principles and concepts that have been set out in the document against an analysis of context. This in turn means that these parameters will not be sufficient to rely on to provide good quality and locally distinctive design when the proposal is developed at detailed application stage.

## 5.30 Design Matters and Design Codes

The DAS identifies a series of character areas, which set out indicative urban design parameters for the site. However, these should provide examples and principles (drawn from the local character analysis) of the type of frontages that will suit the street design. This could also form part of the principles for the appearance of the buildings. It is not considered that the DAS provides sufficiently robust principles to ensure that a legible place is delivered, nor are those principles that are included informed by the context. In these circumstances the Urban Design officer has no confidence that design teams

- will be able to use the DAS as guidance to deliver acceptable reserved matters application(s) and SGC will not be able to use the DAS to negotiate a reserved matters application(s) that result in a legible place that complies with SGLP Policy D1.
- 5.31 The draft design code strategy referred to in Chapter 9 is a list of items to be included in a document rather than setting out the linkage between contextual appraisal, development concepts and principles and design codes for this particular site. The design code strategy does not set out the design quality thresholds against which the quality of proposals can be judged. There is no strategy for the involvement of the public in establishing the design codes. The design codes should include mandatory and discretionary elements. These are not identified. There is no mention of future management parameters. The strategy needs to be refined.
- 5.32 Fragmentation of Layout  
Concern has been raised by the Urban Design Officer that the link between the two parts of the site, which is shown as a pedestrian and cycle link, should provide access for vehicles as it would result in a more accessible overall form of development. However, this link is not wide enough for vehicular access due to the retention of the important hedgerows. This results essentially in the development of two cul-de-sacs. For a fully permeable development, this access should be wider to fully integrate both parts of the development to make more legible 'whole'. However, this constraint of a narrow accessway defined by important hedgerows is a result of land ownership rather than any planning principles. As such, the layout is somewhat fragmented and does not result in a comprehensive development.
- 5.33 Furthermore, the care home is situated in a remote location at the far southern part of the site that is not well linked with local services and transport, which adds to the fragmentation of the layout.
- 5.34 Given the above, it is considered that the Design and Access Statement does not contain sufficiently robust principles and parameters for access and the promotion of distinctive local character, based on a robust local physical, economic and social contextual analysis, to ensure a high quality, comprehensive development will emerge that is compliant with PPS1, PPS3, draft RSS Policy E, RPG10, SGLP Policy D1, Policy CS1 of the emerging Core Strategy and the South Gloucestershire Design Checklist.
- 5.35 The draft strategy set out for the production of design codes is incomplete and therefore will not contribute fully to creating a high quality public realm, streets, courtyards, buildings and landscape as well as safe and secure environment that is comprehensively designed, distinctive and informed by the local character that is compliant with PPS1, PPS3, draft RSS Policy E, RPG10, SGLP Policy D1 and Policy CS1 of the emerging Core Strategy and the South Gloucestershire Design Checklist.
- 5.36 Transportation

There are two aspects to the transportation comments- the first a technical assessment of detailed aspects of the proposal and secondly a transport policy assessment.

5.37 The Updated Transport Assessment (TA) Report

Following the refusal of the previous application, the applicant's highway agent continued to liaise with the Council to clarify the specific issues raised prior to the withdrawal of the appeal.

5.38 The applicant has now prepared an updated TA report including video survey results. Associated with the revised TA report, the applicant has also submitted revised site access junctions to serve the development site. The video survey result demonstrates minimal delay was experienced during the peak periods surveyed. Illegal parking outside the post office on the High Street was observed to cause occasional delay. The video survey results also demonstrate that minor delay was experienced along High Street at Redfield Edge Primary School during Am peak and school pick up periods due to cars waiting along the High Street to drop off and pick up from the school. In both cases however, approaching vehicles were able to pass each other at slow speed or given way to larger vehicle with little delay.

5.39 Updated Transport Impact section includes a sensitivity analysis, which produces a robust assessment of traffic generated by the full mix of proposed development uses on site.

Transportation issues that arise for consideration

- 1) traffic issues and impact.
- 2) new junctions (site accesses).
- 3) road safety (vehicles, pedestrians, cyclists).
- 4) access for all modes (walking/cycling/bus).

5.40 Development traffic and impact

In order to be as robust as possible, the applicant's highway expert was asked to provide a sensitivity analysis, using 85<sup>th</sup>ile trip rates for the development mix. The applicant's agent does not believe that Sensitivity analysis is a realistic form of assessment but agreed to undertake this assessment.

5.41 On the basis of 85<sup>th</sup>ile trip rate figures, it is considered that the development proposal could generate 497 two-way traffic movements to and from the development site during morning peak hour. In the evening peak hour, the new development would create 486 two-way movements on the highway network. The development traffic, as they will leave the site accesses, can take a number of traffic routes and junctions in the area. The updated TA has assessed all key junctions in the area.

5.42 The results indicate that all key junctions within the local area except for the Tower Road mini roundabout junction are predicted to continue working within capacity, with the sensitivity analysis. Tower Road mini roundabout is predicted to operate within capacity during the Am peak period but it would be at capacity during the PM peak. As Tower Road mini roundabout, the result indicates a

short period queuing during the day (for period of 15 minutes between 17.30 and 17.45) but quickly dissipates afterwards.

- 5.43 Closer to the application development site itself, the two proposed site access junctions are predicted to work with significant spare capacity during both peak periods with the sensitivity analysis. Additionally, the applicant has also tested the SGC's highway scheme for a mini-roundabout at the junction at West Street/ High Street / Barry Road and the result shows that this junction will operate satisfactorily.
- 5.44 All results have been considered against a robust set of assumptions to determine the level of development generated traffic and as such the highway officer is satisfied that the TA report is acceptable.
- 5.45 Updated vehicular access  
Members recall that highway refusal reason as attached to the original application included use of unsatisfactory site accesses. With the current application, the applicant has submitted a revised plan showing details of new vehicular accesses to the site. It is now proposed to serve the development from Barry Road via two priority bell mouth T-junctions with Right Turn ghost lanes. Both site access junctions have been designed in accordance with appropriate design guidance with a carriageway width of 6.5m with 3m wide footway provided on both sides of the carriageway.
- 5.46 The two proposed site access junctions are predicted to accommodate the motorised traffic generated by the proposed development with significant spare capacity during both peak periods. The proposed junctions (i.e. right turn ghost lane) are predicted to more than accommodate the predicted queuing anticipated from traffic approaching the accesses from Barry Road south, without blocking traffic travelling along Barry Road.
- 5.47 Road safety (vehicles, pedestrians, cyclists)  
The Council has within its own current Capital Programme a scheme to construct a mini-roundabout at Barry Road/ West Street/ High Street junction. Highway works associated with the new development would tie in with this Council scheme and the developer is further proposing to provide additional pedestrian crossing improvement at this location. Details of this work have been fully discussed and agreed with the Council traffic management team.
- 5.48 In view of the scale and nature of the proposed development, the developer has agreed to provide financial contribution in order to maintain road safety in the area. Level of contribution and the areas where such contribution may be spent have been discussed and agreed with traffic management department and, are considered to be consistent with the Councils road safety requirements at this location.
- 5.49 Access for all modes (walking/cycling/bus)  
Walking  
There are good pedestrian routes in the area but immediately outside the site frontage footway facilities require improving. The applicant proposes enhancement of Barry Road through provision of a new footway and additional

pedestrian crossing points at this location. It is proposed to provide a formal pedestrian crossing to the north of the proposed northern access junction and this will provide a safer route to school for all users including existing residents to the primary school proposed on site.

#### 5.50 Cycling

Although there is no direct link between the development site and the cycle path, there are good cycling routes in the general area. The site is located within 400m of Bristol /Bath railway path and can be accessed off West Street. The developer has agreed to make a contribution towards traffic management measures some of which will be targeted to provide new and improve/upgrade signage and marking to the existing Bristol and Bath Cycle /Pedestrian Path.

#### 5.51 Buses

Adequacy of public transport facilities and the level of bus services in the area has been an issue and that was reported to the Members as part of the officer's assessment associated with the original planning application. The applicant accepts the need to improve public transport infrastructure and bus services in the area due to the fact that some of the existing services are subject to a local subsidy. In order to ensure that bus services are improved in the area, the applicant would provide a contribution towards public transport facilities in the area. The applicant would also provide two improved bus stops on Barry Road as well as constructing a bus lay-by.

#### 5.52 Conclusion

There will be an increase in traffic movement on the local roads that would result in additional impact on the highway networks and might lead to a recommendation for refusal of the permission. The applicant acknowledges this but proposes a series of measures and environmental improvements that overcome the transport objection.

Agreed package of transport measures,

- i) Provide two vehicular accesses and all associated works as illustrated in principal in PBA dwg no. 18360/001/006 Rev B. The works shall include;
- ii) The provision of a formal crossing point on Barry Road.
- iii) Provision of a 3m wide footway along Barry Road fronting the development.
- iv) Provision of bus lay-by on Barry Road.
- v) Road marking and signing improvements on Barry Road along the development frontage.
- vi) Tie in and pedestrian improvements to SGC proposed West Street/ High Street/ junction improvements and waiting restrictions.
- vii) Upgrade 2no. bus stops on Barry Road, to include raised kerbs and real time passenger information.
- viii) The applicant has agreed to prepare and agree with SGC a residential 'Travel Plan' for the site. The developer has agreed to provide a voucher for a bus season ticket to all new dwellings within their travel information pack received upon occupation of the residential dwelling as follows;  
1-bedroom dwelling: a voucher for 1 annual season ticket

2-bedroom dwelling: a voucher for 1 annual season ticket for 2 consecutive years.

3-bedroom dwelling: a voucher for 1 annual season ticket for 3 consecutive years.

- ix) Public transport – the developer has agreed to make a contribution of £634,810 over 5 years towards improving the frequency of early morning, evening, weekend and bank holiday services, supported existing services serving the development and improvement and maintenance of bus stop infrastructure, to include raised kerbs and real time passenger information.
- x) Traffic management – the developer has agreed to make a contribution of £90,000 towards traffic management improvements within the local highway network.

5.53 Subject to the applicant entering into a section 106 legal agreement to secure these improvements/contributions, there is technical no transportation objection to the planning application.

5.54 Transport Policy Assessment

The Local Transport Plan and our emerging Core Strategy are based on encouraging a change to more sustainable modes of transport and accordingly the proposed areas of housing development in the Core Strategy and the proposed transport interventions have been developed to support this approach. The proposed areas of housing development in the Core strategy are well served by either existing or proposed sustainable transport provision such as the proposed rapid transit connecting the North and East Fringes of Bristol's urban area to the City Centre.

5.55 The emerging Core Strategy (Policy CS5) focuses development in the East Fringe of Bristol Urban Area on Emerson's Green, a location that will be highly accessible to the strategic employment sites via both proximity (e.g. Science Park) and by existing networks. This accessibility would be further enhanced by the programme of major transport schemes that the West of England authorities are promoting to address both existing transport problems and cater for future growth (Core Strategy Policy CS7); in particular, the North Fringe to Hengrove Package, rapid transit scheme which terminates at Emerson's Green in the East Fringe.

5.56 The application proposal would be mainly residential, yet it is relatively remote from the main strategic employment sites; namely, Bristol city centre, Emerson's Green (including the Science Park), the Bristol North Fringe and Bath city centre. Whilst the absolute number of additional car trips on the A4174 could be considered relatively small, these trips would be added onto an already congested network west of Emerson's Green and south at Hicks Gate. The proposal also needs to be judged against the backdrop of future development proposed in the emerging Core Strategies of South Gloucestershire and neighbouring authorities. In particular, this site will not be well served by the sustainable transport interventions set out in the Local transport Plan and the West of England major transport schemes programme. At present, there is no prospect of this strategic deficiency being overcome and

- as such this location will remain unsustainable in strategic transport terms for the foreseeable future.
- 5.57 Hence, notwithstanding the agreed local technical transport issues, there are wider strategic emerging Core Strategy transport concerns that outweigh this and have not been addressed to-date. Consequently, an objection is raised on this basis of emerging Core Strategy Policy CS5, CS7 and CS29.
- 5.58 Given the above it is considered that the wider, strategic transportation implications of the proposal are unacceptable, and the proposal is contrary to emerging Core Strategy Policies CS5, CS7 and CS29.
- 5.59 Archaeology  
An archaeological evaluation, comprising a desk top study, geophysical survey and trial excavation has been undertaken on the site. There is an ornamental fishpond that survives as an earthwork in the south west of the site. A Roman road has been previously recorded running through the site, however, original evidence for this road was limited and the feature can be preserved by record.
- 5.60 The late Medieval or early-post-Medieval ornamental fishpond forms an important landscape feature, and preservation in situ is welcomed because this is a heritage asset that is of more than local importance, and its future treatment has been considered in the Heritage Strategy submitted with the application which is considered acceptable by the Council's Archaeology. In the event of an approval, a watching brief condition would be appropriate.
- 5.61 Ecology  
The outstanding ecological issues identified with the assessment of the previous application have now been addressed within a framework document for the contents of a Biodiversity Mitigation Strategy & Ecological Management Plan for the land at Barry Road, Oldland Common.
- 5.62 The framework detailed the additional surveys required and management regime/works committed to by the developers to address refusal reason 12 of application PK09/5056/F – namely, that insufficient information had been provided to enable the impact of the proposed development of the site on hedgerows, bats, badgers and reptiles (slow worms) and nesting birds (particularly those listed within the UK, Avon or South Gloucestershire BAPs).
- 5.63 The Council's Ecologist considers that the proposed Biodiversity Mitigation Strategy and Ecology Management Plan is acceptable, and has requested, in the event of an approval, a condition to ensure that all works be carried out in accordance with mitigation strategy and management plan.
- 5.64 Affordable Housing  
Policy H6 seeks an element of affordable housing on new housing developments of 15 or more dwellings. Despite being a rural location the site is of a significant size and would be expected to meet District level identified housing need for affordable housing. Policy CS18 of the emerging Core Strategy seeks 35% on-site provision of affordable housing on all new developments in urban areas over 10 or more dwellings.

- 5.65 The applicant has offered 35% affordable housing and has confirmed this will be in line with Policy H6 and the definitions contained in PPS3. Based on the proposed total number of dwellings of 450, 35% equates 157 affordable dwellings. A tenure split of 80% social rent and 20% intermediate housing.
- 5.66 The percentages, indicative number, and size of dwellings offered by the applicant are acceptable. Furthermore, the applicant has confirmed that the affordable housing will be delivered without public subsidy. The applicant has asked for the inclusion of a clause in the S106 agreement which would allow them to bid for funding to provide affordable housing over and above the 35% to be provided under Policy H6. This would be acceptable as long as any such additional affordable housing is agreed in writing with the Council prior to any provision or bid for funding, to ensure that the requirements of a mixed and balanced community are maintained.
- 5.67 The affordable housing contribution offered by this application has been agreed with the Council's Housing Enabling Officers and is acceptable. However, given that the recommendation is for refusal, no affordable housing has been agreed with the applicant, and such the outline application is not supported by an agreed S106 obligation which secures affordable housing, and the proposal is therefore contrary to Policy H6 of the adopted Local Plan and Policy CS18 of the emerging Core Strategy.
- 5.68 Community Services  
For this scale of development, the Council seeks community infrastructure in line with adopted local Plan Policies LC1 and LC8, emerging Core Strategy Policy CS6 as well as national guidance. This would include provision of or contributions towards public open space, community meeting space, library services, public art, dog and litter bins. Most of the requirements arising from the needs of the development are driven by the predicted population of the development, and on the basis of 450 dwellings and a 60 bed care home the future population is calculated at 1162.50 residents, although these calculations can be refined once the exact dwelling number and breakdown is known.
- 5.69 Based on the population figure set out above, in line with Policy LC8 the following should be on-site provision: 18982.50 sq m of (Category 1) formal open space (pitches, courts and greens), 2756.25 sq m (Category 2) of equipped children's play space, 4961.25 sq m (Category 3) of unequipped children's play space. Informal open space of 5, 812sq m is required.
- 5.70 The application proposes 19, 144 sq m of Category 1 open space (pitches, courts and greens) – some of which are dual use on the primary school site, 2,800sq m of Category 2 open space (equipped children's play space), 6,263sq m of Category 3 open space (unequipped children's play space) and 28,655sq m of informal open space. The application also proposes 8 plots for allotments.
- 5.71 The Council's Community Services officers state that at this outline stage the proposals show an intention to fulfil the minimum requirements of Policy LC8 in terms of open space provision, although further details are required in order to

calculate maintenance contributions. They also state that whilst there is no outright objection from Western Power Distribution, regarding pitches/courts/greens below the power lines, there is concern regarding the erection of fences and lighting as well as tree planting below them.

- 5.72 Community Services officers do not object to the principal of dual use of pitches on the proposed school grounds, subject to certain caveats (including the acceptance of dual use by Children and Young People Dept). With regard to Category 2 Open space, they state that the provision is satisfactory but have concerns regarding the location and number of the Local Areas of Play (LAP's). With regard to informal open space- it is considered that there is an abundance of informal open space and in excess to what is required, so that the applicant should contribute towards the cost of future maintenance. The size and number of allotments is considered appropriate.
- 5.73 Policy LC1 seeks provision of public open space in scale and kind to meet the needs of future residents. This may include the provision of new library facilities or the enhancement of existing facilities. These are based on predicted future population. The nearest library to the site is Cadbury Heath Library which is 1.9km walking distance from the site. Based on an expected future population of 1102.50 arising from 450 dwellings, to maintain the standard of library facilities a contribution of £40 647.74 is required. To cater for the 60 bed care home based on 60 residents a contribution of £1 118.40 towards improving stock. The total contribution towards library services is £47 766.14
- 5.74 Based on the predicted future population the Council would expect on site provision of 9 dog bins and 10 litter bins, and 15 years maintenance of these. A contribution for this would be £49 850.97.
- 5.75 For developments of more than 200 dwellings, the Council seeks contribution towards enhancement and provision of community meeting spaces, where existing facilities are inadequate to meet the projected needs arising from the future occupiers of the proposals. For a development of this size in this location, the council would expect a contribution toward the enhancement of local community meeting spaces of £373,511.25.
- 5.76 For a development of this size, of over 1000 residents, Community Services officers would expect a contribution towards a community developer worker in the new community in order to build capacity among new residents and establish links with existing groups/communities. The requirement here would be for a half time community development worker post for 4 years at a cost of £65, 280.00.
- 5.77 Policy LC13 seeks a contribution of an agreed percentage of the total development costs towards the provision of publicly accessible art. 1% of the total development costs are recommended.
- 5.78 Given that the recommendation is for refusal, no community services contributions or on site provision have been agreed with the applicant and as such the outline application is not supported by an agreed S106 obligation which secures community services contributions or on site provision and the

proposal is therefore contrary to Policies LC1 and LC8 of the adopted Local Plan and Policy CS6 of the emerging Core Strategy.

5.79 Education Services

Policy LC2 of the adopted Local Plan state that where local education provision is inadequate to meet the projected need for places arising from the future occupiers of the proposals for new residential development, the Council will negotiate with developers to secure provision in scale and kind to meet these needs. Policy S3 relates to social services provision. Policy CS6 seeks that all development of a sufficient scale that would add to the overall demand and impact on infrastructure will be required to provide infrastructure, services and community facilities to mitigate the impacts on existing communities.

5.80 The Department for Children & Young People calculates contributions on the basis of 36 primary pupils per 100 dwellings. Current DCSF cost calculators give a figure of £12,651 per additional primary pupil place towards the cost of providing new primary school facilities, indexed at 2008 prices.

5.81 At primary level there is a projected deficit of places in the local area. The proposed development of 450 dwellings will generate 162 additional primary school pupils based on the pupil number calculator. A contribution of £2,049,462 and a suitable primary school site within the development is required for additional primary provision. There is a projected surplus of places at secondary schools in the local area. No contribution is required for additional secondary provision.

5.82 Youth Services calculate that 25 additional teenagers, aged 13 – 19 years, will be generated per 100 dwellings, and that 30% of those teenagers will use youth services. The proposed development of 450 dwellings will generate 34 additional service users at a cost of £215 each. Youth Services therefore require a contribution of £7,310. The contribution will be used to equip Oldland Youth Centre with additional lounge furniture, kitchen equipment, audio equipment and steel security cabinets which will allow existing IT equipment to be used more of the time.

5.83 Children's Social Services calculate that 0.9% of school age children are either in Care or subject to a Child Protection Plan, at an average cost of £45,272 each per year. The proposed development of 450 dwellings will generate 243 additional school age children based on the pupil number calculator. CSS therefore require a contribution of £99,010.

5.84 The total education contribution required is £2,155,782. However, given that the recommendation is for refusal, no education services, youth or social services contribution has been agreed with the application and as such the outline application is not supported by an agreed S106 obligation which secures education, youth and social services contributions the proposal is therefore contrary to Policies LC2 and S3 of the adopted Local Plan and Policy CS6 of the emerging Core Strategy.

5.85 Drainage

- The site lies in Flood Zone 1 and a flood risk assessment has been produced as the site is over a hectare in size. The Design and Access Statement also includes a Surface Water Drainage Plan and how this relates to the street hierarchy. The Council's Technical Support Street Care officers raised no objection to the scheme, subject to the addition of conditions relating to sustainable drainage. The Environment Agency also raises no objection to the scheme subject to conditions relating to surface water run off. In the event of an approval, conditions would be recommended.
- 5.86 Wessex Water has advised that there the existing foul drainage system does not have the capacity to cope with the number of proposed dwellings, and has requested a modelling exercise from the applicant. Given that this element of the scheme could be resolved by the use of suitable worded conditions, it is not considered that this would be a robust reason for refusal.
- 5.87 Public Rights of Way  
The Public Rights of Way officer states that the detail of how the public rights of way are dealt with are normally considered at the reserved matters stage. Nevertheless, the paths crossing this site are a much treasured part of the local heritage and should be regarded as such. The developer should therefore carefully consider its approach to how it treats the rights of way. It is considered that this issue can adequately be dealt with by conditions that would be recommended in the event of an approval. However, there is an issue raised by the Landscape Officer regarding the affect of the proposal on the amenity of the footpaths, which is covered in more detail in landscape analysis above.
- 5.88 Other matters  
Issues relating to property values and loss of private views are not planning considerations and therefore cannot be taken into account in the assessment of the application.
- 5.89 The Agricultural Classification Maps show the land as Agricultural Grade 3b land. It is not considered that this issue would result in a robust reason for refusal.
- 5.90 Concerns have been expressed, regarding the health impacts of development near the pylons. The Council's Environmental Protection Team have advised that the Government's Radiation Protection Division of the Health Protection Agency currently advises that there is no evidence of adverse health effects from pylons. The Environmental Protection Team also note that the majority of the development have a 40m 'buffer' either side of the line of the pylons. As such, this issue is not considered a planning consideration, and would not be a robust reason for refusal.
- 5.91 Use of Energy and Sustainability  
The applicants have submitted an Energy Use Strategy which assesses a range of providing 10% renewables for the development and states the applicants intention to provide 10% of the energy used by the development to come from low carbon or renewable sources. The detail of how this is achieve would be at reserved matters stage as it would be integral to the design of the dwellings themselves rather than any overall masterplanning at outline stage.

The applicants have also stated their intention for dwellings to be built to Code for Sustainable Homes Level 3. The proposals are therefore in accordance with Draft RSS Policy RE5 and the South Gloucestershire Design Checklist. In the event of an approval, these issues can be adequately controlled by way of appropriate conditions.

5.92 Design and Access Statement

The Design and Access Statement submitted with the application is not considered to demonstrate that the applicant has adopted a design approach consistent with the Council's Design Checklist Supplementary Planning Document

5.93 Conclusion on the assessment of the application

The application site is outside the settlement boundary and within the Green Belt and as such the scheme is inappropriate development within the Green Belt and is contrary to Policies H3 and GB1 of the adopted Local Plan. The site is outside any areas of search as defined by the draft RSS, which itself is the subject of further sustainability appraisals and has not been adopted. The site does not lie within any new neighbourhoods as defined by the emerging Core Strategy. Furthermore, the Council has an up to date 5 year housing supply and it is not considered that the exceptional circumstances put forward by the application regarding housing supply overrides the harm to the Green Belt as a result of this inappropriate development. There is also insufficient information to fully assess the appropriate mix of uses for this locality due to lack of strategic and local evidence.

5.94 Notwithstanding the above, the scheme is unacceptable in terms of design, layout, landscape and transport policy as well as lacking in S106 obligations to secure required mitigation to ameliorate the effects arising from the scheme in terms of transportation, affordable housing, community services and education services.

## 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 refuse permission has been taken having regard to the policies and proposals in the South Gloucestershire Local Plan (Adopted) January 2006 set out above, and to all the relevant material considerations set out in the report.

## 7. RECOMMENDATION

7.1 That planning permission be REFUSED for the following reasons:

**Contact Officer: Sarah Tucker**  
**Tel. No. 01454 863780**

### **REASONS FOR REFUSAL**

1. The site is located within the Bristol/Bath Green Belt and the proposal does not fall within the limited categories of development normally considered appropriate within the Green Belt . The applicant has not demonstrated that very special circumstances apply such that the normal presumption against development within the Green Belt should be overridden. The proposal is therefore contrary to the provisions of PPG2, Policy 16 of the Joint Replacement Structure Plan and Policy GB1 of the South Gloucestershire Local Plan and the South Gloucestershire Green Belt SPD.
2. The application site lies outside the urban area of the Bristol East Fringe, as defined on the South Gloucestershire Local Plan Proposals Map, within the open countryside and as such the proposal is contrary to Policy H3 of the adopted South Gloucestershire Local Plan. The site also lies outside of any new neighbourhoods as set out in the Policy CS6 of the Core Strategy Pre-Submission Publication Draft (March 2010). Furthermore, it is not compliant with Policy CS29 of the Core Strategy Pre-Submission Publication Draft (March 2010) which protects the green hillsides of Oldland Ridge.
3. The application site lies outside the urban area of the Bristol East fringe, as defined on the South Gloucestershire Local Plan Proposals Map, within the open countryside, and as such, the proposal is contrary to Policy E6 of the South Gloucestershire Local Plan. The proposal is also contrary to Policy CS5 of the Core Strategy Pre-Submission Publication Draft.
4. The proposal, due to the visual harm and landscape impact on public views, loss of openness resulting from the urbanisation of a rural landscape and the reduction in the amenity value of the area would result in an adverse impact on the landscape. As such the proposal is contrary to Policy L1 of the South Gloucestershire Local Plan and Policy CS29 of the Core Strategy Pre-Submission Publication Draft (March 2010).
5. The Design and Access Statement does not contain sufficiently robust principles and parameters for access and the promotion of distinctive local character, based on a robust local physical, economic and social contextual analysis, to ensure a high quality, comprehensive development. Furthermore, the layout is also fragmented and does not result in a comprehensive development. As such the proposal is contrary to PPS1, PPS3, draft RSS Policy E, RPG10, Policy D1 of the South Gloucestershire Local Plan, Policy CS1 of the Core Strategy Pre-Submission Publication Draft (March 2010) and the South Gloucestershire Design Checklist.
6. The draft strategy set out for the production of design codes is incomplete and therefore will not contribute fully to creating high quality public realm, streets, courtyards, buildings and landscape as well as a safe and secure environment that is

comprehensively designed, distinctive and informed by the local character. As such the proposal is contrary to PPS1, PPS3, draft RSS Policy E, RPG10, Policy D1 of the South Gloucestershire Local Plan, Policy CS1 of the Core Strategy Pre-Submission Publication Draft (March 2010) and the South Gloucestershire Design Checklist.

7. The site will not be well served by any strategic sustainable transportation interventions and as such the wider, strategic transportation implications of the proposal are contrary to Policies CS5, CS7 and CS29 of the Core Strategy Pre-Submission Publication Draft (March 2010).
8. In absence of the necessary S106 planning obligation to secure mitigating measures, and contributions towards public transport in the area, the proposed development would result in unacceptable impact on the public highway and as such the development is contrary to Policy T12 of the South Gloucestershire Local Plan and Policy CS6 of the Core Strategy Pre-Submission Publication Draft (March 2010).
9. The outline application is not supported by an agreed Section 106 obligation, which requires the provision of affordable housing on site, and in this respect is contrary to Policy H6 of the South Gloucestershire Local Plan and Policy CS18 of the Core Strategy Pre-Submission Publication Draft (March 2010).
10. The outline application is not supported by an agreed Section 106 obligation, which requires the provision of leisure, recreation and other community facilities and in this respect the proposal is contrary to Policies LC1 and LC8 of the South Gloucestershire Local Plan and Policy CS6 of the Core Strategy Pre-Submission Publication Draft (March 2010).
11. The outline application is not supported by an agreed Section 106 obligation which requires the provision of primary school places and youth and social services contributions and in this respect the proposal is contrary to Policies LC2 and S3 of the South Gloucestershire Local Plan and Policy CS6 of the Core Strategy Pre-Submission Publication Draft (March 2010).
12. There is therefore insufficient evidence to demonstrate that the development, due to its land use mix would result in a sustainable, inclusive, mixed communities as required by PPS1 and PPS3 and the South Gloucestershire Design Checklist.

