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SOUTH GLOUCESTERSHIRE CORE STRATEGY
EXAMINATION IN PUBLIC

MATTER 27 – THORNBURY, POLICIES CS32 &
CS33

WELBECK STRATEGIC LAND LLP

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1. INTRODUCTION

1. This Statement has been prepared by Dominic Lawson Bespoke Planning on behalf of Welbeck Strategic Land LLP (hereafter “Welbeck”). Welbeck has land interests at Hacket Farm, Morton Way South, Thornbury.
2. This Statement responds to the Inspector’s questions posed for the Matters for Examination as detailed in the Programme for the Examination of the South Gloucestershire Core Strategy, 25 April 2012. This Statement deals with questions relating to Matter 27 – Thornbury – policies CS32 and CS33.
3. We also refer the Inspector to Welbeck’s previous submissions on the Core Strategy. Welbeck has submitted representations in relation to the Core Strategy on six previous occasions as indicated in our Matter 1 Statement.

2. THORNBURY – POLICIES CS32 AND CS33

4. Welbeck has provided representations on the Core Strategy evidence previously with those of August 2010, February 2011 and February 2012 the most relevant to Thornbury.
5. We are providing responses to questions 1-6:

Question 1

Concerns have been raised regarding both the consultation process and the sustainability appraisal. What evidence is there to show the Council has failed to comply with the either legislative or regulatory requirements in connection with these processes?

Response

6. Welbeck has commented separately on the content of the Sustainability Appraisal in relation to the assessment of the broad locations and option sites in Thornbury (see Matter 4 Statement).
7. The Environmental Assessment of Plans and Programmes Regulations 2004 provide the framework for the implementation of the Strategic Environmental Directive 2001/42/EC. The objective of the environmental report (in this case Sustainability Appraisal) is to assess the environmental effects of the plan (Core Strategy). The judgment for the *Seaports Investment*¹ case confirmed that the environmental report and the draft plan should be developed together, with the former impacting on the latter throughout, during and after public consultation. Weatherup J. stated

“the environmental report and the draft plan operate together and the consultees consider each in light of the other. This must occur at a stage that is sufficiently “early” to avoid in effect a settled outcome having been reached and to enable the responses to be capable of influencing the final form. Further this must also be “effective” in that it does in the event actually influence the final form.” (Planning R.159: December 2007)
8. Weatherup J. confirmed that in relation to sequencing of plans and reports that this extended to England and that *“care must be taken by those involved in the preparation of plans ensuring that there takes place sufficient consultation on the environmental elements of the plan before it is too late.”*²
9. It is evident that the Sustainability Appraisal sections covering Thornbury were updated substantially between March and December 2010 (except Flood Risk), however, the corresponding policies in the Core Strategy – CS32 and CS33 – remained substantially unaltered.
10. Welbeck is particularly concerned that the evidence listed in our Matter 4 Statement has been disregarded by the council or was provided after the selection of Park Farm as the preferred option for Thornbury.

¹ An Application by Seaport Investments Limited [2007] NIQB 62; [2008] Env LR 23; In Re Seaport Investments Ltd and Others [2007] NIQB 103.

² Gregory Jones, Strategic Environmental Assessment: the *Seaport Investments* Case, (2008) 20 ELM (www.ukela.org/content/page/2259/ELM-20-5-Jones-final.pdf)

11. We conclude, therefore, that the preparation of the Core Strategy and its Sustainability Appraisal has not been carried out in accordance with the Regulations.

Question 2

A number of respondents say the Council's aim to retain and improve services, facilities and employment in Thornbury is not supported by the evidence. What information has the Council relied upon in reaching its conclusions on the need for and the scale of development appropriate for the town?

Response

12. The council has produced little evidence to support its aim to retain and improve services, facilities and employment in Thornbury.
13. Welbeck has carried out a housing needs assessment for Thornbury, which accords with NPPF para 55. The assessment indicated that there was a need for 1,000 dwellings for the plan period 2006-2026 for Thornbury.
14. Primary schools in Thornbury are suffering from falling rolls. New family housing at Thornbury would seek to encourage young families to stay/relocate to the town and would go some way to reverse the downward trend. Welbeck has met with head teachers of local primary schools and has also tried to meet with the council's education department to discuss the proposals for Castle School (Welbeck rep, February 2011, para 43).
15. Some information regarding the council's proposals for Castle School has been obtained by Welbeck through a Freedom of Information request as reported in our representation of February 2011 (see paras 43 and 87-94). There is no evidence to justify the council's assertion that Castle School requires the relocation of the sixth form to the Park Road campus in order to provide high quality education. The council has not been awarded any grant as part of the current Government's May 2012 Priority School Building Programme (see <http://www.education.gov.uk/schools/adminandfinance/schoolscapital/a00209336/priority-school-building-programme>) and was not considered as part of the previous Building Schools for the Future programme.

Question 3

In relation to proposals for development at Park Farm a number of potential constraints have been identified. These include heritage and archaeological assets, wildlife and agricultural land quality as well as concerns with flooding, the loss of open space and access issues. How far have these factors been taken into account in identifying this location as the Council's preferred choice?

Response

16. The council's assessment of the broad options and six option sites was fundamentally flawed as we have detailed in our Matter 4 Statement. Park Farm falls within a highly sensitive historic environment in close proximity to a number of designated and non-designated heritage assets which include the medieval fishponds scheduled monument, eight listed buildings (four, at Thornbury Castle and St Mary's Church, designated Grade I), Thornbury Conservation Area and a Grade II Registered Garden. In addition, a large number of non-designated assets fall within the vicinity of the site, including

locally listed buildings at Thorn Hall and Bridge Park Farm. The site also falls wholly within the extent of the New Park medieval deer park which was laid out for use in connection with the Castle during the 16th century.

17. The significance of the landscape to the north and north-west of Thornbury and the inter-connectivity of the setting of the various heritage assets is further emphasised in the advice report produced by English Heritage in scheduling the fish ponds (See Welbeck rep, February 2012, Appendix W4, para 2.03). The council's own heritage assessment of the six option sites concludes that development at Park Farm would have an extremely harmful impact on the historic environment (SG 13, para 9.9). The same goes for the 2006 Local Plan Inspector's conclusions (Inspector's Report, Chapter 8, para 70.13)
18. The council failed to give sufficient weight to the importance of these assets and the extent of their setting in "assessing" the option sites. In addition, and contrary to the provisions of the NPPF paras 133-134 and the principles set out in the English Heritage's guidance on setting (The Setting of Heritage Assets, October 2011), no evidence has been presented which indicates that development at Park Farm will provide heritage benefits or enhancements to heritage assets or their setting.
19. The council has disregarded evidence in the Strategic Flood Risk Assessment Level 2 (December 2011) which demonstrates that Park Farm directly impacts on the functional flood plain of the Pickedmoor Brook, with Flood Zones 3a and 3b running through the middle of the site. The document also indicates that there are other more suitable sites available such as Morton Way South.
20. The council has not undertaken a landscape assessment for Thornbury and therefore the landscape impact of development at Park Farm has not been assessed in accordance with appropriate guidance.
21. The proposed Park Farm allocation fundamentally relies upon a dedicated "bus only" link through the Castle School grounds. No evidence has been produced by the Council or by Barratt (particularly not in their current planning application) to demonstrate that the bus link and the necessary bus service can be delivered. Furthermore, Barratt have submitted a revised Landscape Masterplan (May 2012) which clearly demonstrates that no link is to be provided. This is confirmed in the revised Landscape Assessment at paragraph 1.6 which states

It was also requested that a potential bus/cycle link through The Castle School site be included within the landscape and visual appraisal. However, as this is no longer a potential option, this has not been included or considered in the Landscape and Visual Appraisal Report. (Barton Willmore, May 2012)

Question 4

Do alternative sites in the Thornbury area particularly to the east and south have advantages over the Park Farm location and, if so, what are these?

Response

22. Sites to the east and south of Thornbury are located away from Thornbury's most important heritage assets (Thornbury Castle, St Mary's Church, medieval fishponds and Thornbury Conservation Area). This is particularly the case with Morton Way South. Likewise, sites to the east of Thornbury are not located within the Pickedmoor Brook floodplain and therefore the risk of flooding is low. Furthermore, the landscape

setting of Morton Way South is more visually and physically self-contained than at Park Farm. The latter is located in open landscape with wide, long views west over the Severn Valley.

23. Sites to the east and south of Thornbury have better access to the Midland Way employment area and are no further from town centre facilities than Park Farm. Also the main bus services between Thornbury and Bristol pass along Morton Way adjacent to the Morton Way South site. These bus services are some distance away from the Park Farm site.

Question 5

Is Morton Way South a more sustainable location for housing purposes and/or are the constraints at this location a significant factor against the development?

Response

24. Yes Morton Way South is a more sustainable location for housing purposes than Park Farm, as concluded by the 2006 Local Plan Inspector (Inspector’s Report, Chapter 8, para 70.13) and by the council’s own officers (Examination Document SG 13, para 6.1.1) .



Fig 27.1 Park Farm (left) (Barton Willmore, May 2012) and Morton Way South (right) showing potential development layouts. Morton Way South integrates and links with existing development, whilst Park Farm is isolated protruding into the open countryside.

Accessibility

25. The accessibility of the Morton Way South site has been demonstrated in our February 2011 reps, Appendix 10 and in our Matter 14 Statement. In summary:
- The site is within a 20-minute walk of the town centre and Midland Way employment area. It is also a seven-minute walk to Crossways Infant and Junior Schools. Castle School is 24 minutes away by walking but considerably quicker when cycling.
 - The site is within easy walking distance of local shops at Oakleaze Road and Grovesend Road.
 - Morton Way is located on the main Thornbury to Bristol bus routes with three bus stops adjacent to the site in Morton Way and Grovesend Road. Bus services provide access into Thornbury and to Bristol seven days a week, with two buses per hour Monday-Saturday and hourly on Sunday.
 - The site is close to the many walking routes that traverse through the housing developments on Morton Way. The site is also close to the cycle route which utilises the former railway line and provides a quick route to Midland Way employment area and the town centre, and to the Avon Cycle Way.
 - Contrary to the council's assessment in the Sustainability Appraisal, the site is within walking distance of most facilities within the town, and is more accessible than Park Farm, which is not served by any bus route. First Bus has confirmed that Morton Way South is its preferred site as it would utilize and support existing bus services (see Welbeck's Matter 14 Statement).
 - Morton Way has been constructed to normal distributor road standards with single sided access only. The local road network does not suffer congestion problems, and it would be a good use of existing infrastructure, to access development from both sides of Morton Way.

Flood Risk

26. The site is not within an area identified as being at risk from flooding. The Council's Strategic Flood Risk Assessment Level 2 (December 2011) confirms that the site is not at risk from flooding and there are no areas of flood risk close to the site.

Historic Environment

27. The Morton Way South site does not give rise to significant issues in respect of historic environment impacts. The site falls well outside of the medieval landscape associated with Thornbury and has no inter-visibility with the historic core of the settlement or Conservation Area. Whilst a number of listed and locally listed buildings (two Grade II listed buildings and one locally listed building) are to the north of the site, along Hackett Lane, it falls outside of their heritage setting and development would not impact upon their significance.
28. The council's heritage assessment confirms that Morton Way South is the most appropriate site of the six options considered for development (SG13, para 6.1.1) as it would have the least impact on the historic environment.

Ecology

29. There are two Sites of Nature Conservation Interest to the north and east of the site and these areas of woodland – Crossways Wood and Cleeve Wood – form the boundaries of the site. However, Cleeve Wood will be separated from development as it lies to the

east of the electricity pylons and Crossways Wood will be separated from the development by a buffer zone.

30. Ecological surveys carried out for Welbeck have demonstrated that there are no protected species present within the site (See Welbeck rep, February 2011, Appendix 11). There is some limited use of the site by bats for foraging. There are no ecological constraints to development at the site. This is contrary to the council's Sustainability Appraisal which was based on incorrect evidence. The council has disregarded correct evidence submitted by Welbeck in relation to ecology (February 2011).
31. By comparison, Park Farm has a large number of active badger setts and evidence provided by Save Thornbury's Green Heritage indicates the presence of kingfishers, lapwings, bats, little egrets and slowworms plus the important wet woodland area of the medieval fishponds (February 2011).

Landscape

32. The landscape character of the site is of large-scale agricultural fields with a network of dividing hedgerows on gently sloping land. There are large woodlands to the north and southeast. A line of pylons runs along the higher land in the east. Lower views to the north, west and southwest are enclosed by field boundary vegetation. There are elevated views from the southeast offering long distance views westward over the Severn Estuary and beyond.
33. The site is not within the designated Green Belt and there are no other landscape designations constraining development at the site.
34. The site will not affect the landscape setting of the historic centre of Thornbury nor the setting of Thornbury Castle. The site will not affect long views of these important heritage assets. The site is visually enclosed by woodland and hedgerows providing a defensible barrier to development spreading to the north and east. It is also enclosed by rising land towards the A38.
35. Morton Way South scores highly in landscape terms because of its visual and physical containment and enclosure, preventing future sprawl into the countryside, as well as providing the opportunity to create a high quality sustainable development. Higher more visible land, above 80m OD, would be used for a country park, thereby providing benefit for residents of Thornbury in the future.

Agricultural Land

36. The site comprises mainly grade 3a agricultural land with small areas of grade 2. The grade 3a land is probably the lowest grade agricultural land around Thornbury.

Form of development

37. Welbeck has undertaken consultative masterplanning for the Morton Way South site, which demonstrates that a high quality development of 400-500 homes would result, creating a mix of housing by both type and tenure, a sense of place, a coherent and legible layout, a green landscaped setting with an abundance of open space, excellent integration with the existing town and an attractive, filtered, defensible edge to the countryside. The intrinsic characteristics of the Morton Way South site lend themselves to good planning in stark contrast to the myriad constraints to be fought against in development at Park Farm. See Welbeck reps February 2011, paras 111-132 for more details of our masterplanning.

Consultation

38. Welbeck has undertaken considerable consultation as detailed in our February 2012 reps (paras 81-82, Appendix 8) and February 2011 reps (paras 118-127), to involve the community and ensure they are aware of our proposals and aware that they can submit representations on the Core Strategy including in relation to Morton Way South.

Conclusion

39. There are no environmental constraints to development at Morton Way South as indicated above and also by the council's Screening Opinion (see Welbeck rep, February 2011, Appendix 02).

Question 6

Some respondents are concerned that no account has been taken of the impact of a new nuclear power station at Oldbury. How significant is this to the proposals for Thornbury?

Response

40. The construction and operation of a new nuclear power station will provide significant employment opportunities for the area and Thornbury being the nearest town is likely to be the preferred location for housing the influx of new workers.

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