

---

Participant Statement Examination of  
South Gloucestershire  
Policies, Sites and Places Plan:  
Issue 5

January 2017

**Participant Statement Examination of  
South Gloucestershire  
Policies, Sites and Places Plan:  
Issue 5**

<b>Project Ref:</b>		
<b>Status:</b>	Draft	
<b>Issue/Rev:</b>	01	
<b>Date:</b>	13 <sup>th</sup> January 2017	
<b>Prepared by:</b>	Robyn Nicholl	
<b>Checked by:</b>	Faith Wright	

Barton Willmore LLP  
101 Victoria Street  
Bristol  
BS1 6PU

Tel: 0117 9299677

Email: [REDACTED]

Ref:

Date: 13 January 2017

**COPYRIGHT**

The contents of this document must not be copied or reproduced in whole or in part without the written consent of Barton Willmore LLP.

All Barton Willmore stationery is produced using recycled or FSC paper and vegetable oil based inks.

## 1.0 INTRODUCTION

- 1.1 This Hearing Statement is submitted on behalf of DFE Taylor Wimpey Residential Ltd, in relation to the Examination of the Policies, Sites and Places Plan (PSP) January 2017. This statement will focus specifically on Issue 4,

**“Are the policies in the PSP justified and consistent with National Policy?”**

- 1.2 South Gloucestershire is an area of key importance for both Taylor Wimpey and Deeley Freed and an area in which they make significant contribution to the local economy; with Taylor Wimpey delivering around 120 new homes in South Gloucestershire last year, with this set to increase to around 200 homes by 2018. With this level of development they also deliver significant infrastructure to the area and are keen to ensure any new policies do not ultimately jeopardise the delivery of new homes.
- 1.3 One of DFE Taylor Wimpey Residential Ltd’s strategic sites in South Gloucestershire is land at Cribbs Causeway, which is allocated in the Core Strategy for 1,000 homes and has a resolution to grant outline planning permission in line with this allocation. As such, the delivery of the site makes an important contribution to the current housing land supply. As well as Cribbs Causeway, Taylor Wimpey have future development at the site at Land East of Coldharbour Lane (LECHL), Emersons Gateway, and are keen to see the South Gloucestershire area succeed and contribute to delivering the housing required to support its growth.

## 2.0 GENERAL COMMENTS

- 2.1 We provided comments during the previous round of consultation on the Pre Submission PSP (September 2016) and the Suggested Modifications PSP (November 2016) expressing concerns about some of the proposed PSP policies and their potential impact on the delivery of sites. Although we note some positive modifications to the PSP Policies in the Suggested Modifications PSP, we remain of the view that, as currently drafted, the PSP **is not sound** because it has not been positively prepared. The Council does not have a five year supply of housing and it is not using the opportunity in its PSP to allocate sufficient land for housing to meet its objectively assessed housing requirement, in line with the NPPF and NPPG.

### **3.0 RESPONSE TO ISSUE 5 – “ARE THE POLICIES IN THE PSP SUFFICIENTLY CLEAR SO AS TO BE EFFECTIVE IN THEIR PURPOSE?”**

3.1 We have reviewed the draft development management policies and we have some concerns about the potential impact of the proposed policies on the deliverability of new homes at Cribbs Causeway. Given the five year housing land supply shortfall in South Gloucestershire, it is essential that development management policies are not introduced which could impact on the delivery of housing, and we provide specific comments on these below.

#### **Policy PSP2 – Landscape**

3.2 We welcome the proposed addition of ‘special’ in terms of the requirement for development proposals to conserve the ‘special character of landscape (defined by the Landscape Character Assessment)’.

3.3 A further proposed modification to PSP2 is the addition of a three bullet point list of provisos which require development proposals that harm the landscape acceptable. The proposed policy wording requires development proposals which result in harm to the landscape to demonstrate public benefits and reasonable alternatives. This is wholly inappropriate and in its current form is introducing criteria currently used in assessing Green Belt sites, to any proposal which has a landscape impact.

3.4 This blanket approach to landscape protection is not an appropriate or sound approach. Paragraph 113 of the NPPF is clear that local planning authorities should, “set criteria based policies against which proposals for any development on or affecting protected wildlife or geodiversity sites or landscape areas will be judged”. Furthermore the NPPF states that, “Distinctions should be made between the hierarchy of international, national and locally designated sites, so that protection is commensurate with their status and gives appropriate weight to their importance and the contribution that they make to wider ecological networks.”

3.5 Policy PSP2 therefore, needs to be amended to reflect the fact that existing landscapes vary in their quality and thus their need of protection. Similarly, it needs to be recognised that enhancing the landscape is simply not a realistic aspiration for many types of development that South Gloucestershire will need to accommodate during the plan period.

- 3.6 To be sound the policy needs to adopt a more criteria based approach, in line with the NPPF, which allows landscape quality/character to be given proportional protection.

### **Policy PSP3 – Trees and Woodland**

- 3.7 No modifications of relevance to our previous objection have been made to the policy. As such our comments remain the same as submitted to the last round of consultation on the Proposed Submission PSP (June 2016).
- 3.8 We consider that policy PSP3 duplicates regulations in relation to trees and woodland already contained in the NPPF, NPPG and the Tree Preservation Regulations.
- 3.9 Paragraph 118 of the NPPF states that planning permission should be refused for development resulting in the loss or deterioration of irreplaceable habitats, including ancient woodland and the loss of aged or veteran trees found outside ancient woodland, unless the need for, and benefits of, the development in that location clearly outweigh the loss. The legislation contained in the Tree Preservation Regulations is the appropriate mechanism for the protection of trees as any loss should not be restricted to solely replacement trees because sometimes this is not always appropriate, or viable.
- 3.10 Paragraph 173 of the NPPF is clear that pursuing sustainable development requires careful attention to viability and costs in plan-making and decision-taking. Plans should be deliverable. To ensure viability, the costs of any requirements likely to be applied to development, such as requirements for affordable housing, standards, infrastructure contributions or other requirements should, when taking account of the normal cost of development and mitigation, provide competitive returns to a willing land owner and willing developer to enable the development to be deliverable.
- 3.11 If Policy PSP3 is to be retained it should be amended to specify that replacement trees will be required “where appropriate and viable”. If this amendment is not made to the policy, it will conflict with national policy contained in the NPPF which states that in order for local plans to be sound they must be effective and deliverable over the plan period, and consistent with national policy.

### **PSP27 – B8 Storage and Distributions Uses**

- 3.12 We cannot see any modifications to PS27, and as such our previous comments still remain.

- 3.13 The policy is poorly worded and unnecessarily convoluted, *“Proposals for B8 storage and distribution uses of up to and above 3,000 sq.m in size...”* The policy should clearly articulate that the only exceptions to the 3,000 sq.m threshold rule are, Severnside; Cribbs Causeway and Emersons Green. It is unnecessary to place a threshold range on these areas within the opening paragraph of the Policy as it could be misleading and may lead to confusion further down the line.
- 3.14 Paragraph 21 of the NPPF is clear that investment in business should not be overburdened by the combined requirements of planning policy expectations. Planning policies should recognise and seek to address potential barriers to investment, including a poor environment or any lack of infrastructure, services or housing. As such, this policy conflicts with national policy and is unsound.

## 4.0 CONCLUSION

- 4.1 In conclusion, we consider that the PSP remains unsound. In terms of approach, it fails to allocate sites or address the five year housing land supply shortfall which fails to meet the objectives of the Core Strategy and national planning policy contained in the NPPF and NPPG requiring local authorities to establish and deliver objectively assessed housing need.
- 4.2 We have further concerns about the proposed development management policies in the draft PSP, some of which conflict with national policy, particularly the Written Ministerial Statement, and many of which will hamper the delivery of housing in the authority rendering the plan undeliverable and not justified.
- 4.3 Within the context of a housing supply shortfall in South Gloucestershire it is not appropriate to be introducing onerous development management policies, which are in conflict with recent national planning policy which aim to assist with the delivery of housing and simplify the planning process. South Gloucestershire Council will need to seriously consider the implications of the proposed policies, particularly the impact on the delivery of strategic allocations such as land at Cribbs Causeway which are crucial to the delivery of the Council's housing supply position.
- 4.4 In order to avoid the potential impact on the delivery of strategic housing sites, we would suggest that once adopted the development management policies should only be applied to sites which do not already benefit from outline planning permission, as these have already been assess against the relevant planning policy context at the time. Otherwise the new policies could be in conflict with the design principles of the approved outline planning permission and would require amendments which would have significant implications for delivery. Applying the new development management policies to reserved matters submissions could have implications for Council resources as developers submit every possible reserved matters application before the cut-off date to avoid the new standards. To introduce new standards to a site which already has an outline consent will not be commercially acceptable – because land value assessments would have been based on the density parameters within the outline. This is likely to lead to a requirement for viability arguments to be pursued on specific reserved matters phases, inevitably delaying delivery of new homes.
- 4.5 To summarise, the development management policies need to be amended to ensure they do not conflict with national policy which seeks to streamline the planning process and

boost housing delivery; and to ensure the expeditious delivery of strategic sites in the authority.

[bartonwillmore.co.uk](http://bartonwillmore.co.uk)

TOWN PLANNING  
MASTERPLANNING & URBAN DESIGN  
ARCHITECTURE  
LANDSCAPE PLANNING & DESIGN  
PROJECT MANAGEMENT  
& COST CONSULTANCY  
ENVIRONMENTAL  
& SUSTAINABILITY ASSESSMENT  
GRAPHIC DESIGN  
PUBLIC ENGAGEMENT  
RESEARCH

All Barton Willmore  
stationery is  
produced using recycled  
or FSC paper and  
vegetable oil based inks