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CHARFIELD



LAND SOUTH OF CHARFIELD

Planning Statement

July 2020

Land South of Charfield Revised Planning Statement

Amendments to Planning Application P19/2452/O

CEG and the Charfield Landowners Consortium

July 2020

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1.0 Introduction and Context

- 1.1 CEG and the Charfield Landowners Consortium ('the applicant') has submitted an outline planning application (reference: P19/2452/O) for mixed use residential-led development on land to the south of Charfield ('the current application').
- 1.2 The current application was submitted in March 2019 to coincide with the start of the emerging West of England Joint Spatial Plan (eJSP) Examination in Public (EIP), and to assist in demonstrating to the Inspectors that major housing development at the site would be deliverable. The submission explained that it was not CEGs intention that South Gloucestershire Council (SGC) determine the application before the relevant Hearing Sessions. The current application, therefore, remains undetermined.
- 1.3 Following the withdrawal of the eJSP, and in response to comments raised during consultation on the current application, the applicant is now proposing to amend the current applicant. This Planning Statement (PS) explains the scope of the proposed amendments, the implications in respect of planning policy and the benefits arising. It supersedes and formally replaces the original PS, dated February 2019.

Background

- 1.4 The eJSP was a strategic plan being prepared by the four West of England Councils (SGC, Bath & North East Somerset, Bristol City and North Somerset). It established draft housing and employment growth requirements and designated Strategic Development Locations (SDLs), which were capable of delivering large scale development (500+ houses). Charfield was designated as a SDL with capacity for around 1,200 new homes, complementary uses and supporting infrastructure. The current application site was the majority landholding in the Charfield SDL and would have accommodated most of the growth that was envisaged in this location.
- 1.5 Following the first stage Hearing Sessions, the Inspectors raised concerns regarding aspects of the eJSP and made it clear that withdrawal from Examination would be the most appropriate way forward. In reaching this conclusion, the Inspectors did not find that any of the individual SDLs could not, in principle, form a sound part of a plan for the West of England or for any of the individual local authority areas. Indeed, it is pertinent that going into the EIP, SGC agreed a Statement of Common Ground (Appendix 1) which explained that the current application site would be suitable for major housing led development and that strategic growth could deliver significant benefits. This remains a statement of fact. At the time, and as noted in the Statement of Common Ground, SGC's view was that the current application site would have capacity for around 800 dwellings.
- 1.6 The eJSP was formally withdrawn in April 2020 and SGC is now collaborating on the scoping of a Spatial Development Strategy (SDS) with the West of England Combined Authority (WECA) and the other Combined Authority Unitary Authorities (Bristol City and Bath & North Somerset).
- 1.7 A new South Gloucestershire Local Plan will be prepared alongside the SDS, which will include housing allocations. Timescales for preparation of the new Local Plan have not yet been fixed but early indications are that Submission for Examination could be in 2023, which means that it adoption may not be for another 3 to 4 years, possibly longer subject to the impact of Covid-19.

- 1.8 We explain at Section 5 that SGC cannot wait for the new Local Plan to be adopted before approving this amended application. This is because:
- There is an ongoing and acute need for housing, including affordable housing;
 - SGC cannot demonstrate a 5-year housing land supply and current Local Plan allocations may not deliver as projected, in part due to an over reliance upon a small number of major sites; and
 - Housing delivery will be affected by the Covid-19 pandemic and housing need will only be exacerbated.
- 1.9 The original PS explained that the case for granting planning permission was not inextricably linked to the eJSP. This was because:
- 1 The development plan policies considered most important for determining the current application were out-of-date; and
 - 2 The very substantial public benefits would outweigh any harm, including the less than substantial harm to the significance of St James' Church (which was afforded great weight as per NPPF paragraph 193).
- 1.10 This policy position has not changed. However, the proposed amendments address outstanding comments regarding the impact of development on heritage assets and introduce significant additional public benefits. As such, we conclude that the balance weighs in even greater favour of this proposal. It is in this context that the applicant is asking SGC to determine this amended application as soon as possible after the statutory consultation period has expired and ahead of the new Local Plan.
- 1.11 The applicant remains of the view that development of a scale commensurate with the original application is suitable and deliverable. Therefore, we wish to make it clear from the outset that CEG and the Charfield Landowners Consortium will be promoting land to the south of the application site for housing development through the new SDS and the new Local Plan.

Accompanying Documents

- 1.12 This PS should be read in conjunction with the amended documents that accompany the submission. All of the documents listed below supersede and formally replace the earlier versions submitted in March 2019:
- 1 Location plan (drawing AC31350-09-007 RevD Amended Parameter Plan 4)
 - 2 Amended Design and Access Statement (DAS).
 - 3 Parameter plans:
 - a Development extents (drawing AC31350-09-004 RevD Amended Parameter Plan 1)
 - b Land uses (drawing AC31350-09-005 RevD Amended Parameter Plan 2)
 - c Access and movement (drawing AC31350-09-006 RevD Amended Parameter Plan 3)
 - d Building heights (drawing AC31350-09-007 RevD Amended Parameter Plan 4)
 - e Green infrastructure (drawing AC31350-09-008 RevF Amended Parameter Plan 5)
 - 4 Illustrative masterplan (AC31350-09-011 RevD)
 - 5 Landscape Framework (10264/P49b)
 - 6 Preliminary Arboricultural Assessment
 - 7 Review of Agricultural Land Quality

- 8 Transport Assessment Addendum (TAA) and Addendum Framework Travel Plan
- 9 Environmental Noise Assessment
- 10 Air Quality Assessment (AQA)
- 11 Flood Risk and Drainage Assessment (FRDA)
- 12 Sustainability Statement (incorporating Energy Assessment)
- 13 Health Impact Assessment (HIA)
- 14 Statement of Community Involvement (SCI)
- 15 Environment Statement (ES) and due to the scope of the proposed changes and for ease of reference, the results of the Environmental Impact Assessment (EIA) for the amended scheme are presented in a new standalone ES.

1.13 The proposed amendments do not result in the need for any changes to the detailed junction drawings for Wotton Road and Little Bristol Lane (drawings 105518-VS-P2; 105518-GA-P2; 105518-11-VS-P; 105518-11-GA-P11), which are as per the original submission. The Geo-Environmental Desk Study Report and the Utilities Statement have not been updated because the findings of these reports remain relevant to this amended proposal.

Report Structure

1.14 This PS comprises the following sections:

- 1 Section 2 describes the application site and its context.
- 2 Sections 3 clarifies the proposed amendments.
- 3 Section 4 confirms the planning policy context for the determination of this application.
- 4 Section 5 explains the ongoing and significant housing need across the District and that South Gloucestershire cannot demonstrate a 5-year housing land supply.
- 5 Section 6 details the effects that the proposal is likely to have on heritage assets.
- 6 Section 7 considers the likely impact on landscape character/appearance and details the provision of public open space.
- 7 Section 8 reviews the likely effects on ecology and biodiversity.
- 8 Section 9 assesses transport, access and highway implications.
- 9 Section 10 considers the likely effects of the proposal on the amenity of existing and future residents in terms of noise/air quality and summarises the findings of the HIA.
- 10 Section 11 explains how matters relating to flood risk/hydrology, ground conditions and utilities have been addressed.
- 11 Section 12 addresses sustainability and energy.
- 12 Section 13 is statement on affordable housing, CIL and Heads of Terms.
- 13 Section 14 explains that the “tilted balance” is engaged and provides overall conclusions.

Consultation and Engagement

1.15 The original PS explained that the current application had been subject to a thorough programme of consultation over the period since 2016, including through a Liaison Group which was set up by the applicant. The current application was also subject to statutory consultation and relevant comments have been addressed by this amended application.

- 1.16 The revised Statement of Community Involvement (SCI) explains the consultation that has recently been undertaken on the amended scheme, including discussions with SGC and presentation of the proposal to the Liaison Group. We have also confirmed that this proposal will be presented to Design West (independent design review in August 2020).
- 1.17 Clearly, the Covid-19 pandemic has influenced the approach to consultation, but the SCI demonstrates that the applicant has taken reasonable measures to re-engage with key stakeholders.
- 1.18 The submission will, of course, be subject to statutory publicity arrangements. The Government has put in place temporary regulations to support timely decision-making and avoid delays to development as a result of the effects of the Covid-19 pandemic, while maintaining public participation in the decision-making process. This means that SGC has the flexibility to take other reasonable steps to publicise the amended application if it cannot discharge the specific requirements for site notices or neighbour notifications.
- 1.19 The re-consultation undertaken by the applicant, together with SGC's publicity arrangements, will ensure that those people who are likely to have an interest in the amended application have an opportunity to comment. The applicant will continue to engage in discussions with SGC, statutory consultees, key stakeholders and the local community whilst this application progresses.

2.0 Application Site and Context

- 2.1 The application site is located to the south and west of Charfield and extends to approximately 41.23 hectares. It is outside the Bath and Bristol Green Belt and is bounded by residential properties to the north and east and agricultural fields to the south and west. Wotton Road (B4058) forms a boundary to the north, Churchend Lane is to the west and Little Bristol Lane to the east. The Gloucester to Westbury trainline runs to the east of Little Bristol Lane.
- 2.2 SGC's Sustainable Access Profiles (2018) shows Charfield as having 'sustainable access' to key services and facilities. This is because the village benefits from a good range of local services and facilities including three pubs, a petrol filling station (including small retail outlet), a convenience store, post office, two places of worship, a community hall, playing fields with equipped areas of play and a primary school with a preschool unit and out-of-school club. The village also has land reserved for the re-opening of a railway station. More recently, outline planning permission (reference PT17/4923/O) was granted in May 2019 for a retail unit at The Old Station on Wotton Road with reserved matters awaiting determination. Planning permission (reference PT16/6924/O) was also issued in August 2017 for a retail unit as part of the Barratt Homes residential-led scheme to the north of Wotton Road which is progressing.
- 2.3 There are a number of key employment locations within close proximity to Charfield including Renishaw (an engineering firm and major local employer), which has an office off Wotton Road to the north east of Charfield, as well as HMP Leyhill and Tortworth Court Hotel which are located approximately 2 miles to the west.
- 2.4 Charfield is within 3 miles of 9 primary schools, and 5 miles of 2 secondary schools. There are several community facilities within 3 miles, including community halls, places of worship, libraries and two GP practices which have surplus capacity. Some of these facilities, such as the GP practices, are located in neighbouring settlements, such as Wotton-under-Edge.
- 2.5 The TAA explains that the nearest bus stop is outside Charfield Post Office (circa 570m from the centre of the application site), which is served by a number of services passing through the village. Additional 'request stops' are located on Little Bristol Lane (630m) and at the western and eastern ends of Manor Lane (540m and 640m respectively). The nearest railway stations are at Yate, approximately 12.5km to the south, and at Cam and Dursley, approximately 14km to the north.
- 2.6 There are views from the application site to the Cotswold Area of Outstanding Natural Beauty (AONB) and to St James' Church which is a Grade 1 Listed building located to the east of Churchend Lane. Other heritage assets in the vicinity of the site include:
- 1 Various and other features associated with St James' Church (all of which are Grade II Listed);
 - 2 Manor Cottages (Grade II Listed) located close to St James' Church, to the west of Churchend Lane;
 - 3 The Old Rectory (Grade II Listed) on Wotton Road; and
 - 4 Southend House (Grade II Listed) to the south of Devils Lane.
- 2.7 There is limited provision for cycling in Charfield, with no formal cycle tracks in the immediate vicinity of the site. National Cycle Route (NCR) 410 is accessible at the village of Cromhall, approximately 3.5km to the south of Charfield.
- 2.8 Housing to the north of the site comprises detached and semi-detached dwellings dating, for the most part, to the mid-to-late twentieth century. Housing along Wotton Road displays a greater

range of ages and architectural styles, including short terraces and more traditional rural vernacular. At the hamlet of Churchend, the prevailing character is more traditionally rural. Dwellings reflect a range of styles from modest agricultural dwellings and converted buildings to grander dwellings, such as The Old Rectory and Manor Farm. This range of styles and ages incorporates an equally wide range of materials including brick, stone, render, slate and terracotta.

The Site

- 2.9 The application site is greenfield and comprises open fields utilised for arable and pastoral farming separated and bound by hedgerows, woodland and mature trees. The majority of the application site comprises Grade 4 land (49%), classified as “poor quality”, and Grade 3b land (29%), classified as “moderate quality”. An area to the north east (21%) comprises Grade 3a land, classified as “best and most versatile”.
- 2.10 The application site is traversed by two power lines. One runs from north to south, and the other from east to west. A rising main traverses a section of the application site to the west, adjacent to Little Bristol Lane.
- 2.11 The western part of the application site rises from approximately 45m AOD at the centre to approximately 80m AOD at the ridge which runs along Churchend Lane. The eastern part of the application site rises from 45m AOD to 65m AOD at the south-east end of Devil’s Lane.
- 2.12 Mature hedgerows are present around most of the field boundaries. Several mature trees and a section of mixed woodland to the south of the application site are of high quality/value. Within the central portion of the application site, the historic loss of field boundaries creates an open and attractive ‘parkland’ pasture with mature trees, contrasting with the more intensively farmed landscape typical of this area.
- 2.13 An unnamed watercourse/stream bisects the application site in a north-south direction as it merges with Little Avon River near Elbury Hill to the east of Charfield. The watercourse connects with a series of ponds and a number of ditches drain into it. Environment Agency flood mapping shows that the site lies in flood zone 1, which indicates that it is at little or no risk of fluvial or coastal/ tidal flooding. Our own flood modelling has shown that some areas adjacent to the unnamed watercourse could flood during the 1 in 100 and 1 in 1000 annual exceedance probability event when taking account of climate change.
- 2.14 There are four Public Rights of Way (PRoW) crossing the application site:
- 1 Linking Churchend Lane (opposite Manor Farm) to the footpath on the northern side of the Woodlands Road development at Hawthorn Close (Public Footpath OCH16);
 - 2 Linking the above footpath to Wotton Road (Public Footpath OCH14);
 - 3 Linking Churchend Lane (adjacent Earl Barton Cottage) to Little Bristol Lane (Public Footpath OCH20); and
 - 4 Linking Churchend Lane (to the north of ‘Wadsley’) to Wotton Road
- 2.15 There are no scheduled monuments, listed buildings or conservation areas, registered battlefields or registered parks and gardens within the application site. There are also no nationally designated sites of biodiversity importance e.g. Ramsar Sites, Sites of Special Scientific Interest, Special Areas of Conservation and Special Protection Areas.
- 2.16 There are two non-statutory Sites of Nature Conservation Interest (SNCI) within the application site:
- 1 “Marshy Field” extends 0.6ha and was last surveyed in March 1990.

2 “Meadows” extends to 4.93ha and was last surveyed in July 1997.

2.17 Both SNCIs are deteriorating due to lack of management.

2.18 Archaeological evaluation has identified a limited number of archaeological features to the northwest of the application site, including evidence of a Roman road.

Planning History

2.19 There are no previous planning decisions that are relevant to the consideration of this application. We are aware of two historic refusals for residential development on part of the site but these decisions are 20 and 30 years old respectively and were determined against a very different planning policy context.

Other Current Applications for Housing in Charfield

2.20 Bloor Homes has submitted a hybrid application (reference P19/18237/O) for up to 250 new homes with community/employment uses (0.28ha for B1a or D1/D2 use) and public open space. The first phase (107 dwellings) is submitted in full with the rest of the proposal in outline.

2.21 The applicant has established joint working arrangements with Bloor Homes whereby consultants are liaising on key issues that have strategic implications. For example, the TAA explains that a joint approach has been taken with regards to local highway improvement works along Wotton Road and discussions regarding improvements works at M5 Junction 14. The SCI also notes that joint consultation has been undertaken where appropriate. The cumulative effects of the Bloor Homes application and this proposal are considered in the ES.

3.0 Proposed Amendments

3.1 This amended application is submitted in outline with all matters reserved, with the exception of the access junctions onto Wotton Road and Little Bristol Lane. The revised description of development is as follows:

Outline permission with all matters reserved (other than accesses) for a mixed use residential-led development including:

- 1 preparatory works;
- 2 Up to 525 residential units (Use Class C3, including affordable homes and Use Class C2/C3 housing suitable for the elderly) with provision of a reserve site for a new 3FE primary school with playing fields (Use Class D1);
- 3 up to 1ha of land for a neighbourhood centre, comprising 0.7ha with provision for 1,800 sq.m of commercial floorspace (up to 500 sq. m A1, 500 sq. m A1/A2/A3/A5/B1 and 800 sq. m D1 community uses) and up to 0.3 ha additional employment provision.
- 4 provision of green infrastructure including: 3 playing pitches (1 x senior pitch and 2 x junior pitch), open space, parks, natural and semi natural green space, amenity green spaces and facilities for children and young people;
- 5 provision of associated infrastructure including footpaths/cycleways and vehicular accesses; and
- 6 provision of associated engineering and landscaping works including SUDs.

3.2 The junction layouts are fixed and as explained in Section 1, the detailed design is as per the drawings submitted with the current application.

3.3 The parameter plans have been revised to reflect the proposed amendments. Their purpose is to achieve a balance between the need for flexibility to allow the detailed design to be reserved for subsequent approval, whilst defining the key principles of the development in enough detail to allow the likely significant effects of the development to be assessed. It is expected that any planning permission will impose conditions that require reserved matters to be in substantial accordance with the parameter plans unless otherwise agreed.

3.4 The proposed amendments to the original application are:

- 1 A revised 'red line' application boundary which excludes land to the south and has been reduced by 32.5% from 61.05ha to 41.23ha. This means that the extent of development has moved further away from St James' Church.
- 2 The introduction of 3 playing pitches (1 x senior pitch and 2 x junior pitches) to the north of the application site on land that was previously shown as residential development.
- 3 An increase in the size of the school reserve site from 2.1ha, which could have accommodated a 2-form entry (FE) primary school, to 2.7 ha to accommodate a 3 FE primary school with playing pitches.
- 4 The indicative alignment of the estate road shown on the illustrative masterplan has been amended so that towards the east of the application site it runs to the north. As per the current application, the 'access and movement' parameter plan provides a zone within which this road could be located to provide flexibility on the future alignment.

The Housing Element

- 3.5 The amendments to the application boundary and the layout are such that there is a consequential reduction in the maximum number of dwellings from 950 to 525. The capacity is based on an average density of 38 dwellings/ha although there are variations across the application site ranging from 25 to 45 dwellings/hectare. Higher densities are proposed along the internal estate road and around the neighbourhood centre with lower densities at the edge of the development to provide a transition with the rural edge and to existing properties in Charfield. Land to the north east of St James' Church will have a lower density of c.25 dwellings/ha.
- 3.6 The current application assumes that up to 50 new homes could come forward on the school reserve site should it not be required for a primary school. Given the feedback from SGC that the need for a 3FE primary school is a priority, this amended proposal does not assume any fallback to residential.
- 3.7 The development will include a variety of dwelling types, sizes and tenures. The precise quantum and mix will be subject to discussions with SGC during the determination of the application. At this stage, we have assumed that up to 35% affordable housing could be provided subject to viability and in accordance with policy CS18 (Affordable Housing). We have also assumed that housing for the elderly could be provided within the area highlighted on the illustrative masterplan/parameter plans and that this could be within Use Class C2 or C3.

The School Site

- 3.8 There is one existing primary school serving Charfield, which is a small village school (an academy) providing 210 places across the age range (1FE). SGC has confirmed that the existing school is at capacity and is constrained by a small site (approx. 1.4ha) with limited scope to expand. The school is run and organised as part of the Castle Schools Education Trust (CSET).
- 3.9 This application will only generate the need for a 1FE primary school. However, this proposal forms part of wider growth aspirations with the applicant having made it clear that it will promote housing development to the south of the application site through the new Local Plan and Bloor Homes having submitted a planning application for up to 250 homes to the east of village. Even taking both of these proposals into account, there would only be a need for a 2FE primary school.
- 3.10 SGC has considered options for increasing primary school capacity in the village and confirmed through its consultation response¹ on the current application that its preferred option is to develop a new 3FE primary school in the centre of the village (providing 630 places) so that children on roll at the existing school would transfer to the new school site.
- 3.11 SGC's consultation response explains that both the Council and the CSET recognise that benefits will arise from one expanded primary school in the village, including:
- 1 Helping to bring together the existing local Charfield community with the new and growing Charfield community providing a focal point and strengthening community cohesion;
 - 2 Providing new residents with more certainty over the availability and accessibility of local school places;
 - 3 Providing a sustainable model of local school provision and overcoming the challenges of operating a small village school;

¹ Consultee Response: SGC Department for Children, Adults and Health (18 October 2019)

- 4 Enhancing the quality of facilities and resources available to children and thereby improving their educational experiences;
- 5 Providing accessible local school places possibly operated by one local Trust (CSET); and
- 6 The existing school site (owned by SGC and Tortworth Estate) could be released for the provision of new nursery school places as necessitated by proposed development and/or other community and employment uses.

3.12 Based on a range of operational, financial and educational considerations, SGC has ruled-out operating a split site school or two schools in close proximity.

3.13 The increase in the size of the school site to accommodate a 3FE primary school is, therefore, a direct response to SGC's consultation comments. A school of this size will accommodate children from the existing primary school, meet the education needs generated by this development and create capacity for additional growth across Charfield.

3.14 A financial contribution will be made towards providing secondary school places at a new site or towards expanding an existing site in the local area.

The Neighbourhood Centre

3.15 The area for a neighbourhood centre shown on the illustrative masterplan is as per the current application. It is the maximum area within which the neighbourhood centre could be located. It will provide up to 1ha of land with potential to accommodate a range of local retail/commercial/community uses and opportunities for employment space:

- 1 0.7 ha for commercial floorspace, with residential on the upper floors. The breakdown of floorspace is as follows:
 - a up to 500 sq. m A1 use (which would include: shops, post offices and hairdressers);
 - b up to 500 sq. m A1/A2/A3/A5 or B1 use (which could include: shops, financial and professional services, food and drink establishments, and business uses); and
 - c up to 800 sq. m D1 community uses (which includes: health centres, clinics, crèches and day nurseries).
- 2 An additional 0.3 ha of land for employment uses.

3.16 The precise types of uses and occupiers will be determined through consultation on this application and reserved matters. There will also need to be a discussion about phased delivery alongside housing growth.

3.17 The land take has not been reduced to reflect the reduction in housing numbers because we are mindful of the applicant's aspirations to promote land to the south for housing development through the new Local Plan.

3.18 The consultation response on the original application from SGC's Economic Development Officer² states that there should be an increase in provision for employment land, albeit with no reference to quantum. The comments were made in the context of the eJSP which referenced the need for a minimum of 5ha of new employment land (traditional B-use classes) across a number of different locations. There were a number of unresolved objections to the 5ha reference, which may need to be revisited through the determination of this application. Notably:

- 1 The 5ha was based on a theoretical assessment of the number of jobs that would ideally be provided alongside housing. It was not based on deliverability from a market perspective.

² Consultee Response: SGC Economic Development Officer (21 August 2019)

- 2 There was a lack of clarity about the area to which the employment requirement might apply with the SDL Templates referencing distribution across a much wider area than Charfield and including land along the B4509 e.g. at the former Leyhill Prison visitors centre and at Elmtree Farm.
- 3 SGC's paper on the "Employment Role and Function of Proposed SDLs" (an evidence base document for the eJSP) acknowledged that a range of non-B Use Class employment would come forward to service the growth in the local community, including A, C and D uses. It also noted that anticipated substantial growth in home-based employment but neither of these points were reflected in the eJSP policy requirement (and the trend post-Covid-19 is such that there may well be a further increase in home working).

3.19 There is clearly a need to provide employment opportunities as part of a balanced mix of uses and to ensure sustainable development. The level of provision proposed is appropriate to address market demand in this rural location, which is likely to be from small, locally based businesses seeking accommodation of between 19 - 185 m² (200 – 2,000 ft²) within Use Class B1. It provides an opportunity to accommodate a range of small and medium sized offices allowing not only 'start up' businesses but sufficient space to grow thus allowing businesses to expand and stay on site.

3.20 In our opinion, the mix and quantum of uses at the neighbourhood centre is appropriate for this proposal and in the context of the applicant's aspirations to promote land to the south for housing development. This element of the proposal will need to be considered 'in the round' and in the context of viability such that a balanced decision may need to be taken with reference to the delivery of other public benefits and most notably with regards to the provision of an expanded school site which has the potential to address the education needs of primary aged children across Charfield.

Landscaping and Public Open Space

3.21 The revised Landscape Framework has informed the illustrative masterplan. It shows a landscape-led approach which makes significant provision for public open space and ensures that the development responds to features of landscape importance. PRoW are preserved and existing field-boundaries are retained and augmented within the illustrative masterplan layout.

3.22 The proposed layout provides informal recreational open space, natural and semi-natural open space and includes provision for children and young people of all ages as well as outdoor sports facilities and allotments. That part of the application site to the west of the indicative route for the spine road is shown as retained pasture. For the purpose of this proposal, we have assumed that this area will remain 'as is' and we have not included it as part of the public open space requirement.

3.23 Whilst the detailed design and layout of the landscaping and public open space will follow at the reserved matters stage, we can confirm that the on-site provision proposed by this application will meet policy requirements and for some typologies it will exceed policy requirements.

Infrastructure

3.24 The illustrative masterplan shows an indicative route for a spine road through the development, which will provide a central route for buses as well as other vehicles. The final alignment will be fixed through reserved matters.

3.25 From the north, the indicative pine road is proposed to run through the centre of the developed area, and through the large area of public open space at the centre of the site. Its alignment has

then been revised to take a more northern route through the developed areas, before traversing the Meadows SNCI and returning north to join Little Bristol Lane.

- 3.26 The alignment of the indicative spine road in the current application avoided the Meadows SNCI. The revised route is a direct response to comments from SGC's Principal Project & Urban Design Officer³ and Ecological Officer⁴ which prioritise the retention of an uninterrupted green infrastructure corridor between the SNCI and the wider countryside.
- 3.27 Removal of the indicative spine road from the southern extremity of the site is also considered by SGC's Principal Project & Urban Design Officer to benefit heritage, (lessen the impact of traffic and lighting on the setting and tranquillity of St James' Church), landscape (reduce the visual impact of highway infrastructure) and recreational issues (providing a more tranquil 'circular' recreational walking route through this area).
- 3.28 The indicative surface water drainage scheme incorporates SUDs, which are shown on the illustrative masterplan to demonstrate how they will be incorporated into the proposed development and wider landscaping.

³ Consultee Response: SGC Principal Project & Urban Design Officer (4 September 2019)

⁴ Consultee Response: SGC Ecological Officer (2 May 2019)

4.0 **Planning Policy Context**

4.1 Section 38(6) of the Town and Country Planning and Compulsory Purchase Act 2004 places a statutory duty on SGC to determine this planning application in accordance with the development plan unless material considerations indicate otherwise.

4.2 In this case, the development plan comprises:

- 1 The Core Strategy (CS), which was adopted in 2013 and sets out the spatial strategy for the period to 2027; and
- 2 The Policies Sites and Places (PSP) plan, which was adopted in 2017 and sets out the development management policies that support the delivery of the CS.

4.3 The key development plan policies relevant to the determination of this application are as listed at Appendix 2.

4.4 Other material considerations to be taken into account include the National Planning Policy Framework (NPPF) and associated Planning Practice Guidance (PPG). The NPPF was published in July 2018 and revised in February 2019.

4.5 The NPPF does not change the statutory status of the development plans as the starting point for decision making. However, para 213 of the NPPF confirms that due weight should be given to relevant development plan policies in accordance with their degree of consistency with the Framework.

4.6 We explain in section 14 that the ‘tilted balance’ at paragraph 11d(ii) of the NPPF applies in this case because the policies that are most important for determining the application, the strategic housing policies, are out-of-date and NPPF policies that protect assets of importance do not provide a clear reason for refusing the development.

Supplementary Planning Documents

4.7 The following Supplementary Planning Documents are considered relevant to the proposal:

- 1 Landscape Character Assessment SPD – adopted 2014
- 2 Affordable Housing and ExtraCare SPD – adopted 2014
- 3 CIL Charging Schedule and CIL and S106 SPD – adopted 2015
- 4 Adoptable Highway Specification – adopted 2015

Emerging Plans

4.8 We have explained that SGC is collaborating on the preparation of a SDS with WECA and Bristol City Council and Bath & North East Somerset Council. However, no documents have yet been published. We have also noted that the new Local Plan will be prepared alongside the SDS but again no documents have yet been published.

4.9 The draft Charfield Neighbourhood Plan (NP) was subject to pre-submission consultation in September 2019 (under Regulation 14). SGC has yet to publicise the draft NP (Regulation 16) and there still needs to be an Independent Examination and a referendum. Regulations linked to the Coronavirus Act 2020 mean that no elections or referendums can take place until at least 6 May 2021 (subject to review). This includes neighbourhood planning referendums. As such, and whilst a lot of work has been done by the local community to formulate the draft NP, it is not yet sufficiently advanced to carry any weight in decision making. That said, the applicant has an ongoing dialogue with the Neighbourhood Plan Group and has responded to the NP pre-

submission consultation. Also, and where possible, this proposal addresses relevant draft policies.

5.0 Housing Need and Supply Issues

5.1 The context for this application is the acute need for housing, which has arisen as a direct consequence of house building not keeping pace with a growing population and household formation rates.

5.2 The Housing White Paper⁵ explains that the housing market in this country is broken because for too long we haven't built enough homes. The Foreword by the former Secretary of State, Sajid Javid, explains that a significant step change in the pace of housing delivery is required. It states that:

“For decades, the pace of house building has been sluggish at best. As a result, the number of new homes has not kept pace with our growing population. And that, in turn, has created a market that fails to work for far too many people. Soaring prices and rising rents caused by a shortage of the right homes in the right places has slammed the door of the housing market in the face of a whole generation... That has to change. We need radical, lasting reform that will get more homes built right now and for many years to come.”

5.3 What followed was the revised NPPF, which focused on providing a comprehensive approach for planners, developers and councils to build more homes, more quickly, in the places people want to live.

5.4 The need to tackle the housing crisis remains embedded as a top priority for the Government. Following the Budget announcement in March 2020, Robert Jenrick (Housing, Communities and Local Government Minister) made a statement on ‘Planning For the Future’ which reiterated that *“home ownership seems like a dream that is out of reach”*. He said:

"This Government believes in supporting people who are working hard to own their own home and ensuring that young people and future generations have the same opportunities as those [who came] before them."

5.5 He went on to say that the Government has built over 1.5 million new homes over the last decade and that the proportion of young homeowners has increased. However, he said "a great deal more is required to be done" because people are "trapped" paying high rents and many are "struggling to save for a deposit" which makes home ownership seem like a "dream."

5.6 The context for this application is, therefore, the Government's commitment to significantly boost housing supply, which is also a principle objective of the NPPF.

Affordability

5.7 The housing crisis is having a profound effect on affordability. The information overleaf (table 1) from Shelter⁶, demonstrates that average house prices in South Gloucestershire are almost 10 times more than annual earnings (and much higher than the ratios at a regional and national level).

Table 1: Lower quartile house price to lower quartile earnings ratio

Year	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018
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⁵ Fixing our Broken Housing Market, DCLG (February 2017)

⁶ https://england.shelter.org.uk/professional_resources/housing_databank (accessed 23 June 2020)

Earnings Ratio: South Gloucestershire	8.57	7.09	7.64	7.21	7.44	7.44	7.92	8.38	8.99	9.46	9.80
Earnings Ratio: South West	8.61	7.63	8.13	7.87	7.70	7.78	8.03	8.27	8.50	8.77	8.94
Earnings Ratio: England	6.91	6.48	6.86	6.72	6.58	6.57	6.91	7.11	7.16	7.26	7.29

- 5.8 The reality for many people in South Gloucestershire is that they are unable to afford to buy their own home. The affordability pressure is felt throughout the District and not solely around the Bristol fringe.
- 5.9 High house prices and the affordability ratio mean that it is particularly difficult for young people and families to access the housing market in South Gloucestershire. Census data shows that the built-up area boundary of Charfield has a higher percentage of under 16s (21%) compared to the wider South Gloucestershire area (19%). This means that the village will benefit from a future increase in housing supply (market and affordable housing) so that young people can more easily access the local housing market and remain resident in the local area as they reach the age at which they would seek to form their own households.
- 5.10 The eJSP acknowledged the acute need for housing, and particularly affordable housing, across the West of England and so promoted a step change in housing delivery. The withdrawal of the eJSP does not in any way change this situation and there remains a desperate need to boost housing supply and address affordability challenges.

Housing for Older People

- 5.11 Older people are living longer, healthier lives and have a broad spectrum of housing needs, ranging from suitable and appropriately located market housing through to residential institutions (Use Class C2). This proposal includes housing suitable for the elderly, which would assist in meeting the housing needs of an ageing population.

5 Year Housing Land Supply Position

- 5.12 In accordance with the NPPF and because the development plan is more than 5 years old, SGC has calculated its housing land supply position based on local housing need using the standard method. The housing requirement in policy CS15 (Distribution of Housing) is therefore, regarded as out of date and should not be afforded weight in the determination of this application.
- 5.13 The Authority's Monitoring Report (AMR), covering the period 1 April 2017 – 31 March 2019, was updated by an addendum in March 2020 to take account of revised ONS affordability ratios. It states that South Gloucestershire has delivered at least 85% of its local housing need and, in accordance with paragraph 73 of the NPPF, a 5% buffer to ensure choice and competition in the market for land is considered appropriate. Based on this approach, the AMR Addendum states that there is 5.21 years deliverable supply from 7,833 dwellings on over 90 sites.
- 5.14 The housing trajectory would only need to drop to 7,514 dwellings (a decrease of just 319 units) for the deliverable supply to dip under 5 years. There is a very realistic prospect of this scenario being realised because:
- 1 The Covid-19 pandemic continues to have implications for the housebuilding industry as with other sectors of the economy. Inevitably, housing delivery slowed after the 'lockdown' period started at the end of March 2020 not least because several developers temporarily closed their construction sites and for those remaining open, the lockdown impacted on the availability of support services and material supplies. Customer confidence and mortgage

availability has also been affected with a consequential effect on the buying and selling of property. Whilst the full effects of Covid-19 are not yet known, and even if a bounce back occurs once the crisis ends, it is reasonable to assume that at least some dwellings would need to be removed from the housing trajectory to take these factors into account.

- 2 The Inspector reporting on the recent Appeal (April 2020) at Nine Mile Ride, Finchampstead, Berkshire⁷ agreed with the Appellant's conclusion that the effects of Covid-19 would likely be felt for a 3 to 6-month period. In this context and given that the housebuilding industry is far from reaching pre-Covid-19 build rates, a 6-month delay would appear to be a cautious approach and result in the removal of 50% of the year 5 housing trajectory. The effect would be the removal of 771 units from the 5-year housing land supply (5 YHLS).
- 3 Some sites appear to have stalled, for example:
 - 0036a, Lyde Green (201 units): Parcels 19, 27b, 29, 30a and 30b have not yet been the subject of reserved matters applications. The Inspector reporting on the Bovis appeal recommended that these units should be removed from the 5 YHLS.
 - 0021b, Land at Harry Stoke (420 units): Pre-commencement conditions have only recently been discharged (12 March 2020) and non-material amendments are currently being considered (latest NMA validated on 23 April 2020). The time taken to address the NMA applications and to get the site ready is such that the housing trajectory will likely be delayed beyond 2020/21, and 120 units should be discounted from the 5 YHLS.
- 4 Some sites show high build rates which are unlikely to be deliverable, particularly in the current climate. In our opinion, discounts should be made to reflect more realistic build rates based on Lichfields' research in 'Start to Finish (second edition)⁸. For example:
 - 0133, Land at North Yate: discount 32 units from the 5 YHLS because the build rate of 100 units per year for a site of this size is too high and is more likely to be 68 units per year; and
 - 0134bb, Charlton Common: discount 10 units from the 5 YHLS because the challenges for starting on site will delay commencement.

5.15 Taking the above factors into account, it is clear that more than 316 dwellings should be removed from the deliverable supply. Indeed, based on the simple analysis above we believe that more than 1,000 units should be removed. The effect is such that there is only likely to be circa 4.5 years supply of deliverable sites as a best case. In our experience, more forensic examination would likely reduce this figure even further.

Spatial Strategy

5.16 In planning terms, the application site is outside of the settlement boundary of Charfield as defined by the Proposals Map that accompanies the development plan. Given that the development plan covers the period to 2027, the settlement boundaries are not time expired.

5.17 CS5 (Location of Development) provides the locational strategy for growth in South Gloucestershire whereby the majority of new development is directed to the north and east fringes of the Bristol urban area and the towns of Yate, Chipping Sodbury and Thornbury. In rural areas such as Charfield, CS5 envisages development coming forward through NPs and only small-scale development within the settlement boundaries. We have explained at Section 4 that whilst a NP is being drawn up for Charfield, it does not yet carry weight in decision making.

⁷ Appeal reference APP/X0360/W/19/ 3238048

⁸ <https://lichfields.uk/content/insights/start-to-finish>, February 2020

- 5.18 Amongst other things, CS34 (Rural Areas) seeks to protect boundaries around rural settlements, the landscape and best and most versatile agricultural land. Policy PSP40 (Residential Development in the Countryside) in the PSP Plan indicates that residential development beyond settlement boundaries within the countryside will only be acceptable in limited circumstances, none of which apply in this case.
- 5.19 There has long since been an expectation that the spatial strategy would have been revised before now. Notably:
- 1 The Inspector reporting on the CS⁹ raised concerns about the 5YHLS but concluded that the proposals (as modified) provided a basis for taking the Plan forward, subject to SGC undertaking an early review (paragraph 85). He noted that SGC should aim to adopt a replacement plan as soon as reasonably possible and concluded that this could and should be done prior to the end of 2018 (paragraph 86).
 - 2 The Inspector reporting on the PSP plan¹⁰ also raised concerns about housing land supply but concluded that SGC had a suitable alternative for addressing the matter within a relatively short timeframe because CS requirements would be revisited through the JSP (which at the time was programmed for adoption by 2018) followed by adoption of a new Local Plan (which at the time was programmed for February 2019).
- 5.20 In formulating the eJSP spatial strategy, the potential supply from a variety of sources was assessed including:
- 1 Existing commitments;
 - 2 Maximising urban capacity and optimising density;
 - 3 Allowing for small windfalls beyond that included in existing development plans;
 - 4 Allowing for 'non-strategic' growth;
 - 5 Assessing potential strategic locations;
 - 6 Assessing other sources e.g. empty homes, specialised housing such as student and care homes.
- 5.21 However, the supply from these sources, including all brownfield options, fell short of meeting the housing requirement by 17,600 homes. As such, the West of England Authorities considered the potential for directing additional growth towards the central Bristol, parts of the Bristol North Fringe, central Bath/Bath Enterprise Zone and Weston-super-Mare but this approach was still not sufficient to meet the homes and jobs needed over the next 20 years. Large scale housing development in SDLs, including at Charfield, was therefore identified. It continues to be the case that housing needs cannot be met without significant greenfield release.
- 5.22 In our opinion, a spatial strategy that includes housing growth at Charfield remains robust. Indeed, the benefits of this approach are broad ranging and include:
- Avoiding the unsustainable expansion of the north and east fringes of the Bristol urban area beyond the substantial existing commitments that are already identified to be delivered in adopted development plans.
 - Acknowledging the role of existing towns and larger villages in supporting sustainable economic growth.
 - Supporting opportunities where investment in public transport will assist in delivering sustainable growth.

⁹ The Report on the Examination Into South Gloucestershire Core Strategy (November 2013)

¹⁰ Report on the Examination of the Policies, Sites and Places Plan (2017)

- Minimising impacts on the Bristol-Bath Green Belt.

- 5.23 Development in Charfield will serve a different market to the Bristol fringe and therefore dwellings can be delivered without saturating a particular market. This approach will also secure a more consistent stream of housing completions to meet evidenced needs and improve the sustainability of the rural economy and community. In this respect, Charfield is significant in terms of its ability to deliver a more balanced portfolio of sites which take account of the need for spatial rebalancing in response to the extensive past growth and build out of the existing commitments at the north and east fringes of Bristol.
- 5.24 In summary, the withdrawal of the eJSP means that the CS and PSP Plan will be in place for significantly longer than the period envisaged by the Examination Inspectors. Given the shortfall in 5 YHLS, policies CS5, CS34 and PSP40 would hinder rather than help the SGC achieve its housing targets. As a consequence, the efficacy of the settlement boundaries set in 2013 are no longer fit for purpose.
- 5.25 Furthermore, the withdrawal of the eJSP does not in any way negate the critical need to substantially boost housing supply. Indeed, delays in delivery from the strategic sites at North Bristol, and their consequent implications for the supply of housing in South Gloucestershire, underscore the need to take a more spatially balanced approach towards the distribution of housing across the District.
- 5.26 Added to this, the Council cannot currently demonstrate a deliverable 5YHLS. Policies CS5, CS34 and PSP40 must, therefore, be considered out-of-date.
- 5.27 Even having regard to the above, there remains a plan-led system for determining planning applications and the overall strategy of the CS is to direct development to the most sustainable settlements which accords with the objectives of the NPPF. It is also the case that the development plan continues to recognise the intrinsic character and beauty of the countryside in accordance with the NPPF. For these reasons, and notwithstanding that the aforementioned policies are out of date, this proposal would conflict with CS5, CS34 and PSP40. However, and for the reasons outlined above, this conflict should only be afforded very limited weight in the planning balance and the location of the site on land adjoining the boundary of Charfield should not be a reason in principle for refusing development.

Suitability of the Site for Housing Led Development

- 5.28 We have noted in Section 2 that SGC's Sustainable Access Profile shows Charfield as having 'sustainable access' to key services and facilities.
- 5.29 The Consolidated Sustainability Appraisal Report (November 2018) that SGC prepared as an evidence base document for the eJSP is also a useful reference because it considers the potential long-term effects of major housing growth at Charfield. It identifies potential for:
- 1 Significant positive effects to be gained through access to public open space, provision of high-quality housing and supporting/enhancing sustainable transport (which this application will deliver).
 - 2 Minor negative effects with regards to access to town centre services/facilities and major employment areas (and which this proposal will help to remedy through the development of a neighbourhood centre, land for a 3FE primary school and the facilitation of access to improved public transport options).
 - 3 Adverse effects in respect of landscape and the re-use of previously developed land (which are unavoidable given the need for greenfield release to address the housing shortfall but which can be addressed and mitigated through good urban design and landscaping).

- 5.30 Recent appeals have also considered the sustainability merits of Charfield. The Inspector reporting on the South of Wotton Road appeal (Crest Nicholson)¹¹ concluded that the development of 106 homes at Charfield would be economically, environmentally and socially sustainable. The Inspector noted that whilst future occupiers would be likely to make use of a car for at least some of their journeys, a number of services and some employment could be accessed either by foot, public transport or cycling (paragraph 51). The economic benefits were also recognised, particularly in terms of supporting local employment growth.
- 5.31 The Inspector reporting on the Land North of Wotton Road appeal (Barratt Homes)¹² also acknowledged the likely economic and social benefits arising from the development of 121 dwellings and a retail unit alongside the support for the local economy to be derived from the new residents (paragraph 79).
- 5.32 We conclude that the application site is in a sustainable location. However, more than that, this proposal will improve the sustainability of Charfield because:
- 1 The neighbourhood centre provides an opportunity to address deficits in provision. For example, SGC's Sustainable Access Profile states that the village lacks walking or cycling access to health facilities, a permanent library, and a range of comparison or larger convenience stores. At least some of these uses could be provided by this development.
 - 2 It will assist in addressing the shortfall in 5YHLS in a sustainable way which is properly aligned with new infrastructure. It will also provide much needed affordable housing.
 - 3 It will assist in addressing housing needs in the north of the District where there has been little significant growth in recent decades. It will not, therefore, risk market saturation of the Bristol Urban Fringe areas which will improve the likelihood of steady housing delivery within the Plan period.
 - 4 It will secure job opportunities for existing and future residents and improve accessibility to jobs which will help to make the north of the District more sustainable in its live-work patterns. It will deliver new local services/facilities, a comprehensive green infrastructure network (including pedestrian and cycle routes) and biodiversity enhancement which will also help to create a more sustainable place.
 - 5 We explain at section 9 that the proposed transport improvements have the potential to support a hub of connected settlements with Charfield, Wotton-under-Edge and Thornbury functioning together as a suite of social and economic centres.
 - 6 Housing growth will support the case for reopening the rail station, deliver local and regional bus improvements and provide contributions towards improvements at M5 Junction 14.
- 5.33 The application site is available for development now and no third-party land is required to deliver the proposal, other than land confirmed to be within the adopted highway or controlled by SGC.

¹¹ Appeal ref. APP/P0119/A/14/2220291

¹² Appeal ref. APP/P0119/W/17/3179643

6.0 Effect on Heritage Assets

Built Heritage

- 6.1 Central to the consideration of the impact of the proposal on heritage assets is Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990, which requires the local planning authority to have ‘special regard’ to the desirability of preserving listed buildings or their setting or any features of special architectural or historic interest which they possess.
- 6.2 Paragraph 193 of the NPPF states that in considering the impact of proposed development on significance, great weight should be given to the asset’s conservation and that the more important the asset the greater the weight should be. Paragraph 196 goes on to state where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal.
- 6.3 Consistent with paragraph 184 of the NPPF, Policies CS9 (Managing the Environment and Heritage) and PSP17 (heritage Assets and the Historic Environment) recognise that heritage assets are irreplaceable resources to be conserved in a manner appropriate to their significance.
- 6.4 In this case, the key issue is the impact on the significance of the Grade I Listed St James’ Church from development in its setting. The original PS explained that the character of the application site would change, and the developed edge of Charfield would be brought closer to the Church. It was, therefore, considered that the proposed development would result in harm to its setting.
- 6.5 The consultation responses from Historic England¹³ and SGC’s Conservation Officer¹⁴ acknowledged that the degree of harm would likely fall within the category of less than substantial. There remained concerns about the extent of development to the north east of the Church and the finer details of the proposal in respect of landscaping and matters relating to scale/height/levels/layout. In response to these comments, we note that:
- 1 The extent of built form has been reduced to the south including to the north east of the Church such that the proposed built form is now c 370 metres away (previously c 235 metres) at its closest point.
 - 2 To the south, and to the east of the Church, the character of the setting will remain open, taking in areas of playing fields between Charfield and Church End, and open agricultural land to the south.
 - 3 The corridor for the spine road shown on the parameter plans has been moved further north which will assist in articulating the rural edge and reducing the light and noise effects.
 - 4 The introduction of sports pitches will preserve an open corridor across the application site and ensure that the three parcels of housing land remain visually distinct.
 - 5 Additional structural landscaping proposed to the north east of the Church will screen the built form from view.
- 6.6 Reserved matters applications will ensure that the detailed design of the proposed development is sensitively designed. However, further work has been undertaken in the DAS to show how a sense of openness can be achieved along the development edges to create and facilitate a transition from built form to countryside.
- 6.7 Added to this, the degree of harm is limited by a number of factors, including:

¹³ Consultee response: Historic England (9 April 2019)

¹⁴ Consultee response: SGC Conservation Officer (3 October 2019)

- 1 The proposed development is situated in a valley, so there is vertical separation between it and the ridge of circa 13 metres.
- 2 The proposed development will have no adverse effect on the skyline. The proposed roof line will be below Churchend Lane along its full length, to preserve views from the ridgeline across the valley to the east and of the Church looking west from Little Bristol Lane.
- 3 The physical separation of Charfield and the Church will be maintained, so that it will still be possible to understand that St James' is not the parish church for Charfield, and that it is part of a partially abandoned settlement.
- 4 The existing hedgerows and trees, including some substantial copses, will be retained and reinforced. The 'parkland' area and the SNCIs will remain open to create breaks in the built form and provide amenity space. Structural planting will provide further screening.
- 5 The new residents of Charfield are likely to increase the communal use as well as the economic and social viability of the Church.
- 6 Section 106 funding is proposed to provide a proportionate contribution towards restoration works to the Church and churchyard. These works have been scoped with the Churches Conservation Trust through conditions surveys and feasibility studies. Redevelopment of the application site provides a robust and realistic opportunity to support the funding of the required repair works to ensure the long-term future of the Church. This is a significant benefit of the scheme.

6.8 Significantly, the degree of separation between the Church and Charfield is maintained. This is relevant given the historic relationship between Churchend and Charfield. Charfield was originally located on the ridge of the hill (now Churchend), and the Church became redundant when a new settlement was formed in the valley (modern Charfield). The relatively isolated rural setting of the Church contributes to its significance and the proposed development will remain physically separate from Churchend, and the design has reduced the harm by amending the extent of the built form and through additional structural planting.

6.9 In *Shimbles v City of Bradford and third parties including the National Trust EWHC 195 [2018]*, J Kerr concluded at paragraphs 90 and 91 that it is necessary to decide whether harm to a designated heritage asset is substantial or less than substantial, but it is not necessary (as a matter of law) to define the degree of harm in each category. However, this does not preclude an assessment of the degree of harm, because this has a bearing on the planning judgment of harm versus benefits.

6.10 Our view, and given that the proposed development will only effect the setting of the Church and not directly affect its fabric, and that design has sought to reduce the harm by amending the extent of the built form thus retaining the sense of separation between Churchend and Charfield, and through structural landscaping, the degree of harm would be in the lower third of the 'less than substantial' harm category. St James' Church has the highest Grade I listing, so there is greater weight attached to its conservation than any other Grade of listed building. Whilst the S106 funding for repair works to the Church's fabric and enhancement to its churchyard would mitigate harm, it is not likely to entirely remove it.

6.11 Consideration has been given to other listed buildings in the vicinity of the application site, notably Manor Cottages on Churchend Lane, and the Old Rectory on Wotton Road. The potential for impacts on the setting of these buildings is commensurate with their relative seclusion and screening from the application site and significance as Grade II listed buildings and we conclude that there would be no harm to their significance arising from this development.

- 6.12 Section 14 covers paragraph 196 of the NPPF, which requires the decision-maker to weigh “the less than substantial harm” to a heritage asset against the “public benefits” of the proposal. It concludes that the public benefits are very substantial and outweigh the less than substantial harm to the setting of St James’ Church. The application of NPPF paragraph 196 does not, therefore, provide a clear reason for refusing planning permission.

Archaeology

- 6.13 A series of archaeological studies and surveys supports the current application and establishes the archaeological potential of the application site. These include desk-based studies, geophysical and lidar surveys and an extensive series of trial trenching excavations which were undertaken following consultation with SGC’s archaeologist.
- 6.14 The conclusions on archaeology remain the same as for the current application which are that:
- 1 The application site is known to contain archaeological assets comprising a Roman road and associated features and has the potential to contain archaeological assets principally relating to Roman activity and to Medieval agricultural activity.
 - 2 During the Medieval period, the application site lay within an agricultural landscape, punctuated by nucleated farmstead settlements. There is no suggestion of such settlements extending into the application site and aside from the Roman road, a moderate potential solely relating to artefactual and agricultural evidence is therefore, identified.
 - 3 The layout of the proposed development and the spine road parameters have been informed by the location of the Roman road and its associated flanking ditches so that the archaeological remains will be preserved in situ within a green corridor or within shared surface space.
 - 4 Mitigation in the form of further evaluation trial-trenching and of archaeological excavation and recording will be carried out where the identified remains do not merit preservation or where the impact from the proposed development is unavoidable. This mitigation may comprise targeted archaeological excavation and/or a watching brief.
- 6.15 The archaeological interests of the application site can be secured through a carefully worded condition attached to any planning permission. This condition would require implementation of a formally agreed and targeted archaeological investigation of those development plots not already evaluated and, should significant remains be recorded, a formally agreed mitigation strategy. The consultation response from SGC’s archaeology officer¹⁵ confirms agreement with this approach.
- 6.16 The knowledge gained from excavation, post-excavation analysis and publication, along with public dissemination of the results, will be of benefit to help understanding of the archaeological interest of Charfield. The proposal therefore complies with Policy PSP17.

¹⁵ SGC consultation response: Archaeology Officer (undated)

7.0 Landscape

Character and Appearance

- 7.1 The application site and surrounding land are not situated within areas covered by either statutory or non-statutory landscape designations. The site is not listed in the development plan as being of particular value for recreation, amenity or green infrastructure resulting in any policy protection. In policy terms it is not a “valued landscape” in the context of paragraph 170 of the NPPF. The Cotswolds AONB is situated approximately 2km to the east.
- 7.2 CS1 (High Quality Design), CS9 (Managing the Environment and Heritage) and CS34 (Rural Areas) seek to ensure that development conserves and enhances the character, quality, distinctiveness and amenity of the landscape. PSP2 (Landscape) says that development proposals will be acceptable where they conserve and where appropriate enhance the quality, distinctiveness and special character of the landscape as defined by the South Gloucestershire Landscape Character Assessment (LCA). Where development will result in harm to the landscape, for it to be permitted it must be clearly demonstrated that the benefits outweigh the harm and any landscape harm is minimised and mitigated.
- 7.3 The ES (Chapter D) contains an updated Landscape and Visual Impact Assessment which considers the existing landscape/visual context of the site and the potential implications of the amendment proposed by this application. The Landscape Framework Plan illustrates how the development could, within the parameters being tested, deliver the landscape mitigation required.
- 7.4 Charfield is located within the Area 5 Wickwar Ridge and Vale (LCA)¹⁶, which stretches from Charfield in the north to Chipping Sodbury and Old Sodbury in the south. The LCA notes that settlement is generally very limited, concentrated in one small town (Chipping Sodbury), 2 villages (Charfield and Wickwar) and scattered elsewhere. These settlements combined with ‘B’ roads and other infrastructure have a local influence on character.
- 7.5 The LCA identifies:
- The undeveloped landscape within the area as comprising a large scale undulating landscape, with the Little Avon River Valley within which the settlement of Charfield and the application site sits being of a small and medium scale.
 - The landscape as being characterised by hedgerows defining fields, trees and small areas of woodland interspersed with commons. Hedgerows provide important connectivity between woodland areas.
 - The Cotswold Scarp to the east forming a significant backcloth and providing extensive views over the wider area. Views are expansive from the edges of Churchend and Charfield.
- 7.6 The LCA identifies a landscape strategy for the area, which includes the protection of views to and from the Cotswold Scarp and management and restoration of the hedgerows and woodland network. The strategy recognises that development should respect the settlement and landscape pattern and requires sensitive treatment to integrate with and be absorbed into the wider landscape providing a robust framework of Green Infrastructure that reflects the characteristic landscape features and framework of the surrounding area.
- 7.7 On completion of the proposed development there will be a moderate adverse visual effect for those residents located closest to the application site at the northern boundary. As detailed within the DAS, this can be mitigated through the retention of a landscape buffer or

¹⁶ South Gloucestershire Landscape Character Assessment (SGLCA) (Adopted 2014)

incorporation of this space into private gardens thus increasing the distance between new and existing houses. As the proposed planting within buffers, corridors and open space matures, the visual effect will reduce for residents of these properties to minor adverse.

- 7.8 The existing PRow networks within the application site will be retained within the development as confirmed by the Access and Movement Parameter Plan. The existing routes are to be within green corridors and areas of open space that provide the routes with recreational value. Upon completion, there will be a minor/moderate adverse effect on the visual amenity of users of the PRow. Over time, this will reduce to a negligible effect resulting from increased public open space and access and the maturation of planting to soften views of the development and provide characteristic features within the landscape setting.
- 7.9 The proposed development will be seen in views from St James' Church but only from breaks in intervening vegetation such that it will not be seen 'in-the-whole'. Existing vegetation and proposed landscaping, combined with the drop in elevation (of c15 – 25 metres), will provide a physical and visual separation and beyond that, the development will only be observed as a continuation of the existing Charfield settlement edge. Furthermore, the magnitude of change will decrease as planting matures and the new development will be seen in a landscaped setting, resulting in minor adverse visual effects.
- 7.10 In elevated views from the Cotswolds Escarpment (AONB), the site will only be experienced as part of distant, expansive elevated views, and seen in context with the existing built form of Charfield. As such, there will be no adverse effects, with any changes to the views being negligible.
- 7.11 Landscape impacts can be mitigated through urban design and the implementation of a comprehensive landscaping strategy, including:
- 1 Managing retained fields to create wildflower meadows, parkland and areas for informal and formal recreation.
 - 2 Managing recreational pressures through provision of adequate green infrastructure and by protecting vulnerable landscape features.
 - 3 Active management and, where necessary, restoration of the hedgerow, tree and woodland framework.
 - 4 Ensuring the tranquillity of green infrastructure by protecting some areas from disturbance, controlling lighting to retain dark skies and avoiding the introduction of sources of noise.
 - 5 The DAS explains that the proposed development respects and integrates with the settlement pattern of Charfield and that local distinctiveness can be reflected through the use of appropriate building materials.
 - 6 The Height Parameter Plan shows that building heights will be lower on the boundaries, along the existing settlement edge and on more elevated slopes. The Density Parameter Plan shows also that lower densities will be on elevated slopes and outward facing boundaries, except for at the application site access to the north and one of the smaller development parcels to the south-east. This, alongside proposed landscaping, will soften the transition between development and the wider landscape.
- 7.12 In summary, the proposed development sits within a well-designed multi-functional green infrastructure network, which:
- 1 Retains and enhances vegetated boundary features;
 - 2 Incorporates green spaces linked by tree planting;

- 3 Embraces a wildlife and landscape friendly drainage strategy which incorporates permanent water features;
- 4 Delivers non-vehicular connectivity;
- 5 Provides spaces for play; and
- 6 Proposes new hedge and tree planting throughout the site to soften and filter the appearance of new development and provide connectivity with the wider landscape and its wildlife corridors.

7.13 Furthermore, there will be landscape benefits associated with:

- 1 Managing the unnamed watercourse and the introduction of SUDs features to enhance biodiversity and the role of waterbodies in the green infrastructure network.
- 2 The grounding of overhead power lines which will provide visual benefit within the site.
- 3 The green infrastructure enhancements which will provide benefits for wildlife and biodiversity, an education resource and opportunities for the improvement of health and well-being.

7.14 Whilst this proposal accommodates and responds to the key landscape features and provides substantial areas of new open space and transition with the landscape, inevitably a proposal for up to 525 houses will materially alter the agricultural character of the site. The proposal, therefore, results in a moderate adverse landscape effect at a site-wide scale. It is important to note that harm to landscape character will be localised, and that the mitigation measures provide a strong landscape structure and benefits arising from greater landscape management, new characteristic landscape features and associated green infrastructure and areas managed for biodiversity. These are in line with the guidance and landscape strategies identified for the area within SGC’s published LCA that supports development plan policy. The key characteristics of the LCA and settlement edge will be retained and the proposal will not conflict with CS1, CS9, CS34 or PSP2 in terms of landscape considerations.

Public Open Space Provisions

7.15 Table 2 below shows that public open space requirement meets the minimum spatial requirement defined by CS24 (Green Infrastructure, Sport and Recreation Standards) and for some typologies, requirements are exceeded.

Table 2: Public open space provision relative to policy CS24 requirements

Category of open space	Minimum spatial requirement to comply with policy CS24 (ha)	Spatial amount provided on site (ha)	+/- provision (ha)
Informal Recreational Open Space (IROS)	1.764	4.388	2.624
Natural and Semi-natural Open Space (NSN)	1.89	6.93	5.04
Outdoor Sports Facilities (OSF)	2.016	2.016	Requirement met on site
Provision for Children and Young People (PCYP)	0.315	0.315	Requirement met on site
Allotments	0.252	0.252	Requirement met on site
Total	6.237	13.901	7.664

Informal Recreational Open Space and Natural and Semi-natural Open Space

- 7.16 Given that over 11ha of green infrastructure, landscape buffers and SNCIs are proposed, there is no difficulty in achieving the 3.654ha requirement for compliance with CS24. Also, the two SNCIs will benefit from enhancement which will secure tangible improvements in qualitative terms. This is a significant public benefit noting paragraphs 170 and 175 of the NPPF.
- 7.17 That part of the application site to the west of the indicative route for the spine road is shown as retained pasture. For the purpose of this proposal, we have assumed that this area will remain 'as is' and we have not included it as part of the public open space requirement.

Provision for Children and Young People

- 7.18 CS24 defines provision for children and young people as all equipped children's play areas. Unequipped play areas are classed as informal recreational open space. The illustrative masterplan and the Landscape Framework show areas where play/trim trail equipment could be located and the illustrative masterplan also shows provision for LEAPs, NEAPs and LAPs. All age groups, are therefore, covered. The location of play facilities has been determined with reference to the Fields in Trust (FIT) recommendations, particularly with regards to the separation of facilities from dwellings.

Outdoor Sports Facilities

- 7.19 The amended scheme makes provision of 2.016ha for outdoor sports facilities. This amount of space could deliver 3 pitches (1 senior and 2 junior pitches) that comply with FIT recommendations.

Allotments and Community Orchard

- 7.20 The illustrative masterplan and the Landscape Framework show provision for allotments. The area proposed (0.252ha) meets the minimum size required to cater for the needs of the residents of the proposed development

Surface Water Infrastructure

- 7.21 Some of the surface water infrastructure sits within public open space. This presents an opportunity to create great places and maximise the desirability of properties whilst managing water better. We appreciate that there is a need to ensure that the siting of surface water infrastructure does not affect public open space usability or pose issues in terms of safety, accessibility and maintenance. The applicant is, therefore, willing to accept a condition which requires the detailed landscaping scheme to be combined and co-ordinated with a drainage and lighting plan.
- 7.22 Surface water infrastructure has not been counted towards policy compliance of public open space.

On-site Public Open Space Maintenance

- 7.23 CS24 seeks appropriate arrangements to secure the satisfactory future maintenance of any public open space and outdoor recreation facilities. There will, therefore, be a need for discussions regarding management and future maintenance with any associated costs or land transfers to be secured through planning obligations.

Summary

- 7.24 In summary, this application will provide qualitative and quantitative improvements to green infrastructure and public open space in Charfield. Residents will benefit from greater access to natural/semi natural open space, formal sports facilities and new play equipment. As such, there will be a considerable improvement in access to public open space for leisure and recreational purposes. Policy requirements are met in accordance with CS24 and for some typologies requirements are exceeded which is a significant public benefit.

8.0 Ecology and Biodiversity

- 8.1 CS9 (Managing the Environment and Heritage) seeks to conserve and enhance the natural environment, avoiding or minimising impacts on biodiversity and geodiversity. PSP19 (Wider Biodiversity) states that development resulting in significant harm to sites of value for biodiversity, which cannot be avoided or mitigated or offset, will invariably be refused. The only exception is where the importance of the development outweighs the value of the nature conservation interest. Planning applications will first be expected to avoid harm, through locating the scheme elsewhere if necessary or by retaining the features of interest securely within the scheme with suitable mitigation to avoid or minimise any harm. If this is not practical to achieve, the application will be expected to compensate for the impact of development. This approach is broadly consistent with NPPF paragraphs 170 and 175.
- 8.2 We have explained the rationale for the realignment of the spine road parameters, which now show an indicative route intersecting the Meadows SNCI. Given that the redesign is in response to SGC's consultation comments, we have assumed that there will be no objection to this approach from the Council. The spine road crosses the 'parkland', which is unavoidable but impacts can be managed through planting including the introduction of mature trees at the cross over points to mature the vegetation either side as quickly as possible. The DAS explains that the proposed layout has been informed by the existing vegetation and field boundaries, which have been maintained where possible.
- 8.3 The Extended Phase 1 Survey was updated in May 2020 and all other surveys undertaken to date remain relevant. They have identified that the application site is dominated by fields which are subject to grazing and/or arable cropping with limited field margins. These areas are of negligible ecological importance and sensitivity. There are some hedgerows, mature trees, ponds and a watercourse but, other than the retained SNCIs, the majority of the site is of limited ecological interest. However, foraging and commuting bats, badgers, numerous breeding birds, great crested newts and reptiles use the application site and there is potential for bat roosts in some trees.
- 8.4 The proposed development will result in the loss of two opportunistic bat roosts within tree group G1. A Natural England licence, will therefore, be required for clearance to be undertaken. This loss is compensated through the provision of bat boxes both on retained trees and integral to some houses. Also, key commuting and foraging corridors will be retained and bolstered by additional planting. Most habitats to be lost are of negligible ecological importance and therefore, the Landscape Framework, which incorporates large extents of wildflower grassland, scattered tree and hedgerow and tree planting will enhance the ecological importance of the on-site habitats retained within the green infrastructure.
- 8.5 The ES (Chapter E) proposes a mitigation and enhancement plan which adequately establishes the mitigation, compensation and future management necessary to address the ecological impacts of this proposal. It includes:
- 1 Improvements in the management of the SNCIs;
 - 2 Protection of trees and hedgerows supplemented with additional planting;
 - 3 The undertaking of pre-construction surveys and obtaining the relevant licences from Natural England;
 - 4 The implementation of a Construction Environment Management Plan (CEMP) to manages construction impacts;

- 5 The implementation of method statements associated with the required Natural England licenses for both badgers and Great Crested Newts ensuring the overall residual effects are no more than negligible;
 - 6 The production of a Landscape and Ecological Management Plan (LEMP), which will incorporate detailed management strategies designed to maximise the potential for biodiversity on the site;
 - 7 The introduction of extensive areas of wildflower grassland, boundary planting and allotments;
 - 8 Retention and management of existing waterbodies and provision of four additional waterbodies;
 - 9 Provision of additional commuting and foraging habitat and linear corridors with 'hop-overs' to minimise effects of fragmentation; and
 - 10 The production and implementation of a detailed lighting strategy.
- 8.6 The provision of this mitigation and enhancement can be secured by conditions or planning obligations with funding for maintenance.
- 8.7 This application responds to consultation comments from SGC's Ecological Officer¹⁷:
- 1 The spine road parameters have been realigned to prevent the isolation of the two SNCIs from the surrounding green infrastructure/open countryside. This also ensures that any great crested newts associated with pond P1 at the southern edge of the Meadow SNCI can disperse south into open countryside.
 - 2 The DAS establishes a more robust 'buffer' of new semi-natural habitat to the two SNCIs.
 - 3 The Preliminary Aboricultural Impact Assessment (AIA) and illustrative masterplan show that trees T21 (in the parkland near the spine road) and T117 (located between the sports pitches) will be retained with space for the incorporation of protection measures in line with BS 5837:2012 (trees in relation to design, demolition and construction). Details of required protection measures are outlined in the Preliminary AIA and will be referenced within any CEMP to be secured by condition.
 - 4 The amended scheme retains more terrestrial habitat and shows more of a direct buffer link between the three ponds. The new and retained ponds are also shown more clearly on Parameters Plans.
 - 5 Consideration will need to be given to lighting in the context of potential bat roosts and a lighting strategy can be secured by condition.
 - 6 Whilst the ES identifies the potential for slow worms to be present on-site, suitable habitat is minimal. Furthermore, the masterplan shows that more suitably managed habitat will be introduced by this proposal. We will discuss with SGC whether there is a need for further work and how that can be achieved in the context of an outline planning application.
- 8.8 The overall conclusion is that the approach to ecology and nature conservation is such that there will be no overall harm to wildlife. This proposal is therefore, in compliance with CS9, PSP19 and the NPPF. In particular, the LEMP provides scope for qualitative improvements to the SNCIs and the potential to secure net biodiversity gain. This is an important benefit in the context of emerging policy and legislation on Biodiversity Net Gain (BNG) and we will discuss with SGC whether there is a need to undertake a BNG assessment.

¹⁷ Consultee Response: SGC Ecological Officer (2 May 2019)

Arboriculture

- 8.9 PSP2 (Landscape) and PSP3 (Trees and Woodland) require development to conserve and where appropriate, enhance the quality, amenity and distinctiveness of the landscape, in part through the retention of landscape features such as trees, hedgerows and woodland. This is broadly in accordance with NPPF paragraph 170 which places great importance on conservation of the natural environment including trees and woodland.
- 8.10 The Preliminary AIA has been updated to reflect the amended scheme. It identifies 131 individual trees, 69 groups of trees and 35 hedgerows within the site and their distribution is illustrated on the Tree Constraints Plan.
- 8.11 Mature hedgerows are present around most of the field boundaries. Several larger oaks and a section of mixed woodland to the south of the site are identified as being of high quality and value (Category A). Moderate quality (Category B) groups of trees are located across the site, particularly as cohesive tree lines that define some of the field boundaries. Individual Category B trees generally occur as prominent but unremarkable standalone trees. The remaining trees are classified as Category C or Category U trees, which offer limited or transient benefits or which are in such a condition that they cannot realistically be retained as living trees in the existing context.
- 8.12 Some loss of trees and hedgerows is inevitable, but the illustrative masterplan has been designed to retain existing substantive vegetation where possible with the loss of hedgerows limited to short sections. The revised spine road parameters also safeguard the moderate to high value trees.
- 8.13 The Preliminary AIA predicts the likely development impacts in response to the illustrative masterplan. It confirms that likely tree loss is relatively low:
- 16 Category B trees in Group G1 and some of the Category C roadside stock in Group G44 (to accommodate the proposed site accesses).
 - 12 Category C trees and short sections of 3 Category C Groups (G3, G57 and G60) to accommodate the proposed layout.
- 8.14 Mitigation is proposed through new boundary and internal tree planting which will be throughout the application site in areas of open space, incidental landscaping/street trees and private gardens. The expectation is that post-development, and once the landscaping has matured, there will be an increase in the tree canopy cover across the application site. The proposed development is therefore, considered to meet the objectives of PPS2, PPS3 and the NPPF in respect of arboriculture.

9.0 **Transport, Access and Highways**

- 9.1 The NPPF recognises that effective transport policies underpin sustainable development and contribute to wider sustainability and health objectives. In particular, paragraph 103 states that significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. It also states that opportunities to maximise sustainable transport solutions will vary between urban and rural areas, and this should be taken into account in both plan-making and decision-making.
- 9.2 CS8 (Improving Accessibility) and PSP11 (Transport Impact Management) promote sustainable travel. Between them these policies provide a number of criteria which development must address, including:
- Providing safe, accessible and convenient access for all transport modes.
 - Ensuring traffic generation does not have an unacceptable impact on highway safety.
 - Ensuring new development is located within close proximity to existing and proposed public transport infrastructure.
 - Ensuring that sustainable modes of transport are encouraged.
- 9.3 A key issue that these policies do not reflect is paragraph 109 of the NPPF, which states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.
- 9.4 The Transport Assessment Addendum (TAA) updated the previous TA and assesses the likely effects of the amended proposal in transport terms. It is supported by an Addendum Framework Travel Plan (FTP).

Traffic Impact

- 9.5 Two vehicular accesses are proposed:
- Onto the B4058 Wotton Road to the north.
 - Onto Little Bristol Lane to the east
- 9.6 Both accesses will accommodate buses if needed and also provide safe pedestrian/cycle access into the site. The TAA explains that they have sufficient capacity to accommodate the proposed development as well as background growth, committed developments and potential emerging developments.
- 9.7 The TAA explains that the proposed development is anticipated to generate a maximum of 416 two way vehicular trips in the AM Peak period and 450 two way vehicular trips in the PM Peak period. At the same time, the proposal is likely to result in a reduction in existing trips because:
- 1 The existing primary school is at capacity. The future development of a 3FE primary school will provide capacity across the whole of Charfield, meaning that children will not need to travel outside of the village to the Tortworth Primary School or other local schools.
 - 2 Provision of a new neighbourhood centre will mean that existing residents no longer need to travel to Wotton or other villages for some local services and facilities.
 - 3 Provision of employment opportunities and the increased trend towards home-working, will allow a proportion of residents to work much closer to home or at home.

- 4 Provision of a new enhanced bus service between Charfield and Bristol, means that public transport will become more attractive for some longer trips (for commuting, retail and leisure purposes).

9.8 Despite this, and for robustness, the TAA does not make any reductions to the maximum anticipated vehicle trip generation figures.

Junction Capacity

9.9 It is expected that the majority of traffic will use Wotton Road to access/egress the site once the full development is completed (up to 70% depending on movement and time period) with up to 30% accessing/egressing via Little Bristol Lane. The majority of vehicle trips will therefore, not travel through the village itself.

9.10 Junction capacity assessments have been undertaken for six key junctions, including the two proposed accesses. The results show that the site access onto Wotton Road, the site access onto Little Bristol Lane and the junction of Wotton Road and Little Bristol Lane can all accommodate the anticipated development traffic as well as background growth, committed developments and potential emerging developments. Churchend Roundabout, the junction of Wotton Road and the B4509, as well as the Downs/ Station Road/ High Street Priority Junction will be impacted by the proposed development. Suitable improvements works are therefore, proposed (either directly or through financial contributions) which will result in the residual impacts not being severe.

9.11 M5 Junction 14 will require works to improve capacity and safety if the proposed development, other committed schemes and planned development in Stroud comes forward. The scope of these works has not yet been agreed and the applicant will continue to engage with SGC, Highways England (HE) and other stakeholders to agree a way forward. In the meantime, we note that:

- 1 This development can make a proportional contribution towards the delivery of any Junction improvement scheme.
- 2 An 'interim scheme' has been proposed which provides adequate and deliverable mitigation for the anticipated traffic and highways impacts arising from this development (as well as committed developments and emerging developments).
- 3 As such, the proposed development will not have a severe impact on the operation of the Junction, provided that suitable mitigation measures proportionate to the proposed development are provided (and the applicant is proposing a financial contribution which is fairly and reasonably related in scale and kind to the development).
- 4 A Grampian condition can lawfully be imposed, restricting the occupation of an agreed number of units (possibly up to 300 units or the first phase of the development) until an acceptable scheme of improvement works to address capacity constraints at the Junction is delivered.
- 5 PPG advises that a Grampian condition prohibiting development until off-site infrastructure has been provided should only be resisted if there is "no prospect at all" of the action in question being performed within the time limit imposed by the condition.
- 6 Also, in *Bellway Homes Limited v Secretary of State for Communities and Local Government, Cheshire East Council* [2015] EWHC 4263 (Admin), the Court held that an Inspector must consider under the PPG both whether a Grampian condition is capable of being fulfilled and whether, as a matter of discretion, there were nonetheless sound

planning reasons for imposing such a condition:

“In the final analysis there was little if any dispute between the parties on the law. The real question for me is this: did the Inspector reject the Grampian Condition simply because she felt it was not capable of fulfilment?”

...

31. A decision maker, taking account of the PPG, might well start by deciding if it is possible to fulfil the proposed condition. It seems to me it does not matter if the question is asked at the beginning of the decision making process or at the end of it. The important point is that the decision must be made.

32. A fair reading of paragraph 17 of the decision letter in my judgment shows that the Inspector accepted that it was possible to design and put in place a mitigating scheme of speed reduction works. I read the paragraph as the Inspector's decision on this fundamental PPG point.

33. Once it is established that the condition is one that might possibly be fulfilled the Inspector, in my judgment, goes on to deal with the discretion she clearly has...”

- 7 Moreover, there is precedent for HE agreeing to a similar approach in at least one other contemporaneous appeal, which was subsequently granted subject to such a condition by the Inspector.¹⁸
- 8 Bloor Homes has submitted a hybrid application for up to 250 units and this forms part of the sensitivity text that has been undertaken. However, even taking into account the 250 dwellings proposed, this will still fall within the parameters of the 950 unit scheme in the current application, and on the basis of which HE originally assessed the interim scheme.
- 9 HE has expressed the view that CPO powers could be used if required to deliver a junction improvement scheme and that this will not impact overall delivery although it will of course impact timescales and costs. This suggests that HE, at least, is not of the view that there is no prospect whatsoever of an improvement scheme being deliverable.

- 9.12 We are confident that the proposed interim scheme provides adequate and deliverable mitigation for the anticipated traffic and highways impacts including on Junction 14. As such, we conclude that the proposed development will not have an unacceptable highway safety or severe impact on the operation of any junction, provided that suitable mitigation measures that fairly and reasonably relate to the proposed development are provided.

Developing Sustainable Transport Options

- 9.13 The location of the site provides an opportunity to make the best possible use of the existing transport provision, and to contribute towards and implement sustainable infrastructure. The number of houses proposed is such that the development will ensure the viability of services, making sustainable transport a positive option for existing and future residents.
- 9.14 There are existing bus stops within walking distance of the site, with regular, albeit infrequent, services to key destinations. There are also opportunities to improve the existing bus service provision to make it more reliable, frequent and direct to encourage the future uptake of this mode of travel. Extensive discussions have, therefore, been undertaken with national bus operators, including Stagecoach Buses, to explore the potential opportunity to provide a new bus service for Charfield and additional stops along the spine road within the development site.

¹⁸ Land west of Barton Hill Drive, Minster-on-sea, Kent ME12 3LZ (Appeal ref: APP/V2255/W/19/3238171).

Based on these discussions, the TAA concludes that the number of houses generated by this development, combined with existing demand in the area, will make a new service to the northern fringe of Bristol viable. An improved bus service in Charfield will help to implement a modal shift away from the private car, which will reduce traffic through the village.

- 9.15 Plans for re-opening Charfield railway station have continued to move forward since the current application was submitted. WECA has made it clear that it is supporting SGC in the development of proposals for a new railway station and has pledged almost £1m to develop the full business case. The minutes of the 19 June WECA Committee and West of England Joint Committee confirm that a feasibility report is due at the end of July 2020, with the outline business case to be presented in December 2020.
- 9.16 This application will support the business case because it will provide a critical mass of patronage and can make funding contributions (as part of wider contributions to a strategic infrastructure package should SGC decide that funding be allocated to station reopening). However, achieving sustainable development at Charfield is not contingent on the railway strategy, and the TAA and FTP explain that a robust sustainable transport strategy can be developed, which focuses on improving access to better bus service alongside local pedestrian and cycling enhancements.
- 9.17 The proposal provides a suite of complementary employment, retail and community uses, to be connected by a network of foot and cycle links, which will help Charfield meet its own needs and reducing the need for trips outside of the village. It also aims to ensure that the development will provide existing and future residents with an attractive, walkable neighbourhood, with good foot and cycle links to facilities such as the school site and the neighbourhood centre.
- 9.18 The illustrative masterplan shows an indicative internal road network designed in accordance with Manual for Streets (MfS) requirements to facilitate the manoeuvrability and navigation of buses, refuse vehicles and emergency service vehicles throughout the development. It is based on 'walkable neighbourhoods' and 'safe routes to school' with high quality, safe and direct walking, cycling and public transport routes.
- 9.19 The development maximises connectivity with the existing settlement to ensure that existing residents will have good access to the facilities proposed within this scheme, whilst future residents will be able to access existing and proposed facilities within the village. In this respect, pedestrian and cycle links have will be addressed through a range of measures, including:
- 1 A 3m wide shared footway/cycleway will be provided on the northern side of the spine road with a 2m wide shared footway/cycleway on the southern side (with the exception of where it crosses the 'parkland');
 - 2 A new 3m wide footway along the southern side of Wotton Road for an approximately 70m section between the proposed site access and the Pear Tree Inn public house (there is currently no footpath in this location);
 - 3 The introduction of a pedestrian refuge island to link up to the existing footway outside the primary school, beyond which there is a controlled crossing point;
 - 4 Contribution towards the implementation of a traffic calming scheme through the village;
 - 5 Retention and improvement of existing ProWs ensuring that historic pedestrian links between Charfield and Churchend, and to the wider PRow network remain;
 - 6 The existing PRow linking Woodlands Road provides access to the east of the village and a direct route to the neighbourhood centre, school site and other facilities within the application site and

- 7 The illustrative masterplan shows that various routes could form part of the Wotton-Kingswood-Charfield Greenway (as referenced in the emerging NP), which will further encourage the uptake of sustainable modes of travel to and from key service centres. There is also potential for a financial contribution towards the Greenway as part of the sustainable transport package.

Mitigation Measures

- 9.20 The TAA explains that the proposed development will incorporate a number of mitigation measures, including:
- 1 Footway improvements and a new pedestrian refuge island on Wotton Road;
 - 2 Contribution towards the implementation of a traffic calming scheme through the village;
 - 3 Improvement mitigation scheme at the Churchend Roundabout to the west of the site;
 - 4 Contribution towards improvements at The Downs/ High Street/ Station Road junction in Wickwar;
 - 5 Contribution to new or enhanced bus service connecting Charfield with adjacent settlements and Bristol;
 - 6 Comprehensive Travel Plan and associated measures;
 - 7 Part provision of, or contribution towards, a Greenway Route and PRoW improvements;
 - 8 Contribution towards mitigation measures or a wider intervention scheme at the M5 Junction 14; and
 - 9 Wider section 106 obligations for sustainable transport contributions.
- 9.21 Each mitigation proposal has been discussed with relevant stakeholders, including SGC, HE and Stagecoach. They are considered realistic and robust mitigation proposals which offer improvements to future and existing residents.

Construction Traffic

- 9.22 The proposed construction access routes and times of operation will be agreed through the CEMP, which can be secured by condition attached to the grant of any planning permission. It is expected that vehicles will be routed out of the site onto Wotton Road and then travel west to M5 Junction 14, without travelling through the centre of the village. The proposed routing strategy will be agreed with SGC prior to the start of any construction works and with a view to minimising disruption to the road and pedestrian network.
- 9.23 Positive action will be taken to reduce the number of heavy construction vehicles entering and exiting the site, including for example:
- ‘Backloading’ vehicle operations, whereby site delivery vehicles are also utilised to remove waste materials from the site.
 - Practical re-use of any aggregates on site and recycling of material.

Summary

- 9.24 The overall conclusion is that this application makes provision for a suitable package of highway mitigation works and improvements that will enhance the existing transport offering in Charfield. It will also ensure safe access, egress and movement within the site, ensure permeability and promote sustainable transport. We, therefore, conclude that the proposal

complies with relevant development plan policies in respect of transport and movement and is in accordance with NPPF objectives.

10.0 **Amenity and Health Impacts**

- 10.1 CS1 (High Quality Design) and PSP8 (Residential Amenity) state that development must not result in an unacceptable impact on the residential amenity of occupiers of the proposal or nearby properties by way of loss of privacy, dominant impact, loss of light, noise disturbance or odours, fumes or vibration.
- 10.2 The illustrative masterplan shown potential for a landscape buffer along the northern boundary (adjacent to existing properties in the village) but this could be incorporated into long rear gardens of new properties and still serve to prevent overlooking/protect privacy. SGC's preference is for long rear gardens.
- 10.3 The landscape/garden buffer allows for:
- A 15m (minimum) buffer between existing and proposed residential areas, which may contain shrubs, tree planting and fencing but not ancillary buildings or SuDS.
 - A 10m buffer between the school site and existing residential areas, which may contain SuDS and landscaping, and which could lie within the school boundary (but does not form part of the 2.7ha required site area).
 - A 15m buffer between the sports pitches and existing residential areas, which may contain SuDS and over run areas associated with the pitches.

Noise

- 10.4 The Environmental Noise Assessment has been updated to establish:
- 1 The likely effects on the development from noise from Wotton Road/Little Bristol Lane and noise and vibration from the railway line to the east; and
 - 2 The likely effect of noise from the development.
- 10.5 The assessment factors in the results from surveys of noise levels on Wotton Road (approx. 20m from the carriageway) and Little Bristol Lane (approximately 15 m from the railway line) as well as topography, traffic data and predicted noise levels from trains, to model noise contours. It shows that noise levels across the site are "low" such that there is no need to for the proposal to include any special design considerations as mitigation.
- 10.6 Noise emissions from the new neighbourhood centre (for example, from commercial deliveries or plant and extraction equipment), can be controlled by planning conditions as necessary (for example, to restrict hours of operation or delivery). These are likely to be operations of low intensity and would likely only occur during the day.
- 10.7 The final location and layout of the school site has not yet been determined. A 'worst case' scenario has, therefore, been tested whereby the playing field is located adjacent to the boundary (next to the rear gardens of neighbouring properties) and the likely noise emitted from a football game is modelled. The model shows that although activity on the playing field will likely be intermittent (during breaks and sporting events), mitigation may be required to ensure that neighbouring properties do not experience adverse noise impacts. This could be landscaping or acoustic fencing, with the details to be determined at the reserved matters stage. The same approach to mitigation will be applied to the sports pitches. With such measures in place, noise will be reduced to an acceptable level.
- 10.8 The Environmental Noise Assessment has also tested for the potential impacts of vibration from passing trains on future residents. It confirms that levels are low, such that there is unlikely to be any adverse impact and no need for design mitigation.

Air Quality

- 10.9 The Air Quality Assessment has been updated. It explains that during construction, there is potential for air quality impacts arising from dust emissions from earthworks, construction and vehicular movements. However, impacts can be mitigated through the CEMP.
- 10.10 Potential impacts following completion of the development are linked to road traffic exhaust emissions associated with vehicles travelling to and from the site. An assessment has therefore, been undertaken using dispersion modelling to quantify NO₂ (nitrogen dioxide) and PM₁₀ (particulate matter with an aerodynamic diameter less than 10µm) concentrations both within the application site and beyond the boundary. The results indicate that impacts on annual mean NO₂ and PM₁₀ concentrations as a result of traffic generated by the development are negligible.

Health Impact Assessment

- 10.11 The NPPF emphasises the importance of strong, vibrant and healthy communities. PSP9 (Health Impact Assessments) states that all new development proposals should provide an environment that promotes health and wellbeing, addresses adverse health impacts and reduces health inequalities. The Health Impact Assessment (HIA) has been updated to assess the likely effects of the proposed development on various health and wellbeing indicators.
- 10.12 Development of a greenfield site will naturally introduce beneficial and adverse effects on health and wellbeing to varying degrees of significance but overall, and with appropriate mitigation in place, the HIA concludes that this proposal will result in beneficial effects for future residents/users and existing residents. Notably, the proposed access to open space/nature and improvement to accessibility/active travel choices will result in major beneficial effects. Other beneficial effects are linked to inter alia:
- 1 The provision of housing, which will address an acute need and other requirements such as the needs of older people, disabled people and providing affordable homes.
 - 2 The potential to accommodate healthcare uses and other social infrastructure in the neighbourhood centre.
 - 3 Access to healthy foods given the inclusion of allotments and the potential to accommodate food retail in the neighbourhood centre.
 - 4 Local employment and training opportunities during construction and in the neighbourhood centre, at the primary school and potentially as part of any scheme for housing suitable for the elderly.
 - 5 Social cohesions and inclusive design given that commercial, retail and community facilities will be accessible to existing and future residents and the development will be well integrated with the existing community.
 - 6 Climate change given positive outcomes for flood risk/drainage, the potential for biodiversity net gain and through detailed design.
- 10.13 There is potential for some adverse effects during construction, but they will be short-term and temporary. Furthermore, these effects can be mitigated and managed through the CEMP, the requirement for which can be secured by condition attached to the grant of any planning permission.
- 10.14 We, therefore, conclude that the proposed development has the potential to promote health and wellbeing and the scheme is therefore considered to be compliant with policy PSP9.

11.0 **Flood Risk, Ground Condition and Utilities**

Flood Risk

- 11.1 Para 155 of the NPPF states inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk. Where development is proposed in areas at risk of flooding (flood zone 2 or 3), local planning authorities should apply the 'sequential test'. If the sequential test shows that it isn't possible to use an alternative site, there may be a need to do another test called the 'exception test'. Paragraph 163 of the NPPF states that when determining planning applications, local planning authorities should ensure flood risk is not increased elsewhere.
- 11.2 Policies CS5 (Location of Development) and PSP20 (Flood Risk, Surface Water and Watercourse Management) require all development proposals to follow the sequential approach. Policy PSP20 states that proposals must incorporate SuDS.
- 11.3 The Little Avon River is located approximately 0.4km to the east and an unnamed watercourse flows in a north/ north-easterly direction through the application site. The Flood Risk and Drainage Assessment (FRA) has been updated to reflect the amended scheme. It confirms that:
- 1 The Environment Agency (EA) does not hold any historical records of flooding at the site.
 - 2 The EA Flood Map for Planning shows that the site is situated within Flood Zone 1. Development, therefore meets the requirements of the sequential test and the exception test need not be applied, although proposals should still meet the requirements for site specific flood risk assessments.
- 11.4 The Hydraulic Modelling Study has been updated and establishes that the majority of the site would not be expected to flood. However, some areas adjacent to the unnamed watercourse could flood during the 1 in 100 and 1 in 1000 annual exceedance probability event and when taking account of climate change. As such, no development is proposed in these areas.
- 11.5 The site is not at risk of flooding from reservoirs, canals or other artificial sources, however, there may be some susceptibility to groundwater and surface water flooding at the site.
- 11.6 The following mitigation measures are, therefore, proposed:
- 1 All built development is outside the 1 in 1000 annual probability flood extent of the unnamed watercourse;
 - 2 In accordance with Building Regulations Approved Document C, finished floor levels will be set at a minimum of 0.15m above adjacent ground levels following reprofiling of the site;
 - 3 The vehicular access proposed across the unnamed watercourse will be set above the corresponding 1 in 1000 annual probability flood level and a suitably designed culvert will be incorporated to facilitate the crossing;
 - 4 Landscaped areas will be provided along both banks of the unnamed watercourse ensuring that this continues to provide floodwater storage (as per the existing situation); and
 - 5 A minimum 10m undeveloped buffer has been provided from the top of the bank of the unnamed watercourse.
- 11.7 The proposal is not expected to adversely impact flood risk elsewhere, with overall betterment downstream due to the creation of additional floodwater storage south of the spine road crossing the unnamed watercourse (as shown indicatively on the illustrative masterplan). Dry access and egress to the application site may be provided via Wotton Road and Little Bristol Lane in up to a 1 in 1000 annual probability event.

- 11.8 It is proposed to direct all runoff from the developed site to the unnamed watercourse and attenuate surface water within each drainage catchment area using above ground facilities (e.g. detention basins, swales). The proposal provides the opportunity for the inclusion of SuDS, ensuring that there will be no increase in surface water runoff from the proposed development. The accompanying FRA, therefore, provides a holistic approach to surface water drainage in accordance with and satisfying the requirements of the NPPF.
- 11.9 Wessex Water has advised that there is sufficient capacity within the Wastewater Treatment Works to accept and treat foul flows from the proposed development. They have also confirmed a point of connection to the existing public foul sewer in Charfield Green for an initial phase of housing. However, reinforcement of the foul sewer network will be required to provide the additional capacity required for the remainder of the proposed development. The off-site reinforcement works that have been identified will be delivered by Wessex Water within a reasonable timescale.

Ground Conditions

- 11.10 PSP21 (Environmental Pollution and Impacts) states that development proposals must clearly demonstrate that development is sited and designed to prevent unacceptable risks of exposure to contaminated land or land instability.
- 11.11 The preliminary Phase 1 desk based Geo-environmental study submitted with the current application assesses the suitability of the site for the proposed development in relation to:
- 1 Past and current uses of the site and its surrounding area;
 - 2 Environmental setting including geology, mining, hydrogeology and hydrology;
 - 3 Potential contamination sources, pathways and receptors as part of a preliminary conceptual model;
 - 4 Potential stability and contamination constraints and liabilities that may arise in connection with the current land use of the site; and
 - 5 Requirement or otherwise for future studies including potential intrusive site investigation prior to any future development.
- 11.12 The study shows that the application site is suitable for the proposed development. There are potential pollution linkages/geotechnical risks linked to the presence of unknown material used for backfill and historic quarrying activity. This may require further investigation but only in localised areas towards the western boundary (close to Churchend Lane) where no built development is proposed. No other former land uses have been identified on site that are likely to be prohibitive to the development. On the basis of the assessment, the site has a 'low' liability risk associated with ground stability and geotechnical risks.

Utilities

- 11.13 The Utilities Statement submitted with the current application provides an overview of the existing utility assets located within/ adjacent to the site, the service demand of the larger development and the works required to meet the future demands of that proposal. The conclusions remain relevant to this amended scheme and demonstrate the viability of delivering all traditional utility services including electricity, gas, telecommunications, water and foul water infrastructure. Existing electricity lines across the site will be undergrounded to accommodate the development.

12.0 **Sustainability and Energy**

- 12.1 The principle of delivering sustainable development and the low-carbon economy is now well enshrined within a wide range of UK statues, strategies and polices and has most recently been set out within the Government's 'A Green Future: Our 25 Year Plan to Improve the Environment'.
- 12.2 The NPPF and the development plan set out a presumption in favour of sustainable development. Achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways:
- an economic objective – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;
 - a social objective – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and
 - an environmental objective – to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.
- 12.3 The UK has passed laws to bring all greenhouse gas emissions to net zero by 2050. SGC has declared a Climate Emergency with a pledge to enable South Gloucestershire to become carbon neutral by 2030. In addition, SGC has pledged for the area to transition to 100% locally based renewable energy by 2050.
- 12.4 Indicators for sustainable development and the climate emergency cut across a range of issues but the focus is on reducing carbon emissions and improving outcomes/delivering benefits for the economy, the environment and for people. Because this application is submitted in outline, it is not possible to provide a firm commitment on matters related to detailed design (e.g. the number and location of electric vehicle charging points). There is also a need for flexibility so that detailed design can adapt to any future changes in policy/ standards and technology over the lifetime of the development. That said, this planning application shows a clear commitment to sustainable development and addressing the climate emergency. The Sustainability Statement also explains how this proposal responds to relevant development plan policies.

Reducing Carbon Emissions

- 12.5 Policy CS3 (Renewable and Low Carbon Energy Generation) and PSP6 (On Site Renewable and Low Carbon Energy) require all new developments to consider the provision of renewable energy within scheme design. Parts 1 and 2 of PSP6 further require all development proposals to minimise end-user energy requirements over and above Part L1 and L2 of the Building Regulations 2013. For major greenfield residential development, PSP6 has an additional requirement to reduce CO₂ emissions of the dwellings by at least 20% via the use of renewable and/or low carbon energy generation sources on or near the site.
- 12.6 The Sustainability Assessment considers the likely energy use for the proposed development. Whilst this cannot be an exact calculation at this stage (because dwelling mix and detailed

design is not fixed), it provides an indicative strategy for compliance with PSP6. Further assessments will need to be undertaken at the reserved matters stage. It shows that:

- 1 The total indicative CO₂ emissions figure for the whole development is 1,291 tonnes.CO₂.annum.
- 2 In the first instance, the total indicative CO₂ emissions figure can be reduced through fabric design i.e. ensuring that buildings use less energy by improving u-values, air-tightness and lighting efficiency amongst others. This could achieve a 7.67% reduction in total indicative CO₂ emissions.
- 3 The next step is to introduce low-carbon/renewable technology. The Sustainability Assessment explains that the renewable systems deemed to be the most viable for this proposal are:
 - a Individual Air-Source Heat Pumps (ASHPs) providing efficient space and water heating to each dwelling alongside heating and cooling to non-domestic uses; and
 - b Solar photovoltaics (PVs) on the roofs of houses.
- 4 Following the application of renewable technologies, the development could achieve a further 36% reduction in total indicative CO₂ emissions over the step 2 emissions in line with PSP6, which requires at least a 20% reduction.
- 5 As such, the developments overall is expected to achieve a total indicative CO₂ reduction of c41.13%.

12.7 At this stage it is therefore, considered feasible to deliver the carbon emission reductions in accordance with PSP6. Conditions could be attached to any planning permission that require savings in energy and carbon to be delivered through reserved matters in accordance with policy.

12.8 CS1 encourages commercial/retail development to achieve a BREEAM Very Good rating and this will need to be considered for the neighbourhood centre in the context of occupier requirements and any phasing for delivery.

12.9 Code for Sustainable Homes was removed in 2015 but Building Regulations continue to provide statutory requirements in terms of sustainable construction. Reserved matters will ensure that the design, orientation and location of buildings, roof pitches, windows, habitable rooms, lighting and soft landscaping help to achieve energy conservation, the protection of environmental resources and assist in the appropriate siting of renewable and/or low carbon energy installations and infrastructure.

Improving Outcomes and Delivering Benefits

12.10 The documents that accompany this application explain that there is real potential to deliver a broad range of benefits. The headlines are that:

- 1 Section 5 explains that Charfield is a sustainable location for growth and the mix of uses proposed by this application will further improve the village's sustainability credentials. Housing development and the delivery of a broad housing mix, including affordable housing, will achieve significant social benefits. Notably, it will provide young people with an opportunity to access the housing market and allow existing residents to address changing circumstances without having to leave the community.
- 2 The DAS and the illustrative masterplan show that the extent of development and the disposition of proposed uses is appropriate to the residential nature of the surrounding area and its heritage context and that the development will integrate well with the village. The

community/ commercial/retail facilities and the school site will be readily accessible on foot/by bike for existing and future Charfield residents.

- 3 Section 7 of this PS, the DAS and the Landscape Framework Plan show that the proposed development is set within a strong green infrastructure network which incorporates a broad range of open space typologies, including formal play areas, sports pitches, natural/semi natural open space and a “wellness trail” incorporating outdoor gym equipment. Provision meets the needs of all age ranges and in some cases exceeds policy requirements. The HIA explains that the proposed access to open space/nature will result in major beneficial effects for health and wellbeing. The SNCIs also have the potential to provide an educational resource and allotments/gardens will enable residents to produce their own food thus helping to reduce the carbon footprint of food production. The provision of substantial areas of green infrastructure will also benefit existing residents such that there will be wider social benefits.
- 4 Section 8 of this PS and Chapter E of the ES also explain that there will be environmental benefits linked to qualitative improvements to the SNCIs with additional tree/hedgerow/wildflower meadow planting that will provide potential for biodiversity net gain. SuDS are also proposed, and the unnamed watercourse running through the site will be retained and managed.
- 5 Green and blue infrastructure is therefore, a significant feature of this proposal and reserved matters can ensure that bioclimatic (interior-exterior-outdoor) and other design principles (e.g. related to the use of landscaping to provide shading, shelter and screening) are carried forward to the detailed design.
- 6 To ensure the protection of important ecological features and wildlife, developers will be required to manage construction works through the provision of a CEMP. A LEMP will also be required which will incorporate detailed management strategies designed to maximise the potential for biodiversity on the site. Both can be secured by condition on the grant of any planning permission.
- 7 Section 9 and the TAA explains that a sustainable transport package is being developed which will improve accessibility to bus services, enhance the business case for reopening Charfield railway station and improve opportunities for walking and cycling. Existing PRoW will be preserved and new pedestrian/cycle pathways will be incorporated into the proposed development providing good access to and permeability through the site. The Addendum Travel Plan targets a modal shift away from single occupancy car use by providing better opportunities to access travel by bus, rail, cycle on-foot and car sharing. The provision of electric vehicle charging sockets will be determined at the reserved matters stage. The HIA explains that improvement to accessibility/active travel choices will result in major beneficial effects for health and wellbeing. There will also be social benefits arising from contributions towards sustainable transport which will significantly improve the connectivity of the village, both internally and to other locations. Furthermore, the proposed highways improvements will not give rise to severe traffic impacts and will result in improvements to road safety.
- 8 There will be economic benefits linked to capital investment, expenditure by residents, construction jobs, business rates, new homes bonus, Council Tax revenue and employment in the neighbourhood centre, at the homes suitable for the elderly and potentially in the new primary school.
- 9 Section 6 explains that Section 106 funding towards restoration works at St James’ Church and churchyard will help ensure its long-term future. Archaeological interests at the site will be secured and the knowledge gained from excavation, post-excavation analysis and

publication, along with public dissemination of the results, will be of benefit to help understanding of the archaeological interest of Charfield.

- 10 The FRA explains that the proposed development will manage discharging of surface waters in a sustainable way to reduce the risk of flooding and pollution within the river catchment and will additionally provide environmental, biodiversity, landscape and amenity enhancements. A potable water management strategy could be developed at the reserved matters stage in line with the requirements set out in CS1 which could include potential to use harvested rainwater and greywater within the development.
- 11 A Resource Management Plan and Site Waste Management Plan could be conditioned with the aim of retaining and re-using soil on site, producing less than 3.2 tonnes of waste per 100 m2 of development and achieving >95% diversion of waste from landfill in line with BREEAM recommendations. Operational waste from houses will be managed by the local authority but the expectation is that each new house will be provided with an appropriate level of waste storage.

12.11 Across a range of indicators, this proposal is therefore, regarded as sustainable and it will make a valid contribution to addressing the climate emergency.

13.0 **Affordable Housing Statement, CIL & Heads of Terms**

13.1 This application will give rise to infrastructure requirements beyond those that currently exist within the village. Many of these requirements will be met through the delivery and detailed design of the illustrative masterplan. However, other requirements will need to be secured through planning obligations. Any planning permissions, including reserved matters, will also be subject to planning conditions which will secure further requirements relating to the development.

13.2 The scope and requirement for planning conditions and obligations will be discussed with SGC during the determination of the application.

National Policy Background

13.3 Planning obligations must meet the statutory tests set out in the CIL Regulations 2010 (as amended) and as reiterated at paragraph 56 of the NPPF:

- 1 Be necessary to make the development acceptable in planning terms;
- 2 Be directly related to the development; and
- 3 Be fairly and reasonably related in scale and kind to the development.

13.4 The Government is clear that obligations must be fully justified and evidenced.

Local Policy Background

13.5 There are no up to date development plan policies that set out the contributions expected from this development. SGC does not have an Infrastructure Delivery Plan. As per NPPF paragraph 57 and depending on the scope of planning obligations requested by SGC, there may therefore, be a need to consider whether viability assessment is required.

13.6 That aside, we note that:

- 1 CS23 (Community Infrastructure and Cultural Activity) sets out the Council's intention to collect contributions towards additional, extended or enhanced community and cultural infrastructure where new development would generate a need for such facilities.
- 2 CS18 (Affordable Housing) targets 35% on-site affordable housing, which this scheme will provide subject to any necessary assessment of viability.
- 3 CS18 goes on to state that a range of housing provision will be sought, with the aim of achieving mixed and balanced communities. The housing mix for this site will be agreed through the determination of this application.

13.7 The Community Infrastructure Levy (CIL) & Section 106 Planning Obligations Guide SPD provides a guide for developers, stakeholders and local communities regarding the basis on which CIL & S106 contributions will be sought and how they will be administered. It accepts that there may be occasions where development proposals are unable to meet all the relevant policy requirements and still remain viable.

Community Infrastructure Levy

13.8 SGC commenced CIL charges in August 2015. The application site is not a 'Strategic Site' or identified as one of the communities of the North & East Fringe of Bristol. It is not located within a 'Prime Location'.

13.9 As such, the following charges apply:

- 1 £80 per square metre of gross internal floorspace will be applied to open market residential development.
- 2 £0 per square metre will be applied to Residential Care Homes/ Extra Care facilities/ sheltered retirement homes, as well as: use classes B1a, B1c, B2 and B8.
- 3 £120 per square metre of gross internal floorspace will be applied to retail uses (use classes A1-A5).
- 4 £10 per square metre of gross internal floorspace will be applied to D1 uses.

Heads of Terms

13.10 Having regard to the guidance contained within the Community Infrastructure Levy (CIL) & Section 106 Planning Obligations Guide SPD, and the likely impacts arising from the proposed development, we consider that there will be a need for planning obligations covering:

- 1 Affordable housing.
- 2 The school site.
- 3 Contribution towards a strategic transport package (including sustainable transport, works at M5 Junction 14 and local highways improvements).
- 4 Public open space and landscaping.
- 5 Contribution towards heritage works at St James Church.

13.11 As far as possible, necessary infrastructure will be sought on-site as an integral part of the development scheme. If there is any residual requirement for obligations to mitigate the impact of development, we will discuss with officers the appropriate form of these.

14.0 **Planning Balance and Overall Conclusion**

- 14.1 Section 38(6) of the 2004 Act determines that a planning application should be determined in accordance with the relevant policies of the development plan unless material considerations indicate otherwise.
- 14.2 The amended scheme would involve development outside of the settlement boundary of Charfield. The development plan directs the majority of new housing to the Bristol North Fringe and the main centres of population and does not envisage new housing of the type proposed outside the settlement boundary. The proposal would therefore, conflict with the spatial strategy in the development plan and be contrary to policies CS5, CS15, CS34 and policy PSP40. These are the most important policies for determining this application.
- 14.3 We have explained at section 5 that SGC does not have a 5 YHLS. On this basis and given that the aforementioned policies restrict the supply of housing, they are regarded as out-of-date.
- 14.4 In such circumstances NPPF paragraph 11(d) states that planning permission should be granted unless:
- (i) the application of policies in the NPPF that protect areas or assets of particular importance provide a clear reason for refusing the development proposed; or
 - (ii) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.
- 14.5 The policies referred to in limb (i) are those in the NPPF relating to inter alia designated heritage assets. This means that limb (i) is engaged and needs to be applied first before going on to consider limb (ii).
- 14.6 Under limb (i) the test is whether the application of NPPF policies on designated heritage assets provide a clear reason for refusing planning permission. The mere fact that such a policy is engaged is insufficient to satisfy limb (i). Whether or not limb (i) is met depends upon the outcome of applying the relevant NPPF policies.
- 14.7 Of relevance, paragraph 196 of the NPPF requires the decision-maker to weigh only “the less than substantial harm” to a heritage asset against the “public benefits” of the proposal. We explain below that the public benefits are very substantial such that they do outweigh the less than substantial harm to the setting of St James’ Church. The application of such a policy does not, therefore, provide a clear reason for refusing planning permission. The presumption in favour of sustainable development is not therefore, disengaged under limb (i) and it remains necessary to strike an overall planning balance (applying also section 38(6)) through the application of limb (ii) and the so called “tilted balance”.

The Public Benefits of the Proposal

- 14.8 The main social benefit is the provision of up to 525 additional dwellings in an accessible location, which would provide new residents with a choice of modes of travel. NPPF paragraph 59 identifies the Government’s objective to significantly boost the supply of housing. There is a critical need to substantially boost the housing supply, particularly affordable housing for which the need across the plan area is acute. The evidence presented through the JSP process emphasised this issue. Whilst the eJSP has been withdrawn, this position remains unchanged. Indeed, the effect of the Covid-19 pandemic is only likely to exacerbate the situation.
- 14.9 The proposal would, therefore, assist in boosting housing land availability. There is potential for the site to deliver houses within the next 5 years which also means that it will assist in

addressing short-term supply issues. The need for housing is across South Gloucestershire as a whole with no distinction between different sub-areas. The benefit provided by proposed new housing is therefore, not reduced because of the recent developments/approvals in the village nor by the fact that Bloor Homes is also proposing to build new houses.

- 14.10 The inclusion of up to 35% affordable housing is also a benefit of considerable importance in its own right because it would meet an urgent and growing need for homes by people who are unable to access the private housing market. Self-build plots and housing for the elderly could provide further diversity to the housing mix and increase the range of housing choices.
- 14.11 The development will also provide a critical mass of housing to support the business case for infrastructure investment at Charfield. In these circumstances, significant weight must be attached to the scale and nature of the housing benefits this scheme would provide.
- 14.12 The reserve site provides the opportunity to deliver a 3FE primary school, which will address capacity needs not just for this development but across the whole of Charfield. It will therefore, enable sustainable housing growth. Furthermore, a new school on a single site will achieve operational, financial and educational benefits. Benefits will also arise because the existing school site could then be repurposed for a new nursery and/or other community and employment uses. We therefore, attach significant weight to the education benefits that would arise.
- 14.13 The proposed development presents an opportunity to improve sustainable transport for existing and future residents of Charfield. Discussions have been undertaken with national bus operators including Stagecoach Buses about the potential to provide a new bus service and there is no reason to assume that this would not be a viable proposition. There are also opportunities to improve the existing bus services to make them more reliable, frequent and direct, implement pedestrian/cycle improvements and support the implementation of a Greenway which promote walking and cycling. The scale of development is such that it strengthens the business case for reopening Charfield railway station and contributions towards reopening could form part of the total transport package. These proposals, together with the Travel Plan, measures will therefore, help to implement a modal change away from the private car which will reduce traffic through the village and provide increased options for sustainable travel between Charfield and other locations. Given the benefit to the wider public and the scale of the investment, we attach significant weight to these benefits.
- 14.14 Discussions are ongoing with Historic England and the owners of St James' Church to identify a schedule of repairs and other enhancements to the Church and the churchyard that can potentially be delivered through Section 106 funding. Redevelopment of the site therefore, provides a robust and realistic opportunity to support the funding of repair works required to ensure the long-term future of the Church and this is a major benefit of the scheme to which we attach significant weight.
- 14.15 The proposed development will have a beneficial socio-economic impact across the South West region, but this will be felt most strongly in South Gloucestershire. The most significant economic impacts of the proposed development will be:
- 1 A capital investment of between £72.1 million over a build period of 6 years.
 - 2 1,200 person-years of temporary construction work, equivalent to 200 FTE direct construction jobs.
 - 3 Additionally, 305 indirect and induced FTE jobs during the construction period.
 - 4 A contribution of £33.4 million in total GVA to the South West economy from direct and indirect/induced jobs during the construction period.

- 5 Following completion, the creation of 126 (equivalent to 105 FTE jobs).
 - 6 The creation of 54 indirect and induced jobs (45 FTE) in the South West, of which 32 jobs (27 FTE) will be in the local area.
 - 7 A contribution of £9.0 million in total GVA to the South West economy from direct and indirect/induced jobs.
 - 8 The total expenditure from new residents at the proposed development is expected to be £16.8 million, of which £11.5 million will be new to the local area. This would support 110 new FTE jobs in retail and leisure sectors.
 - 9 The scheme will result in the following tax contributions:
 - a £110,000 per annum in business rates;
 - b £930,000 per annum in Council Tax revenue; and,
 - c New Homes Bonus payments of £880,000 per annum over four years, resulting in a total income of £3.5 million to South Gloucestershire Council.
- 14.16 Other economic benefits will be linked to employment in the neighbourhood centre, at the homes suitable for the elderly and in the new primary school. Collectively, these benefits should carry significant weight.
- 14.17 The illustrative masterplan, including the proposed spine road, can be designed to maintain the Roman Road in situ to conserve this key piece of archaeological interest on the site. The knowledge gained from any excavation and post-excavation analysis which may be required, and publication along with public dissemination of the results, will be of benefit to help understanding of the archaeological interest of Charfield. We attach moderate weight to this benefit.
- 14.18 The proposed scheme includes a mix of commercial, community and employment uses which could accommodate a broad range of uses including shops, a health centre, community hall and/or crèche. Although the details of the scheme will be provided at reserved matters stage, the application proposal clearly presents an opportunity to supplement existing community infrastructure which will enhance the sustainability of the settlement and reduce the need to travel. The wider public benefits are such that we attach moderate weight to this benefit.
- 14.19 The illustrative masterplan incorporates significant areas of public open space and sports pitches as an integral part of the development. Provision meets development plan requirements and for some typologies, requirements are significantly exceeded. As such, we attach moderate weight to these quantitative and qualitative improvements. There would be wider public benefits arising from the improvements to PRoW to which we attach limited weight.
- 14.20 The proposed development has been designed to incorporate the most important ecological features including two SNCIs, mature trees and hedgerow corridors. It also incorporates large extents of wildflower grassland and tree/hedgerow replanting which will enhance the ecological importance of the habitats retained within the green infrastructure. There is significant potential to ensure beneficial impacts are provided in relation to the SNCIs and a range of protected and priority species, with scope for net biodiversity gain to be secured through the LEMP. This is given moderate weight.
- 14.21 The proposed drainage scheme and the incorporation of SuDs will provide some local benefits in terms of managing flood risk at the watercourse within the centre of the site to which we attach limited weight.

- 14.22 The impact of the proposal on climate change, M5 Junction 14 and local highway safety would be mitigated by the proposed off-site highway works, design/layout and S106/CIL contributions. Accordingly, these are all neutral factors in the tilted balance.
- 14.23 The development would generate a substantial sum in terms of CIL/S106 payments. Whilst CIL payments are designed to mitigate the impact of the development, improvements to existing services and facilities would result in some benefit to the wider community. Given the scale of the investment and the economic benefits that would accrue, we attach moderate weight to these wider benefits.
- 14.24 When the aforementioned benefits are considered together, they should be afforded very substantial weight in the planning balance.

NPPF paragraph 11d(i): Whether the Public Benefits Outweigh the Less Than Substantial Harm to the Significance of St. James' Church

- 14.25 NPPF paragraphs 193 and 194 and S66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1991 place a duty on the decision maker to accord great weight to the desirability of avoiding harm. Relevant judgements reiterate that a finding of harm to appreciation of the significance of a Listed Building gives rise to a strong presumption against planning permission being granted.
- 14.26 The amended scheme would alter the relationship of St James' Church with the built-up area of Charfield to the south and the wider hinterland. The development would also reduce the degree of separation from Charfield but would not remove it or obscure the functional and historic relationship with Churchend.
- 14.27 We have concluded that the application would lead to less than substantial harm to the significance of St James' Church, at the lower end of the scale. Whilst Section 106 funding for restoration works will provide some mitigation, the residual impact on its setting is still at the lower end of less than substantial. Heritage assets are an irreplaceable resource and they should be conserved in a manner appropriate to their significance with Grade I Listed Buildings regarded as assets of the highest significance. The effect of NPPF paragraph 193 is that in applying the strong presumption against permission being granted, great weight is afforded to the conservation of the St James Church. NPPF paragraph 194 says that any harm to or loss of, the significance of a designated heritage asset from, amongst other things, development within its setting requires clear and convincing justification.
- 14.28 Paragraph 196 of the NPPF requires the decision-maker to weigh "the less than substantial harm" to a heritage asset against the "public benefits" of the proposal. We have demonstrated that very substantial weight attaches to the public benefits associated with this development. In our opinion, these public benefits outweigh the strong presumption against permission being granted and the great weight afforded to the conservation of St James Church. In such circumstances, the less than substantial harm to the significance of St James' Church does not provide a clear reason for refusing planning permission and the NPPF paragraph 196 test required under NPPF paragraph 11d(i) does not disengage the tilted balance under NPPF paragraph 11d(ii), which applies in this case.

NPPF Paragraph 11d(ii): The Tilted Balance

- 14.29 We have explained that this is a case where the "tilted balance" provided for by NPPF paragraph 11d(ii) applies because the policies that are most important for determining the application, the

strategic housing policies, are out-of-date and NPPF policies that protect assets of importance do not provide a clear reason for refusing the development.

- 14.30 We have explained in section 5 that the conflict with policies CS5, CS34 and PSP40 should only be afforded very limited weight in the planning balance and the location of the site on land adjoining the boundary of Charfield should not be a reason in principle for refusing development. We have also explained that CS15 should not be afforded any weight because the housing need figure calculated using the standard method is now the relevant housing requirement as applied by SGC. This Planning Statement demonstrates that there would be substantial compliance with all other development plan policies.
- 14.31 There would be some localised harm to the landscape at a site-wide scale resulting from the development of the existing greenfield site with houses. However, the proposal will result in no significant landscape or visual effects post-development and where moderate or minor adverse impacts have been identified, these have been mitigated where possible through the incorporation of substantial areas of new open space and Green Infrastructure managed for landscape and wildlife benefits. These will retain landscape features, create an attractive environment and provide a characteristic edge to the settlement and transition with the wider landscape. As such, very little weight should be attributed to the landscape harm.
- 14.32 Part of the site (8.5ha/21%) is classed as Best and Most Versatile agricultural land. However, it is a relatively small area and we would not judge it to be “significant” in terms of NPPF Paragraph 171. In any event, it seems likely that some loss of this type of land will be unavoidable across the District if SGC is to address its shortfall in housing land supply. The proposal will include new allotments which will mitigate any harm and as such, very little weight should be attributed to this issue.
- 14.33 For the reasons noted above, the less than substantial harm to the setting of St James’ Church must be given great weight as a negative factor in the tilted balance. However, in our overall judgement there would be very substantial benefits. As such, in this case, we conclude that the adverse impacts would not significantly and demonstrably outweigh the very substantial benefits of the proposed development when assessed against the policies in the NPPF as a whole. Therefore, the proposal would constitute sustainable development.
- 14.34 Although the proposed development would fail to comply with certain aspects of the spatial strategy set out in policies CS5, CS34 and policy PSP40, in the absence of a 5YHLS, the presumption in favour of sustainable development in policy CS4A and paragraph 11 of the NPPF is a strong material consideration, which in this case warrants a decision other than in accordance with the development plan.
- 14.35 This PS demonstrates that the scale of the development would not harm or prejudice the provision of local facilities/services, highway safety and traffic flow, the living conditions of neighbours, drainage or water supply. The site is in a sustainable location with good access to employment and day to day services by a choice of transport modes. Furthermore, the proposal would further enhance the sustainability of Charfield and integrate satisfactorily with the village. A solution for M5 Junction 14 improvement works has also been identified. For all these reasons we conclude that this development would be a sustainable option for growth. S106/CIL would generate contributions toward infrastructure such as public transport, education and community facilities. The scheme would contribute a significant sum in this regard and there is no reason to conclude that any contribution would be inadequate or conclude that the proposal would result in unacceptable pressure on existing facilities.
- 14.36 This application should, therefore, be approved, subject to the conditions and a S106 undertaking.

Appendix 1


Signed SoCG with CEGCLC and SGC (June 2019)

**STATEMENT OF COMMON GROUND
BETWEEN
SOUTH GLOUCESTERSHIRE COUNCIL
AND
CEG AND THE CHARFIELD LANDOWNERS CONSORTIUM**

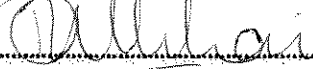
**In respect of the site referred to as 'Land South of Charfield' which is within the Charfield JSP Strategic
Development Location**

25 June 2019

Signed by CEG on behalf of CEG and the Charfield Landowners Consortium:


.....
Position... Head of Strategic Land - West
Date... 26/06/2019

Signed on behalf of South Gloucestershire Council:


.....
Position... STRATEGIC MAJOR SITES MGR
Date... 27/6/19

Contents:

1. Overview
2. Background
3. Matters of Agreement
 - Location of development
 - Suitability of the site for major housing led development
 - Availability
 - Mix of uses
 - Green Infrastructure
 - Sewerage treatment works
 - Transport
 - Co-ordinated development
 - S106 Obligations/CIL
4. Outstanding matters
 - Capacity
 - Employment
 - Detailed design

Appendices

- Site location plan showing the extent of ownership

1.0 Overview

- 1.1 This Statement of Common Ground (SoCG) has been prepared between South Gloucestershire Council (SGC) and Lichfields on behalf of CEG and the Charfield Landowners Consortium ('CEGCLC'). It sets out the points of agreement between the Parties ('the Parties') with regards to Land South of Charfield ('the Site') and the designation of Charfield as a Strategic Development Location (SDL) in the submitted West of England Joint Spatial Plan ('the JS'P). It has been prepared to assist the Inspectors at the Examination in Public (EiP). A site plan showing the extent of landownership across the Site is included at Appendix 1.
- 1.2 This SoCG is made in good faith as a fair representation of the respective positions of the Parties and is not intended to be a legally binding agreement.

2.0 Background

- 2.1 Policy 7.9 of the JSP Publication Document 2017 identifies Charfield as a SDL with capacity for around 1,200 dwellings, a minimum of 5ha of employment land and supporting infrastructure and facilities.
- 2.2 To date, outline planning permission has been granted within the SDL for 121 dwellings and a retail unit on land north of Wotton Road at Warners Court (the Barratt Land) (ref. PT16/6924/O). Reserved Matters pursuant to the outline permission are in the process of being determined.
- 2.3 CEGCLC has submitted an outline planning application (reference no. PT19/2452/O) for a mixed use residential-led development (all matters reserved, other than main points of access) at the Site (the Application). The Application proposes the development of up to 900 houses (or up to 950 houses if there is no need for a primary school on site) with employment land, a neighbourhood centre with floorspace for commercial/community uses and significant areas of open space. It has been submitted in parallel to the JSP EiP to demonstrate that the proposal is deliverable and to clarify how it will contribute towards meeting the policy requirements for the Charfield SDL.
- 2.4 The other site being promoted for development within the Charfield SDL are:
- land to the north of Wotton Road where Bloor Homes is proposing up to 250 homes with employment or community uses;
 - Land to the north of Churchend Roundabout (B4058/ B4509 junction); and
 - Land off Station Road at Hill House Farm.
- 2.5 The Application will fix the maximum extent of development and the maximum number of houses that could be accommodated on the Site with detailed design, including the layout of the Site, to be determined through reserved matters. Discussions on the Application have not yet progressed to a stage where the extent of development or capacity have been agreed. However, the Parties agree that the SDL is capable of accommodating "around" 1,200 dwellings in accordance with Policy 7.9 with employment land and supporting infrastructure and facilities. We note at section 4 that CEGCLC's view is that the Policy should make it clear that this figure could be exceeded. The Council is content that "around" allows for the 1,200 requirement to be exceeded within reason, if and where environmental and infrastructure issues can be mitigated satisfactorily.

3.0 Matters of Agreement

- 3.1 Lichfields has made representations on behalf of CEGCLC to the JSP at each consultation stage. The following matters are agreed between the Parties.

Location of development

3.2 CEGCLC supports the JSP Spatial Strategy and the identification of Charfield as a SDL. It is agreed by the Parties that the Charfield SDL will assist in delivering the Plan's Vision, Strategic Priorities and Spatial Strategy because:

- 1 It will assist in delivering the identified housing requirements for the West of England in a sustainable way which is properly aligned with new infrastructure. It will also provide much needed affordable housing to address an acute need which exists in this location and across the JSP area.
- 2 It will assist in addressing housing needs in the north of the District where there has been little significant growth in recent decades. It will not, therefore, risk market saturation of the Bristol Urban Fringe areas which will improve the likelihood of steady housing delivery within the Plan period.
- 3 It will secure job opportunities for existing and future residents and improve accessibility to jobs which will help to make the north of the District more sustainable in its live-work patterns. It will deliver new local services/facilities, a comprehensive green infrastructure network (including pedestrian and cycle routes) and biodiversity enhancement which will also help to create a more sustainable place.
- 4 Growth at Charfield, alongside growth at Buckover Garden Village, will form a new arc of development anchored by Wotton-under-Edge and Thornbury. This has the potential to form a hub of connected settlements which function together as a suite of social and economic centres.
- 5 In combination with the other proposed SDLs in the north of the District, strategic growth at Charfield will support the case for reopening the rail station, deliver local and regional bus improvements and provide contributions towards improvements at Junction 14 of the M5.
- 6 There is scope to address detailed design issues such as scale and density through the planning application process in order to encourage healthy lifestyles and cultural wellbeing.

Suitability of the Site for Major Housing Led Development

3.3 The Parties agree that there are no identified technical issues that would preclude major housing led development (with relevant supporting infrastructure and facilities) at the Site. The Parties also agree that the Site is suitable for major housing led development and that strategic growth could deliver significant benefits including:

- 1 A sizeable contribution to increasing the supply of new homes in the District.
- 2 A range of house types and sizes including affordable housing and housing suitable for the elderly, which will address 'Place shaping principles' and expand the range of types and tenures available in the village thus resulting in significant social benefits. Relevant policy on self-build and custom housebuilding will also need to be addressed.
- 3 Social and economic benefits arising from contributions towards a sustainable transport package including:
 - a M5 Junction 14 improvements, Charfield rail station re-opening, contributions to local bus services, and walking and cycling routes including a contribution towards and links to the provision of a circular PROW which would improve connectivity of the village, both internally and to other locations; and
 - b a comprehensive Wotton Road environmental enhancement scheme which will result in improvements to road safety and the local environment.

- 4 Other social benefits arising from the introduction of a range of facilities and services which will improve the sustainability credentials of the village.
 - 5 Economic benefits linked to capital investment, expenditure by residents, construction jobs, business rates, New Homes Bonus, Council Tax revenue and employment in the neighbourhood centre and potentially in the new primary school as well as through the provision of housing suitable for the elderly.
 - 6 Environmental benefits from the provision of substantial areas of green infrastructure and open space and this will also include social benefits because it will benefit the whole community.
 - 7 Health and wellbeing benefits arising from the incorporation of well-designed walking and cycling routes and a range of open spaces typologies including play space, allotments and a community orchard.
 - 8 Ecological benefits arising from the protection and enhancement of the Sites of Nature Conservation (SNCLs) with potential for net biodiversity gain in the wider ecological network.
- 3.4 The Parties acknowledge that there will be some harm to the landscape because the existing greenfield site will be developed with houses. However, the JSP Spatial Strategy and other evidence base documents, including the Sustainability Appraisal, recognise that greenfield sites need to be developed to meet future housing requirements.
- 3.5 The Parties also acknowledge that development at the Site (as envisaged by the Application) will result in harm to the setting of the Grade I Listed St James' Church as a result of the encroachment of built form south from the present settlement boundary and into the open fields that form the setting of the church.
- 3.6 At this stage of the process, it is agreed that the degree of harm will likely fall into the category of 'less than substantial' and would therefore trigger paragraph 196 of the NPPF. Both parties also agree that the context for undertaking the heritage balance is set by NPPF paragraphs 193 and 194 and S66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1991, which places a duty on the decision maker to accord considerable weight to the desirability of avoiding harm. Whilst the Parties agree that the public benefits arising from the development of the Site as a whole have the potential to outweigh the harm to St James' Church, taking into account the great weight afforded to its conservation, there is not yet agreement on the extent and form of development nearest the building.
- 3.7 The maximum extent of development and design principles near the Church will be agreed through determination of the outline Application with the detailed layout and form of development in this location to be agreed through reserved matters. Both Parties agree that an acceptable solution that mitigates the degree of harm of the development on the setting and thus significance of the listed building is feasible through agreement on the extent of development and with a high quality form, layout and design.
- 3.8 CEGCLC have engaged with the Churches Conservation Trust, who manage St James' Church, to develop a scope for repair and restoration works to the Church and churchyard. Both parties agree that the repair and restoration of the church, and potentially other designated heritage assets in proximity to the site, could be delivered via a Section 106 'heritage fund' to mitigate residual harm following the design process.
- 3.9 Agreement on housing capacity has not yet been reached. SGC's position is that the Site's capacity will be around 800 dwellings. CEGCLC's position is that capacity could be up to 900/950 (as reflected in the Application). As such, Section 4 confirms that, in CEGCLC's view, the potential to exceed 1,200 dwellings at the SDL should be reflected in Policy wording.

- 3.10 The Parties agree that housing capacity at the Site will be established through the determination of the Application. This does not undermine the principle of the Charfield SDL because the Parties agree that there is capacity at this, and other sites around Charfield, to deliver strategic, sustainable housing growth of the scale envisaged by JSP Policy 7.9.

Availability

- 3.11 The Site is available for development. The freehold is owned by the Charfield Landowners Consortium and a promotion agreement has been signed with CEG to bring the site forward for development. No third-party land is required to deliver the Application, other than land confirmed to be within the adopted highway or controlled by the Council.
- 3.12 The submission of the Application demonstrates CEGCLC's commitment to bringing this site forward for development.

Mix of Uses

- 3.13 The Parties agree that there is scope to provide a mix of uses at the Site which will ensure that Charfield becomes a more sustainable settlement. The Application demonstrates that a mix of uses is achievable reflective of the Policy 7.9 requirements, including a range of house types (including affordable housing and housing suitable for the elderly), a neighbourhood centre which could accommodate a mix of commercial/ employment and community uses and significant green infrastructure including the retention and enhancement of Sites of Nature Conservation Importance (SNCI). With regards to specific issues:

- 1 SGC is exploring a number of options for increasing primary school capacity within the village, including the potential for a 3FE school. The Application currently shows a site which could accommodate a 2FE primary school. This would provide sufficient capacity for the increase in school places generated by the SDL growth in Charfield. The Application confirms that if the site reserved for a 2FE primary school is not required (because capacity is increased elsewhere), the reserve site would be developed for housing and a financial contribution would be made towards primary school places. Other uses could be confirmed through the planning application process should it be desirable to do so.
- 2 There are a number of options for increasing secondary school capacity, which are currently being explored by SGC, including the reservation of a new secondary school site at Buckover Garden Village. The Applicant will make an appropriate financial contribution towards increasing secondary school capacity.
- 3 There is agreement that the Site will make provision for employment land. However, we note at section 4 that CEGCLC has raised concerns with regards to the evidence base underpinning the quantum and the policy wording. That aside, the Parties recognise that additional employment will be generated by the Application scheme through the neighbourhood centre, housing suitable for the elderly and the primary school should it be developed on Site. The Parties consider that any outstanding matters could be addressed through the development management process.

- 3.14 The Parties will discuss the quantum, typology and disposition of the uses across the Site as part of the Application process.

Green Infrastructure

- 3.15 There is agreement between the Parties that there will be no built development on the SNCIs and that there is scope to enhance biodiversity value through the planning application process. Whilst the extent and form of built development near St James' Church is to be agreed, the Parties acknowledge that the

size of the Site is such that there is scope to deliver a robust Green Infrastructure network which takes account of key views, landscape impacts and existing public rights of way.

Sewerage Treatment Works and Network

- 3.16 Wessex Water has advised that there is sufficient capacity within the Charfield waste water treatment works to accept and treat foul flows from the proposed development. Reinforcement of the public sewer will be required to provide additional capacity but will not undermine CEGCLC's ability to deliver major housing development at the Site.

Transport

M5 Junction 14

- 3.17 A Working Group has been established between the transport representatives of CEGCLC and Bloor Homes (in respect of the Charfield SDL) and the Tortworth Estate/St Modwen (in respect of the Buckover Garden Village SDL), Highways England (HE), SGC, Gloucestershire County Council and Stroud District Council to progress the design and modelling assessment work. It has been agreed that appropriate schemes are deliverable to mitigate both existing and future capacity constraints at the M5 Junction 14, for which various potential options are currently being explored.
- 3.18 A significant improvement will require public finance as well as developer contributions, and funding sources will be pursued by SGC where and when available and applicable in partnership with Highways England, and the developer partners as appropriate.
- 3.19 It is understood by the Parties that some housing development needs to be progressed prior to the implementation of any substantial mitigation scheme, and other mitigation measures will need to be considered to enable this. The quantum will be determined through further discussions with HE and SGC.

Railway Station

- 3.20 The Parties agree that development at the Site would significantly benefit from the opening of the rail station. Major housing growth will also support the case for delivery. SGC has made positive steps regarding feasibility and are working with Network Rail to progress the business case. Work undertaken by both the developer (prepared by SYSTRA [previously JMP] and appended to CEGCLC's representation to the Regulation 19 Plan) and SGC (see WED 008), demonstrates that the reopening of the station is likely to have a good business case.

Bus Strategy and Local Bus Services

- 3.21 The transport representatives for CEGCLC, Bloor Homes and the Tortworth Estate/St Modwen are working alongside a national bus operator (which operates in the area) to develop a bus strategy for a new service from the Bristol North Fringe to Thornbury, Buckover Garden Village, Charfield, Kingswood and Wotton-under-Edge, and potential improvements through to Yate. The Parties agree that the bus strategy could:
- Assist in achieving a step change in modal share, and
 - Reduce single-occupancy vehicle traffic on the surrounding highway network, including towards and on the M5, by providing a fast and direct service to and from Bristol City Centre and other key destinations.
 - Local bus transport services will be improved through an increase in frequency and services.

Local Road Improvements

3.22 It is agreed that a package of measures is required along Wotton Road and at the Churchend Roundabout to manage and reduce speeds to enhance the village environs for all road users and increase capacity at the Roundabout. SYSTRA (on behalf of CEGCLC) has been working with Bloor Homes' transport advisers and a comprehensive scheme has been presented to SGC. The scheme will be refined through the Application process and secured in kind or through financial contributions.

Other local improvement works such as crossing improvements on Wotton Road, footway links to neighbouring areas/key local destinations, and the inclusion of/links to the Greenway Route can be addressed through the Application and supported by the appropriate allocation of funds from any financial contribution.

Co-ordinated development

3.23 The JSP establishes development requirements and the need for new facilities/ infrastructure at the Charfield SDL. As such, and subject to the resolution of detailed points raised in CEGCLCs representations to the Regulation 19 Plan, the Parties agree that it provides an effective policy framework within which housing led growth could be delivered.

3.24 The interests required to deliver the SDLs at Charfield and Buckover Garden Village are controlled by only 3 principal landowner/developers (CEGCLC, Bloor Homes and Tortworth Estate/St.Modwen). Between them, they control land with capacity for more than 4,100 dwellings. This presents a strong opportunity for joint working to address strategic issues and achieve better outcomes. Joint working between these parties is ongoing in respect of strategic transport issues and CEGCLC is liaising with Bloor Homes on local issues including highway improvement works, sewerage network capacity and public consultation.

3.25 CEGCLC agrees that strategic issues need to be comprehensively planned and that delivery needs to be co-ordinated as is necessary to ensure full integration between the different land ownerships for the provision of ancillary services and supporting infrastructure required.

S106 Obligations/CIL

3.26 The Parties agree that significant works will be required to improve and deliver infrastructure not in control of CEGCLC and therefore a substantive package of off-site mitigation will need to be agreed. To this effect, a review of SGC's CIL charges is underway. Planning obligations will also be agreed where it is necessary to mitigate the impact of development. In this context, and subject to the outcome of more detailed discussions through the Application process (and not exhaustively), the Parties agree that key items to be addressed which the Site will contribute towards either in kind or financially include:

- 1 Affordable and elderly persons housing (including type, quantum, location, mix and delivery);
- 2 Primary school site and proportionate financial contribution (should a primary school be provided on site);
- 3 Education contributions (for secondary education, and primary if the site reserved for a primary school is not required);
- 4 Contributions towards Strategic Transport Improvements (M5 J14, Charfield rail station re-opening, local bus services and improved foot/cycle connections);
- 5 Local highway improvements, including a Wotton Road environmental enhancement scheme;

- 6 Local foot and cycle connections to Wotton Road and the Memorial Hall, the rail station site, through the existing housing estate, and a links to form part of Charfield circular PROW / recreational walking route;
 - 7 Employment land and a local economic development strategy;
 - 8 Travel Plan;
 - 9 Public Open Space, play facilities and allotment/community orchard specification;
 - 10 St James Church fund and/or 'heritage fund';
 - 11 Management arrangements; and
 - 12 Upgrades to the foul sewage system to be undertaken by Wessex Water.
- 3.27 The Parties agree that a new CIL charging schedule and S106 (and S278) arrangements will provide the basis for any future determination of a planning application unless it is agreed that an earlier resolution can be made with S106/S278 obligations.

4.0 Outstanding Matters

- 4.1 CEGCLC supports the JSP Spatial Strategy and the designation of Charfield as an SDL. However, the Parties acknowledge that there are detailed comments on policy requirements that need to be addressed through the EiP, and which are explained in CEGCLC's representations to the Regulation 19 Plan and written statements to hearing sessions. None of these comments undermine the deliverability of the SDL or major housing development at the Site. We do not repeat them here but note that the key strategic issues are as follows:

Capacity

- 4.2 Agreement on housing capacity at the Site has not yet been reached. CEGCLC's view is that that "at least" 1,200 new homes could be delivered. As such, CEGCLC's representations to the Regulation 19 Plan state that the capacity figure for the Charfield SDL should be expressed as a minimum.

Employment

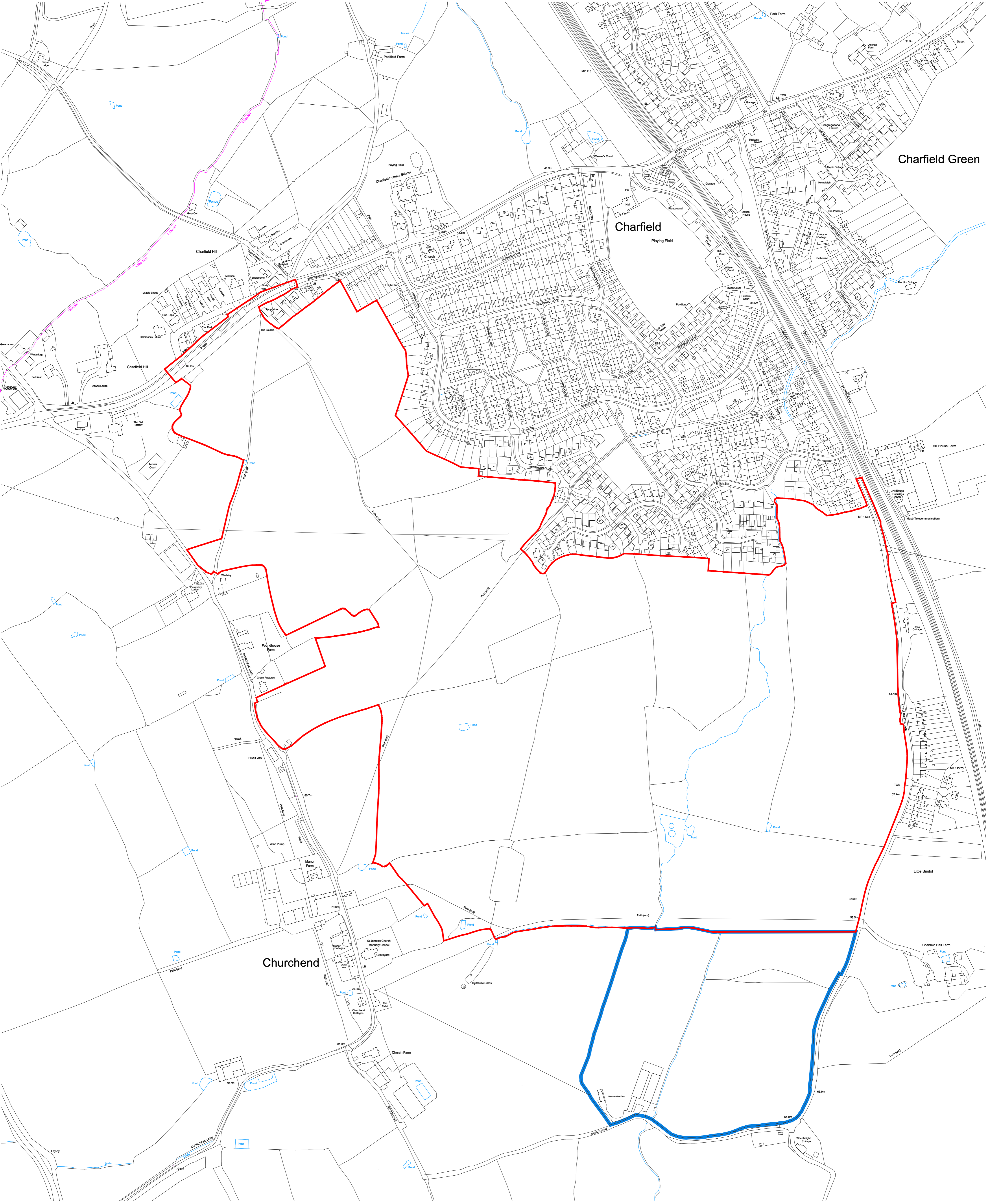
- 4.3 CEGCLC has objected to the quantum of employment land at the Charfield SDL being specified in Policies 4 and 7.9 because of the lack of locally specific market evidence to justify the need. Post Submission evidence on Employment Land has been produced and will be tested through the EiP. CEGCLC considers that the policy reference should be "around" 5ha of employment land in order to provide flexibility and be effective. CEGCLC also consider that the policy should acknowledge that sustainable development objectives and market evidence will be a relevant to any consideration of quantum.

Further Joint Working

- 4.4 The Parties agree that further joint working and negotiation is required to agree the details of the Application including, but not limited to a package of contributions and off-site works, final housing capacity and typologies, arrangement and quantum of other land-uses, necessity of additional GP provision and best location for formal sports pitch provision.

Appendix 1

Site Location Plan Showing the Extent of Ownership



Charfield Green

Charfield

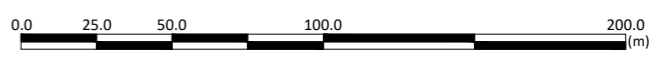
Churchend

Little Bristol

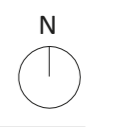
Charfield Hall Farm

Key

- Site Boundary
- Land Ownership



Project	Charfield
Title	Site Location Plan
Client	CEG
Date	27.11.18
Scale	1:2500 @A1 (1:5000 @ A3)
Drawn by	SG
Dwg. No	AC31350-002 1



Appendix 2

Adopted Core Strategy

- Policy CS1: High Quality Design
- Policy CS2: Green Infrastructure
- Policy CS4: Renewable or Low Carbon District Heat Networks
- Policy CS4a: Presumption in Favour of Sustainable Development
- Policy CS5: Location of Development
- Policy CS6: Infrastructure and Developer Contributions
- Policy CS7: Strategic Transport Infrastructure
- Policy CS8: Improving Accessibility
- Policy CS9: Managing the Environment and Heritage
- Policy CS15: Distribution of Housing
- Policy CS16: Housing Density
- Policy CS17: Housing Diversity
- Policy CS18: Affordable Housing
- Policy CS23: Community Infrastructure and Cultural Activity
- Policy CS24: Green Infrastructure, Sport and Recreation Standards
- Policy CS34: Rural Areas

Policies Sites and Places Plan

- Policy PSP1: Local Distinctiveness
- Policy PSP2: Landscape
- Policy PSP3: Trees and Woodland
- Policy PSP6: Onsite Renewable and Low Carbon Energy
- Policy PSP8: Residential Amenity
- Policy PSP9: Health Impact Assessments
- Policy PSP10: Active Travel Routes
- Policy PSP11: Transport Impact Management
- Policy PSP14: Safeguarding Rail Schemes and Infrastructure
- Policy PSP17: Heritage Assets and the Historic Environment
- Policy PSP19: Wider Biodiversity
- Policy PSP20: Flood Risk, Surface Water and Watercourse Management
- Policy PSP21: Environmental Pollution and Impacts

Policy PSP28: Rural Economy

Policy PSP40: Residential Development in the Countryside

1 Policy PSP42: Self-build and Custom Housebuilding

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