

Notes of the NDP meeting held Tuesday 15th October 2019 at The Memorial Hall , commencing 14.00hrs

Those attending :-

Barry Turner(BT) (Secretary and Chair), Dylan Griffiths(DG), Liz Nichols (LN)

Apologies received from / minutes to be sent to, Liz Beth (LB), Ben Guzman(BG), Ann Martin(AM), Andy McGrath.(AMcG) Keith Sullivan (KS), Alan Coles(AC) , Chris Jennings(CJ) , and Peter Everton (PE)

Declarations of Interest . Liz Nichols has an interest in Site 9 , but the subject matter being discussed was not seen as prejudicial .

No members of the public were in attendance.

The minutes of the meeting held 18th June 2019 were agreed .

2019/118 Feedback on Site Selection from SGC .an e-mail and three attachments received by the Secretary dated 14th October was circulated (See accompanying attachment A). This summarised the SGC comments comprehensively . The text provides an indication of the current stance being taken by SGC in so far as it suggest that we have two options make the suggested changes or undertake a SEA. This was in response to a telephone conversation between the Secretary and Danny Dixon last week . The Secretary had requested that SGC provide a 'holistic' assessment of Site 7(see attachment B) which could help inform the Working Group of the issues of concern relating to that site. It was also agreed to provide a further assessment of Site 9 (see attachment C). (Site 13 does not have any major issues).

2019/119 Part of Site 7 Information circulated by the Secretary by e-mail on the 27th September relating to Site 7 is also relevant to the discussion . This is because of the potential development proposals being worked on (and already discussed with the PC and the Community) for a much larger development in the Site 7 location . The Developers agent seems to be optimistic of the possibility that consent might be granted for a development which is less modest than our own which itself is not supported by the assessing SGC Officers . The developer has sought 'confidential ' pre-application advice and so we don't know what has been said but it all seems rather contradictory .

The information re Site 7 (Appendix B) contains 7 headings and concludes with 8 reasons why the site is in the opinion of SGC Officers an unsuitable location for development .

So the conundrum is if the modest NDP plan for the site is unsuitable what chances does a more elaborate plan have ?

Additionally, the Neighbourhood Plan has to meet 'the Basic Conditions' as specified by the NPPF and will fail unless it does . One of the conditions is to that the local authority in conjunction with the relevant statutory bodies have screened the plan and determined whether or not a Strategic Environment Assessment(SEA) is required . The Working Group has resisted this due to the modest nature of our proposals relying instead on exemption from an SEA. Quite clearly if Site 7 remains in the plan it will almost certainly require an SEA.

After much debate **it was agreed** that the best course of action would be **to remove Site 7 from the NDP** . This will mean a net loss of 6 dwellings from the plan.

If the Developer wishes to proceed to try and get consent he is quite at liberty to do so . It seems he may try to use the Rural Exception Sites (RES) approach to do this. The National Planning Policy [Framework](#) defines (RES) as small sites used for affordable housing in perpetuity where sites would not normally be used for housing. The Parish Council and Community would be part of the consultative process.

2019/120 Part of Site 9. Informal comments (see Appendix C) taking into account the additional information provided in Liz Beth's report 'Oldbury Site Selection, further considerations and evaluation report' . Basically it is a restatement of comments received earlier this year suggesting that the 'encroachment along Westmarsh Lane out into 'open country side ' would have a detrimental effect particularly in relation to the setting of St Aridla and the views to and from that location . SGC propose a more condensed approach with fewer dwellings than the current NDP Draft proposes . This would reduce the encroachment along the lane but go further back into the field , the suggestion being that houses could be sited behind other houses deviating from the linear development observed around most of the Village which the community have said should be maintained . Reference back to the initial comments made by SGC in January 2019 and the Working Group discussions at that time indicate that the length of the site along the lane was considered and the outcome was to reduce the encroachment . The conclusion was that the reduced length(our current proposal) would provide sufficient space for a mixture of 9 dwellings without encroaching into the heritage setting of the Church . The view from the Severn Way (Sailing Club Path) in particular is basically unaffected as the existing dwelling (River View)cannot be clearly seen due to the dominance of the trees and hedgerows to and from the site . Likewise the views from St Arilda (not including the tower) are basically unaffected due to the gradient of the pastureland .

It was considered that far from being detrimental sympathetic development would enhance the setting .

After much discussion it was felt that the current submission was in the best interests of the NDP . Given the decision re Site 7 it was considered fundamental that to deliver albeit a reduced number of dwellings to the community this site remains as part of the plan and that without it the viability of achieving the main objective the Neighbourhood Plan would be in question . Given this we do not fully accept the Conservation Officers advice recognising that both our own judgements and the advice received are subjective. If this should be an obstacle to progressing the plan we would welcome the opportunity to discuss the matter further with the principals involved.

2019/121 General Comments .

The working Group concurred with the suggestion that conditions need to be incorporated for all three sites (parts of 7,9 and 13) to ensure that design would minimise or mitigate impact on heritage assets .

2019/122 Next steps

- Appraise the Flooding and Planning Committee of the current site selection status and issues .
- Feedback conclusion's from Tuesdays meeting to Danny Dixon and wait for a response

There was no other business to discuss.

Next meeting scheduled for the 19th November 2019 Agenda to follow

See on for attachments :-

Hello Barry,

Following on from our phone call last week please find some useful information below and attached to help inform your next Oldbury Neighbourhood Planning Group meeting on 15th October. Apologies for the length of the email!

Screening Opinion update

Regarding the Screening Opinion I believe with relevant updates and changes to the plan that both the Environment Agency and Natural England are happy to proceed without a Strategic Environmental Assessment. Historic England believed they were unable to come to this conclusion due to the 'gap' in evidence base between the AECOM Site Assessment Report and the current draft of the plan which proved a robust and evidence led approach to the site selection and mitigations had taken place. As a result we agreed that if the work on conservation and archaeology undertaken with the council and Liz was consolidated into a report this would help Historic England to come to an informed conclusion. Liz has therefore produced a report which consolidates discussions and information compiled with regards to heritage considerations. Historic England have since asked South Gloucestershire's conservation and archaeology specialists to review the report and stated that if they concluded that an SEA was not required then Historic England would be happy to agree based on South Gloucestershire specialists local knowledge. Our conservation and archaeology specialists have been reviewing the heritage evidence base report 'Oldbury Site Selection Further considerations and evaluation' which Liz has compiled.

Please find attached the comments from our archaeology and conservation specialists and a quick summary below. It is recommended that the group read the full comments.

Both specialists suggest conditions which must be incorporated into any allocation policy to ensure considered design that would minimise or mitigate impact on heritage assets. It is important that these are incorporated into the revised draft of the Oldbury Neighbourhood Plan.

Archaeology: In summary there is no in principle objection however a few corrections are required regarding the requirement for a pre-determination assessment (assessment undertaken before permission can be granted) as opposed to a watching brief condition (which would come after the

application is granted permission). A requirement for a desk-based assessment with the application for Westmarsh Lane (formerly part of site 9) is also required. Please see the full response attached.

Conservation: In summary there are concerns with the boundary for Westmarsh Lane (formerly part of site 9). The current boundary would create development that would extend too far to the west with the housing obscuring views of the field and hillside on which the church is positioned. Please find a map attached on the suggested revised boundary.

There is concern raised over the inclusion of the site Church Hill East (formerly part of site 7) and conservation specialists advise this site is removed from the plan. Concerns raised relate to the elevated position of the site and its impact on the character and setting of St Arilda's Church. There is also concern that any transport/access solution would require an over engineered approach resulting in the loss of significant tracks of the hedges and substantial changes to Church Hill which forms an important part of the character and setting to the entrance of the village. Please see the full response attached.

Options moving forward

With the above comments in mind this essentially means there are two options:

1. Make the changes suggested from heritage and conservation colleagues to satisfy both our specialists and Historic England that an SEA is not required. This would allow the plan to progress without an SEA (provided the suggestions made by both Natural England and the Environment England are also incorporated into the plan). If this is the case I will work up the 'Statement of Determination' which will include the responses from the statutory bodies and the changes required to the plan.
2. Do not make the changes to the plan and proceed on the basis that an Strategic Environmental Assessment is required to support the plan.

Depending on which option the group decides upon I can then help advise on the best way to move forward. It is important to note that a final completed draft of the Oldbury Neighbourhood Plan (including final site allocation policies) and SEA (if required) would need to be completed before proceeding to the pre-submission consultation (this is the final consultation before submitting the plan to South Gloucestershire Council).

Further information regarding Church Hill East

As discussed on the phone, although the comments above refer only to conservation and heritage there are other comments from specialists which should be taken into account. These are comments previously made on the site however are still relevant (Please find attached). Both Liz and yourself have asked for further assessment of the site, however this is difficult without further

information on the specific site proposals. Alternatively comments could be gathered through the pre-submission consultation if the site is still included within the plan, again however it would be advised that the allocation policies are completed and included within the plan.

It was also mentioned that there was a pre-application on the site area which South Gloucestershire Council responded to. Unfortunately we are unable to give any information on this but can confirm that a pre-application was submitted. Further information on this would have to be requested from the applicant.

Finally it is worth mentioning that rural exception sites do not need to be allocated in a plan and can come forward provided the relevant criteria are met.

Consultation and Engagement examples

Please find attached a document produced by Herefordshire Council which explores the different options for engaging with communities when producing a Neighbourhood Plan. It is important to bring the community along with you as they will ultimately decide if the plan can be 'made' through a referendum vote.

Allocation of affordable housing for sale funding grant

Please find a link to the Locality website which has launched a new grant scheme for plan which intend to '[allocate affordable housing for sale](#)'. I have had a quick look at this and believe the Oldbury Neighbourhood Plan meets the criteria and are therefore eligible for further funding which may help progress the plan.

Apologies again for the long message, but quite a lot to update on. If you have any questions or queries on any of the points above please do not hesitate to get in touch. I will also be in touch on Wednesday after your Neighbourhood Planning Group Meeting.

Many thanks,

Danny Dixon

Planning Policy Officer

Strategic Planning Policy & Specialist Advice Team

Oldbury on Severn, Church Hill East (formerly Site 7)

Flooding –Rivers and Sea:

Part of site within Flood Zone 3a and smaller areas of Flood Zone 2 to the north of the site. National planning guidance directs development to areas of lowest probability of flooding and therefore this part of the site is not considered suitable for residential development. Approximately two thirds of the site on rising land is within in FZ1 – lowest probability of flooding where the principle of residential development is considered acceptable.

Archaeology:

In addition to the proximity of the site to the hillfort and within the Lower Severn Vale Levels, a possible prehistoric enclosure was noted in this location by aerial photographs. The actual date and significance of this site is unknown and would need to be established before development could be accepted in principle. Archaeological assessment would be required as pre-determination requirements.

Listed Buildings:

The land is elevated above the lane and therefore any development would be very prominent. It has been difficult to determine the potential impact of any development here on the setting of St Arilda's Church (Grade II*) because the amount, location, design and layout are unknown, but this would need to be a significant consideration. The setting of the listed building should be preserved. Unless a development of only one or two houses at the far north western corner, along the road, this is likely to result in harm to the setting of the church.

Landscape:

This rising land has a very narrow field forming the western boundary with Church Hill. Creating an access to the site would require hedgerow removal and would impact on the character of the lane. The site forms part of the backdrop and setting to the village. Development on the hill would represent an extension outside of the main body of the settlement and impact the openness of the green belt.

Green Belt:

The site lies within the Green Belt, development would significantly impact on the openness of the Green Belt, as the site is on rising land, increasing its visibility. It would have implications for one or more of the 5 purposes.

Ecology:

A field of permanent pasture (improved grassland) of only low ecological interest. Field ponds are located to the east and there is a record of great crested newt nearby and consequently there is the potential for development to be subject to receiving a European protected species licence. Records of skylark (a national Priority species) to the west. Glow worm linked to St Arilda's Church could be associated with the verges to the lane.

Transport/Access and Safety:

Church Hill is somewhat peripheral to the village, has no footways, little street-lighting and is not very wide. Consequently, we would not recommend development at this location, unless no alternatives was available.

We would suggest that this development should be responsible for providing footways along their frontage and extending street lights where required as this would materially enhance pedestrian safety.

Allocation is achievable but with significant engineering and earth works and would be unlikely to be viable.

Conclusion:

This site is not considered a suitable location for potential development due to

- High potential for archaeological interest
- Potential for ecological constraints
- Potential significant impact on the landscape
- Potential significant impact on the setting of a Grade II* listed building
- Site contributes to the openness of the Green Belt
- Northern part of the site has significant risk of flooding and is not considered suitable for residential development any development in lower risk areas would be isolated from existing village development
- Potential ecological constraints
- Access issues

Oldbury on Severn Neighbourhood Plan

Informal comments on 'Oldbury Site Selection, further considerations and evaluation' report

Conservation Officer Comments

Westmarsh Lane (formerly part of Site 9)

Previous assessment of the site in terms of its contribution to the landscape character and setting of the listed building has been given. Officer advice was as follows:

"There may be potential for a limited amount of development in this roadside location but further assessment of the inter-visibility and co-visibility of development along this Lane with the Church would need to be carried out to inform the design, layout and quantum that would avoid harming the setting and views to/from the church. In this respect, development should not extend too far to the west to avoid housing obscuring views of the field and hillside on which the church is positioned, especially in views from the Severn Way. There might be scope to make better use of the depth of the site compared to Riverview, bringing the houses closer to the lane, perhaps as paired cottages set perpendicular to the lane to reduce the pressure on extending too far west. They should also avoid development creating a solid block when viewed from the Severn Way which is the problem with the linear, close packed development to the east. There needs to be a sense of openness, informality and permeability at the edge of the village, something which is not achieved with tightly packed detached dwellings set in a linear fashion along the Lane. The policy suggests 'custom builds' accessed from their own driveway or a shared drive which would imply large buildings on large plots - this could push them too far to the west so the form/scale/layout needs careful consideration in addition to quantum. I would suggest that development not extend beyond the area in red below which would reduce the risk of development appearing to stretch out beyond the village. This would roughly equate to the terrace of 4 houses to the east in terms of plot sizes (including off-street parking and good-sized front and rear gardens.)"

The area has been extended beyond that suggested in officer comments with 3 detached and 3 semi-detached buildings set tightly along the road. This would result in the development area extending further out from the village edge and having a very uniform, suburban pattern of housing

which could be a concern, especially as it stretches development out below the church in certain views. The indicative plan submitted also does not correspond to the area highlighted in red in figure 6.

Church Hill East (was site 7)

Officers are still not convinced that the development of this site can be achieved in the way envisaged by the consultant (no scale/layout/quantum of housing has been provided and the site boundary varies between figure 8 and figure 10). Access through the established double hedgerow will in all likelihood necessitate the formation of visibility splays, and the need to overcome levels differences could give a very contrived engineered appearance to the site access, this potentially having a negative impact on the character, enclosure and rural feel of the entrance to the village and the setting of the surrounding buildings. Simply showing the retention of hedgerows on an indicative plan is not sufficiently robust evidence that the entrance can be achieved in a satisfactory manner. The housing would be set back some way from the road edge and would not reflect the typical pattern of housing in the village, as well as encroaching into the open countryside setting of the village as seen in Fig 9.

Site 13 (part) Westend Lane

Officers do not have any particular concerns over the proposal along Westend Lane. One thought is whether the 13C area could be extended east, taking in what is shown on the streetview as a modern barn/storage yard (assuming the owner would be amenable to it). This would allow further flexibility to the layout of the dwellings along Westend Lane to be in keeping with the village character and rural feel of the built environment within the village.

Archaeology Officer Comments

Officers agree that the site north of the Scheduled Monument has been removed as a potential development location. Now that this has been removed Officers have no in principle objections to the remaining sites although do have comments which set out to clarify comments made in the *further site assessment report August 19*:

Site 13 (part) Westend Lane

The comments in the *further site assessment report* do not entirely tally with Officer comments from 2018 in which they stated that pre-determination assessment may be needed (the assessment report refers to a watching brief condition which would not be acceptable in the first instance (although may be required later). The Officers view remains that pre-determination assessment (below ground archaeological investigation) will be required in locations 13A, 13B, 13C and 13D

before permission could be granted. In other words, there would be an objection to any scheme that came forward until this below ground archaeological investigation was completed. If significant archaeology is found during this pre-determination assessment then it may be necessary to retain this archaeology in situ, in which case a design solution would be needed. As such, whilst the site could be allocated there may be issues of deliverability that affect the quantity and layout of housing in area 13.

Westmarsh Lane (formerly part of Site 9)

The assessment report refers to a watching brief during construction which on balance, would probably be appropriate provided a desk-based assessment was submitted with the application.

Church Hill West (was Site 8)

Again, no in principle issue with allocation but there will be a requirement for some form of pre-determination assessment before a planning application could be approved. Initially this could involve a desk-based assessment and if necessary field evaluation. If archaeology was found, there would be a need for redesign depending on its significance.

Church Hill East (was site 7)

Although there is no objection to allocation in principle, this site is located in an area of archaeological interest and as such pre-determination assessment would be required potentially leading to redesign. A condition would not be appropriate in the first instance.