

**BATH & NORTH EAST SOMERSET COUNCIL'S RESPONSE TO INSPECTOR'S NOTE –
CONCERNS IN RELATION TO EVIDENCE ON THE STRATEGIC LOCATIONS
AND QUESTIONS ON GREEN BELT MATTERS (ID/36)**

1.0 Introduction

- 1.1 This note sets out the Council's response to the issues and concerns raised in the Inspector's note relating to evidence on the strategic locations and questions on Green Belt matters (reference ID/36). The response is structured, where possible, to be consistent with ID/36 and for ease of reference includes the relevant paragraphs from the Inspector's note (in italicised bold text) to which the response relates.
- 1.2 This note also sets out the response to the Inspector's question raised subsequently by email on 6th August in relation to the impact of the recent Town or Village Green Designation of the field behind Purlewent Drive, Weston on the Core Strategy proposal for development of land adjoining Weston (see paragraphs 3.4 and 3.5 below).
- 1.3 Further evidence to inform the Placemaking Plan site selection and allocation process is also published alongside this note (and included in the updated Core Documents list) and is referenced where it has a bearing on the issues under discussion.
- 1.4 It should be noted that as referred to in paragraph 4 of ID/36 a revised deadline of 13th September for publication of this response was agreed by the Inspector (see BNES/46).

2.0 Use of Evidence

ID/36 Paragraphs 2 – 3 and 5:

2. I have found it difficult to understand the relationship between the assessments of possible Green Belt/greenfield housing sites in the assessment of locations in: the Sustainability Appraisal Annex L (CD9/A1/5); the SHLAA (March 2013, CD9/H3); the Arup Green Belt Review Stage 1 Report (CD9/E2); the Arup Development Concept Options Reports and Landscape and Visual Studies for some of the locations (CD9/CO1-CD9/CO10); the Arup Transport Evaluations of alternative sites (CD9/I2/1-25); and the assessment of the locations in Annex 1 of the Report to Council, 4 March 2013 (CD9/PC3).

3. The publication dates suggest that the Arup Concept Reports could not inform any earlier work, but there are references to them prior to their publication date. I appreciate that there may be, rightly, an iterative process in determining the most appropriate outcomes. However, the documents rarely make clear which, if any, evidence studies, have informed an assessment or, where potential concerns are raised, whether the assessment has had regard to acknowledged constraints and possible mitigation suggested in other parallel studies. Given that there is some

time before I need to publish the main issues and questions for the main set of hearings (if they are to take place), there is the opportunity for the Council to explain how these documents relate. This will help all parties in preparing any subsequent hearing statements.

5. An overview of the development of these evidence documents and their use (or not) in informing parallel work would be helpful, including but not restricted to clarifying the following questions.

- **Whether the comparative assessment of locations in Annex L of the SA were based on the Arup Concept Options (so far as they cover relevant matters)?**
- **Whether any of the studies take into account any specific proposals by developers/landowners in relevant locations or their suggestions for mitigating potential adverse impacts?**
- **Whether in the SHLAA assessment of some of the Bath Green Belt locations (where reference is made to the Arup Concept Options Reports of February or March 2013 with regard to housing potential/capacity) the analysis of impacts/mitigation is drawn primarily from those (presumably draft) Concept Options Reports or represents a separate, potentially different, assessment? To what extent are the capacity figures in the SHLAA tables based on the options/capacities explored in the Arup Reports?**

Council Response:

- 2.1 The Inspector's specific questions about the relationship between evidence base studies are answered in paragraphs 2.9 to 2.21 below. This response is preceded by a general explanation of the evidence used to inform the Core Strategy Proposed Changes agreed by Council on 4th March 2013.
- 2.2 The key points are as follows:
- In accordance with the NPPF the Council has based its Core Strategy on a proportionate evidence base
 - The evidence base work and the policy response has been an iterative process i.e. different studies have been undertaken in parallel and have informed each other
 - There is a range of other evidence in addition to that quoted by the Inspector in ID/36 that has informed the Proposed Changes to the Core Strategy mainly from earlier stages of preparation of the Core Strategy
 - The Arup Concept Options were part of the investigative process but not conclusive of the development capacity
 - The estimated development capacities indicated in the Proposed Changes to the Submitted Core Strategy are based on the proportionate evidence base and professional judgements taking account of all of the evidence available at the time.
- 2.3 It is important to note that the selection of the locations proposed for development in the Core Strategy, including the greenfield locations, is justified by evidence proportionate to the strategic nature of the Core Strategy. It is development locations, rather than specific development sites, that are identified in the Core

Strategy Proposed Changes. Other Core Strategies follow a similar approach. This approach is also consistent with paragraph 157 of the NPPF, which states that Local Plans should indicate broad locations for strategic development on a key diagram and land use designations on a proposals map (4th bullet point, Council emphasis).

- 2.4 The identification and allocation of specific sites, the definition of revised detailed Green Belt boundaries (where needed) informed by a ‘field by field’ assessment is deferred to the Placemaking Plan and requires more detailed evidence – as is proportionate to the site allocation stage.
- 2.5 Much of the evidence used to identify strategic options and the greenfield development locations was produced to inform the earlier Core Strategy options consultation and/or is included in the SHLAA.
- 2.6 **Table 1** below highlights where the key relevant evidence prepared during the earlier stages of production of the Core Strategy (pre-Examination suspension) can be found:

Table 1: Summary of key evidence prepared prior to the suspension of the Examination which informed inclusion of development locations in the Proposed Changes to the Submitted Core Strategy agreed by Council March 2013

Strategic Greenfield Location (including rejected locations)	Key Evidence
Bath (Weston, Odd Down, Ensleigh and West of Twerton)	<ul style="list-style-type: none"> • Summary of key evidence to 2009 included in the <i>New neighbourhood in an urban extension to South / South West Bath - Information Paper (October 2009)</i> CD6/O2 • Core Strategy Spatial Options Consultation (CD5/4) • B&NES Urban Extension Environmental Capacity Appraisal: Land within the AONB surrounding Bath (2007) CD4/UDL23 • B&NES Urban Extension Environmental Capacity Appraisal (2006) CD4/UDL22 • B&NES Landscape and World Heritage Study of the Potential for an Urban Extension to the South/South West of Bath (2006) CD4/UDL21 • Slope, Geological Instability and Undermining Study, Arup (March 2010) CD4/ENV6 • Core Strategy – Post Submission Changes (Report to Council 15th September 2011) CD5/24 • Core Strategy – Post Submission Changes (Minutes of Council Meeting 15th September 2011) CD5/25 • Previous iterations of SHLAA • Representations made during consultations

	<p>Previous B&NES Submissions to the hearings include:</p> <ul style="list-style-type: none"> • B&NES 11: Green Belt • B&NES 15: <u>Statement of Common Ground between B&NES and The Prince's Foundation & The Duchy of Cornwall: Major Alternative Sites in the Green Belt - Land to the west of Twerton (Bath)</u> • B&NES 16: <u>Statement of Common Ground between B&NES and Robert Hitchins Ltd: Major Alternative Sites in the Green Belt</u> • B&NES 20: <u>Statement of Common Ground between B&NES and the Hignett Family Trust: Major Alternative Sites in the Green Belt</u> • B&NES 27: <u>Statement of Common Ground on the Evidence Base in relation to WHS setting impact of an urban extension to Bath, between Bath & North East Somerset Council and the Duchy of Cornwall & The Princes Foundation</u>
<p>SE Bristol (Whitchurch and Hicks Gate)</p>	<ul style="list-style-type: none"> • Summary of key evidence included in the South East Bristol Urban Extension - Key references (November 2009) CD6/O3 • Core Strategy Spatial Options Consultation (CD5/4) • B&NES Urban Extension Environmental Capacity Appraisal (2006) CD4/UDL22 • Core Strategy – Post Submission Changes (Report to Council 15th September 2011) CD5/24 • Core Strategy – Post Submission Changes (Minutes of Council Meeting 15th September 2011) CD5/25 • Previous iterations of SHLAA • Representations made during consultations <p>Previous B&NES Submissions to the hearings include:</p> <ul style="list-style-type: none"> • B&NES 11: Green Belt • B&NES 14: <u>Statement of Common Ground between B&NES and Crest Strategy Projects & Key Properties: Major Alternative Sites in the Green Belt</u> • B&NES 19: <u>Statement of Common Ground between B&NES and Taylor Wimpey & Bovis Homes: Land at Whitchurch</u>
<p>Keynsham</p>	<ul style="list-style-type: none"> • Previous iterations of SHLAA • Representations made during consultations <p>Previous B&NES Submissions to the hearings include:</p> <ul style="list-style-type: none"> • B&NES 11: Green Belt • B&NES 16: <u>Statement of Common Ground between</u>

	<p><u>B&NES and Robert Hitchens Ltd: Major Alternative Sites in the Green Belt</u></p> <ul style="list-style-type: none"> • B&NES 17: <u>B&NES and J S Bloor Ltd Statement of Common Ground: Major Alternative Sites in the Green Belt - Keynsham</u> • B&NES 29: <u>Responses to issues raised at the Green Belt Hearing Session on 26th January 2012</u>
--	----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

2.7 Subsequently, further studies (see ID/36 paragraph 2) were undertaken in 2012/13 during the suspension of the Examination to inform the identification of strategic locations for greenfield development. These studies respond to the issues identified by BNES/11, which was prepared in response to the Inspector’s questions set out in ID/7 (Main Matters and Questions). BNES/11 identifies the problems/issues that need assessment and a response if greenfield development were to be required through the Core Strategy. Table 2 below lists this additional evidence produced during suspension, its purpose and where it responds to the issues raised in BNES/11.

Table 2: Summary of purpose and use of Additional Evidence produced to inform selection of Greenfield Housing locations during Examination suspension

Evidence	Purpose/Use
Sustainability Appraisal Annex L (CD9/A1/5)	<p>The Sustainability Appraisal process was the key mechanism for assessing options and informing recommendations.</p> <p>It draws on the findings of the evidence produced at various stage of production of the Core Strategy including the Sustainability Appraisal and the new evidence studies and the SHLAA.</p> <p>Additional bespoke input on specific topic areas from specialist consultees is also recorded in the Sustainability Appraisal in particular in relation to ecology, heritage and landscape impacts.</p> <p>Assists in responding to B&NES/11 – heritage impacts.</p>
Arup Green Belt Review Stage 1 Report (CD9/E2)	<p>This Green Belt Review supersedes the Strategic Green Belt Review undertaken for the South West Regional Assembly (Colin Buchanan, February 2006) CD3/16 and CD3/17.</p> <p>This report has informed Annex 1 to the Council Report and the Sustainability Appraisal.</p> <p>It responds to BNES/11 – need for Green Belt assessment.</p>

Arup Development Concept Option Reports (for all 10 locations) (CD9/CO1-10)	These studies build on the Council’s evidence prepared as part of the Core Strategy examination process and investigate development at 10 potential locations. The purpose of this work was to test the deliverability of development at each of the locations by preparing and considering potential development options. Their purpose was also to help identify location specific issues that needed further investigation/mitigation. As such they inform the planning requirements set out in the Policies for the individual locations. They do not represent a comprehensive assessment of all development constraints.
Landscape and Visual Impact Assessments for Bath Locations (CD9/CO1/1, CD9/CO3/1 and CD9/CO7/1)	Undertaken in parallel to the Concept Options work this study considers in greater detail the landscape and visual impact of theoretical development at the Bath greenfield locations. Assists in responding to B&NES/11 – AONB impacts. Exceptional circumstances as required by NPPF, para 116 are outlined in Annex 1.
Arup Transport Evaluations of alternative locations (CD9/I2/1-25)	Undertaken in parallel to the Concept Options work this study assessed the transportation impacts and opportunities to promote sustainable transport for development at the 10 locations and the overall impacts/ opportunities of three different strategy scenarios.
Habitat Regulations Assessment of the Proposed Changes to the Submitted Core Strategy (CD9/A2)	HRA of Proposed Changes to the Submitted Core Strategy. Assists in responding to BNES/11 – ecology issues
Assessment of Locations in Annex 1 of the Council Report, 4 March 2013 (CD9/PC3)	Annex 1 sets out the process for reviewing the Core Strategy, the conclusions reached and the reasoning behind the changes to the spatial strategy (as described in para 5.9 of the 4 th March 2013 Council Report). The Annex summarises the findings of the evidence produced at the various stages of production of the Core Strategy including the Sustainability Appraisal and the evidence studies and the SHLAA. Annex 1 is subservient to the Sustainability Appraisal- it is the Sustainability Appraisal process that was the key mechanism for assessing options and informing recommendations.

- 2.9 In paragraphs 5 and 6 above the Inspector is seeking clarification of how the different elements of the evidence base produced during the suspension of the Examination relate to each other.
- 2.10 Work during the examination suspension was an iterative process. Due to the timescales involved the various streams of work had to be undertaken in parallel. Table 3 below indicates how the assessment/conclusions of one study relate to another. It should be noted that the conclusions of the various studies were brought together in the SA. The SA was the process by which the various issues (constraints and opportunities) were balanced in order to ensure that the selected locations/strategic solution was the most sustainable and deliverable as required by NPPF.
- 2.11 It is important to note that the completion/publication dates recorded on the individual study reports is not necessarily indicative of when the work was undertaken and the initial conclusions reached. The publication date relates to the date the reports were finalised for public release. Most of the studies reached their conclusions during February and informed the Council decision made. The work undertaken on the Reports after the Council meeting was editorial/formatting to ensure they were ready for publishing.

Table 3: Relationship between studies undertaken during the suspension of the Examination

Evidence Study/Appraisal	Relationship to other studies
Sustainability Appraisal, Annex L (CD9/A1/5)	Reflects and draws together conclusions from all of the evidence base work, including the studies listed below in this table. In addition bespoke input on specific topic areas from specialist consultees not set out elsewhere is recorded in the Sustainability Appraisal e.g. in relation to heritage and landscape impacts.
Arup Concept Option Reports (CD9/CO1-10)	<p>Commissioned for 10 locations that emerged from SA Stages 1 and 2.</p> <p>Helped to identify broad options and key issues needing further investigation e.g. landscape and visual impact. Therefore, led to commissioning of other studies i.e. Landscape & Visual Impact studies and Transport Evaluation work.</p> <p>The Concept Option Reports took account of the information available at the time of their preparation but do not take account of issues & constraints arising subsequently from work undertaken in parallel – in particular it does not</p>

	<p>reflect the findings of the Green Belt Assessment, the Transport Assessment or the Landscape and Visual Impact Assessments in full.</p> <p>Therefore, this work is a snapshot in time. It does not represent the final conclusions in relation to capacity for the locations (this is drawn together in the SA and Annex 1 to the Council Report informed by the other studies).</p>
<p>Arup Landscape & Visual Impact Assessments of Bath Locations (CD9/CO1/1, CD9/CO3/1 and CD9/CO7/1)</p>	<p>Commissioned after the start of Arup Concept Options work. Conclusions not fully reflected in Concept Options work.</p> <p>Conclusions reflected in SA/Annex 1.</p>
<p>Arup Transport Evaluation of alternative locations (CD9/I2/1-25)</p>	<p>Commissioned after the start of Arup Concept Options work. Conclusions not reflected in Concept Options work.</p> <p>Conclusions reflected in SA/Annex 1.</p> <p>Development capacities tested were not derived from the Concept Options Reports. The development of the three strategy scenarios and capacities tested for the individual locations is explained in paragraphs 2.12 – 2.14 below.</p>
<p>Arup Green Belt Review (Stage 1) (CD9/E2)</p>	<p>Undertaken in parallel to Concept Options and other Arup studies. Conclusions not reflected in the Concept Options work, but did inform SA and Annex 1 of Council Report.</p>
<p>March 2013 SHLAA (CD9/H3)</p>	<p>Three elements:</p> <p><u>Findings Report</u>: draws together and explains how SHLAA conclusions relate to other assessments (in particular Arup Concept Options Reports)</p> <p><u>Site Assessments</u>: conclusions on suitable capacity reflect Arup Concept Options Reports (unless evidence on land availability suggests otherwise e.g. Weston). Assessment of impacts/mitigation drawn from Concept Options Reports, Transport Evaluation and Stage 1 Green Belt Review. SHLAA is not a separate assessment (see further explanation in paragraphs 2.15 and 2.16 below)</p> <p><u>Delivery Trajectory</u>: spread sheet sets out 2 scenarios for greenfield locations – capacities derived from Arup Concept Option Reports (no annualised delivery trajectory shown) and delivery trajectory for the capacity recommended to</p>

	Council via Annex 1. Note – these two sets of capacities should not be added together.
Habitat Regulations Assessment (CD9/A2)	Assessment relates to the development capacities recommended in Annex 1 of the Council Report (reflected in the Proposed Changes to the Submitted Core Strategy)

Arup Transport Evaluation

- 2.12 As referred to in Table 3 above Arup were also commissioned to undertake a Transport Evaluation of the 10 potential development locations and three strategy scenarios. Each of the strategy scenarios relate to the overall total of additional development needed i.e. 1,870 homes. These scenarios were developed to test how different strategic focuses of the additional development perform in transport terms. This scenario work was iterative. In its final form (as set out in the February 2013 Report) it tested the development capacities (via Scenario 1) that were considered by the Council on 4th March 2013. The two alternative scenarios assessed were Scenario 2 that focussed a greater proportion of the necessary development at Keynsham (and less at Bath) and scenario 3 that focussed less development at Bath and Keynsham and more on the edge of Bristol (at Whitchurch).
- 2.13 The capacities for the individual locations in scenarios 2 and 3 are not directly drawn from other studies. However, the capacities are within the range of capacities that emerged as being potentially deliverable via the Concept Option Reports. In relation to Whitchurch the 800 figure in scenario 3 reflects work undertaken by developers (Odyssey on behalf of Taylor Wimpey/Bovis Homes) which concluded that around 800 dwellings can be delivered in advance of strategic transport infrastructure improvements (South Bristol Link Road).
- 2.14 In evaluating the highway impacts of development at the individual locations (see CD9/I2/2-11) the vehicular trip rate assumptions were based on the maximum amount of development at each location from the 3 scenarios.

SHLAA and Development Capacities

- 2.15 Table 3 above confirms that the SHLAA site assessments reflect the Arup Concept Options Reports. As indicated above the Concept Option Reports are not based on a full analysis of all the constraints and as such do not represent the final position on development capacities for the locations. Derivation of the capacities included in the Proposed Changes to the Submitted Core Strategy is explained further in paragraphs 3.1 to 3.8 below but in summary is based on analysis of the range of evidence referred to above. This analysis and the issues considered is explained in Annex 1 to the Council Report and reflected in the SA. The SHLAA Site Assessments/Findings Report (March 2013) (CD9/H3) should have been updated to also reflect this analysis but there was insufficient time for this to happen before the Council Report. However, as referred to in Table 3 the Delivery Trajectory was

updated to ensure it reflected the recommended levels of development in the Council Report.

2.16 Whilst the SHLAA was updated in May 2013 this only related to amending the Delivery Trajectory so that it included the updated dwelling completions in 2012/13 and the implications for projected completions. Therefore, the next published SHLAA will include updated site assessments to ensure that the development capacities for the greenfield locations fully reflect the Council's position on suitability.

2.17 In respect of the specific questions outlined in paragraph 5 of ID/36 the Council response is set out below:

(i) Whether the comparative assessment of locations in SA (Annex L) is based on the Arup Concept Option Reports:

2.18 Various studies have informed the SA assessment along with the Arup Concept Options. The process has been iterative. Draft findings and recommendations from various studies, including those for the 2010 Core Strategy options as well as more recent assessments, were taken into account as options were being formulated and assessed. For example, even though the final Green Belt Review Stage 1 Report was dated April 2013, the draft report and findings were available for the SA assessors who extracted the relevant information related to SA objectives to effectively assess the options.

2.19 As explained on page 38 of the SA main report (CD9/A1/2), the appraisals draw on key findings from various evidence sources. The SA matrices do not repeat the findings of other studies and show only a key summary and the mitigation measures where suggested by the other studies.

(ii) Whether the Council studies take into account specific developer/landowner proposals:

2.20 The Council is aware of and has reviewed the developers/landowners evidence in relation to the relevant locations. In addition, the Council has at various times during the preparation of the Plan and suspension of the Examination met with developers/landowners and discussed their work and proposals. In particular the SHLAA assessments take account of developer proposals.

2.21 However, the Council studies undertaken or commissioned by the Council have largely been undertaken independently from the evidence prepared by landowners/developers. The Council studies are high level strategic assessments that assess the impacts of generic forms of residential and/or mixed use development and the potential opportunities to mitigate this impact. Any assumptions regarding development form and/or the basis for the development capacities outlined within the studies are explained in the relevant study. It is

considered that these forms of study are appropriate and proportionate to the requirements of a Core Strategy.

2.21 With regard to specific locations:

Bath locations – There have been no developer led proposals submitted to date at either land adjoining Weston or the greenfield extension to Ensleigh (although a planning application has been submitted on the northern part of the MoD site and public engagement by developers has taken place on a potential scheme for the remainder of the MoD site). However, there has been significant developer led work undertaken by the Duchy at West of Twerton (culminating in an overall Masterplan) and by the Hignett Family Trust at Odd Down. The Council has not validated the evidence base prepared by the developers/landowners at Odd Down/West of Twerton and in many cases has drawn divergent conclusions and opinions in its own evidence base. In relation to ecological mitigation, although the assessments have been undertaken independently, the landowners and the Council have co-operated.

Whitchurch – There have been various developer led proposals submitted for both Hicks Gate (led by RPS on behalf of Crest/Key Properties) and Whitchurch (led by Barton Willmore work on behalf of Taylor Wimpey/Bovis Homes). Furthermore, at Whitchurch planning applications have been submitted with outline/detailed schemes – (i) the development of 47 dwellings has been granted permission on appeal at Sleep Lane, (ii) a current appeal relates to 295 dwelling proposal at Orchard Park (off Staunton Lane) - and an alternative 200 dwelling proposal and a current application for 125 dwellings at Horseworld.

Keynsham – At South West Keynsham the Council has reviewed developer led work prepared by Pegasus Planning (on behalf of Bloor Homes) during December 2011. This work was submitted as evidence for discussion at the Examination hearings in January 2012. At East of Keynsham developer led proposals and evidence has been prepared, led by Built 4 Life (land north of the railway) and Mickel and Mactaggert (land south of the railway). This information was only presented to the Council in May 2013 and is therefore, not taken into account in the Council's work that underpinned the Proposed Changes to the Submitted Core Strategy agreed by Council in March 2013.

(iii) Whether in the SHLAA assessment for some of the Bath Green Belt options the analysis of impacts/mitigation and capacity figures are drawn primarily from the Concept Option Reports:

2.22 The response set out in Table 3 and paragraphs 2.15 and 2.16 above relates to the Bath Green Belt options.

ID/36 paragraph 6:

6. An example of why I have found the evidential trail so confusing is the derivation of the proposal at Whitchurch. The Arup Concept Report's Options 1-3 were for: 395, 2968 or 1775 dwellings respectively. The Sustainability Appraisal Annex L Stage 3 Assessment indicates that at Whitchurch the capacity considered was up to 3,000 (which is clearly consistent with the Arup maximum option), but that the capacity recommended was 200 homes. The last sentence of that assessment reads with adequate environmental mitigation the capacity of 200 homes is recommended, implying that is all the area acceptably could accommodate. But in Annex 1 of the report to Council, Table 7 Locations with capacity to contribute to housing land supply Whitchurch is listed with a capacity of 500. It is not clear where that figure comes from. Annex 1 paragraphs 5.26-5.27 then go on to refer to an outstanding need to identify a further 200 homes to meet the housing requirement and recommends this figure be released from the Green Belt at Whitchurch. It is clear that the figure of 200 in Annex 1 is a residual, not related to the capacity of Whitchurch. Annex 1 does not refer to this being the environmental capacity of Whitchurch identified in the SA. The figure of 200 in Annex L of the SA therefore appears too coincidental to have been derived independently. Finally, the 3 Scenarios used in the Transport Evaluation (CD9/I2/1) tested Whitchurch for 200, 0 and 800 dwellings respectively. It is unclear whether the conclusions of this evaluation informed the other work

Council Response:

- 2.24 Further information is provided below regarding the capacity of land on the edge of Bristol at Whitchurch.
- 2.25 The Regional Spatial Strategy proposed an area of search at SE Bristol for the identification of an urban extension of 6,000 dwellings in the draft RSS (April 2006) and up to 8,000 dwellings within B&NES in the Secretary of State's Proposed Changes (July 2008). The Council's work as part of the assessment of Core Strategy Options in 2010 identified that primarily due to environmental constraints, the capacity was between 3,300 and 3,650 dwellings (CD4/UDL22). However, this assumed that major transport infrastructure such as the South Bristol Link Road would be forthcoming. Work undertaken by Odyssey on behalf Taylor Wimpey/Bovis Homes suggested that up to around 800 dwellings could be developed in advance of the delivery of this strategic transport infrastructure.
- 2.26 Once the location on the edge of Bristol at Whitchurch was identified through the SA stages 1 & 2 as a potential site for growth in 2012, Arup was commissioned to explore options for development in this location. Arup set out three development scenarios in the Concept Options Report with capacities of 395, 2968 or 1775 dwgs.
- 2.27 Stage 3 of the SA (Annex L) drew on the existing available evidence to test the impacts of development in this location. In doing so it needed to distinguish between differences of a larger scale compared with a smaller scale development. A larger scale development of around 3,000 dwellings was tested based on the 2010

Core Strategy Options work and the Arup Concept Options work. A figure for the lower level of growth was not quantified in earlier iterations of the SA. However, the figure of 200 dwellings was included in the final versions of the SA as an indicative figure of the lower level of growth because it was becoming clear from other associated work that this was the scale of development which might be needed to be considered in the area.

- 2.28 The Council accepts that 200 dwellings is not the maximum capacity of this location. The environmental and Green Belts assessments also indicate that the capacity in this location could be greater than 200 dwellings. On the evidence available, the capacity is constrained to about 800 dwellings by the need for major transport infrastructure. However, the actual capacity of this area is being established through work on the Placemaking Plan. The SA therefore included the figure of 200 dwellings to illustrate its conclusions that a lower capacity was more sustainable than a higher capacity. It is accepted that the inclusion of the recommended capacity of 200 in the SA Annex L could be confusing because it does not define the capacity of the area.
- 2.29 The figure of 500 dwellings in Table 7 of Annex 1 was based on an earlier iteration of the Arup option 3, the lowest option. This option was subsequently refined in the Arup work to 395 dwellings. This reflects the uncertainty about the overall capacity of this location at that stage (and still). The Council report gravitated towards the Arup Option 3 because the SA makes clear the disbenefits of significant development here. However, as highlighted by the Inspector, the allocation of 200 dwellings is clearly a residual figure.
- 2.30 Finally, the figures in the Arup Transport Evaluation scenario work are explained in paragraph 2.12 above. The figure of 200 dwellings is derived from the other work and then tested in scenario 1 (i.e. the 200 capacity is not one that is led by transport impacts/considerations).

3.0 Justification for the Council's limits on the capacity of the Green Belt strategic releases

ID/36 paragraphs 7 & 8:

7. The only link between the evidence/background material and the chosen locations and their indicative scale/capacity is Annex 1 of the officers' report to Council (4 March 2013). Where the Council has put forward some development in a strategic location, but at a scale significantly less than any of the options in the main supporting evidence, I have seen nothing which explicitly justifies the Council's position. Some of the selected figures appear arbitrary. It is difficult to understand how the Council will seek to demonstrate the soundness of the capacity limits. If the main hearings take place, what reliance would the Council be placing on the Arup Concept Options Reports to justify the choice of strategic location and the scale of development proposed at each? This situation has made

it hard to prepare straightforward questions which explore and test the soundness of the Council's proposals.

8. In addition, I have seen nothing which explicitly justifies the Council's view that in a number of locations there is no scope to consider removing additional land from the Green Belt for any needed development in the longer term. Given the wide range of issues that the policies generally set out for further consideration and assessment and the potential identified in the Arup Concept Reports there seems no basis for such a categorical position. I am not inviting the Council to justify its approach with new evidence, but if there is any additional explanation that the Council wishes to provide of the basis for its decisions in March 2013 there is the opportunity to do so.

Council Response:

- 3.1 The process by which the estimated/indicative capacities in the Proposed Changes to the Submitted Core Strategy have been derived is summarised in Annex 1 to the Council Report and reflects the results of the SA. The capacities are drawn from a range of evidence including the Arup Concept Option Reports. However, as noted above, the work undertaken was iterative and the Arup Concept Option Reports test theoretical development options that do not take account of all evidence relating to development constraints and as such are not relied upon as the final conclusion on development capacities. In addition and as noted elsewhere the Arup Concept Options work was not undertaken in order to determine the choice of strategic locations in the Core Strategy. The process of choosing the strategic locations is driven by the SA.
- 3.2 The evidence base work undertaken is proportionate to that needed to support a Core Strategy and the identification of strategic locations with an indicative scale of development that can be appropriately delivered during the Core Strategy period. The Council has not prepared a new style Local Plan including specific site allocations and as such the evidence has not sought to assess and justify the identification of precise development capacities.
- 3.3 Following analysis of all of the evidence available at the time of the Council decision (as summarised in tables 1 to 3 above) professional judgments were made of the realistic and deliverable development capacity of each location, reflecting known constraints that need to be explored in more depth. As a result the estimated capacities take into account a range of concerns and impacts relating to deliverability, environmental capacity, Green Belt considerations, transportation impacts and other infrastructure implications. The issues relevant to each location are outlined in Annex 1 to the Council Report.
- 3.4 The Inspector has also requested that this response to ID/36 covers the implications for the development capacity at Weston of the registration of land at Purlewent Drive as a Village Green. In an email of 6th August the Inspector asks:

"If the hearings continue after 17th September, I would want the Council to clarify what, if any, are the implications of the village green designation of land off Purlewent Drive for policy B3B, land adjoining Weston (SPC89). For example: does it affect the Council's view as to the potential to develop 300 dwellings; does it affect criterion j - access to the east, west, and south? I don't need a response before 17th September but I would want the Council to clarify its position before other parties had to submit statements for the hearing to avoid potential wasted effort. So I am just flagging the matter now for future thought."

- 3.5 The Council's response is as follows. On 29th July 2013, the field behind Purlewent Drive in Weston, Bath was registered as a town or village green under the Commons Act 2006. The register entry and map showing the land in question is included as a new core document CD9/I4.
- 3.6 It is not considered that this village green designation affects the identification of "land adjoining Weston" (SPC 89) as a strategic location for development in the Core Strategy. As the Core Strategy makes no site specific allocations, but defers this to the Placemaking Plan, its impact would be that the Council would no longer consider the land appropriate for allocation in the Placemaking Plan.
- 3.7 Furthermore, additional detailed evidence published by the Council to inform site allocation in the Placemaking Plan strongly suggests that this land would have been ruled out even if it had not been designated as a village green. For example:
- The majority of the site lies within "land cell U" which is identified as having a high risk of substantial harm to heritage assets - see CD9/LV/1 (Appendix 2, Summary Map A2.10)
 - The majority of the site lies within "land cell L1 north/south" which is identified as having a high negative impact on the World Heritage Site setting – see CD9/LV/2 (Map W3)
 - The whole of the site lies within "land cell L1 north/south" which is identified as having a high negative impact on the significant of the Area of Outstanding Natural Beauty – see CD9/LV/2 (Map W4)
 - The above studies show that due to the nature of the assets and the impacts, their impact cannot be mitigated sufficiently such that substantial harm could be avoided
- 3.8 In conclusion, the village green designation in its own right does not impact on the capacity for development of land adjoining Weston. However, the outcome of more detailed investigation to inform site allocation in the Placemaking Plan does indicate a more restricted capacity at Weston than set out in the Core Strategy SPC89. Paragraphs 4.6 and 6.10-6.11 of this response (BNES/47) are also relevant in this regard, with the latter suggesting that a limited large-site windfall allowance could be introduced balancing any loss of capacity at Weston.
- 3.9 For response to ID/36 Paragraph 8, see response to Paragraphs 16 & 17

4.0 New Evidence

ID/36 paragraphs 9 – 12:

9. BNES/42 (paragraph 4.2 and table of new studies) indicates that the Council intends to publish during August more detailed studies relating to the strategic locations. I understand that these are intended to inform preparation of the Placemaking Plan. The Council says: these studies...would be available in good time to inform the Examination hearings if the Inspector consider this would be helpful. This is ambiguous, leaving the Council's position unclear. All the evidence on which the Council relies to justify the proposed changes should have been published as part of the consultation so that representations were made in the light of that evidence and the opportunity was available to challenge it. Evidence should not emerge in a piecemeal manner. Points I previously made when suspending the Examination (ID28, paragraph 12).

10. It is also necessary to be clear whether the Council relies on or endorses any evidence studies conducted by others (a problem apparent in relation to the Arup Concept Options Reports). Furthermore, these new emerging studies will presumably have been informed by the decisions already made by the Council, such as capacity, which may limit their relevance in explaining these decisions

11. For the hearings on the Green Belt strategic releases, I will be asking questions about how the Council had assessed the significance of the various designations/assets (e.g. AONB, Conservation Area, WHS, Scheduled Ancient Monument and their settings) and the potential impact of the proposals on these. I have seen little evidence which really deals with such matters. The Council will need to reflect on whether it had the evidence to justify the decisions it made. If not, it will need to consider carefully how it wishes to proceed.

12. It is important that I do not get drawn into matters that are for the Placemaking Plan to resolve and its future Examination to test. Thus consideration of specific site boundaries is not an issue for me in the Examination at present. A number of representors are seeking specific allocations to be made for strategic sites in the Core Strategy (in part because of one of the concerns highlighted below). If I were to be persuaded that this plan is unsound in the absence of specific allocations, I would need to consider whether this Examination could proceed. Any such scenario is speculative and a long way off, but is intended to explain why my focus is on the Council's proposed changes and the justification for the choices made by the Council in March 2013.

Council Response:*Response to paragraphs 9 and 10:*

- 4.1 The evidence base used to inform the choice of strategic locations and the indicative capacities set out in the Proposed Changes to the Submitted Core Strategy approved by Council in March 2013 has been outlined above (see Tables 1 – 3). It is confirmed that as required by the Inspector all of this evidence was published as part of the consultation.
- 4.2 However, the preparation of planning policy aimed at facilitating the delivery of development at these locations needs to proceed expeditiously. As such further work has been undertaken to inform the Placemaking Plan which will identify and allocate specific sites for development at the strategic locations and outline more detailed development requirements if necessary.
- 4.3 The new studies that will inform the Placemaking Plan are of relevance to the Core Strategy Examination and the Inspector has agreed to their publication on 13th September and availability to inform the Examination. The Inspector is concerned that these studies may be unduly influenced by decisions already made by the Council regarding capacities and that this may limit their relevance in explaining the decisions.
- 4.4 Whilst they have been carried out after the Council decision the latest studies have been undertaken in the context of and further develop the Core Strategy evidence base. They look in greater detail at the issues and concerns raised in the published Core Strategy evidence studies in order to inform identification of the most suitable land for development at the strategic locations. They assess the impact of development in land cells taken from the Core Strategy evidence, including the Arup Concept Option Reports. The assessment of the impacts of such development is not constrained or set by the capacity decisions taken by Council on 4th March, rather it is the issues and conclusions of the previously published Core Strategy studies that set the framework for the latest studies. None of the Placemaking Plan related studies published on 13th September will replace the previously published Core Strategy studies. This document sets out the implications of the studies published on 13th September for the Proposed Changes to the Submitted Core Strategy.
- 4.5 The relationship between the existing Core Strategy evidence base and the new studies (published on 13th September 2013) informing the Placemaking Plan and Core Strategy Examination is set out in table 4 below.
- 4.6 The Council is not seeking through the new studies to justify decisions made at Council. Whilst much of the work undertaken to inform the Council decision provides the context for the subsequent more detailed work. In some instances the new evidence supports a different conclusion than that reached previously. This is the case at the Weston site where more detailed investigations indicate a more restricted capacity than previously concluded.

Table 4: Relationship of new Placemaking Plan/Core Strategy Examination Studies and the existing Core Strategy Evidence Base

Core Document Number	Title of study to inform Placemaking Plan and inform Core Strategy examination	Relationship to Core Strategy evidence base
CD9/E9	Stage 2 Green Belt Review (Arup)	<p>Supplements the Stage 1 Green Belt Report.</p> <p>For land within the strategic development locations an assessment of the relative performance against Green Belt purposes of land cells (within strategic land parcels from Stage 1) and an initial assessment of potential to define revised detailed Green Belt boundaries in these locations.</p>
CD9/LV/1	Core Strategy/ Placemaking Plan: Additional Evidence Heritage Asset Study (Land Use Consultants, BaRAS & Conservation Studio)	<p>Supplements Core Strategy Sustainability Appraisal, Annex L and previous Core Strategy evidence including:</p> <ul style="list-style-type: none"> • Core Strategy Spatial Options Consultation (CD5/4) • B&NES Urban Extension Environmental Capacity Appraisal: Land within the AONB surrounding Bath (2007) CD4/UDL23 • B&NES Urban Extension Environmental Capacity Appraisal (2006) CD4/UDL22 • B&NES Landscape and World Heritage Study of the Potential for an Urban Extension to the South/South West of Bath (2006) CD4/UDL21 • Further work undertaken as part of the SA process and Information Paper CD6/O2 (Appendix 2). <p>More detailed evidence for locations where land is proposed to be released from the Green Belt, to inform site selection and avoid substantial harm to heritage assets.</p>

<p>CD9/LV/2 - 5</p>	<p>World Heritage Site Setting and Cotswold Area of Outstanding Natural Beauty Landscape and Visual Impact Assessments for Land at Weston, Odd Down, Ensleigh and West of Twerton</p>	<p>More detailed evidence for locations where land is proposed to be released from the Green Belt, to inform site selection.</p> <p>This evidence has informed the LUC Heritage Assets and Setting Study and similarly supplements earlier work highlighted above – specifically CD4/UDL21, 22 and 23 and the SA, Annex L.</p> <p>Includes a detailed assessment of AONB impact in line with national policy that further supports the demonstration of the exceptional circumstances required by paragraph 116 of NPPF, (in particular third bullet point) that is currently summarised in Annex 1 of the Council Report.</p> <p>The assessment of Ensleigh has also been informed by and supplements the MoD Site Concept Statement Evidence base.</p>
<p>CD9/LV/6</p>	<p>Whitchurch Landscape and Visual Impact Assessment</p>	<p>As above – supplements earlier work set out in CD4/UDL22 and SA, Annex L.</p>
<p>CD9/LV/7 - 8</p>	<p>Keynsham East and Keynsham South Landscape and Visual Impact Assessment of Development for:</p> <p>East of Keynsham and South West of Keynsham</p>	<p>Supplements earlier assessment of sites set out in SHLAA (CD9/H3) and SA, Annex L.</p>
<p>CD9/E13 CD9/E11 CD9/E12</p>	<p><i>Ecological Surveys for:</i></p> <p><i>Land Adjoining Weston</i></p> <p><i>East of Keynsham</i></p> <p><i>South West Keynsham</i></p>	<p>More detailed evidence for locations where land is proposed to be released from the Green Belt, to inform site selection. Utilises the same approach as taken for locations considered at the Core Strategy Spatial Options stage.</p> <p>Supplements SHLAA (CD9/H3) and for Weston supplements B&NES Urban Extension Environmental Capacity</p>

		Appraisal: Land within the AONB surrounding Bath (2007) (CD4/UDL23)
CD9/E14	Findings of Dusk Bat at Weston (July 2013) (BatPro Ltd)	Supplements the walk over surveys of bat habitat undertaken to inform the HRA. Responds to issues raised in the walk over surveys and raised by Natural England during public consultation on the Proposed Changes to the Submitted Core Strategy.
CD9/I3	Strategic Greenfield Allocation at Weston, Bath: Water Infrastructure and Geotechnical Prioritisation Report (Arup)	More detailed evidence for Weston, where land is proposed to be released from the Green Belt, to inform site selection. Responds to issues raised in Concept Options Report and during public consultation on the Proposed Changes to the Submitted Core Strategy.
CD9/I4	Weston Village Green Designation	Update following village green designation.

Response to paragraphs 11 and 12:

- 4.7 The Core Strategy approach of identifying strategic locations for release of land from the Green Belt for development followed by site allocation and definition of a revised Green Belt boundary in the Placemaking Plan accords with the tested approach previously used through the adopted Joint Replacement Structure Plan and B&NES Local Plan with regard to Keynsham. However, the Council accepts that this approach could delay the plan-led delivery of development at these locations – see response to ID/36, Paragraphs 13-15 below. Within this context the Council considers that it had the necessary and proportionate evidence on the potential impact of development on the significance of various designations/assets and that allied with the approach to estimating development capacities the Core Strategy sets a sound framework for the identification and allocation of sites in the Placemaking Plan.
- 4.8 At the time the Council agreed the Proposed Changes to the Submitted Core Strategy the evidence on the potential impact of development on the various designations/assets is principally set out in:
- B&NES Urban Extension Environmental Capacity Appraisal: Land within the AONB surrounding Bath (2007) (CD4/UDL23)
 - B&NES Urban Extension Environmental Capacity Appraisal (2006) (CD4/UDL22)
 - B&NES Landscape and World Heritage Study of the Potential for an Urban Extension to the South/South West of Bath (2006) (CD4/UDL21)
 - Appendix 2 to Core Strategy Spatial Options Information Paper (CD6/O2)

- SA, Annex L – Stage 3

The significance of the assets and the assessed impact of development on them has been weighed against other sustainability considerations through the SA process and outlined in Annex 1 to the Council Report.

- 4.9 Some of the Placemaking Plan studies are also highly relevant to the Examination in further assessing the significance of various heritage assets and landscape designations and the impact of development on them in greater detail. The studies that are of particular importance are the Land Use Consultants et al (LUC) Heritage Asset Study (CD9/LV/1) and the Council's WHS Setting and AONB Landscape and Visual Impact Assessment of development at the strategic locations (CD9/CO1/1, CD9/CO3/1 and CD9/CO7/1). The LUC et al study utilises an approach that is consistent with the NPPF and Setting Guidance of Heritage Assets (English Heritage Guidance, October 2011) and in respect of the WHS the Landscape and Visual Assessment applies the approach outlined in the WHS Setting SPD which has been endorsed by English Heritage.

5.0 Other concerns relating to the strategic Green Belt proposals

ID/36 paragraphs 13 – 15:

13. There are clearly a range of potential controversial matters to be considered if the Examination continues after 17 September, but I set out below some general concerns/questions about the justification for and effectiveness of this Plan in relation to the identified strategic locations. With one exception, these are generic concerns not related to the particular merits of the sites. I am not requiring a response from the Council, unless it wishes to put forward potential changes for consideration at the hearings. Any such potential changes would need to be published before parties had to prepare any hearing statements and, of course, subsequently be formally consulted on if I were to consider that any unsoundness could be remedied by further changes. These matters will need to be discussed at the hearings, but I want to alert the Council to them well in advance.

14. Firstly, I am concerned at the reliance on completion from these strategic locations to demonstrate the 5 year supply now and in the next couple of years. NPPF paragraph 47, 2nd bullet states that LPAs should: identify and update annually a supply of specific deliverable sites sufficient to provide 5 years' worth of housing. The Core Strategy identifies 6 strategic locations for new housing. Within these broad locations specific sites will be identified and allocated in the Place-making Plan. The LDS indicates adoption of that Plan by March 2015. However the LDS assumes adoption of the Core Strategy by the end of 2013 which is not now possible. There would seem likely to be some delay in the Place-making Plan, even if this Examination were to continue and I were eventually able to make the Plan sound.

15. The 5 year supply identified in the SHLAA relies on completions from 5 Green Belt broad locations eg Odd Down from 2015/16 onwards; Weston, East of Keynsham, SW Keynsham and Whitchurch from 2016/17 onwards, (SHLAA June 2015 - for several of the locations delivery has been delayed by 1 year compared with SHLAA of March 2013). It seems to me that specific deliverable sites will not have been identified until the Place-making-Plan is at least published or submitted for Examination and not be certain until it is adopted. Accordingly, adoption of the Core Strategy with changes as proposed would not create a 5 year supply complaint with the NPPF. Furthermore, given that the identifiable sites will not be confirmed by a development plan until sometime in 2015 at the earliest, delivery from all these sites within 1 or 2 years seems optimistic. There is not yet a close alignment between what the Council is proposing and landowner/developer proposals in these locations and there is a long list of constraints and matters requiring further assessment.

Council Response:

- 5.1 The Council recognises that the SHLAA delivery trajectory (June, 2013) includes housing at Green Belt locations which are yet to be ratified through the examination process and are dependent upon the progression of the Placemaking Plan.

Table 5: Current (June 2013) SHLAA delivery trajectory

	2014/15	2015/16	2016/17	2017/18	2018/19	Total
Odd Down	0	20	50	50	50	170
Weston	0	0	20	50	50	120
East Keynsham	0	0	20	50	50	120
South Keynsham	0	0	20	50	50	120
SE Bristol	0	0	20	50	50	120
Total	0	20	130	250	250	650

- 5.2 If the Council is not able to include the housing proposed for Green Belt locations in the 5 year housing land supply period (from April 2014) until specific sites have been identified and/or examined in the Placemaking Plan the effect will be to remove 650 units from the 5 year land supply for the period 2014/15-2018/19. The impact of this on the 5 year land supply position would depend on the basis for that calculation, a matter which is contested. On the Council's current case the loss of Green Belt capacity from the 5 year supply would still leave a 20% buffer for the aggregate (market + affordable) SHMA housing requirement, although the picture would deteriorate in respect of a 5 year supply of affordable housing.
- 5.3 In respect of the Interim CLG projections to 2021, the loss of 650 Green Belt units would leave a shortfall of about 200 to achieve 20% buffer. The Council is awaiting the results of the additional Hybrid testing to follow SHMA Addendums 1a and 1b. A calculation will also be needed in respect of these outputs. If the Inspector were to conclude that there is a shortfall in 5 year land supply for the 5 years from the

adoption of the Core Strategy, then this could only be rectified with the use of non-Green Belt sites in less sustainable locations in the south of the district. Moreover, the additional land identified for 5 year supply purposes outside the Green Belt would offset the amount of land that needed to be allocated within the Green Belt. It is not considered that it is a sound strategy to rely on peripheral development in the least sustainable parts of the District to meet housing needs.

- 5.4 The Inspector expresses concerns in ID/36, paragraph 15 about including any delivery from the Green Belt locations even once confirmed as specific sites in the Placemaking Plan (during 2015). On this plan-making timetable it is suggested that delivery during 2016/17 and 2017/18 would be optimistic. The implication of this is that first completions for specific Green Belt sites could not be programmed until 2018/19. That is the final year of the 5 year supply period from 2014/15. Further, this deliverable capacity cannot actually be included in the 5 year supply until the Placemaking Plan is submitted for examination (see table 6 below)

Table 6: Implications of ID/36:15 (note: capacity could not actually be included in current 5 year supply)

	2014/15	2015/16	2016/17	2017/18	2018/19	Total
Odd Down	0	0	0	0	50	50
Weston	0	0	0	0	50	50
East Keynsham	0	0	0	0	50	50
South Keynsham	0	0	0	0	50	50
SE Bristol	0	0	0	0	50	50
Total	0	0	0	0	250	250

- 5.5 In order to expedite the delivery of the plan and enable the Green Belt capacity to be included in the 5 year land supply as soon as possible the Council accepts that there is merit in amending the Core Strategy to enable the early development of these sites rather than relying entirely the Placemaking Plan.
- 5.6 The further site specific studies published by the Council on 13/9/13, including the Stage 2 Green Belt review, provide the evidence to progress formulation of urban extension proposals. If it is helpful to the examination process, the Council will be able to use this information to identify more specific options for development, including more precisely indicating the extent of new development, by the end of September 2013. This would enable the more detailed consideration of these options at the hearings (if the examination progresses). Furthermore, the Council is of the view that the studies being published on 13/9/13 are of sufficient rigour to enable the consideration of detailed site allocations at the hearings.
- 5.7 Such site allocations would entail modifications to the Core Strategy which would need to be published for consultation along with any other modifications that may arise from the hearings. Once consulted on, there is every possibility that a Core Strategy with site specific Green Belt allocations could be adopted by Summer 2014, assuming the Plan is found sound. Further the Council would contend that first

completions could reasonably be programmed for two years later i.e. halfway through 2016/17. This would mean that 570 units from Green Belt sites could be included in the 5 year land supply from 2014/15 (see table 7 below).

Table 7: Allocating Green Belt Sites within the Core Strategy

	2014/15	2015/16	2016/17	2017/18	2018/19	Total
Odd Down	0	0	20	50	50	120
Weston	0	0	20	50	50	120
East Keynsham	0	0	20	50	50	120
South Keynsham	0	0	20	50	50	120
SE Bristol	0	0	20	50	50	120
Total	0	0	20	250	250	570

- 5.8 Even if it is concluded through the hearings that allocating sites in the Core Strategy is not feasible, good progress can still be made on taking forward the urban extensions. If found sound, the Core Strategy would establish the principle of the removal of land from the Green Belt in specified locations. This would enable public consultation on detailed site proposals as part of the Placemaking Plan in 2014. In light of the considerable amount of work that has been done on the sites, this could take place soon after receipt of the Inspector's report. This would enable sites to be progressed in 2015.
- 5.9 This option would be further facilitated by the approach used in the old Structure Plan/Local Plan system. The Structure Plan redefined the general extent of the Green Belt but, being a strategic plan, did not set the detailed 'field by field' boundary. However, its adoption entailed a change to the extent of the Green Belt and it was then the role of Local Plans to define the detailed boundary. Similarly the Core Strategy could formally change the general extent of the Green Belt now rather than deferring the change to the Placemaking Plan. The detailed boundary would still need to be established in the Placemaking Plan.
- 5.10 The benefit of this approach is that it would enable planning applications to come forward on the urban extension locations in advance of the finalisation of the Placemaking Plan. The disadvantage is that the policy framework used to determine the planning applications would not yet be finalised. However, the site requirements contained in the Core Strategy go some way to providing the necessary policy to guide development and the proposals in the Placemaking Plan will be significantly advanced with the evidence substantially in place. Because the Green Belt boundary cannot be redefined through a planning application, the actual detailed Green Belt boundary would need to be subsequently established in the Placemaking Plan.
- 5.11 In conclusion, the Council accepts that the 5 year land supply calculation needs to be adjusted to remove the urban extension proposals for the time being. However, it considers that even with this change, the Plan provides a sound 5 year land supply.

ID/36 paragraphs 16 & 17:

16. Secondly, as I have previously highlighted and as many representors also point out, the NPPF requires that where Green Belt boundaries are reviewed they should endure beyond the plan period (to meet longer term development needs stretching well beyond the plan period NPPF paragraph 85). As also highlighted above, I cannot see the evidential basis for the Council concluding that there is no scope to identify safeguarded land at Bath and East Keynsham (if Green Belt land release is otherwise justified), bearing in mind the potential scale of development options in the Arup Concept Options Reports, the absence of any assessment of appropriate detailed boundaries and all the other factors the proposed policies require to be assessed.

17. Where the Council has not completely ruled out identifying safeguarded land, it delegates to the Place-making Plan all further consideration of the matter and provides no strategic steer. Thus that plan would have to tackle the general scale of any safeguarding land required, its broad location, as well as the precise boundary. That would mean reopening issues relating to the possible overall housing needs beyond 2029. The issue of safeguarded land is a strategic matter which the Core Strategy should be addressing so that the Place-making Plan has a clear outcome to deliver (accepting for the present that the Place-making Plan is the appropriate vehicle to define the precise new boundary of the Green Belt, which is disputed by some as acknowledged above).

Council Response:

Explanation of the Council’s conclusions on Safeguarded Land

- 5.12 NPPF para 83 advises that when altering Green Belt boundaries, authorities should have regard to their intended permanence in the long term, so that they should be capable of enduring beyond the plan period. Para 85 states “When defining boundaries, local planning authorities should (inter alia) **where necessary**, identify in their plans areas of ‘safeguarded land’ between the urban area and the Green Belt, in order to meet longer-term development needs stretching well beyond the plan period”. The soundness test is therefore whether safeguarded land (SGL) has been considered.
- 5.13 The Council summarised its consideration of the issue of SGL when it considered the removal of locations from the Green Belt to meet the need for housing. The Council report Annex 1 indicated where SGL might or might not be suitable and this is reflected in the Core Strategy. The approach in the Core Strategy is as follows;

Bath:	Core Strategy Para 2.30B no scope for SGL at either of the Bath
-------	-----------------------------------------------------------------

	urban extension sites
Keynsham:	Core Strategy Policy KE3 does not highlight the need for SGL at East Keynsham but requires that the need for SGL is considered in the Place Making Plan at land south of SW Keynsham
Whitchurch:	Core Strategy Para 5.42A & Policy RA.5 require that the need for SGL is considered in the Place Making Plan

- 5.14 The basis of these conclusions are summarised in the Council report but a fuller explanation is provided below.
- 5.15 In order to explain the Council's position, reference needs to be made to the SA sequential locational preference. Stage 1 of the SA concludes that in order to accommodate the District's housing needs, Bath is the most sustainable location. Keynsham is the next most sustainable location. Locations on the edge of Bristol are less sustainable than Bath and Keynsham but they do offer some sustainability advantages. The Somer Valley and the Rural Areas are the least sustainable locations. In light of this evidence, the Council sought to maximise new housing provision on suitable land at Bath before considering other locations. Once suitable land at Bath is used, then other locations should be considered, especially at Keynsham. It would be inappropriate to safeguard land for the longer term in the most sustainable locations if that land can meet the needs for development now i.e. the most sustainable opportunities for development should be exhausted before less sustainable options are used.
- 5.16 The Council has assessed the capacity for new housing at Bath. Having taken account of existing development opportunities in the District, the Council assessed the scope for new greenfield development adjoining Bath (regarding smaller sites on edge of Bath, see response below in paragraph 6.2 onwards). Through the Core Strategy, the Council has sought to maximise the development potential at Bath before assessing new opportunities elsewhere. The evidence shows that there are severe environmental constraints at Bath and the three locations chosen, with the specified capacities, are the maximum the Council considers acceptable before significant harm is caused. It would be an unjustified departure from the findings of the SA to safeguard land at Bath for development beyond 2029 whilst at the same time looking to release land at Keynsham, a sequentially less preferable location. If there is suitable land available for housing at Bath, it should be used in the current plan period.
- 5.17 This is not to say that Bath has permanently reached its maximum capacity for growth. On the basis of the evidence available, the Council has balanced the overall need for housing in the District with the environmental impact and reached a conclusion. The factors weighing into this balance may be different in future years but that judgement needs to be made at that time in light of the prevailing circumstances. Further brownfield opportunities are also likely to arise in the future which will need to be taken into account. These were the reasons that led the Council to conclude that there is no basis to identify SGL at this time.

- 5.18 If it was demonstrated through the examination that the sites at Bath had a greater capacity than that currently proposed, then because of the conclusions of the SA, the capacity in the Core Strategy for these sites would need to be increased rather than safeguarding land for the future.
- 5.19 At Keynsham, the capacity of the two urban extensions is a result of infrastructure constraints and the Green Belt. East Keynsham is the most sustainable location for an urban extension in terms of transport and access to facilities. However, the impact on the A4, the existence of a major gas line and the difficulties in accessing land north of the railway line constrain the level of development. In terms of Green Belt, the Keynsham-Saltford gap is a highly sensitive part of the Bristol Bath Green Belt (see Stage 1 Green Belt Review, CD9/E2). Based on this analysis, the Council cannot justify a greater level of development. If it could then it should allocate this now due to the sustainable advantages of this location. As with Bath, it would be inappropriate to safeguard land in a sustainable location if it is available now to meet development needs. Moreover, there is insufficient evidence to demonstrate that the issues that are constraining the capacity of this location could be adequately overcome and hence it would be unsound to safeguard land for the long term.
- 5.20 At land south of SW Keynsham, the extent of development is constrained by the need to avoid impacting southwards onto the Chew Valley and also the need to limit the impact of traffic worsening congestion the town centre. However, through the Placemaking Plan, the Council is investigating options to continue the regeneration of the town centre and this, alongside the River Strategy which is investigating the reconfiguration of land-uses in north Keynsham, may ease some of the problems of through traffic. In light of the fact that the Arup Concept Options work indicates that there may be scope for a greater level, of development and because of the conclusions of the Green Belt assessment, the Council concluded that there may be scope to identify SGL.
- 5.21 Similarly on the edge of Bristol at Whitchurch, the capacity in the Core Strategy is explicitly a residual figure. The evidence on environmental capacity and transport constraints indicate that the capacity in this area may be greater than that currently required to meet housing needs. This provides the potential to safeguard land in this location.

Why the decision on SGL is proposed to be taken in the Placemaking Plan

- 5.22 The Core Strategy allocates the decision on SGL to the Placemaking Plan because it is through the Placemaking Plan that the work on establishing the development layout options and the revised detailed Green Belt boundary are to be undertaken. These decisions are better informed by this more detailed work than being taken in advance.

- 5.23 However, the Council understands the Inspectors' comments about relying on the Placemaking Plan to address the strategic location of housing to meet long term needs. The Council has considered options to address this issue.
- 5.24 One option could be that the Core Strategy could be amended to provide the strategic decision on the location of SGL. Based on the above analysis, the Core Strategy would require land to be safeguarded at south west Keynsham and at Whitchurch to meet development needs post 2029. However, this approach would not have the benefit of being informed by the further work being undertaken as part of the Placemaking Plan and so there is insufficient evidence to make this strategic decision at this stage.
- 5.25 However, the decision on SGL is in fact a decision on the location of future long term growth options. Therefore, the other option is not to include a strategic steer on SGL at this stage but to address the issue of SGL with the other WoE Authorities as part of the planned review. This would overcome the risk that B&NES would be prematurely deciding the spatial strategy for long term growth in the sub-region. It would enable a co-ordinated approach to be taken on the longer term spatial strategy for the sub-region. This is of particular significance in light of the fact that Keynsham and Whitchurch currently fall within the Greater Bristol HMA and there are limited opportunities for SGL at Bath.
- 5.26 Moreover, the B&NES SA indicates that there are significant infrastructure constraints to the expansion of the most sustainable locations in the north of the District. Addressing these infrastructure constraints requires a sub-regional commitment to prioritisation of measures as part of a wider spatial strategy. This approach would be hampered by B&NES seeking to address these issues in advance.
- 5.27 This option would entail the removal of the current reference to SGL from the Core Strategy and commit instead to addressing the issue of both future growth locations and SGL comprehensively with adjoining UAs through the Duty to Co-operate. This approach is enabled by the commitment from the WoE Authorities to work together to prepare a revised SHMA to inform a review of the spatial strategy for the sub-region.
- 5.28 Whilst it is not ideal that Green Belt boundaries may need to be reviewed soon after being established in order to identify SGL, the boundaries may need to be reviewed in any case as part of the forthcoming WoE review of Core Strategies in order to meet growth needs identified through the WoE SHMA review. The issue of long term growth and SGL is more effectively addressed in a co-ordinated and comprehensive way.
- 5.29 To ensure proposals in the B&NES Core Strategy do not close down any future options now, an additional site requirement in the Core Strategy could require that new development at the urban extensions must be designed to enable future expansion. This would be a planning requirement of the development proposals developed in the Placemaking Plan.

ID/36 paragraph 18:

18. My third concern is whether the indication on the Key Diagram of each strategic location by a single star and the lack of much locational guidance or principles in the policies provides sufficient guidance as to the intended locations/areas within which potential the allocation(s) should be assessed in preparing the Place-making Plan and for testing at subsequent Examination. Given that the Council is proposing much less development than explored in the Arup Concept Options Reports there seems potential scope for major subsequent debate about what areas the policies apply to and how broad the area of search should be. I note that the strategic locations have been identified only on the Key Diagram and not on the Diagrams for Bath (Diagram 5) or Keynsham (Diagram 12) where more guidance as to the intended location could have been provided. Diagram 5 has a note saying: Indicate areas where land will be released from the Green Belt...as if this is intended in due course, but no such indications are given. I could consider any new notations only if they had been the subject of consultation because they could have significance for the selection of the specific sites in the Place-making Plan.

Council Response:

- 5.30 The strategic locations for development are listed in Policy DW.1 and are subject to an individual location policy, as well as being indicated on the Key Diagram. This approach accords with the NPPF, paragraph 157 (4th bullet point). The Core Strategy provides the framework for the Placemaking Plan to identify and allocate the most suitable site(s) for development following further more detailed assessments and working with key stakeholders, including the community.
- 5.31 The Council has undertaken significant work to inform the Core Strategy which has included assessing land in these broad locations. For the purposes of assessment the area of land considered has been identified consistently in several of these studies e.g. Arup Concept Options Reports and Transport Evaluation Reports. These delineated study areas are also available to inform the preparation of the Placemaking Plan. These areas were not used to indicate the strategic locations on the Core Strategy Key Diagram in order to give the Placemaking Plan flexibility to look at areas of land immediately outside them if further evidence work suggests this is a more suitable development solution and/or circumstances change e.g. in relation to land availability as has been the case at Weston.
- 5.32 However, further studies to inform the Placemaking Plan have now been undertaken. These studies, when taken together, indicate the most suitable areas of land for development within the broader study areas. In paragraphs 5.6 - 5.9 above the Council refers to alternative approaches for the Core Strategy that would either entail removing land from the Green Belt and defining a revised general extent of the Green Belt on the Key Diagram, or even making strategic site allocations if this were possible. This could be based on identifying a refined or more specific

development area based on the conclusions of the latest studies. If the Inspector considers this is worth pursuing the Council would be in a position to publish proposed changes by the end of September in good time to inform discussion at the Examination hearings in December.

- 5.33 For clarification the note on Diagram 5 stating 'Indicate areas where land will be released from the Green Belt' is an error and does not indicate that the location would be defined in more detail on the Bath Strategy diagram or those relating to Keynsham. A minor change will be needed to correct this error.

ID/36 paragraph 19:

19. Fourthly, I am unclear as to the intended purpose of the long list of planning requirements identified in the policy for each location. Are these work that has to be undertaken by the Council in preparing the Place-making Plan or criteria for consideration of a planning application? If the latter, why are they needed in this Core Strategy? Furthermore, I do not understand or see the justification for the different approach taken in the policy wording for these locations compared with policies applying to other strategic locations in the submitted plan which refer to place-making principles and highlight specific issues to overcome or benefits to be achieved? The new policies give a long list of the further work to be done, but very little about the positive outcomes which are being sought.

Council Response:

- 5.34 The planning requirements listed in the policy for each location are principally intended to provide the framework for the Placemaking Plan and to guide the identification and allocation of the most suitable site(s) for development. However, in the event that a planning application is submitted for development at the locations in advance of significant progress on the preparation of the Placemaking Plan, the planning requirements are also the criteria that would be used to determine the planning application. In this context they set out the issues that need to be considered and responded to either via the Placemaking Plan or by the applicant.
- 5.35 The Council accepts that a different approach has been taken to the planning requirements for the new Green Belt locations compared to the placemaking principles set out for the other strategic locations referred to in the submitted plan. In particular, the planning requirements relating to landscape character and designated/non-designated heritage assets refer to the need for further assessment work to be undertaken (either through the Placemaking Plan site allocation process or by an applicant in advance of this work). The Council considers that these criteria could be usefully re-worded to clarify the outcomes sought by development.
- 5.36 Revised wording for the relevant criteria is not set out at this stage. However, should it be helpful to inform discussion at the subsequent hearings in December (should they proceed beyond 17th September) the Council could set out proposed wording for these changes by the end of September.

ID/36 paragraphs 20 – 22:

20. Finally, at Weston, I am concerned about the state of the evidence in relation to demonstrating compliance with the Habitats Regulations for the protection of the SACs. Policy B3B d) requires, in part, appropriate site assessment and ecological surveys to be undertaken.....and to safeguard and enhance key SAC bat foraging areas and flight lines. There has been only a walk-over survey/habitat assessment (Dr Ransome February 2013 CD9/E1), but no detailed survey of the actual use by bats of the area. Dr Ransome concluded: the loss of some habitats within the four zones of the Weston site for greater horseshoe bats is judged likely to have a potentially significant impact on the large horseshoe populations known to be present in the SACs and SSSIs. In summary, it appears that the most favourable habitat for bats are the smaller, grassed fields on the lower slopes with good hedgerows/woodland edge. Natural England (rep 281, letter 8 May 2013) states that there is currently insufficient survey data to conclude that the amount of proposed development in this area would not result in adverse effects on the integrity of the European site.

21. Bearing in mind the limited number and size of the specific parcels of land that may be suitable for development (in order to minimise the adverse impact on heritage, landscape and other constraints) and that development would be on the lower slopes (abutting the existing urban area), I question the conclusion of the HRA Review Part C (March 2013, CD9/A2), namely that: Given no direct habitat loss or impacts to the SAC site, it is concluded that some development would be feasible without adversely affecting the integrity of the SAC subject to specific development requirements.

22. I cannot see that there would be much practical scope to respond to the results of the more detailed surveys (required in the policy) about the use of the area by bats. My preliminary view is that the evidence at this stage does not provide a sufficient basis to conclude that any significant effects could be mitigated. That would mean that the development could not proceed, undermining the Council's expectation for delivery at Bath.

Council Response:

- 5.37 The Council considers that the conclusions of the HRA of the Proposed Changes to the Submitted Core Strategy are robust. The reasons for this, highlighting that there is scope for development to respond to the results of more detailed surveys, are set out below. In addition dusk surveys of bat activity have been undertaken in July 2013 which corroborate the HRA conclusions.
- 5.38 The strategic location (or 'area of search') for housing on land adjoining Weston lies between 4 and 6km to the north west of components of the Bath & Bradford on Avon SAC. The area is separated from the SAC components by the central area of the City. Given the area's distance from the SAC units, the existing land use between the study area and the SAC units, and the proximity of good habitat to the south and east of the SAC, it does not represent optimum SAC bat foraging habitat.

- 5.39 The ecological requirements of Greater Horseshoe Bats (GHBs) are well understood (e.g. see various publications by Ransome from 1968 to 2002, particularly those commissioned by English Nature from 1995). These bats use a variety of habitats during the year to maximise their foraging efficiency, and have distinct habitat requirements during their life stages. This affects roost site selection and long term roost fidelity.
- 5.40 They also occupy different types of roosts at different times of the year. Maternity roosts are the most important as the bulk of a given population occupies it from late June to late August. However, other roosts are critical at other times. In April/May and September/October the adult population disperses among a number of small underground male territorial mating roosts. In each of these sites, up to 8 females mate with a single territorial male in the autumn, and return there to start pregnancy in spring. In mid-winter most bats (adults, sub-adults and young of the year), move to the larger winter roosts.
- 5.41 Given our knowledge of maternity sites the concept of Key Sustenance Zones is often used to help plan and protect key SAC habitat areas. It is the area around a given roost which is critical to the survival and maintenance of the bat population occupying it. Such zones have been used here to help determine suitable areas of search (strategic locations) for housing. Juvenile bats have a limited foraging range of about 100 m when they first forage at 30 days age, and a Sustenance Zone of about 1km until 45 days. An ideal roost Sustenance zone of 3- 4 km is common for adult bats within roosts that are surrounded by favourable habitat. However, roosts surrounded by poor habitat, such as urban or intensive arable areas, may force adult bats to travel for up to 22 km. Habitat quality within these zones is a key factor influencing the viability and population size of GHB colonies. These areas must provide the range of habitats that are capable of generating enough of the insects needed by GHB's throughout their annual cycle. Favourable habitats include blocks of deciduous woodland, or broad hedgerows that provide moths, and grazed permanent pastures that generate dung beetles and large tipulids. These habitats are the preferred areas for foraging, and if abundant the breeding roost is likely to flourish. If close good habitat is lacking, adult bats need to travel much further afield. The extra energy to do this can compromise breeding success, and threaten local bat populations. The Combe Down colony at Bath is an example of a threatened colony.
- 5.42 This assessment is supported by the various radio-tracking studies carried out from the early 1990's to the early 2000's which showed that adult GHBs usually travel from 3 to 5 km from maternity roosts to foraging areas, but will travel further afield in habitat stressed areas. In one instance bats travelled 22 km to reach foraging sites.
- 5.43 Significant land take of prime foraging habitat from either Juvenile or adult Sustenance Zones would be considered likely to cause a significant impact upon the integrity of a SAC.

- 5.44 A large part of the Weston area identified for housing is at least 4km from the nearest component of the Bath & Bradford on Avon SAC, and much of the area is more than 5km from the SAC. The area lies outside of both the normal juvenile and adult sustenance zones. Furthermore, the study area was not recorded within the detailed foraging areas formally identified through the Radio tracking studies around this SAC component for May/June and August in 2000 (Billington) (CD9/E15). Given the large area of land in the strategic location for housing identified adjoining Weston, the limited housing number required and the detailed site requirements to provide mitigation, it was concluded in the HRA of the Proposed Changes to the Submitted Core Strategy that development here would not impact upon the integrity of the SAC. The key mitigation/enhancement measure envisaged is woodland edge type planting and hedgerow planting, and the control of light spill. These measures could be delivered within a well-conceived approach to the provision of Green Infrastructure, and so achieve multiple benefits. Lesser Horseshoes have similar habitat requirements to GHB, but studies suggest more limited foraging range from their key roosts of up to 2km and would benefit from these provisions.
- 5.45 The July dusk surveys of bat activity that have since been conducted support this conclusion (Ransome 2013 – see CD9/E14). The surveys focussed upon what would constitute good habitat types for HB foraging, but no GHB were recorded. A few passes (3) by LHB were recorded late in the evening. These results suggest that there were no significant HB roosts near to any of the 25 locations sampled, and that the area does not comprise significant foraging habitat for the SAC bats in July. Natural England have also confirmed via e-mail dated 4th September (copied below) that the surveys provide sufficient evidence to now support the HRA conclusions.

E-mail from Amanda Grundy, Lead Advisor (Sustainable Land Use Team) Natural England

'In answer to your questions re Weston Slopes, I can confirm that Natural England is satisfied that the bat surveys undertaken, coupled with your and Roger's professional opinion, provide sufficient evidence to support the conclusions of the Core Strategy HRA i.e. that development within the Weston area of up to 300 houses is not likely to cause significant harm to the SAC, provided it accords with other core strategy policies, such as that for green infrastructure. Further surveys in September are therefore not necessary to further inform the Core Strategy HRA.

However development here could still impact on bats (and other ecological interests) and Natural England would expect the emerging Place Making plan to provide further details on ecological and other assessments that will be required to support proposed development.'

- 5.46 it should also be noted that when bats disperse to occupy their mating roosts, which may be up to 40 km from the maternity site, new foraging areas will be used. For this reason, areas sampled in July, may be utilised by adult bats in September/October, or April/May if they are close to a mating roost. There is no

certainty that this foraging activity does take place. However, further dusk surveys are currently programmed to take place during September to inform assessment. The results of this survey work, along with that from July dusk surveys will be reported during October 2013 and will be available to the Examination. The nearest known mating roost to Weston is near Upton Cheyney. Housing provision at Weston where associated with good provision of Green Infrastructure (which is deliverable given the number of dwellings to be provided and the large area of land within the strategic location) could sustain this foraging function if identified through further surveys.

6.0 Comments concerning other Green Belt matters

ID/36 paragraphs 23 – 27:

23. I want to clarify how the Council sees the role of the Place-making Plan in reviewing the detailed (inner) Green Belt boundary and the clarity and justification for the task set for that plan in this Core Strategy.

24. The last sentence of SPC19 states: Exceptional circumstances will need to be demonstrated through this review process in order for the detailed boundary to be changed. A similar approach is set out in SPC171. Am I correct in assuming that this sentence is not intended to apply to defining the new boundaries in relation to the strategic releases (since it would be the role of the Core Strategy to have addressed the exceptional circumstances for those releases to be followed-through in the Place-making Plan)? Does the sentence apply to all other possible changes to the Green Belt boundary? If it does, the following matters are relevant.

25. The SHLAA (CD9/H3, paragraph 2.22 and June 2013, 2.35) indicates that a small site at Minster Way, Bath is unsuitable for development, but also refers to 4-5 other parcels as not yet being fully assessed but which might yield 20-30 houses each. Annex 1 of the Report to Council, 4 March 2013 (paragraph 4.11, CD9/PC3) also refers to smaller sites on the edge of Bath which could be considered in the Place-making Plan as part of a minor review of the inner Green Belt boundary in the context of the NPPF.

26. Whilst the individual scale of these sites is not strategic they could (if otherwise suitable) make a useful contribution to housing land supply and/or longer term safeguarded land, but I cannot see that the Council's apparent approach would give a proper opportunity for the merits of those sites to be considered in the Place-making Plan unless the intention to do so is clearly signalled in the Core Strategy. If the Core Strategy were to be found sound on the basis of the Council's proposals there would be no unmet need for additional sites to be allocated for housing, other than as specifically highlighted in this Plan. Accordingly, in the absence of some exceptional site-specific factor, the sustainability merits of any smaller edge-of-Bath sites for housing would never actually be assessed because there would be no exceptional circumstances to release the land. The same issue

would also apply to smaller (non-strategic) Green Belt sites on the edge of Keynsham (as referred to in Annex 1, paragraph 4.17).

27. If I have understood the position correctly, it seems unsatisfactory. These smaller sites have not been assessed at this stage, even though cumulatively they might be equivalent in capacity to one of the strategic locations being proposed and thus an alternative approach which should have been tested. The non-assessment at this stage would be acceptable, in my view, if there was a real opportunity for their merits to be assessed at the next development plan stage, but as currently proposed that seems likely to be ruled out at the first hurdle. There may be several ways of addressing this issue and without a debate at a hearing I would not want to be prescriptive, but I am currently concerned that the Core Strategy closes down possibilities that have not been properly tested.

Council Response:

Response to para 24:

- 6.1 In response to the Inspector's question in Para 24, it is correct that the Core Strategy has established the exceptional circumstances for releasing land from the Green Belt at the urban extension locations (Paras 4.7, 4.14 in Annex 1 & Core Strategy Policies DW1 & para 6.63). This does not need to be made again in the Placemaking Plan. The exceptional circumstances referred to in SPC19 and SPC171 relate to the release of smaller sites from the Green Belt through review of the detailed inner boundary of the Green Belt in the Placemaking Plan.

Responses to paras 25-27: Small sites on the edge of Bath

- 6.2 NPPF (para 83) requires that once established GB boundaries should only be altered in exceptional circumstances. This is therefore a very high test and land should not lightly be released from the Green Belt. The Council considered that such circumstances exist at the large urban extension sites because of the significant contribution of housing that they would bring to meet identified housing needs, including affordable housing needs. Their scale in particular weighs significantly in their favour and they are crucial to meeting the housing requirement and the scope they provide to bring forward co-ordinated development schemes supported by the necessary infrastructure.
- 6.3 The Council was aware through the SHLAA 'Call for Sites' that there were potential smaller sites that might be suitable for housing on the edge of the urban areas. These sites are listed in the SHLAA trajectory although no capacity is given for them because a detailed assessment of their suitability has not yet been undertaken. However, from an initial high level assessment of these sites it was evident to the Council that they would make only a relatively limited contribution to housing land supply. The reasons for this are set out below.

Table 8: Overview of small sites on edge of Bath

<i>Site</i>	<i>Size/cap at 35 dph</i>	<i>Potential Housing for to Bath</i>	<i>Council Comments</i>
Sites at Midford Rd/Packhorse Lane, South Stoke	Three sites of around 2 ha each. Cap: 70 dwellings	0	<p>Whilst in the vicinity of the proposed Odd Down urban extension, this site is outside Bath and within South Stoke village, an R3 settlement where the NPPF allows only infill or limited affordable housing for local community needs. Therefore, development of this site would be contrary to the NPPF unless all or part of the village is removed from the Green Belt and incorporated into the urban area of Bath.</p> <p>Packhorse Lane and Old Midford Road are narrow, single track and without pedestrian provision. Therefore access is not currently suitable, although there may be options including provision of new junction and bus service contributions which could overcome these transport constraints.</p>
Old Fosse Road	1.2 ha 40	40	Two small sites which may have potential but further work is needed on impact on WHS, landscape and archaeology. In principle this site is accessible in transport terms, subject to detail. But this is a relatively small site with limited capacity.
Rear of Minster Way	2.3 ha	0	Initial information indicates that the site is likely to be unsuitable due to impact on WHS. While access is possible, there is concern about the remoteness of the site from public transport.
Bathampton sites		0	<p>A number of smaller sites put forward through the 'Call for Sites' on the southern/eastern edge of Bathampton. However all of these are at Bathampton village and not on the edge of Bath. Therefore Policy RA1/Green Belt policy would apply. Initial info also indicates that development on the slopes above the village would be harmful in landscape /WHS terms.</p> <p>In transport terms these sites are not considered suitable, they are remote, with poor access to public transport. Cycle and pedestrian access improvements would require gaining control of additional land. Traffic management and junction</p>

			improvements would also be needed in the vicinity of the Primary School.
Horseshoe Walk	0.7 ha	0-10	<p>Steeply sloping site and is part of the designated Important Open Hillside contribution to WHS setting of Bath. Any capacity likely to be limited. Due to size of site unlikely to make much contribution to affordable housing.</p> <p>In transport terms, control would need to be gained of additional land to improve and widen private access to bring it to an adoptable standard. Gradient problems are considered likely to limit development and have layout implications. Nearest public transport exceeds the recommended maximum walking distances.</p>
Summer Hill Rd	2.2 ha	0	Consider with land adjoining Weston. Possible that the site could be accessed from Summerhill road but subject to acquisition of additional land.
Combe House	1.3 ha	0	Site within the AONB. Due to size and nature of the site and, would have limited capacity. Would make a limited contribution to housing land supply and unlikely to make any contribution to affordable housing. The site has very poor access with very poor junction layout with Entry Hill, which is not suitable for intensification of use. It is considered unlikely that suitable access could be achieved.
<p>Conclusion on Bath sites: Around 3 sites have some potential for further investigation with a possible capacity of around 50 dwellings. Other sites relate to the villages around Bath or can be considered through the urban extension work. Mostly small sites which would make a very limited affordable housing contribution. Environmental constraints are significant.</p>			

Table 9: Overview of SHLAA assessment of small sites on edge of Keynsham

Site	Ha/Pot. Cap at 35 dph	Potential Housing for to Keynsham	Council Comments
Hawkeswell (Land off Bristol Road)	60	0-60	Part of site lies in floodplain so only southern part has potential. Lies in most sensitive part of Bristol /Bath Green Belt in gap between Bristol & Keynsham. Also located close to Keynsham Bypass and so will be affected by traffic noise. Access is possible and the site has good accessibility to public transport.

Land at St Francis Road	15	15	May have some potential but would need more detailed assessment. Access is considered to be possible, although it is not well served by public transport.
<p>Conclusion on Keynsham sites: Around 2 sites have some potential for further investigation with a possible capacity of around 75 dwellings</p>			

- 6.4 The evidence shows that these sites at Bath and Keynsham would only make a relatively small cumulative contribution to meeting housing needs, a maximum of up to around 125 dwellings. This does not equate to any of the urban extension Green Belt releases. A detailed assessment is likely to reveal environmental constraints which may further reduce their contribution, especially at Bath. They would also make a limited contribution to affordable housing provision which is a key point in the release of these greenfield sites from the Green Belt.
- 6.5 On this basis, the Council decided at an early stage that it was not proportionate to spend resources undertaking more detailed assessments of these sites in what is a strategic plan. NPPF para 182 advises that reasonable alternatives based on a proportionate evidence base should be considered. The option of relying on a number of uncertain smaller sites to meet strategic housing needs was not considered a reasonable alternative in light of the evidence before the Council (See paras 4.11& 4.17 of the Council Report Annex 1).
- 6.6 However, the Council did not want to prevent consideration of these potential small site options and hence made provision in the Placemaking Plan for them to be considered. However, it is accepted that it would very difficult for the exceptional circumstances to be demonstrated to enable their release but this is an outcome of the national policy on Green Belt which is intentionally stringent. This severely restricts the scope for these sites to be brought forward.
- 6.7 The Council has given thought to options to enable these sites to be considered.
- 6.8 One option could be to undertake an assessment of each of these sites and any that are found suitable could be allocated in the Core Strategy now. However, it would be incongruous to allocate smaller sites in a strategic plan which addresses the territory formerly covered by the Regional Spatial Strategy or a County Structure Plan. Furthermore, it would entail detailed work on what is a relatively limited contribution to new housing. It is doubtful as to whether it is proportionate to undertake this level work in light of initial evidence available to the degree needed for allocation.
- 6.9 A second option is to revisit these sites as part of the planned review of the West of England Core Strategies. This would be facilitated by the further time available to undertake a more thorough assessment of the suitability of these sites. Whilst this

is not ideal in that it would entail a review of the Green Belt boundary soon after the plan is adopted, this review is scheduled to take place in any event.

- 6.10 A third option is to assess the suitability and capacity of these sites in SHLAA. Based on the assessment of capacity, a limited large-site windfall allowance could be included in the Core Strategy, as was common practice in previous Local Plans. There would need to be convincing evidence that suitable sites were deliverable.
- 6.11 The Council favours this third option for the following reasons;
- The ongoing assessment of the proposed urban extension at Weston (see evidence published on 13.9.13) indicates that the capacity of this location is more constrained than was revealed by initial assessments.
 - In light of the fact that the SA reveals that Bath and Keynsham are the most sustainable locations for new development it is accepted that there is merit in maximising their capacity for development.
- 6.12 These large windfall sites could therefore be included in the housing land requirement balancing any loss of capacity at Weston. By being part of the necessary housing land supply, the exceptional circumstances for their release from the Green Belt is made through the Core Strategy and they could be allocated in the Placemaking Plan. The overall housing requirement would not be increased because of potential lower capacity at Weston.

ID/36 paragraph 28:

28. The same problem also applies to smaller settlements in the Green Belt that might meet the criteria in the policy RA1, (albeit that the policy does not apply to the Green Belt settlements). In the context of the plan as originally submitted, I was concerned at various ambiguities in the Council's approach concerning policy RA1, the relationship with existing Local Plan policies and the clarity of intentions relating to villages in the Green Belt. I was content with various changes relating to these matters suggested by the Council at the hearings last year. However, the context has now significantly changed. There are to be major releases from the Green Belt and a general review of the Green Belt inner boundary made as part of the Place-making Plan. Land is to be released at the village of Whitchurch for 200 dwellings. In addition, the suggested scale of small scale housing development in RA1 villages has increased from 30 dwellings to 50 (SPC140) and allocations may need to be made in RA1 villages. But the Green Belt settlements are excluded from such specific provision as RA1 does not apply to them and any change to the Green Belt boundary would need to demonstrate exceptional circumstances. If the Core Strategy with the currently proposed changes was found sound that would be difficult to demonstrate. The sustainability merits of modest development in the larger Green Belt villages would then not have been assessed at any stage. I cannot see that this sequence of events would be justified.

Council Response:*Smaller settlements in the Green Belt*

- 6.13 It is taken this question relates to Green Belt inset villages and not villages washed over by the Green Belt. For the latter, the policy framework is provided not by the Council, but by para 89 of the NPPF i.e. “limited infilling in villages, and limited affordable housing for local community needs”. The role that Green Belt inset villages could play in the spatial strategy and in meeting the housing needs of the District was considered by the Council in preparing the changes to the Core Strategy.
- 6.14 In order to identify additional land for housing, the Council reviewed the relative sustainability of the various parts of the District through the SA. This produced a sequential locational preference (See SA Annex L). In summary the SA concludes that Bath is the first priority for the new housing followed by Keynsham, the edge of Bristol, the Somer Valley and the villages. In identifying new land for housing, the Council has sought to follow this sequence but has also had to take into account that part of the District lies within the Bristol HMA.
- 6.15 For the reasons set out in the SA and explained in section 4 of the Annex 1 of the Council report (ie environmental harm, deliverability, infrastructural constraints and Green Belt), the scope for new housing in Bath, the most sustainable location, is constrained. Additional locations have therefore had to be identified in sequentially less preferable locations. The rural settlements were assessed to be the least sustainable option for the reasons set out in the SA. In setting out the spatial framework for accommodating new housing, the Council was able to accommodate the majority of additional housing at the more sustainable urban centres.
- 6.16 However, the Council did not consider it appropriate or compatible with the NPPF, to prohibit any new housing coming forward in villages and so made an allowance for the rural areas with larger, more sustainable RA1 villages expected to contribute a higher number of homes than the smaller settlements.
- 6.17 The release of land from the Green Belt requires a high test (exceptional circumstances NPPF para 85), and the Government has continued to place great emphasis on the importance of protecting the Green Belt (e.g. the Ministerial Statement by Local Government Minister Brandon Lewis (CD9/H11)). Whilst the Council considers that the case for releasing land from the Green Belt at the urban areas to meet housing was justified because of their sustainability credentials, this was not equally the case for the less sustainable rural areas.
- 6.18 In light of this, the Council did not consider that the level of housing required and being planned for amounted to the exceptional circumstances required to release land from the Green Belt from villages which are at the bottom end of the locational hierarchy (para 4.24 of the Annex 1 to the Council report). If the housing requirement was much greater, then this may have provided the exceptional circumstances to release site on the edge of Green Belt villages.

- 6.19 It should be noted that the Core Strategy policy does allow some housing to come forward at Green Belt inset villages through windfalls through the operation of Policy RA1. If a Green Belt inset village meets the requirements of Policy RA.1 then suitable sites could come forward under this policy. However, it is accepted that such instances will be rare as such sites would need to be outside the Green Belt. Nevertheless, there is still scope for windfall sites in these villages to come forward. This is taken into account in the SHLAA findings report and it therefore makes a small contribution to the District housing supply.
- 6.20 It is acknowledged that not all RA1 settlements are equally sustainable. For instance, a village such as Saltford on a relatively good bus route might be regarded as in a more sustainable location than a RA1 village beyond the southern outer boundary of the Green Belt. However, this relatively minor difference in sustainability, along with the modest housing contribution that would be appropriate at a village, is not considered sufficient to outweigh Green Belt policy.
- 6.21 If the Inspector concludes that the Core Strategy should be planning for a greater level of housing than currently proposed, and that other sources of supply at more sustainable locations are limited, then it follows that there might be the exceptional circumstances to release land on the edge of Green Belt villages. This would entail an increase in the rural areas housing figure and a policy change in the Core Strategy to enable this to be implemented through the Placemaking Plan, in the same way that development is being pursued at other Policy RA1 settlements. The SHLAA demonstrates that there are some potentially suitable housing opportunities on the edge of RA1 Green Belt inset villages.

ID/36 paragraph 29:

29. Finally, there is one other detailed Green Belt matter concerning Major Existing Development Sites (MEDS). SPC174 implies that the Place-making Plan will be retaining MEDS in principle. Other than reviewing the boundaries of MEDs, it is not clear what the intended review will encompass – does it include the possibility of deleting any existing MEDS or identifying additional MEDS? However, this general intention appears to conflict with the specific change relating to the MEDS at Bath Spa University’s campus. SP96 deletes previous reference to the MEDS at this site and highlights NPPF paragraph 89 as the context for considering development here. Since the NPPF no longer refers to MEDS and Annex C of PPG2 is not retained, is retention of the MEDS concept consistent with national policy? Even if it is justified as a local approach, the concept and principles applying would have to be explained in the plan. The Council is invited to clarify its intentions.

Council Response:

- 6.22 The Council intends that, within the context of the NPPF, the Placemaking Plan will review the principle of whether Major Existing Developed Sites (MEDS) should continue to be identified in B&NES and, if so, which sites should be identified and the policy approach to development within them. NPPF, paragraph 89 provides greater flexibility in respect of the re-use or redevelopment of all brownfield sites in the Green Belt when compared to previous national policy set out in PPG2, which allowed for the identification of MEDS within which redevelopment or limited infill was acceptable.
- 6.23 The Adopted B&NES Local Plan was prepared under the framework of PPG2 and it identifies 11 MEDS, defines a boundary for the sites and outlines a policy approach for development within them. Given the more flexible approach enabling redevelopment of all brownfield sites in the Green Belt set out in the NPPF, the Council will, through the Placemaking Plan, review whether the approach of identifying MEDS is locally justified and should continue. The issue here is whether the local planning policy framework should seek to retain greater control and influence over the specific uses/forms of development allowed on particularly significant brownfield sites in the Green Belt (i.e. MEDS). This may be important e.g. to retain locally significant rural employment sites or major educational establishments.
- 6.24 Whilst this is not an issue for smaller developed sites which can be assessed through the NPPF, the scale of some of the larger developed sites in the Green Belt may warrant policy guidance due to the potential impact of development here.
- 6.25 The Core Strategy references to the review of MEDS through the Placemaking Plan (SPC174) is intended to apply to the principle of identifying MEDS, and if this approach were to continue, the sites to be identified, the boundaries of the MEDS and policy approach towards them. In response to the Inspector's question the Council accepts that the wording of SPC174 could be clarified in this regard through a minor revision. If it is helpful to the discussion at forthcoming hearings (should the Examination proceed beyond 17/9/13 hearing) the Council could set out proposed wording for this change by the end of September.
- 6.26 Proposed Change reference SPC96 reflects the change to national policy and refers to NPPF paragraph 89 as being relevant in considering the redevelopment/intensification of development on the Newtown Park Campus within the Green Belt. However, as noted above the Placemaking Plan will be reviewing the principle of whether MEDS can or should continue to be designated in B&NES, potentially including the Bath Spa University Campus at Newton Park. The Council accepts that, as worded, SPC96 could be interpreted as precluding the continuing identification of the Campus as a MEDS. Therefore, a minor modification to the wording to clarify the current position may be necessary. Again if it is helpful to the discussion at forthcoming hearings (should the Examination proceed beyond 17/9/13 hearing) the Council could set out proposed wording by the end of September.

7.0 Potentials changes to the Core Strategy

7.1 In its response to the Inspector's questions in ID/36, the Council has indicated that there may be scope for the following changes to the Core Strategy:

1. Safeguarded Land:
 - a. Remove existing references to SGL from the Core Strategy and explain instead that the location and extent of SGL will be addressed as part of the sub-regional review of Core Strategies the West of England.
2. Small sites at the inner GB boundary at Bath & Keynsham:
 - a. Either include a windfall allowance as part of the housing requirement to enable these sites to come forward; or
 - b. Identify and allocate small sites in the Core Strategy (this may need to be accompanied by a review of the capacity of the urban extension at land adjoining Weston, Bath)
3. Urban extension sites;
 - a. Allocate strategic sites in the Core Strategy now, or
 - b. Amend the general extent of the Green Belt on the key diagram at the urban extension locations and identify more explicit locational options for development
4. Planning requirements
 - a. Include new planning requirement that development should be designed so as not to prejudice potential long term growth options
 - b. Re-word the planning requirements relating to landscape and heritage concerns to outline the outcome sought
5. Delete the note on Diagram 5 stating 'Indicate areas where land will be released from the Green Belt' is an error and does not indicate that the location would be defined in more detail on the Bath Strategy diagram or those relating to Keynsham.
6. Minor revisions to SPC96 and SPC174 to ensure that the Plan is clear on the scope of the review of MEDS intended to be undertaken through the Placemaking Plan.

- 7.2 If it is helpful to the discussion at forthcoming hearings (should the Examination proceed beyond 17/9/13 hearing) the Council could set out the proposed wording for these changes by the end of September and incorporate these into the Schedule of Rolling Changes which customarily arise during the examination process. The Inspector is requested to advise whether he would find this helpful in responding to the issues raised in ID/36 and for the hearings.

Bath & North East Somerset Council,
13th September 2013