

Matter NPPF  
Respondents 821 & 822  
Cam Valley Wildlife Group and Somer Valley Friends of the Earth

## National Planning Policy Framework

NPPF response\_821&822  
Respondents 821 & 822, Cam Valley Wildlife Group and Somer Valley Friends  
of the Earth

Contents:

Consideration of the B&NEs Core Strategy in the light of the NPPF

## 1.0 Broad NPPF policy considerations

1.1 The principle of mutually dependent and jointly pursued economic, social and environmental goals to deliver the five 'guiding principles' of sustainable development is set out in paragraphs 5 - 10 of the NPPF. This is backed up by a presumption in favour of sustainable development that seeks to allow developments in accordance with up-to-date Local Plans unless material considerations indicate otherwise, and on the understanding that adverse impacts would significantly and demonstrably outweigh the benefits, when assessed against the NPPF as a whole, or where specific policies indicate development should be restricted (NPPF 11-14).

1.2 The B&NES Local Plan failed to provide a set of policies that would deliver sustainable development as defined in Government policy at that time; this was due to focus on economic sustainability and avoidance of policies that would, through their implementation and monitoring, deliver the sustainability agenda as a whole. Economic considerations were valued more highly than some others. We consider that B&NES is putting the economic interests, of Bath in particular, ahead of sustainable patterns of growth in other parts of the authority in a disproportionate way, and that this works against the overarching policy framework of mutually dependent and jointly pursued goals set out in the NPPF.

1.3 NPPF Policy 177 advocates planing for infrastructure and development simultaneously in order to understand the costs of development. Elsewhere, NPPF policy advocates protection and enhancement of biodiversity and locating development on land of low value and the CS must be changed in order to comply with the new policy framework. The new wording of policies and objectives must be in line with the wording in the NPPF. (see Appendix 3\_green infrastructure, paras 1.1 - 3.1 and Appendix 1\_NPPF section 11). B&NES has not provided the proportional evidence base required in the NPPF (Appendix 2\_policy sections, para 13.1 ). It is relying on the Green Infrastructure Strategy (GSS) for delivery of the ecological network, yet this strategy is at a very early stage and is significantly reliant on the GSS, which is not adequate (see Appendix 3\_green infrastructure, paras 2.7 - 4.1). Clearly, the costs of providing green infrastructure that serves the multiple purposes set out in the NPPF have not been factored in, so B&NES is making locational decisions without adequate information regarding the impact. We argue that the locational decisions that have been made are flawed and should change in accordance with proper evaluation of the green infrastructure resource and identification of important elements and features such as the RAD1 site.

1.4 We argue that the Strategy for the Somer Valley area acts against paragraphs 5 - 10 of the NPPF and that the strategy for Radstock acts against sustainable development as laid out in the NPPF in paragraphs 5 - 14 (see Appendix 4\_Radstock). We argue that the strategy for the Somer Valley area and Radstock Town Centre work against meeting environmental goals, act against economic needs at local level, and fail to meet social needs at local level. We consider that B&NES' strategy runs contrary to the basic tenets

of the NPPF. We argue that the individual locational policies within the overarching Somer Valley Policy will fail to deliver sustainable development, taking the policies of the NPPF as a whole (NPPF, Policy 6), and there will be negative consequences regarding sustainability at District and local level. We argue that delivery of the Core Strategy policies for the Somer Valley area involves acting against important NPPF policies in a way that cannot be justified.

1.5 We argue that unless the strategic approach to development in Radstock and policies for the Somer Valley area are modified, the strategy will act against the way the presumption in favour of sustainable development should operate. We argue that the way in which the Radstock community engages in neighbourhood planning will be compromised (see Appendix 4\_Radstock, para 1.13.)

1.6 The failure to meet social and environmental goals for the Somer Valley area and the implications for meeting environmental goals at B&NES level and beyond suggests that B&NES cannot deliver the five guiding principles of sustainable development and cannot meet the principle of pursuing the three mutually dependent goals jointly and simultaneously (NPPF policy 8). The nature of the spatial approach and the win-lose nature of delivery that the sum of the policies allows is not in line with the overarching principles and policies set out in the NPPF, including policy 152, avoidance of significant adverse impacts in any of the three dimensions. We consider that the strategy for Radstock does not correlate with the intentions and policies of the NPPF (Appendix 4\_Radstock)

1.7 We argue that the CS, in respect of the Somer Valley, fails to conform with all twelve of the core planning principles laid out in NPPF policy 17 in that (using one bullet per principle, in NPPF order)it:

- acts against empowering local people to shape their surroundings in Radstock by putting in place a framework which prevents local people from pursuing development, including central local issues, along the lines they would prefer within a sustainable framework
- it fails to be creative in enhancing and improving the area by sticking doggedly to an out-dated economy-focussed view that the provision of housing and urban blocks, and creation of more spend regenerates
- it is not being objective in its identification of development opportunities in the area
- the quality of design being pursued in Radstock is questionable
- it is not adequately taking into account role and character, of Radstock in particular
- its approach to renewable energy is poorly thought out
- it advocates destroying irreplaceable high value natural environment (policies SV1 2a and SV3 1a ) and increasing pollution and failing to prefer land of lesser environmental value

- it is encouraging use of previously developed land of high environmental value (policies SV1 2a and SV3 1a)
- it is encouraging an unbalanced mix of benefits in a major mixed use development that focuses on purported economic benefit whilst delivering social and environmental disbenefits and failing to appreciate the alternative role that the open land can perform
- it is failing to conserve an important heritage asset in Radstock in a manner appropriate to its significance and is advocating the removal of important heritage features as part of its support for delivery of 210 dwellings on RAD1, including the first rail platform in Radstock and the Jubilee Oak, a stunted yet culturally important tree said to have been planted for Queen Victoria's Jubilee
- it is focussing development in a location which it cannot show can be made sustainable - there is a lack of any indication that the transport infrastructure could be improved sufficiently, especially as B&NES admits that the spatial strategy for Radstock rules out return of rail<sup>1</sup>, and B&NES has informed the Inquiry that it intends to decrease self containment and to make redress at an unspecified later date beyond the plan period<sup>2</sup>
- it is intending to remove a 7.6 hectare site (policies SV1 2a and SV3 1a and SHLAA) that, if put to alternative use, could support local strategies to improve health, social wellbeing and cultural wellbeing and deliver a resource that could provide a community and cultural facility in the form of a community/educational building of moderate size and cost and a nature/heritage reserve

## 2.0 Individual policy areas, overview

2.1 We argue that the housing allocation is too high to deliver development in line with the NPPF in the Somer Valley, given the impact of delivery Appendix 5\_dwelling numbers.

2.2 The Core Strategy fails to deliver the policies of Section 11 of "*Delivering sustainable development*", *Conserving and enhancing the natural environment*, in the Somer Valley area, and acts against delivery (Appendix 1\_NPPF section11). This is also significant at the B&NES level and has wider negative impacts beyond the border of B&NES, as has been argued in earlier submissions. The NPPP requires land to be identified where land would be inappropriate because of its environmental or historic significance and to contain a clear strategy for enhancing the natural, built and historic environment, and supporting Nature Improvement Areas. B&NES has dragged its feet in this respect and, reading the draft Green Infrastructure Strategy, it seems very unlikely that B&NES will provide the funding needed to do the amount of work needed. We set out more detail in Appendix 3\_green infrastructure.

2.3 We do not see how the strategy for the Somer Valley delivers sustainable

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1 Officer Rab Smith during Inquiry session

2 Officer Karou Jacques during Inquiry session

development. We have concerns relating to NPPF policy in the areas of building a strong and competitive economy, ensuring the vitality of Town centres, promoting sustainable transport, delivering a wide choice of quality homes, good design, promoting health communities, climate change, conserving and enhancing the historic environment, plan-making, and the evidence base. These are set out in Appendix 2\_policy sections.

**Appendices:**

Appendix 1\_NPPF section11  
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Appendix 1  
NPPF\_Appendix\_NPPF section11

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Comment on compliance with the strategy for Radstock with chapter 11 of the NPPF,  
Conserving and enhancing the natural environment.

**Compliance with the strategy for Radstock with section 11 of the NPPF, Conserving and enhancing the natural environment.**

1.1 We consider that the spatial approach to development in Radstock acts against Chapter 11 of the NPPF in almost its entirety

2.1 NPPF policy 109 elements, valued landscapes, the benefits of ecosystem services, impacts on biodiversity and providing net gains to biodiversity, establishing resilient coherent ecological networks, risk to and from air, water and noise pollution, act against the key development at the core of the Radstock spatial strategy. We consider that only one element of NPPF Policy 109, remediation of (partially) derelict, contaminated land could be claimed to act for the development, but that the caveat, "where appropriate" rules this claim out by virtue of the status of the land in question as UK Biodiversity Action Plan Priority Habitat.

3.1 In preparing the Core Strategy in order to meet development needs, we argue that, rather than meeting the requirement of NPPF Policy 110, the strategy for the Radstock area acts against minimising pollution and other adverse effects on the local and natural environment. The increase in out-commuting and the impact of decreased self-containment mentioned in paragraph 1.3 of the submission to which this is appended will be particularly felt in Radstock, as evidenced by the 25% increase in dwellings planned, limited scope for provision of jobs near homes in Radstock, the extremely high percentage of car use for work by Radstock people that already exists (which was 78% in Radstock ward in the 2001 census) and the low expectations for job provision cited in the health impact analysis for the area in the CS evidence base. This out-commuting increase and the failure of the strategy to address the self-containment issue within the strategy period recognised by B&NES will cause a significant increase in travel, mostly by private car. Taken together with research that shows that travel is typically higher in new development than in the existing settlements (Peter Headicar, Oxford Brookes University), we assume that there will be significant negative impacts on the local environment, including loss of land to development that presently serves a nature conservation function on the Library site and the loss of considerable nature conservation value on the semi-natural habitats and Priority habitat of the RAD 1 site. Semi-natural habitat lies within the definition of natural environment.

3.2 We consider that the spatial approach taken to development in Radstock also acts against the last sentence of policy 110 regarding allocation of land with environmental or amenity value. We argue that allocation of the railway land site as a Local Green Space (NPPF policy 77) is appropriate and that loss of the site to housing development denies Radstock people this opportunity. Analysis of the green spaces of Radstock and the public's view of provision in Radstock in the Green Spaces Strategy indicates that there is a need for such space in Radstock (Appendix 3\_green infrastructure). The evidence of public opposition to substantial housing allocation within the site, opposition to the facilitating road infrastructure and support for the Planning

Inspectorate's view, which included turning a substantial area of the site over to nature reserve, and opposition to the NRR proposals, goes some way towards the view that this would be a new opportunity that Radstock residents would appreciate.

4.1 We consider that application of NPPF Policy 111 to the key development at the core of the spatial strategy for Radstock acts against the chosen strategy, which depends for its implementation upon re-use of land of high environmental value .

5.1 We consider that the chosen strategy for Radstock acts against application of NPPF Policy 114, through the removal of a hub site within a local ecological network that is vital to metapopulations of invertebrates

6.1 We consider that the chosen strategy for Radstock acts against NPPF policy 117. It compromises the ability to deliver a robust and effective Green Infrastructure Strategy in the Somer Valley area and significantly decreases the value of an important ecological link with Mendip; it damages and potentially removes the bulk of the value of an important feeder site (RAD.1) for the maintenance and enhancement of the biodiversity resource in Mendip and beyond. It acts against preservation of a UK BAP Priority Habitat. It acts against the protection and recovery of priority species populations

7.1 We consider that were determining a planning application for development on RAD1 to be decided according to the principles laid out in NPPF Policy 118, it would be refused. The planning authority and landowner, NRR, have long taken the view that a smaller built development would not be financially viable, which rules out, in the authority's eyes, the support by the Planning Inspectorate for a limited development scenario. The planning authority as long argued, rightly or wrongly, that regeneration development cannot be avoided through locating on an alternative site. It was accepted at outline that the development cannot be adequately mitigated and that compensation could not replace the significant losses. We consider that the trackbed habitats fall into the category of irreplaceable habitat. The habitat in question, on former railway land, cannot be replaced for a number of reasons:

- there is no other former railway land available to replace it on
- there is no other railway land in B&NES that could become available that has the same conditions, aspect, and range of habitat types and micro-habitats present or that enjoys the same degree of protection through land form and vegetation that provides the unique conditions found here
- it is not possible to build a new railway route and sidings of similar size in an alternative valley or to recreate artificially the conditions and substrate of this site on an area that would be large enough and have the same functional benefits; it would take very many years for such an artificial site to develop the required conditions, even if it were possible to achieve them over time; it would not be possible to translocate the invertebrate populations to such replacement site successfully; any attempt to pursue such a course of replacement of habitat would require the management of the original site undeveloped for many years



8.1 NPPF Policy 119 may apply to development on RAD 1.

9.1 We consider that NPPF Policies 120 and 121 act against the spatial strategy for Radstock. We do not think that the argument that outline permission with conditions to deal with the risks of pollution should be taken to mean that the risk to pollution of the river coarse is acceptable, especially when the Section 106 condition regarding the satisfaction of the LPA with an approved contamination remediation methodology and contingency plan for unintentional pollution during construction has not yet been satisfied, to our knowledge. We argue, in any case, that the sensitivity of the adjacent water environment to adverse effects of pollution is an argument against deep piling to deal with land instability issues on made ground, due to the unknown levels of pollutants in pockets within the development area. There is an unquantified risk, during development construction, of collapse of the (built) structure within the river corridor that holds back the contaminated area, and also of the scale of the potential impact of any subsequent release of pollutants into the watercourse. Changes have been considered to the contamination remediation strategy, which may be for reasons of financial viability. Reduced standards could bring into play the NPPF requirement regarding post-construction contamination levels, which would have development viability implications.

10.1 The focus on acceptable use of land in NPPF Policy 122 combined with the suitability of the RAD 1 land for alternative use that would help deliver the NPPF objective of mutually dependent economic, social and environmental joint benefits, suggests that delivery of this core key site does not sit well with Policy 122 and the preceding policies that Policy 122 applies to.

11.1 We consider that NPPF Policy 123 applies to the spatial strategy for Radstock.

11.2 Radstock presently has about 2000 dwellings. The SHLAA identifies 10 dwellings already built in Radstock centre and a further 370 dwellings for the centre as part of the identifiable supply for the Core Strategy period. In addition, a further central site, Rymans Engineering is expected to be developed in the period beyond the first 5 years of the Core Strategy (we estimate up to another 100 dwellings, based upon the calculation for the Charltons site opposite it). These central sites form the backbone of the Regeneration Case further developments. A further 120 dwellings are designated for central and north Coombend, the road from which feeds into Radstock centre.

11.3 A significant rise in noise to a level at which permission would normally be refused, was envisaged for the RAD1 development alone. the location of level D was close to the Charltons and Rymans housing allocation opportunities in the SHLAA. There is no indication that the proposed mitigation for outline permission for 06/02880/EOUT and the subsequent reserved matters permissions for phases 1 and 2 (relevant phases to the matter of noise) would reduce outdoor noise levels for residents. Further developments in the central area would only serve to exacerbate this noise level.

11.4 The southern end of the RAD 1 site is an area of tranquillity in the town, in contrast to the noisy linear park that extends from Radstock towards Midsomer Norton, beside an A-road; it has been relatively undisturbed by noise and valued for its tranquillity by local people since the closure of the railway in (date) and has been in continual use as a location for walking since that time.

12.1 We consider that the spatial strategy for Radstock acts against NPPF Policy 124. The Air quality implications for the NR.2 (RAD 1) development alone were understated in the analysis, due to the inclusion of what should have been inadmissible data in the original calculations (Appendix). In addition, the current collection of air pollution data in Radstock is compromised through the siting of the diffusion tube in a way that is outside the guidance on siting these tubes and is likely to result in lower readings and missing data at times of likely heavy pollution. The implications regarding air quality in Radstock are significant, with nearly three times the housing numbers to be provided in the centre and Coombend alone than are planned for the RAD.1 development site. This could easily put Radstock into Air Quality Management Area territory.

13.1 The spatial plans for Radstock will increase the ambient light levels in the area, which could be said to act against NPPF Policy 125. The plans for the 'catalyst' site, RAD 1 will remove a dark corridor and dark landscapes and have an adverse impact on nature conservation through:

- impact on light-sensitive species of bat, including non-controllable domestic and commercial lighting in the proximity of bat commuting corridors
- impact of bat foraging in former dark areas within and beyond the site through attraction of moths and other night-flying insects away from dark areas towards domestic and street lighting
- direct impact on glow worms and moths

14.1 NPPF policies 112, 113 and 115 do not apply.

15.1 NPPF Policy 116 would have applied if English Nature's request that the bulk of the RAD 1 site be designated as an (exceptional) SNCI had been heeded. Had the NR.2 (RAD 1) site been designated, we consider that development of it would fail to comply with PPF 116 on grounds of impact on the Radstock economy and detriment to environment, landscape and recreational opportunities.

National Planning Policy Framework  
Appendix 2  
NPPF\_Appendix\_NPPF policy sections

Respondents 821 & 822, Cam Valley Wildlife Group and Somer Valley Friends  
of the Earth

Contents:

Consideration of individual policy sections and policies in the NPPF

## **Consideration of individual policy sections and policies in the NPPF**

### **1.0 Delivering sustainable development - Building a strong and competitive economy**

1.1 We do not see how the strategy for the Somer Valley will boost its local economy. B&NES says that self-containment is to be decreased and its account of what self-reliance consists of in the Inquiry sessions was weak at best. We fail to see how burgeoning housing provision increases self-reliance. The £1 million lottery money referred to is for spend over a 10-year period on community-led projects for elements that local authorities do not provide. It has been provided to help redress the existing problems created by a 43% increase in houses without the elements of social benefits, infrastructure improvements and employment that should have accompanied it, not to deal with the effects of the increased social stress that will accompany more of the same.

1.2 Although policy 19 advocates placing significant weight on the need to support economic growth, we do not see any evidence presented by B&NES that would demonstrate that the approach in Radstock will promote local and inward investment in a way that does not put undue strain on local environmental limits. We do not see the strategy helping to deliver low carbon future envisaged in NPPF policy 18 and we do not see a strategy that brings proportionate economic benefit to the Somer Valley area (NPPF policy 21, planning positively for the location). The Radstock regeneration initiative purports to enhance the environment (NPPF policy 21), but many, arguably most, Radstock people feel that it will be detrimental to the local environment on several fronts. It cannot be denied that it will increase pollution and car dominance in the town whilst removing an important environmental resource in terms of open and green space, carbon sinking, ground water storage to mitigate flooding, and so on. The site has been in constant use for recreational purposes since rail closure in the mid-1980s and for years before that, whilst the Marcroft Wagon works was still in operation.

### **2.0 Ensuring the vitality of Town Centres**

5.1 We have put forward the view that the strategy in Radstock works against the vitality of Radstock Town centre, and representatives of Midsomer Norton Council in the Inquiry were not convinced of beneficial impact on Midsomer Norton Town centre. Town centre traders and other local businesses have recently sent a request to the Secretary of State for Transport to call in the road orders permitted by B&NES regarding the negative impact of this proposed infrastructure on the viability and vitality of Radstock Town centre (see Appendix 4\_Radstock, para 1.10) and Radstock Action Group recently handed in to B&NES over 2000 petition signatures (one petition, in tranches) collected locally against the road scheme, a very significant number. A further petition against the double-roundabout finally permitted by B&NES under the road orders was also received

by B&NES.

5.2 We have argued that the character of Radstock (i.e. its historic development pattern and topography and constricted centre) in combination with its proximity to Midsomer Norton and the road-dominated nature of the small centre does not lend itself well to the application of generic town centre policies. This approach is taken in NPPF policy 23 regarding town centre vitality.

## **6.0 Promoting sustainable transport**

6.1 The strategy for the Somer Valley area increases out-commuting and travel distances (see paragraph 3.5 above), which acts against NPPF policy 37

6.2 The strategy for Radstock connected with key regeneration opportunities in CS policies SV1 2a and SV3 1a acts against NPPF policy 40 because use of the sites as presented in the SHLAA plans for massive reductions in town centre parking (see Appendix 1 of the submission on SHLAA site delivery by Somer Valley Friends of the Earth) and delivery of these sites is one of the key outputs of the regeneration strategy facilitated by the RAD1 development and the associated road infrastructure being objected to by Radstock businesses (see 5.1 above).

6.3 The consideration of NPPF policy 41 is not possible ahead of the release of the results of the study into rail viability that has been commissioned by B&NES. Having said that, however, the expressed interest in the route of First Great Western, its endorsement as a possibility by inclusion in the Joint Transport Plan to which B&NES is party, and B&NES' resulting recommended change to the CS are in its favour. We argue that it makes no sense for B&NES to have made this change without also addressing the matter of the Somer Valley Spatial Strategy (policies SV1 2a and SV3 1a ), which rules out return of rail in practice through the 'catalytic' RAD1 development, as we have heard in the Inquiry from B&NES Officer Rab Smith.

## **7.0 Delivering a wide choice of quality homes**

7.1 The key phrases for us in NPPF policy 47 is "as far as is consistent with the policies set out in this Framework" , "deliverable sites", "developable sites", and "viably developed at the point envisaged". The housing allocations for Radstock centre in particular work against these caveats (see Appendix 1 of the submission on SHLAA site delivery by Somer Valley Friends of the Earth)

## **8.0 Requiring good design**

8.1 We consider that the strategy for Radstock does not contribute positively to making places better for people (NPPF policy 56). We consider that it acts against NPPF policies 57, 58, 61 and 64 (see Appendix 4\_Radstock para 1.12). We consider that the caveat in NPPF 65 does not apply in this case, as high levels of sustainability are not to

be achieved in the context of the higher standards that are now in place and designated buildings are implicated.

## **9.0 Promoting healthy communities**

9.1 NPPF policy 73 promotes access to high quality open spaces and opportunities for recreation. Analysis of access to green spaces in the Somer Valley area shows that there is a need to provide green space. We consider that the open land on RAD 1 cannot be shown to be surplus to requirements and the loss cannot be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; the development is not for alternative sports or recreational development. Its use goes against NPPF policy 74 and against NPPF policy 76 by denying Radstock the opportunity to have the site declared as Local Green Space in a neighbourhood plan, the criteria for which, set out in NPPF policy 77, it fits perfectly (see Appendix 4\_Radstock para 1.13)

## **10.0 climate change, flooding and coastal change**

10.1 The strategy for the Somer Valley area acts against NPPF policy 95 through choosing a spatial approach that increases out-commuting and travel, and therefore not locating development in a way in which it reduces greenhouse gas emissions.

10.2 The RAD1 development site in Radstock is expensive to deliver, being both contaminated and linear, cutting down the opportunities for spend on higher sustainable build standards and encouraging car use in particular from the 'village' style development at the southern end. It is impossible to provide replacement habitat, for it is unique, but if an attempt to provide compensation (of equal value) were made as required in NPPF policy 118 , it would be so prohibitively expensive that it would rule out the scale of development envisaged for the site within the CS period.

10.3 The RAD1 development acts against NPPF policy 99, which includes taking account of climate change over the long term, including with regard to biodiversity. Important factors are its role in the ecological network for movement of species, its role in safeguarding important habitat, and its role in protecting species that will colonise the climate spaces of the future but that are unlikely to use river corridors for this purpose. Loss of species and local/regional/potentially national extinctions to the RAD1 development are unacceptable outcomes and inadequate mitigation and compensation do not result in managing risks in line with the NPPF policy.

## **11.0 Conserving and enhancing the historic environment**

11.1 NPPF policy 126 advocates positive strategic planning for the conservation and enjoyment of the historic environment. It is particularly concerned about the impact upon the world heritage city and its setting, not least because of its economic role. However, there is far less clarity regarding the significant historic environment of the Soemr Valley area, and particularly the remaining railway heritage features on Radstock

Railway Land (RAD 1).

11.2 Implementation of CS policies SV1 2a and SV31a acts against conserving and enhancing the historic environment. The historic environment of Radstock is at risk - it has been placed on the English Heritage 'at risk' register. That it is there suggests two things - one is that it is worth preserving and the other is that it is not being preserved. The RAD 1 site holds the bulk of the remaining railway heritage in Radstock - little remains elsewhere. It includes the (intact) first platform in Radstock, a loading platform for coal, the passenger platform that came later, a significant amount of wooden sleepers and rails, the high bank backed by a triangular area from which coal was also loaded into the trucks below and a large engine shed (in need of renovation). All these features will be removed, bar a small proportion of the rails and sleepers. With the Brunel Shed and the turntable area, which are to be retained, these form a significant railway heritage package that is also part of the coal mining and industrial heritage and, as such, are worthy of preservation and enhancement and being put to use as part of a heritage reserve of social, cultural and economic benefit that, if developed sensitively, would make a valuable positive contribution to local character and distinctiveness. It would sit well in the conservation area and be drawn upon in town 'branding'. This would be consistent with NPPF policy 126. The mining heritage of Radstock is flagged up in the B&NES Spatial Vision in connection with its tourism value (paragraph 1.13) and is supposed to be protected and enhanced under policy SV3 3a.

11.3 We consider that if policies NPPF 131 and 132 were to be properly applied to any application to develop RAD1 that the conservation and other value of the heritage asset in combination with other value of the land would certainly be greater than the mainly theoretical economic benefit of the built development presently permitted at outline; we do not consider that development to be deliverable in reality (Appendix 4\_Radstock, paras 1.5 - 1.7).

## **12.0 Planmaking**

12.1 Policy 156 sets out strategic priorities, but only some are clear and deliverable, most notably, "climate change mitigation and adaptation, conservation and enhancement of the natural and historic environment, including landscape."

12.2 Although the NPPF highlights the importance of a sustainable economic growth, NPPF policy 152 directs authorities to seek opportunities for net gains in the three dimensions - economic, social and environmental in plan-making, and says that significant adverse impacts on any of these dimensions should be avoided. The Core Strategy taken as a whole falls down on the environmental dimension regarding increased travel and stewardship of the natural environment and, although advocating protection at District level, fails utterly to provide policies robust enough to secure protection of or gains to local biodiversity, especially at local level. The policies are not robust enough to deliver the environmental outcomes in the NPPF.

12.3 In order to deliver biodiversity outcomes, text that promotes it should be added to Somer Valley policy rather than giving a skewed version of natural environment protection and enhancement: the "landscape" of CS SV1 1a and the "green infrastructure...associated with the river" of SV3 1d. Similarly, in order to deliver the three dimensions jointly and simultaneously in a mutually dependent way (NPPF policy 8), we argue that both a more robust approach and greater consistency is required in overarching policies and objectives of the Core Strategy. The authority needs to incorporate a commitment to net biodiversity gains and to biodiversity enhancement, in line with NPPF policies 109, 117, 118, and 125, into CS Objectives 1 and 2 and policies DW01, CP6, 4 and CP13 (infrastructure improved for communities). Ecosystem services and other economic benefits associated with nature conservation and biodiversity gain should be written into Chapter 6e and Objective 3 of the CS and supported by economic policy and indicators (in Chapter 7), and by inclusion of economy in the last bullet of CS Objective 1, in order to promote recognition and acceptance, by Planning Officers and developers, of its relevance and shared importance. We have argued that the CS fails to take a strategic approach to biodiversity and provision of green infrastructure, which it is leaving to the Green Infrastructure Strategy (GIS), with appropriate indicators not yet attributed in the CS (or the Draft GIS) and the indicators in the Draft CS woefully inadequate. However, the initial work on the GIS gives us cause for concern (see Appendix 3\_green infrastructure). Provision of the Town Park in Midsomer Norton is described in CS policy 8 b as serving the Somer Valley, but Radstock, Paulton, Peasdown and the villages do not lie within the mapping distance of area served by natural green spaces in the Green Spaces Strategy, and lie well outside the English Nature recommended distances quoted in the GSS, (CD4/ENV3, Appendix E, para 2.1.5). The GSS maps natural green spaces at at Neighbourhood level, 750 m (see CD4/ENV3, Chapter 4, figure 4.20 and CD4/ENV3, Chapter 4, para 4.3).

12.4 The policies for the Somer Valley area conflict and do not achieve the clarity required in policy 154. Policies SV1, 2a and SV3 1a accord with each other, but do not accord with SV3, 3a, SV3, 3d, SV3 3c, CS Objective 2 (particularly bullets 3 & 5), DW01, 5 and DW01, 6. In addition, the forecast job growth in the Somer Valley area is unlikely to "create a thriving and vibrant area", as in CS Policy DW01, 1c, as it will be so out of step with provision of homes and will fail to address the past widening of the gap.

### 13.0 Evidence base

13.1 It is clear that B&NES has not undertaken the actions that would have been necessary in order to provide the proportionate evidence base required in NPPF policies 165 and 158. The "assessment of existing and potential components of ecological networks" needed to inform plan preparation has only just started and appears to have moved on little since the draft CS was printed.

13.2 Pursuing sustainable development in plan-making in line with NPPF policy 173 acts against delivery of the RAD 1 site, due to the scale of obligations and policy burdens. Delivery has repeatedly failed since 1999 and we have argued that the 2008 outline



permission is not deliverable for multiple reasons, including that permission has been given for a different road scheme than permitted and that does not deliver the stated outline benefits. We also argue that the financial viability looks to have been misrepresented at outline through costing presented<sup>1</sup> for infrastructure at a fraction of the actual cost now claimed by B&NES and the HCA . We do not consider that the actions of B&NES and the HCA, in providing road infrastructure to help delivery of the Somer Valley spatial strategy (policies SV1 2a and SV3 1a ), are for reasons of the pursuance of sustainable development, which would be reason for justification under NPPF policy 173. Both organisations have a financial interest in delivery of the RAD1 site in a way that provides a high enough land value to give a return on their investment.

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1 at the very last minute and without public scrutiny leading to an unlawful decision, arguably

National Planning Policy Framework  
Appendix 3  
NPPF\_Appendix\_green infrastructure

Respondents 821 & 822, Cam Valley Wildlife Group and Somer Valley  
Friends of the Earth

Contents:

Green infrastructure in the context of the NPPF

## Green infrastructure in the context of the NPPF

### 1.1 The NPPF says that

- local plans should take account of a variety of climate change factors over the long term, including changes to biodiversity and the landscape, and that new development should be planned to avoid increased vulnerability
- that when development is brought forward in vulnerable areas, risks must be managed through adaptation measures including the provision of green infrastructure (NPPF Section 10, Meeting the challenge of climate change., Policy 99)

The NPPF is also strong regarding the role that the planning system plays. It is expected not to contribute to biodiversity protection and enhancement in a passive way, but to provide net gains in biodiversity where possible as well as minimising impacts and establishing coherent ecological networks that are more resilient to both current and future pressure (NPPF policy 109). Government policy already promoted the development of networks, but the NPPF puts greater responsibility onto planning authorities to actively develop these networks and incorporate them into strategic policy.

1.2 The matter of vulnerability to flooding and urban heat is easy to get to grips with and will be incorporated into the Green Infrastructure Strategy as well as delivered through development control. However, the matter of vulnerability with reference to climate change is not adequately addressed regarding biodiversity either in the CS or in the emerging GIS to date. The planning authority should be planning for ecological networks now through its Core Strategy and allowing considerations regarding networks to influence its decisions about what is planned and where. This information must inform its spatial strategy and it must act by preparing its development plans with the aim of minimising adverse effects on the local and natural environment (NPPF policy 110). In order to implement policy 109, B&NES must be aware of where the vulnerable areas are and where they will be created and be on the look-out for prime candidates to be eliminated as potential development land, in the absence of any worked up Green Infrastructure Strategy (GIS). This it has failed to do so far.

2.1 B&NES has shown no commitment to biodiversity through the LDF process, as pointed out by as Cam Valley Wildlife Group in its various submissions over the past years. B&NES has done next to no investigation into the baseline biodiversity position. Although it can be argued that the GIS is at an early stage, there are indications that B&NES failed to recognise/accept significant flaws in the Green Spaces Strategy and that these flaws are being incorporated into the GIS. The approach being taken relies too heavily on the incorrect analysis, approach, and standards of the GSS. This works against achieving the goals of the GSI and the implementation of NPPF policies. The failings of

the GSS are set out below in section 4.

2.2 Our concerns include the lack of will shown by B&NES , including failure to even produce a draft GIS before April this year, months after the Inquiry was expected to be over. Failure to monitor of losses to and improvements to biodiversity through development control and the lamentable lack of inclusion in the Core Strategy of any indicators that would demonstrate success or failure to deliver biodiversity gains are another sign demonstrating this lack of regard. This must be addressed in order to meet NPPF policy 117, identify suitable indicators for monitoring biodiversity. B&NES appears not to have even the most rudimentary of monitoring measures in place, but the inclusion of appropriate indicators will force appropriate monitoring. These could include:

- the diversity of species
- the diversity of habitats
- the percentage of rare and scarce species
- the percentages of priority habitat under good conservation regimes
- the loss of species
- the loss of important habitats
- the loss of habitats supporting important species
- health of populations of species
- the number of isolated habitats supporting species for which connectivity is important
- connectivity of networks allowing genetic exchange between populations that have specific requirements for movement through the landscape (eg SAC connectivity for bats; habitat connectivity for certain insect populations)
- the number of buildings that have had nesting opportunities incorporated by design or nesting protected (eg for swifts, house sparrow, bats, solitary bees)
- the number of ponds in good condition
- high hedge monitoring

These indicators can be included in Chapter 7 in relation to policy CP7, but are also relevant to policy CP6 and measures that support them lie outside as well as within the forthcoming GSS. They should be included in the CS now.

2.3 Part of the reason that there are no suitable indicators in the CS is lack of baseline data, which is unsurprising given the unwillingness to provide the funds needed to deal with the result of past failures to address the biodiversity matter or present needs. The draft GIS states that "[B&NES does] not have good systematic monitoring data to assess the current condition of biodiversity in B&NES and with the exception of farmland and garden birds cannot state with certainty what is declining, stable or improving", ..."[has] little documented evidence of the extent and significance of habitat fragmentation across the district" and that what evidence there is points to poor strategic connectivity, a small proportion of really good habitats which are isolated from

other good habitat, and resultant poor delivery of natural environment services to local communities (Draft GIS, last two paras, p. 18 and first para, p.19). This contrasts with the rather overblown claim in the Core Strategy ( CD5/7 para 1.21) of a rich and diverse biodiversity resource. The reality is that B&NES has undervalued wildlife and biodiversity and has not been a good steward of nature conservation resources, but is trying to give a different impression. Radstock, on the other hand, does genuinely have a rich and diverse biodiversity resource, which B&NES is trying its best to help destroy through provision of infrastructure at its own expense. The biodiversity of Radstock, although rated 'important' in 4.22 of the CS, is rated below the "Radstock Conservation area and its well preserved mining past", deemed the "single most significant element". This B&NES is also seeking to diminish through facilitating the 'regeneration' scheme, which will remove important heritage features which are also of use to wildlife. The Core Strategy needs to incorporate the wording and aims of of the NPPF if it is to reverse the decline in the biodiversity of B&NES.

2.4 Natural England, on the subject of Green Infrastructure, refers to the importance of "environmental features" and the multifunctionality of networks. It is clear that GI is not synonymous with multifunctional individual spaces, but that it is the network, the sum of the measures, that is multifunctional - this multifunctionality encompasses both spaces with individual functions (eg biodiversity improvements to address vulnerability of the biodiversity resource of the District and beyond) and multiple functions (eg cycle routes, parks and recreational spaces). However, the wording of B&NES CS policy and objectives does not reflect this reality. Objective 1 refers to a network of multifunctional spaces; whilst Objective 2 refers, correctly, to a multifunctional network of green spaces, but puts upon it the caveats of being accessible and well linked. In order to produce a multifunctional network, some spaces must be inaccessible and even, in some cases, fairly isolated. There is a danger that, without policy that specifically protects and enhances important habitats and species and includes the provision, through the planning system, of net gains to biodiversity (NPPF policy 109), the emphasis will be on providing recreational areas with a bit of biodiversity interest instead of providing a coherent ecological network that can also be used widely for recreation.

2.5 At present, the mapping for the GIS relies on work that did not include the post-industrial Priority habitat type that is now a UK BAP habitat, and the mapping approach being taken cannot address the matter of mixed habitat areas, which are now being recognised as more important in terms of promoting biodiversity than single habitat sites, a point acknowledged by Natural England at the launch of the strategy. The mapping is at an early stage and is incomplete and the authority is hoping that organisations and individuals will help it to fill in the missing pieces of the jigsaw.

2.6 Even if the emerging GIS is worked up into a strategy that properly encompasses all the elements that it is supposed to address and even if it manages to address the question of vulnerability, there is no driver that will result in delivery, as it is not properly integrated into the CS through policy requirements or supported by the

necessary indicators. Developments will be permitted without this strategic matter being properly addressed unless B&NES commits to the protection of populations of important species and their habitats in the CS (NPPF policy 117) in addition to its commitment to restore the diversity and resilience of the District's wildlife. Policy CP6 is too weak to be in line with the NPPF. B&NES needs to create the multifunctional network (NPPF 117), not maintain and enhance it (CD5/7 Objectives 1 & 2) or have it as an option, as in B&NES policy CP6.4. Respecting, maintaining and enhancing an existing network (Policy CP6.4) when you have not got one to start with is not much use. B&NES must do much more than creating a few sites and valued habitat and implementing the easiest first point of NPPF 117, the planning for biodiversity at landscape scale, which is the primary plan in this regard within the Core Strategy Diagram 20), the primary way the emerging GIS can be used at present.

2.7 According to the draft GIS, Chapter 4, the GSS standards (of quantity, quality and accessibility) are valid and incorporated into the GIS. The GSS feeds into the GIS, which in turn helps to deliver the CS. The review of the nature, extent and quality of public green space across the district, through review and updating of the GSS in 2013, is described as particularly relevant to Green Infrastructure in the GIS Consultation Draft, but such a review will have little worth if the starting point is acceptance of inadequate standards. Further, Cam Valley Wildlife Group, in its submissions on the draft GSS, pointed out significant departures from government policy regarding green spaces and the Council's response to the group indicated that the types of land and features that were not covered in the GSS would be covered outside it (GSS Consultation, Council response to ID 12).

2.8 It is somewhat worrying that the GSS standards are still considered to be valid at this stage of the CS process. Chapter 4 of the draft GIS also maintains that the GSS' key aspirations will be taken forward in the GIS. These aspirations include, "Taking responsibility for our environment and natural resources now and over the long term - the strategy advocates the assessment of all green spaces to ensure that they contribute as much as possible to local biodiversity and sustainability", but we see no evidence of any real commitment to this in the GSS.

2.9 The Consultation Draft GIS indicates that the natural environment is undervalued and that there is a lack of consensus and cooperation within B&NES departments (pages 5 and 7). The B&NES Spatial Visions (CS 1.13) and Objectives, both for B&NES in general (1.14) and the areas outside Bath, give the clear message that the natural environment in B&NES is valued mainly for its aesthetic and associated economic value, with biodiversity given no mention at all; it is restricted to protection in DW01, which does not go far enough. Unless B&NES commits clearly to improvements to biodiversity and accompanies this with meaningful indicators and indication that it will engage fully with all authorities beyond its borders, not just the WEP, it will not be compliant with the NPPF with regard to the biodiversity resources of the District or the biodiversity outside its borders.

### 3.1 Matters that must be addressed within the Core Strategy include:

- robust policy wording and objectives that follow the requirements of section 11 of the NPPF and stress the joint and simultaneous delivery of the three NPPF goals and ensure that greater weight is put on biodiversity objectives and gain as a function of the planning system
- the indicators in Chapter 7 for Strategic Objective 2 regarding policy CP6
- the indicators in Chapter 7 relating to the GIS, policy CP7
- commitment to integration of the GIS in all B&NES departments and awareness of the importance within the planning system
- providing guidance for developers, officers and the business community that spells out the economic and social value of green spaces and biodiversity improvements
- provision of an appropriate GIS check-list and GIS standards that developers and B&NES departments must adhere to
- addressing multiple species needs and well as habitat needs through planning policy and Council initiatives

### 4.0 The Green Spaces Strategy ( CD4/ENV3)

4.1 The conclusions and resulting standards in the GSS are based upon unreliable evidence and insufficiently robust analysis and it does not conform with government guidance. It will be reviewed and updated in 2013, but it is unlikely to be subject to radical change, given that standards set in the GSS are considered to be "valid" by B&NES, and it will still inform the GIS. It is unlikely that work covered within in the scope of the GSS will be duplicated. The significant flaws and the consequence of those flaws are likely to remain unaddressed:

1. The B&NES Green Spaces Strategy (GSS) does not address 'primary purpose' regarding spaces, as recommended in the PPG17 companion guide (see CD4/ENV3 Appendix E, 2.1.10)

2. It uses an over-simplistic ("simplified") approach to typology (CVWG response to GSS consultation draft, 4.1.1: the typology remained unchanged at adoption; see CD4/ENV3 for typology)

3. The 'natural spaces' mapping was incomplete and did not accord with either the PPG 17 or the B&NES typology (CD4/ENV3, page 3, Classification of Green Spaces); in Radstock, publicly accessible green space inside NR.2 that was both designated and non-designated land of exceptional SNCI quality was omitted from the mapping, including land to be retained under the development proposals that had for many years been used for informal recreation and still had public access; there were many spaces that were not covered by the scope of the GSS and some very significant spaces that appeared to qualify were not mapped, particularly in the rural areas, leading to an inaccurate

picture (CVWG response to GSS consultation, 1.1.1 - 1.1.5, 5.1.1 and 5.1.3: this matter in the Strategy remained unchanged at adoption)

4. The minimum size criterion in the GSS for a District site rules out sites that are smaller but that otherwise have the functions and features of a District site, which allows misrepresentation of the infrastructure resources and is a potential barrier to the proper evaluation and development of the resource within the GIS (CD4/ENV3, para 2.2, table) CVWG response to GSS Consultation Draft, 5.1.2); in Radstock, Radstock Railway Land serves a District function using all the criteria bar the 10 hectare minimum size, in addition to its neighbourhood function, because it is unusually valuable for its size and has high educational value at all levels from primary school to Post-graduate level.

5. The determination of standards is unsatisfactory, the determination methodology unclear and the level of audit inadequate, leading to an inaccurate appraisal of provision and standards at best. The comparison standard chosen is the Keynsham standard ( CD4/ENV3 3.1.1 page 14), which appears to have been chosen because it is higher overall rather than using separate standards for the different categories being applied. Using the higher standards in each category as a comparison standard would make more sense, given the significant discrepancies between the provision of different types of spaces in the different higher level areas. The standards that B&NES aspires to, at 3.5 ha/1000 people, is significantly below the average figure of 4.3 in the national comparison table in the GSS (CD4/ENV3 para 3.3). The GSS audit was incomplete, leading to inaccurate quality scores (CVWG response to GSS consultation, 7.1.1 - this matter in the Strategy remained unchanged at adoption), with the quality of the vast majority of natural green spaces in Radstock not assessed at all (CD4/ENV3, Chapter 5, figure 5.8) and only 154 (including 130 formal spaces) of the 248 sites assessed in the quality audit, in 2004 - all sites were somehow allocated a score despite this failure (CD4/ENV3, Appendix C, 1.2.1). The analysis of access to green spaces was poor and ruled out access analysis in line with the Natural England guidance (CVWG response to GSS consultation, 8.1.1, this matter in the Strategy remained unchanged at adoption). Accessibility in the GSS is based upon proximity and scored according to the number of sites with which the catchment of the site crosses, but the mapping system used considers distance walked only, not the nature of the journey according to topography - in Radstock, an area of steep hills and valleys connected mainly through the central confluence. This factor is important and, coupled with the (mainly) steep and inaccessible nature of the terrain on the open access/natural areas mapped/general low quality of natural spaces, generates a low level of satisfaction with access to green space in Midsomer Norton and Radstock in particular. The GSS market research analysis states that access needs of residents to Parks and Open spaces are not being met (CD4/ENV3 Appendix D... and 2.4 (page 53)). The scoring criteria for ecological benefits is laughable CD4/ENV3, Appendix C, 1.1.2, C1). It is not being applied according to ecological value, but merely according to whether a site has a particular designation or not - underfunding and lack of political will in B&NES has led to failure to evaluate sites, deterioration of designated sites, and failure to designate sites worthy of designation, even when advised to do so by English Nature (English Nature evaluated



Radstock Railway Land and urged B&NES, in writing, to designate it as an (exceptional) SNCI to make its significance clear, telling B&NES that it fell just below the threshold for designation as a SSSI, but B&NES chose not to. Calculating deficiencies in the different types of green space in the GSS depends on two factors - walking distance from them and the number in a particular ward. There are no ease of use/likelihood of use calculations in evidence for open spaces, which is particularly important regarding natural ones. Weighted determination factors, such as the walking distance from the majority of the nearby population, the topography, the size of the population that has access to the particular space compared with the size of the population in areas not served, the attractiveness of the space, the location of the access point in relation to the main population and the ease of/likelihood of access or even likelihood of knowledge of the space or access to it due to location appear not to influence the deficiency argument. These are vital aspects, however, when considering whether or not the provision is adequate and actually serves the population.

6. The current guide to provision in the GSS determines that where it is considered that there is sufficient existing green space and it meets quality standards, that there will be no need for developer contributions, but this assumes that a) the evaluation of quality is correct, which it obviously is not and, b) the low standard deemed acceptable by B&NES is acceptable, which we would maintain is not. It also brings into question whether satisfaction of standards for individual criteria will apply in these cases (eg accessibility or nature conservation value), or whether it will be the average score that is applied. Average scores in terms of the spatial approach to ecological networks and value of community spaces are almost meaningless. In addition, there is no scope for factoring in the *potential* value of spaces in the GSS. In terms of the contribution that these spaces make to the creation of a functioning ecological network (spatial considerations) and mental health benefits in particular, the potential value is a vitally important factor to consider.

National Planning Policy Framework  
Appendix 4  
NPPF\_Appendix\_Radstock

Respondents 821 & 822, Cam Valley Wildlife Group and Somer Valley Friends  
of the Earth

Contents:

Comments on strategic development in Radstock in the context of the NPPF

## 1.0 Strategic development in Radstock in the context of the NPPF

1.1 The Strategy for development in Radstock (SV1,2a and SV3 1a) depends, as a starting point, on a regeneration initiative for which the adverse impacts significantly and demonstrably outweigh the benefits, those benefits being mainly theoretical and in the light of changes that will now cause the disbenefits to be higher. It is not only the B&NES consultant ecologist opinion that this was the case at outline, and the opinion of the Planning Inspectorate that supports this view. Local groups, traders, local people, local transport operators and other businesses are also opposed (see below) on economic and other grounds. The planning authority is arguing that the 2006 application 06/02880/EOUT and the accompanying 2007 Regeneration Case set out the economic benefits associated with the new 2012 road infrastructure that facilitates the RAD1 development and accompanying spatial approach, but the application and regeneration case do not answer key economic questions and the socio-economic case was incomplete, 'thin' and based upon unsupportable baseline assumptions.

1.2 We consider that the spatial approach to development in Radstock acts against Chapter 11 of the NPPF in almost its entirety (see Appendix\_NPPF Section 11)

1.3 We consider that the spatial approach to development in Radstock acts against key policies of Chapter 12 of the NPPF (see Appendix 2\_policy sections)

1.4 We argue that the strategic approach to development in Radstock is not new, and so not the product of the Core Strategy evidence base, which was produced largely after the Options stage was over.

1.5 We cannot reconcile CS policies SV3 1a and SV3 2a. The portion of the 2700 homes allocation in SV1, 4a that will fall on Radstock is somewhat confusing, as the figure of 200 does not fit the strategy being pursued. The SHLAA mapping of "Radstock Town Centre and Somerdale" sites includes the whole of RAD1, which comprises 210 dwellings on its own. Delivery of SV3 1a includes delivery of existing commitments, within which B&NES which includes RAD1. The provision in SV3 2a for Radstock Town centre is "about 200 homes". This implies that either the RAD1 development alone is expected to come forward by 2026, or that that the RAD 1 development will be abandoned in favour of delivery of alternative sites, perhaps including the B&NES-owned sites in central Radstock that NRR is the preferred developer for. Either way, the spatial strategy that involves the role of the RAD 1 site as a facilitator of regeneration in line with the 2007 Regeneration Case, brought about through knock-on developments promoted and financially seeded by it, is shot right out of the water within the plan period by the 200 dwellings figure.

1.6 B&NES is claiming that delivery of the RAD1 site is viable because the outline permission does not run out until March 2013, but we have argued that it cannot be extended in connection with the nature of the 'rules' for time extensions, site changes,

mitigation failure for reptiles, and the changes that are being made to the original regeneration proposal, not least the recent permission for a different road and pedestrian infrastructure arrangement. If it were possible to satisfy all the outstanding Section 106 conditions, sort out the thorny problem of mitigation to retain dark corridors for commuting bats and give full permission for a third phase of development, all within the next 10 months, then we would expect the whole 210 to be delivered fairly quickly. To deliver the knock-on Town Centre development to 'complete the regeneration job' would be well outside the commitment to "about 200 dwellings" to 2026.

The delivery of the 340 dwellings described as "part of identifiable supply for the Core Strategy period" on Radstock centre sites RAD 1 RAD 3, RAD 4, RAD 5, RAD 6, and RAD 7 and possibly up to another 100 dwellings on the Ryman's site, is doubtful, unless forced through against policy<sup>1</sup> (see Appendix 1 of the Somer Valley FoE representations on the SHLAA issue). The cumulative impact on congestion and air pollution in this constricted centre appears not to have been considered. It is difficult to see how the suite of sites in SV3 1a is deliverable.

1.7 The aspiration in this strategy for Radstock is, realistically, for delivery of an application or applications that have not yet been made for development on RAD1. At the B&NES Local Plan Inquiry, the Inspector put forward the view that the presence of a development partner to NRR, the landowner, suggested that the site could be delivered. It has not been; we are back in the same position. There was an extant outline consent in 1995.

1.8 If the theory of regeneration using delivery of the RAD1 site as a catalyst is correct and RAD1 is delivered as envisaged by B&NES, the Core Strategy policies will not be able to deliver the package within the plan period and Radstock will suffer all the negative consequences without any guarantee of benefit. Services, according to the regeneration case, would be provided once there was a high enough 'critical mass' following knock-on developments. This appears to be similar to what B&NES is saying now regarding putting in housing first and then addressing other things that are part of self-containment.

1.9 If the theory of regeneration is incorrect and RAD1 is delivered as envisaged by B&NES, Radstock will see the initial negative consequences followed by further negative consequences as the town centre is in-filled. Whether the theory is correct or incorrect, B&NES will see a net loss of biodiversity, and Radstock will lose a potential amenity, Local Green Space (NPPF policy 77), future rail link, tourism/visitor resource, and educational resource. Delivery of RAD 1 fails to deliver joint key objectives, which the NPPF promotes - it is a win-lose scenario and so fails to meet NPPF policy 152. Alternative use will satisfy all three objectives, social, economic, and environmental.

1.10 We argue that evidence has not been provided to demonstrate that any benefits, economic or otherwise, outweigh the adverse impacts on Radstock of the strategic

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1 which is not open to challenge under UK law unless it has been done in a procedurally incorrect manner

approach to built development, including the key development (RAD1) that facilitates it. A request was sent recently to the Secretary of State for Transport by 36 local businesses and four local organisations for Call-in of the consent B&NES has given to itself for a modified road scheme, to facilitate the NRR development and Radstock spatial strategy. The request was made on the grounds of adverse impact on local businesses, road safety concerns, road operational concerns and concern about lack of impartiality on the part of the deciding authority with regard to its quasi-judicial role. Although fears of negative impact on local business are not proof of this, B&NES has come up with no convincing argument that there will not be a negative impact and benefits are largely theoretical. Nil impact on local business was assumed in the "initial economic analysis" that identified "feasible aspirational targets" to support the case for regeneration.

1.11 We have argued that the planning authority has political and financial interests in delivery of the spatial plan presented for Radstock, presented in the Regeneration Case as the evolution of a 1997 initiative and as a delivery vehicle of those old objectives. We consider that it would be unreasonable to view a favourable decision by this planning authority regarding the spatial strategy laid out in application 06/02880/EOUT and the accompanying Regeneration Case, as indicative of sustainability, suitability, or local economic benefit. We have pointed out that the Norton Radstock Regeneration Company (NRR) has been, for a long time, the preferred agent for realising the asset value of B&NES-owned land in Radstock and was set up by B&NES to deliver the 'regeneration' of Radstock, for which the company, managed by B&NES officers, provided a spatial strategy. We argue that the policy context within which the planning decisions were taken (see para 1.6 of our submission document) was fundamentally unsustainable and at odds with the new NPPF. We argue that were the decision to be taken in the light of NPPF policies taken as a whole and individually, it should be refused and that the case for regeneration was misrepresented in the first instance. We argue that the opinion of the planning authority's consultant ecologist and the Planning Inspectorate are more realistic.

1.12 B&NES has given permission to itself to provide road infrastructure that is not the same as that given full permission in connection with the NRR redevelopment scheme (RAD1). In doing so, it has set out its stall regarding its idea of improvement. This infrastructure places the main shopping streets on an 'island' surrounded by two way traffic, a solution previously rejected by the Leader of the Council as "bad planning practice" in a public meeting with local people prior to modifying and permitting its proposed road orders. It also works against the pedestrian connectivity argument used by the developers in securing permission for the regeneration scheme, of which the infrastructure was a key benefit to be provided by them. There also appears to be strong local opposition to the design and placement of buildings in the redevelopment scheme (NPPF policy 57). The imposition of this unpopular development compromises the public's ability to have a say in how its neighbourhood will look through neighbourhood plans (NPPF policy 58). Rather than integrating development in Radstock with the natural, built and historic environment (NPPF policy 61), the redevelopment proposals for Radstock so far sacrifice these in the name of economic benefit. We consider that

reappraisal of 06/02880/EOUT (RAD 1) against NPPF policy 64 should result in refusal.

1.13 Most of the natural spaces in Radstock are of poor quality and difficult to access, in contrast to the flat land on RAD1, which is also in a central location and of other significant value. The strategy to use the site in the way indicated in the SHLAA will remove a prime opportunity for provision of a managed high quality open space in Radstock and works against NPPF policies 73 and 74. The RAD 1 site is a perfect candidate for declaration in a neighbourhood plan as a Local Green Space using the criteria in NPPF policy 77. Policy 76 says that local communities through local and neighbourhood plans should be able to identify for special protection green areas of particular importance to them. This special site is of particular importance to local people for a range of reasons that include ease of walking and absence of nettles on the former trackbed, closeness to nature, heritage value, opportunity to enjoy a tranquil area, and as a gateway to the wider countryside. The site has the potential to perform a wider role through wise use of parts of it for other community purposes, as the special wildlife value does not require the whole 7.6 hectares; this potential is unexplored and untapped. The use of the site for built development denies this opportunity that the policy says the public should have.

1.14 The RAD1 site should be afforded protection under the NPPF through policies 109, 110, 111, 114, 117, 118 - grounds for refusal-, 120, 122, 123 (noise) and 125.

Matter NPPF  
Respondents 821 & 822  
Cam Valley Wildlife Group and Somer Valley Friends of the Earth

National Planning Policy Framework  
Appendix 5  
NPPF\_Appendix\_dwelling numbers

Respondents 821 & 822, Cam Valley Wildlife Group and Somer Valley Friends  
of the Earth

Contents:

Comment on the housing allocation for the Somer Valley area in the context of the  
homes/jobs ratio and associated environmental impact

## **The housing allocation for the Somer Valley area in the context of the homes/jobs ratio and associated environmental impact**

1.1 Although at District level, the B&NES area has about equal in-migration and out-migration for jobs and 70% living and working in the District, it has been argued by the Hignett Family Trust that there is a widening gap between jobs and homes in Bath, caused by under-provision of homes and very high provision of jobs in comparison. B&NES has pursued a policy of increasing the size of dormitory areas within B&NES, with a rising homes to jobs ratio in the Somer Valley area which has been felt particularly keenly in Midsomer Norton and Radstock. Midsomer Norton and Radstock saw a 6.41% increase in dwelling numbers between March 2001 and March 2009. The 2001 statistics used by B&NES in CD4 E7, para 3.13 includes 8.3% of the Bath working population in-commuting from Midsomer Norton/Westfield/Radstock (Midsomer Norton & Radstock area) and 10.1% from the Somer Valley area. Dwelling numbers in the Midsomer Norton & Radstock area have increased by 8.5% from 2001 to 2011, whilst job numbers have fallen.

1.2 Following review of the CS, housing provision could increase still further, which could push up the homes/jobs ratio in the Somer Valley area and further increase out-commuting and overall travel distances by private car. Justification for this additional development anywhere in the Somer Valley area can be achieved through contribution to the implementation of the Midsomer Norton Town Park, but this will serve only a limited part of the Somer Valley population (see CD4/ENV3, Chapter 4, figure 4.20 and CD4/ENV3, Chapter 4, para 4.3). This policy can be used by housing developers until such time as the park is complete, and if CIL contributions are used for other purposes in the meantime, the finish date for the Town Park could stretch until the end of the Core Strategy period, or even into the next local plan period. Nowhere in the Strategy does it state that the Town Park will be provided - facilitating provision is all that is committed to (CS Policy SV1, 8b).

1.3 As we have heard from Officer Karou Jacques in the Inquiry, CS policy will both increase out-commuting and decrease self-containment in the Somer Valley area. The effect will be to cause a significant increase in travel, mostly by private car, to access jobs, services and leisure activities and to increase social disbenefits. B&NES' plan is to increase housing now and to address the consequences and the matter of self-containment later (beyond the plan period). This acts against delivery of the three dimensions jointly and simultaneously in a mutually dependent way (NPPF policy 8). The B&NES spatial policy appears to be to decrease the present gap between housing provision and jobs in Bath, and further increase the gap in the Somer Valley area. Although housing development is likely to be slow in a double-dip recession, an economic upturn or Government initiative to boost housing development could promote further increases in out-commuting and further decrease of self-containment in the Somer Valley area, following review of the CS.

3.4 We argue that, rather than meeting the requirement of NPPF Policy 110 in preparing the Core Strategy in order to meet development needs, the strategy acts



Cam Valley Wildlife Group and Somer Valley Friends of the Earth

against minimising pollution and other adverse effects on the local and natural environment. It also act against social needs through the negative social impact of an increased dormitory role for the area, which already has inadequate services, amenities and facilities which look unlikely to see significant improvement.