

**Bath & North East
Somerset Council**

Improving People's Lives

Local Plan
Publication Stage Representation
Form

Ref:

**(For
official
use only)**

**Name of the Local Plan to which
this representation relates:**

Bath and North East Somerset Council

**Please return to Bath and North East Somerset Council BY 23:59 on the 8th
October 2021**

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**Please send completed forms to post to: Planning Policy Team, Lewis House,
Manvers Street, Bath BA1 1JG**

This form can also be [completed online](#):

<https://consultation.westofengland-ca.gov.uk/bath-north-east-somerset/lppu-draft/>.

Users who complete the form online will receive a receipt and a link to a PDF copy of the response upon submission. There is also a 'save and return' feature which allows respondents to come back to their incomplete survey response at a later date without losing the information they've already entered as part of their response.

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If you are having difficulty in submitting representations please contact planning_policy@bathnes.gov.uk or call 01225 39 40 41 (Option 6)

This form has two parts –

Part A – Personal Details: need only be completed once.

Part B – Your representation(s). Please fill in a separate sheet for each representation you wish to make.

Part A

1. Personal Details*

**If an agent is appointed, please complete only the Title, Name and Organisation (if applicable) boxes below but complete the full contact details of the agent in 2.*

Title

First Name

Last Name

Job Title
(where relevant)

Organisation
(where relevant)

Address Line 1

Line 2

Line 3

Line 4

Post Code

Telephone Number

E-mail Address
(where relevant)

2. Agent's Details (if applicable)

Part B – Please use a separate sheet for each representation

Name or Organisation: **Tetlow King Planning on behalf of LiveWest and J.E. Sheppard and Sons (Sawmills)**

3. To which part of the Local Plan does this representation relate?

Paragraph Policy Policies Map

4. Do you consider the Local Plan is :

4 (1) Legally compliant

Yes No

4 (2) Sound

Yes No

4 (3) Complies with the
Duty to co-operate

Yes No

Please indicate as appropriate

5. Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate. Please be as precise as possible.

If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments.

This representation follows that made by Tetlow King Planning on behalf of LiveWest and J.E. Sheppard and Sons (Sawmills) at Regulation 18 Stage, Response number 690167946.

In respect of housing supply, The Housing Topic Paper recognises that the Government's introduction of the Housing Delivery Test means that there is a supply shortfall of around 1,200 homes.

A total of eleven sites for potential allocation are proposed for residential development in the Publication Version. These are in Bath, Keynsham, Midsomer Norton and Paulton. We believe however that it is imperative that additional sites are also considered for allocation for residential development, at this Partial Update stage.

The Council accepts in the Topic Paper on Housing Supply supporting the publication version, that the Council is unlikely to be able to demonstrate a five-year housing land supply "as future delivery slows" (paragraph 2.3).

It is also crucial to take account of the fact that, with the publication of the standard methodology results in December 2020, as part of the wider West of England Combined Authority (WECA) area, B&NES will need to provide for the significantly increased housing needs for Bristol City. Bristol's needs now stand at 3,196 per annum, up from 2,368.

Section 33A of the Planning and Compensation Act requires the Council to engage constructively, actively and on an ongoing basis with neighbouring authorities and certain other bodies over strategic matters during the preparation of the plan. The LPA will be expected to provide evidence of how they have complied with the duty.

B&NES must plan for a substantial uplift in housing when compared with the adopted Core Strategy, with a need in the Wider Bristol area now for 5,973 dwellings per annum. This must be addressed as part of the Duty to Co-operate.

It is recognised that the Partial Update cannot amend the Spatial Strategy of the Core Strategy. However, the adopted Core Strategy already currently directs housing development towards the larger and more sustainable villages; those with a greater range of services and facilities and better public transport accessibility to the main centres.

To make up the 1,200 supply shortfall, the Publication version proposes a number of allocations in accordance with the existing strategy. The sites in Bath, Keynsham, Midsomer Norton and Paulton are primarily on brownfield land, accounting for 76% of the proposed additional 1,200 units.

This is despite the Council previously recognising that relying on these sites means that there is a very real risk that this capacity may not be delivered. As brownfield sites they are likely to be subject to significant constraints, such as contamination remediation and deliverability is likely to be hampered by multiple ownerships. The Build-out rates of brownfield sites are inevitably slower than greenfield sites, as identified by the Independent Review of Build Out by Sir Oliver Letwin.

Indeed, the site at Former Printing Works has been a Local Plan allocation since 2007 and yet has not come forward for development. The site at Sion Hill has increased its purposed capacity from 60 units at Regulation 18 stage to 100 units at Regulation 19 stage with no change to the site's boundaries. It must be questionable whether this number of units can be achieved on that site.

The Publication Version does make some additional greenfield allocations, for instance ten additional dwellings at Silver Street, Midsomer Norton. We therefore consider that other opportunities, in addition to those identified in the Publication version need to be considered in accordance with the spatial strategy and that these opportunities should be drawn from sites identified in the Housing and Employment Land Availability Assessment.

A broader approach must be taken now, looking at a wider range of sustainable settlements throughout the District, rather than just relying on a small number of larger sites brownfield which may take longer to deliver development.

The NPPF is clear at paragraph 72 that the supply of new homes can often be best achieved through planning for larger scale development, such as extensions to existing sustainable villages, provided they are sustainable, well located and designed, and supported by the necessary infrastructure and facilities.

Paragraph 78 of the NPPF also supports the location of housing where it will enhance or maintain the vitality of rural communities, to promote sustainable development in rural areas. It continues that planning policies should identify opportunities for villages (including those outside the Green Belt) to grow and thrive, especially where this will support local services.

Further allocations now, in sustainable rural settlements, will help the Council to 'top up' its housing land supply and maintain a rolling five-year supply in the medium and long term. A wider range of sites will help to diversify the housing market and boost development in the immediate future. Not only will this boost housing supply, but it will also offer a welcome economic gain through greater choice and diversity in the construction industry.

This will support the construction sector and wider economic recovery after the current Covid pandemic is over and ensure the housing land supply remains resilient. This can be undertaken now, without changing the existing Settlement Strategy.

The Site at Greyfield Road, High Littleton

A site for potential allocation is that at Greyfield Road, High Littleton, the subject of our Regulation 18 consultation response.

High Littleton is a sustainable location, well-placed for additional development. It is a village to the south of the District and much of the village to the south (including the site at Greyfield Road) is outside the Green Belt.

The village is already designated under the Core Strategy as a village with a Housing Development Boundary and is in the higher of the two types of village, RA1. It is therefore a suitable location for residential development under the current spatial strategy.

The village has a wide range of facilities including a post office with shop and off-licence, a primary school, hairdressers, another general stores/off licence, fish and chip shop and a public house. High Littleton has good access to public transport. There are bus stops on the A39 to the south of the Greyfield Road junction within a few minutes' walk from the site. Both stops have shelters, timetables and real-time information displays. The stops are served by services 178 and 179, providing good connections to Bath and Bristol city centres, as well as other buses on services 172 and 83.

In respect of Primary School capacity, the current B&NES School Organisation Plan 2019 – 2025 refers to the school's capacity as 175 places and there being sufficient capacity available in the Central South Planning Area, including High Littleton School, up to 2023-24.

If there is a requirement for further capacity at High Littleton school, there is scope for this to be delivered in conjunction with other potential sites within the village. There is also the potential for a more holistic approach over the wider rural area, not necessarily within the village, for instance Cameley School (in the same School Planning Area) is also being expanded.

The site at Greyfield Road provides an opportunity to take advantage of High Littleton's sustainable location and facilities. Parts of the site have already been promoted as part of the B&NES Local Plan 2016-2036 Issues and Options consultation and assessed during the previous HELAA 2018 (reference HTN06a and HTN06b), and also for the now withdrawn Joint Spatial Plan.

The site at Greyfield Road is located close to the centre of the village, adjoining the existing built-up area and the existing village Housing Development Boundary. The site has an area of 7.1 ha and is capable of delivering up to 170 homes. It is around five minutes' walk from the centre of the site to High Street.

The site comprises a single landownership who are keen to see their land come forward for residential use and are working with LiveWest, one of the region's largest housing providers, to develop the proposals. The site is therefore available and deliverable in the short term.

In respect of the landscape impact, a detailed Landscape and Visual Impact Assessment has been undertaken (enclosed). The site is adjacent to Greyfield Wood which means that generally the site is well contained visually and there are minimal views into the site. The site has no visual prominence in the wider landscape setting. Potential receptors to landscape impacts can be mitigated.

The appraisal has highlighted that in viewpoints at close range in the north and west the site is seen in the context of the existing woodland, and any remaining impacts can be successfully mitigated through landscape proposals and design recommendations, preserving and enhancing the local character effectively. With the addition of high-quality green infrastructure

throughout the site, along with the existing densely vegetated backdrop the site will retain its character.

A sensitive approach to design that retains and enhances the existing green infrastructure of the site will allow the structure of the landscape to remain and absorb the development and help preserve the strong and distinct landscape character of the area, as well as maintaining the setting of nearby heritage assets.

In addition, the site can provide large areas of public open space and woodland that connect into the surrounding green infrastructure and provide much-needed connections to the local area and designated woodland. The site has suitable access off Greyfield Road. Development for the site for up to 170 units would generate around 90 trips in the peak hours and with the likely level of generated traffic, there would be no traffic capacity problems at the Greyfield Road/A39 junction.

The site is within Flood Zone 1. Matters such as surface and foul water drainage and ecology will be subject to further assessment but there is no reason to believe that these cannot be resolved. There are no insurmountable constraints. Residential development here will help to support local services in the village and locally, as well as providing affordable housing.

Indeed, as a Registered Provider, residential development for LiveWest on the site will provide affordable housing benefits both directly at the site and more widely by supporting LiveWest's social housing portfolio.

The site at Greyfield Road, High Littleton is a suitable candidate for allocation; the site is available and suitable for housing development with the required infrastructure. The site will deliver much-needed new homes, including affordable homes, in the short to medium term in a sustainable location. It will allow for delivery of housing without the need to rely on complicated strategic sites

(Continue on a separate sheet /expand box if necessary)

6. Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at 5 above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

We therefore believe that paragraph 63 supporting Policy DW1 (and policy RA1) should be amended to widen the scope for residential development in HDB villages to remove the suggestion that housing development in each village should be limited to 50 dwellings, to allow further proposals that are adjacent to HBDs:

"63. In the Rural Areas Core Strategy Policies RA1 and RA2 allow residential development in principle within the HDB in villages not washed over by the Green Belt. The strategy for the rural areas is to enable housing development ~~of around 50 dwellings~~ in villages that meet the Policy RA1 criteria, ~~such as at High Littleton~~. For those villages which do not meet the Policy RA1 requirements, Policy RA2 applies and limited residential development of around 10-15 dwellings is considered acceptable in principle in those villages.

This level of development at RA1 and RA2 villages is in addition to small windfall sites within the housing development boundary ~~and will enable delivery of the 1,120 dwellings for the Rural Areas during the Plan period~~. The application of these policies is explained in more detail in the Rural Areas section below."

Although the Partial Update does not propose to amend Volume 5 (Rural Areas) and the text at paragraph 121, we consider that a specific allocation for High Littleton should be added. This is included in a separate representation sheet.

(Continue on a separate sheet /expand box if necessary)

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7. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

No, I do not wish to participate in hearing session(s)

Yes, I wish to participate in hearing session(s)

Please note that while this will provide an initial indication of your wish to participate in hearing session(s), you may be asked at a later point to confirm your request to participate.

8. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

We wish to participate in the hearing sessions because we consider it important to explore the above points in detail.

(Continue on a separate sheet /expand box if necessary)

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Part B – Please use a separate sheet for each representation

Name or Organisation: **Tetlow King Planning on behalf of LiveWest and J.E. Sheppard and Sons (Sawmills)**

3. To which part of the Local Plan does this representation relate?

Paragraph Policy Policies Map

4. Do you consider the Local Plan is :

4 (1) Legally compliant

Yes No

4 (2) Sound

Yes No

4 (3) Complies with the
Duty to co-operate

Yes No

Please indicate as appropriate

5. Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate. Please be as precise as possible.

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See first Representation Sheet in respect of housing supply and the justification for housing in High Littleton, specifically at Greyfield Road.

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We therefore believe that paragraph 67 supporting policy RA1, and Policy RA1 itself, should be amended as follows:

Paragraph 67

“67. The strategy for the rural areas therefore is to enable housing developments ~~of around 50 dwellings at~~ within and adjacent to each of the villages (in addition to small windfall sites within the HDB) which meet the criteria of Policy RA1, such as High Littleton. To secure and maintain balanced and more self-contained communities and reduce the need to travel, a village meeting the RA1 criteria should have a primary school with sufficient capacity (or ability to expand ~~or provide capacity elsewhere~~) to accommodate the primary education needs of the existing population and those arising from the development as expected by Policy LCR3A. This will ensure consistency with Policy CP13 which requires that new development is supported by the timely delivery of required infrastructure. The allocation of sites has been

considered in more detail through the Placemaking Plan in conjunction with Parish Councils as the locally elected representatives of their communities. The Housing Development Boundaries shown on the Policies Map have been reviewed as part of the Placemaking Plan to incorporate the sites identified and /or enable new sites to come forward. Sites ~~identified in adopted Neighbourhood Plans~~ that adjoin the housing development boundary of villages meeting the criteria of Policy RA1 will also be appropriate ~~and these may also come forward for inclusion as a part of the Placemaking Plan or subsequent to it.~~

Policy RA1

“POLICY RA1 DEVELOPMENT IN THE VILLAGES MEETING THE LISTED CRITERIA At the villages located outside the Green Belt or excluded from the Green Belt, proposals for residential development of a scale, character and appearance appropriate to the village and its setting will be acceptable within the housing development boundary provided the proposal is in accordance with the spatial strategy for the District set out under Policy DW1 and the village has: a:

a primary school and at least 2 of the following key facilities within the village: post office, community meeting place and convenience shop, and Placemaking Plan as proposed to be adopted

b: at least a daily Monday-Saturday public transport service to main centres, Residential development on previously developed sites falling within the scope of Policy ED2B adjoining and closely related to the housing development boundary will be acceptable if the requirements of Policy ED2B and other relevant policies are met.

Residential development on sites outside the Green Belt adjoining the housing development boundary at these villages will also be acceptable ~~if identified in an adopted Neighbourhood Plan~~. Proposals at villages located outside the Green Belt or excluded from the Green Belt for employment development of a scale, character and appearance appropriate to the village and its setting will be acceptable within and adjoining the housing development boundary on land outside the Green Belt.”

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Part B – Please use a separate sheet for each representation

Name or Organisation: **Tetlow King Planning on behalf of LiveWest and J.E. Sheppard and Sons (Sawmills)**

3. To which part of the Local Plan does this representation relate?

Paragraph Policy **LCR3A** Policies Map

4. Do you consider the Local Plan is :

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Yes No

4 (2) Sound

Yes No

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Duty to co-operate

Yes No

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See first Representation Sheet in respect of housing supply and the justification for housing in High Littleton, specifically at Greyfield Road.

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We therefore believe that Policy LCR3A in respect of primary school capacity should be worded more flexibly to allow sustainable sites such as that at High Littleton to be released.

Paragraphs 411 and 412

*“411. In order for sites for residential development to be allocated and for housing to be delivered at these villages the school ~~must~~ **should preferably** have capacity to accommodate the education needs of the existing population and those arising from the development or the ability to expand. This would ensure the benefits of securing and maintaining balanced and more self-contained communities and reduce the need to travel are realised. **However, there may be circumstances where provision can be made in a nearby village for a wider area.**”*

*412. Policy LCR3A will ensure that residential development will **only** be allowed where the primary school has sufficient capacity (or ability to expand) to accommodate the primary education needs of the existing population and those arising from the proposed development. Decisions should also be guided by the statutory guidance for local authorities, ‘Home to school travel and transport guidance’ which provides information on statutory walking distances and safe routes, **or where capacity can be provided locally in a nearby village.**”*

Policy LCR3A

*“POLICY LCR3A: PRIMARY SCHOOL CAPACITY Residential development will **only** be acceptable where there is a school within a reasonable distance* that has sufficient spare capacity or is able to be expanded to create additional capacity to accommodate the pupil needs arising from the development, **or where capacity can be provided locally in a nearby village**”*

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We therefore believe that an additional allocation should be made for land at Greyfield Road, High Littleton, within Volume 5 Rural Areas.

POLICY RA6: GREYFIELD ROAD, HIGH LITTLETON

Development Requirements and Design Principles

Development proposals will:

1. Deliver a residential development of up to 170 dwellings.
2. Ensure that the landscape character of the site is reflected in the proposed layout.
3. Protect and enhance nature conservation and ecosystems in accordance with policy NE3.

Attached is a plan showing the boundaries of the site, with a site context plan and Landscape Visual Impact Assessment

(Continue on a separate sheet /expand box if necessary)

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