

BATH AND NORTH EAST SOMERSET - CORE STRATEGY EXAMINATION

HEARING - STRATEGIC ALLOCATIONS, BATH (continued)

PART 3 - APRIL 2 2014 – WESTON, BATH

INSPECTOR'S AGENDA

The overall issue for this hearing is: are the strategic allocations in the Green Belt at Bath justified in principle and are the detailed requirements of the policies appropriate and effective? The hearing is in 3 parts to cover respectively Odd Down, Weston and (more briefly) any alternative sites.

This agenda is for Part 2 of the hearing and covers CSAs 25, 26, 27, 28 (Policy B3B Weston) and those parts of the following changes which refer to Weston: CSA17 (Diagram), CSA18, CSA21.

Given the volume of material already submitted in relation to this site and the helpful Statements of Common Ground (SCG), no further statements are requested and no further written evidence/documents will be accepted other than as set out in my Guidance Notes.

On each subject below the Council should briefly explain the reasons for the acceptability of the development, followed by those who are opposed to the principle of allocation in relation to that issue (and any Council response), then those who seek any detailed change (and any Council response).

1. Green Belt

1.1 What would be the effect of the allocation on the purposes served by the Green Belt in this location? Council should explain its justification for removal from the Green Belt carefully in the context of the *Green Belt Review Stage 1* (CD9/E2 pp42-44) and *Stage 2* (CD9/E9 pp16-24) Reports.

1.2 If an allocation is justified in principle, is the proposed Green Belt boundary shown on the Concept Diagram and Policies Map (CD10/CS1, Annexes 1 and 2) appropriate for the scale of development envisaged?

2. Highways access

I have put this matter early on the agenda so that any likely highway works along Lansdown Road necessary to create safe accesses can be taken into account when discussing any harm to statutory designations.

2.1 What changes to Lansdown Lane would be required to achieve safe vehicular access to the allocated sites either side?

- Would street lighting need to extend further north than the road frontages of the allocations?
- To what extent would frontage hedgerows be lost for sightlines or footways?

2.2 Similarly, what would be necessary to accommodate accesses to the land to the north of the 2 allocated sites, as sought by Mr Perry/Crest Nicholson? (See TPA Transport Statements sites A, B and C, February 2014.)

2.3 Are there reasonable prospects of securing a suitable vehicular access from Eastfield Avenue, as required by the Concept Diagram for the allocation at the Equestrian Centre?

2.4 Is Weston Farm Lane suitable for any form of vehicular access to the new housing?

2.5 Does the scale/location of the allocation accord with the NPPF's core planning principle (paragraph 17, 11th bullet) to *manage patterns of growth to make the fullest possible use of public transport, walking and cycling, and focus significant development on locations which are or can be made sustainable*? Does the location of the sites each side of Lansdown Lane on a steep hill above Weston village mean that cycling and walking would not be attractive options for most future residents?

3. AONB

3.1 In broad terms, what would be the scale and significance of the landscape impact on the AONB?

3.2 NPPF paragraph 116 states that major developments in AONBs should be refused *except in exceptional circumstances and where it can be demonstrated they are in the public interest*. Is this test met?

3.3 Do arguments of need outweigh the *great weight* that must be given to the protection of the landscape of the AONB (NPPF, paragraph 115)?

3.4 I note that Natural England considers that the allocation would not undermine the designation purposes of the AONB (Letter, 13 December 2013, CD12/5).

4. World Heritage Site (WHS) and Setting

4.1 Most of the allocation is within the WHS. The Lansdown Lane sites abut the boundary. What is the significance of the contribution of the allocated areas to the Outstanding Universal Value (OUV) of the WHS?

4.2 The *WHS Setting SPD* July 2012 (CD/W1) shows this location as within the green hillsides forming prominent features of the landscape setting (Map 4). Does this increase the significance of the setting here compared with other parts of the boundary/setting of the WHS not so identified?

4.3 Would there be harm to the WHS and/or its setting and of what significance?

5. Bath Conservation Area

5.1 What is the particular contribution of this location to the character and appearance of the Bath Conservation Area?

5.2 Would the development of the area allocated to the north of Eastfield Avenue preserve or enhance the character or appearance of the conservation area?

5.3 Would the development of the Lansdown Lane sites (including necessary highway works) harm the setting of the conservation area?

6. Setting of Listed Buildings: Beckfords's Tower, Heather Farm Barn, Weston Farmhouse

6.1 Would the proposed allocations (including necessary highway works) harm the setting of the nearby listed buildings?

7. Special Area of Conservation (SAC)

7.1 In my note ID36 (July 2013) I expressed concern about the limited evidence regarding bats at Weston and noted that Natural England considered there was insufficient survey data to conclude that the development would not result in adverse effects on the integrity of the European site. Further survey work has been undertaken in the summer/autumn of 2013 (Dr Ransome October 2013 CD10/E9; CD9/E14). Natural England now consider the revised Core Strategy to be generally legally compliant and sound (Letter 13 December 2013, CD12/5).

7.2 With the mitigation measures proposed in the allocation would the Habitat Regulations be met in relation to the SAC and any harm to bats avoided? Would required street lighting on Lansdown Lane conflict with mitigation requirement regarding limiting light spill to no more than 1 lux?

7.3 Should *compensation* be deleted from last paragraph of ecological requirements as there is no evidence that any such compensation would be required?

8. Flooding and land stability

8.1 Local residents highlight existing problems with surface water/ground water affecting some properties in Napier Road. Would development of the allocated site to the north be likely to exacerbate any existing problems?

8.2 The *Water Infrastructure and Geotechnical Prioritisation Report* (CD/13, e.g. Drw 001) highlights a high risk of land instability in the central part of the land to the north of Napier Road.

- Does this study show adequately the extent of land in the area likely to be unstable?
- Has land instability been adequately taken into account in assessing the capacity of the allocated areas and where development should take place as shown on the Concept Diagrams?

8.3 Notwithstanding any other constraints, is potential land instability a strong justification for the northern limits of the proposed allocations?

9. Other matters

9.1 CD10/E21 estimates 47 primary age places would be required to serve the Weston allocations and financial contributions would be sought. Local residents express concern as to the ability of local schools to be expanded further to accommodate any such increased demand. Are there likely to be practical solutions to meeting increased demand in this area?

9.2 Should buildings on highest northern edge of the sites be restricted in height to limit visual impact?

9.3 The allocation is for *around 150 dwellings*. Is this intended as a cap or might a future decision maker perceive it as such? Should flexibility to accommodate more dwellings within the location be acknowledged, if all the requirements of the policy can be met and any harm avoided? If so, how might this be expressed (either here or as a general statement applying to all the allocations)?

As with the other strategic allocations, concerns regarding the affordable housing requirement and sustainable construction/renewable energy will be considered at later hearings on those specific matters.

**Simon Emerson
Inspector
March 2014**