



**BATH AND NORTH EAST SOMERSET  
CORE STRATEGY EXAMINATION**

**ISSUE 3**

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### **Issue 3: Is the retention of the general extent of the Green Belt justified?**

10.1 *Responses and subsequent discussion on this sub-matter should not repeat matters most appropriately addressed under Issue 1 (overall provision) or concerns about delivery within the urban area to be addressed in the context of the spatial areas.*

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1.1 In view of the latest information on the household projections (see also our response to Issue 1 including the Appendix1 Demographic and Housing Paper (using the Chelmer Model) and the lack of sustainable development opportunities outside the Green Belt, and the uncertainty about the delivery of brownfield sites, Pegasus Planning Group considers that the retention of the Green Belt is not justified and that there is a strong need to relax the Green Belt in certain strategic locations.

1.2 The need to review the Green Belt was originally identified in the south west as long ago as 1994 in the first RPG10. Paragraph 4.11 stated that:

*“There are three areas of Green Belt in the South West – around Bristol and Bath ....Development plans should continue to pursue policies aimed at preventing inappropriate development in the green belts. The need to provide additional development consistent with the principle of reducing the need to travel set out in PPG13, may require some reappraisal of the current configuration of green belts, especially where detailed boundaries have yet to be justified.”*

1.3 RPG 10 produced in 2001, (and currently the RSS until the Orders are produced to implement the Localism Act) also refers to the need to critically review the Green Belt. Policy SS4 states that Green Belts should continue to fulfil the purposes in PPG2. However, as a key element of the future planning of the region, local authorities when preparing their development plans should

- *“....critically review the Green Belt to examine whether boundary alterations are needed to allow for long term sustainable development needs.*
- *Remove land from the Green Belt for development if, on balance, this would provide the most sustainable solution for accommodating future development requirements;*
- *Include additional land within the Green Belt where clearly necessary for the purposes set out in PPG2”*

1.4 The issue was that some growth from the Principal Urban Areas e.g. Bath, Bristol was “leaping” the Green Belt to nearby commuter towns, leading to less sustainable patterns of development and travel. The RPG stated that the need to ensure that future patterns of development are more sustainable means that the boundaries of these Green Belts should be reviewed in the next round of Structure Plans.

1.5 Policy SS9 Bath also indicated that there was a need to review the Green Belt.

*“The local authority, developers, infrastructure and transport providers and other agencies should work together to achieve the following for Bath:....*

- *Critically review the Green Belt.”*

1.6 The Avon Structure Plan<sup>1</sup> was adopted in September 2002 and a number of its policies are saved<sup>2</sup>. It was prepared in accordance with RPG10 (1994). However, the RPG of 2001 was published after most of the policies in the Structure Plan were agreed for adoption. The Structure Plan states in paragraph 2.17 that the full implications of the new RPG10 would be addressed in the next review of the Structure Plan. It went on to say that the main principles of the Structure Plan’s locational strategy generally conformed to the new guidance.

1.7 The policy towards Green Belt is set out in saved Policy 16. The Structure Plan states that in paragraph 2.21 that it will be for the next Structure Plan Review to address the implications of RPG10 2001, which places more emphasis on the need to review the Green Belt boundaries and to remove land from the Green Belt.

1.8 With the introduction of the Regional Spatial Strategies as a result of the 2004 Planning and Compulsory Purchase Act – the strategic review of the Green Belt became the responsibility of the South West Regional Assembly and was undertaken by the West of England Partnership Joint Study Area (Section 4(4) authorities) as part of the evidence base for the emerging RS.

1.9 More recently the RRS 10 Secretary of States Proposed Changes, which was based on the 2004 household projections (17,000 households for Bath and North East Somerset) identified the need for urban extensions in the Green Belt to accommodate

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<sup>1</sup> CD3/1 Joint Replacement Structure Plan (2002)

<sup>2</sup> CD3/2 Joint Replacement Structure Plan Saved Policies Schedule

future development needs relating to Bath and Bristol. In order for these cities to fulfil their economic potential the most sustainable solution was to provide for urban extension to the cities, including six locations that had been the subject of a review of the Green Belt. To address these exceptional circumstances the RSS made changes to the general extent of the green belt by removing the designation from the areas required to accommodate the proposed urban extensions. The housing requirement for BANES was 21,300 dwellings for the plan period 2006 – 2026.

- 1.10 In the consultation on the Spatial Options produced in October 2009 BANES included the Spatial Options for Bath and a New Neighbourhood in an urban extension to Bath and also a New Neighbourhood at South East Bristol. Up until December 2010 the Council was considering urban extensions in the Green Belt. However, an urban extension to Keynsham was not included in the consultation document; instead the Council were relying on the contribution from the Cadbury Somerdale site and two sites in the adopted Local Plan. In December 2010 the Council changed its approach on the basis of the Council's evidence base rather than the regional housing figures (Cabinet Report 2<sup>nd</sup> December 2010).
  
- 1.11 Given the 2008 based household projections and the lack of capacity on brownfield sites, and the uncertainty regarding the delivery of those sites, and our own examination of the housing requirement through the Chelmer model (See Issue 1 Appendix 1 Demographic and Housing Paper). It is considered that the retention of the Green Belt is not justified given the housing requirement as set out in Appendix 1.

10.2 *If I were to find the plan unsound in relation to the overall scale of development planned or its delivery and that there was potential for additional development in the Green Belt, I would refer the matter back to the Council for further consideration. On the basis of the present planned hearings, I would not be in a position to impose a recommendation for a specific location in the Green Belt, not least because parties (both existing and possibly new) who support the plan and oppose development in the Green Belt would not have had a right to be heard.*

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10.3 *I consider that there is considerable scope for the participants pursuing major alternative development sites in the Green Belt to produce succinct Statements of Common Ground with the Council (or with other parties) to help focus discussion at the hearings. These should not cover lengthy descriptive background, but highlight matters that will assist me in grappling with the complexity and diversity of material relating to these sites, with clear cross referencing to existing material (eg agree what evidence studies remain relevant for what types of proposals; what evidence is lacking; what are the critical areas of disagreement; and what would need to be done to overcome unsoundness if I were to conclude that some development opportunities should be explored in the Green Belt).*

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### ***The overall approach***

10.4 *On the assumptions set out in the following 3 scenarios would there be any need/justification for development in the Green Belt; would any such scenario result in the exceptional circumstances necessary to change a Green Belt boundary (as required by PPG2); and, if so, does that mean that a change to the Green Belt is required to make the plan sound or only that such a change is an option to be balanced against any disadvantages?*

- *that the overall scale of development proposed and its delivery is sound;*
- *that the overall scale of development proposed is sound, but its delivery is uncertain and needs supplementing and/or a specific contingency needs to be identified;*
- *that the overall scale of housing development is unjustified and should be significantly more.*

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1.1 Pegasus Planning Group does not support the first scenario. Please see representations to Issue 1 and the scenarios below.

1.2 Pegasus Planning Group does not support the second scenario for the reasons set out in response to Issue 1 in respect of overall levels of growth. The delivery is uncertain and needs to be supplemented and a contingency identified. This has already been addressed in our representations made earlier on the plan. The SHLAA only identified sites for 11,200 dwellings, even on the basis of the Council's own technical requirement there is for a need of 12,100 dwellings. The Cabinet Report of 13<sup>th</sup> September 2011 acknowledges that the housing supply is tight and that the District does not have a good track record on housing delivery, that there was a shortfall of 1,000 dwellings during the Local Plan period for which the District is not seeking to address. Furthermore a significant proportion of the housing supply is on brownfield sites which are recognised as being difficult to bring forward (paragraph A1.8 of the Cabinet Report).

1.3 Pegasus Planning Group considers that the overall scale of housing development is unjustified and should be significantly more to meet the unmet needs, to respond to the latest household projections and to provide for a greater level of overall housing to enable more affordable housing in view of the significant need in BANES (Please see representations in respect of Issue 1 Overall Levels of Growth). On the basis of the submissions in respect of Issue 1, Pegasus Planning Group believe that in order to make the necessary provision of housing for the plan period and therefore to make the plan sound and to support the Government's Plan for Growth and the importance

that the Government attaches to economic growth; that a change to the Green Belt boundary is required.

- 1.4 According to the Draft NPPF July 2011, the appropriateness of the Green Belt should only be considered when a Local Plan is being prepared or reviewed. Local Planning authorities are then required to consider the permanence of the boundaries at that time so that they are capable of enduring beyond the plan period.
- 1.5 When drawing up or reviewing Green Belt boundaries local planning authorities are also required to take account of the need to promote sustainable patterns of development.
- 1.6 Given the failure of the SHLAA to even identify sufficient land to meet the Council's own technical evidence, and when the latest housing requirement and its implications are considered then the boundary of the Green Belt should be changed in order to make the plan sound.



**Bath**

- 10.5 *Is there the potential to accommodate additional housing in the Green Belt adjoining Bath (either at the scale of urban extensions proposed in the Spatial Options Consultation 2009 (CD5/4) or as smaller extensions, such as assessed by the Council in September 2011 - CD4/A17 Annex K) without serious conflict with the overall purpose of the Green Belt here and national policy objectives/legal requirements, such as the setting of the WHS, AONBs and their setting, Ancient Monuments and their setting, and the Special Area of Conservation?*
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Pegasus Planning Group on behalf of J S Bloor Ltd have no comments on this question.

***Adjoining Bristol***

- 10.6 *Is there the potential to accommodate additional housing in the Green Belt adjoining the Bristol City boundary (either at the scale of urban extensions proposed in the Spatial Options Consultation 2009 or as smaller extensions as assessed by the Council in September 2011 - CD4/A17 Annex K) without serious conflict with the overall purpose of the Green Belt here and national policy objectives/legal requirements and deliverable in relation to integration with development over the City boundary?*
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Pegasus Planning Group on behalf of J S Bloor Ltd have no comments on this question.

*10.7 Given that the adopted Bristol Core Strategy identifies Brislington (adjoining Hicks Gate) as a long term contingency for further housing development is the Core Strategy's silence in relation to development here sound (irrespective of any conclusions on the other issues)?*

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- 1.1 Pegasus Planning Group on behalf of J S Bloor Ltd make the following comment without prejudice to the comments in respect of the scope for development at Keynsham, and with reference to Section 110 of the Localism Act; the lack of evidence of a duty to co-operate in considering firstly the overall housing provision and secondly the implications of making provision would lead to the plan being found unsound as it is not in accordance with the Localism Act.

*10.8 If I were to conclude that there was a need for more housing development within B&NES to serve its needs, would development adjoining Bristol be an appropriate location? How compatible would it be the rest of the strategy?*

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Pegasus Planning Group on behalf of J S Bloor Ltd and have no comments on this question.

## **Keynsham**

10.9 *Is there the potential to accommodate additional housing in the Green Belt adjoining Keynsham, and if so of what scale, without serious conflict with the overall purpose of the Green Belt here and national policy objectives/legal requirements?*

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1.1 Pegasus Planning Group on behalf of J S Bloor Ltd consider that there is potential to accommodate additional housing in the Green Belt at south west Keynsham without leading to coalescence with Bristol or nearby settlements. The potential to accommodate additional housing in the Green Belt at Keynsham was recognised in the Panel at the Regional EIP in 2007 (CD3/5).

1.2 At the Examination in Public the Panel were advised by the Government Office for the South West that PPG2 which had not been updated as a Planning Policy Statement that *“it should be read in the context of the major emphasis that sustainable Development and Climate change have been given in the revision of other planning statements.” Paragraph 4.0.31*

1.3 The Panel concluded that *“...the scale of demand and the application of the principles of a Sustainable Future for the South West as set out in Policies SD1-4 provide the exceptional circumstances to justify alterations to the Green Belts within the region”.* Paragraph 4.0.32. As Bath is constrained the Panel considered other areas which meet the needs in a sustainable way.

1.4 In response to the need to identify further locations to accommodate additional growth; whilst placing the emphasis on sustainable development principles, the Panel identified the need for an area of search around Keynsham. Keynsham was considered as an area well supported by public transport facilities and offering a range of local facilities and services and employment opportunities. The Panel also considered information on environmental constraints and the main purposes of the Green Belt and submissions regarding the sustainability of proposed development sites. Keynsham was identified as a suitable location. It was put forward as an appropriate solution as Keynsham’s location would allow development to serve the wider needs of the conurbation.

1.5 The Panel recommended the following:

*“Keynsham can provide a wider range of community services for new development and we are confident that it would also be an attractive location for associated employment development. In our opinion the combination of these factors make Keynsham a suitable location. We recognise that development at Keynsham could be seen as threatening one of the main roles of the Green Belt in ensuring the separation of Bristol and Bath. We believe that there is sufficient scope for development around Keynsham to allow development to proceed without threatening the integrity of the separation. On this basis we propose a total of 3,000 dwelling in this location.”*

- 1.6 J S Bloor Ltd have submitted evidence to support the development of land south of Keynsham which is not considered to threaten the integrity of the Green Belt, (Supporting information is submitted in the form of a Sustainability Appraisal which includes all the relevant reports demonstrates that the site is suitable, available and deliverable.
- 1.7 The identification of Keynsham as an area of search was endorsed by the Secretary of State in the Proposed Changes to the RSS in July 2008 (CD3/7) paragraph 4.1.3 refers to the exceptional circumstance, that in order to fulfil the economic potential and role of the existing urban areas and to provide development in the most sustainable locations.
- 1.8 Paragraph 4.1.13 of CD3/7 acknowledged that the town of Keynsham has strong functional relationships with Bristol and forms part of the SSCT. Policy HMA1 West of England makes provision for the expansion of Keynsham to strengthen the role of the town as a service centre and for an Area of Search for 3,000 dwellings at Keynsham. The policy also made provision to remove the green belt in the area of search.
- 1.9 The purposes of including land in the Bristol/Bath Green Belt are set out in Table 6A in the adopted Local Plan (CD5/1).
- 1.10 Land at south west Keynsham extends to approximately 55.94 hectares with a capacity of approximately 1,100 dwellings. The site lies between Charlton Road and Parkhouse Lane to the north and Redlynch Lane to the south. A Concept Plan is attached at Appendix 1. Immediately to the north of the proposed area is the

adopted BANES Local Plan allocation, K2. To the west is Charlton Road, the land exhibits a broad ridge of locally high ground which is generally orientated north-south; beyond these topographical features lies a small village of Queen Charlton which is set down in the landscape at the head of a small tributary. To the east the land falls to form the pronounced slope with an easterly aspect which defines a small incised valley broadly orientated north south running through Keynsham in line with the River Chew - there is a recreational route running parallel to the river. Beyond the river to the east lies a further suburban area of Keynsham and the B3116 which is separated from Saltford by the Green Belt.

- 1.11 Although the proposed area lies with the Green Belt it would not compromise the main principles of the function of the Green Belt, unlike other areas around the periphery of Keynsham which are constrained by flood plain, the A4 and the railway line and nature conservation sites. Therefore the area to the south west of Keynsham could accommodate a range of development opportunities to meet the requirements of the plan period.
- 1.12 Pegasus Planning Group has promoted the site on behalf of J S Bloor Ltd in response to each stage of the preparation of the Core Strategy. A Constraints and Opportunities plan for the site has been produced which also shows the site in the wider context for Keynsham see Appendix 2.
- 1.13 Development of the land at South West Keynsham will not extend the unrestricted sprawl of Bath and Bristol, unlike areas to the north of Keynsham. It will not lead to the coalescence with Saltford. It is evident from the landscape analysis that the site is both visually and physically well contained and therefore given the site's ability to accommodate residential development; the visual envelope associated with the proposed development would be very limited.
- 1.14 These issues were addressed in the Landscape Appraisal which was prepared in January 2010 and submitted with the representations on behalf of J S Bloor Ltd in response to the Spatial Options Consultation October 2009. (See Sustainability Appraisal for Land south West Keynsham).
- 1.15 Development of the site will not lead to the merging of Bristol; it is well contained between Charlton Road and the river. The area is not constrained by floodplain or

conservation area, although it is within the Landscape Character Area this is a local designation. The visual amenity associated with both Queen Charlton and Chewton Keynsham and the River Chew Valley would remain unaltered. The character of the site would change from a rural landscape to an urban residential area. However, this would be set within a strong green infrastructure framework which would enhance the quality and visual amenity associated with the site. Substantial tree planting introduced as part of an overall green infrastructure strategy would result in a net beneficial effect in terms of landscape features and would strength the wooded character associated with the surrounding area.

- 1.16 Whilst the development of the site would not assist in safeguarding the countryside from encroachment this would apply to any undeveloped site in the Green Belt.
- 1.17 Development in this location would not contribute to the purposes of preserving the setting and special character of Bath.
- 1.18 The release of land at south west Keynsham from the Green Belt would not adversely impact on the recycling of derelict and other urban land in Bristol. It would provide a choice of sites and a location and would support the housing development derived from the LEP strategy of 95,000 jobs in the West of England.
- 1.19 The development of the area to the south west of Keynsham will enable the character of Keynsham and identity of Keynsham to be supported and enhanced by improving the gateway to the town from the south west. The release of a limited amount of land from the Green Belt will not adversely impact on the character of the town
- 1.20 Pegasus Planning Group on behalf of J S Bloor Ltd has extensive land interests at South West Keynsham and could deliver an urban extension to meet the housing needs to 2026. The area is capable of being developed without compromising the principles of the Green Belt and leading to the coalescence with Bristol and Bath. The urban extension would be consistent with national policy and the Government's agenda of Planning for Growth (CD1/15).
- 1.21 Pegasus Planning Group on behalf of J S Bloor Ltd object to the overall housing provision as set out in response to Issue 1 and objects to the strategy for Keynsham



which relies on the development of the brownfield site at Somerdale and the development of allocations from the current Local Plan which should have been developed in the Local Plan period to meet housing needs in the plan period to 2011.

- 1.22 Pegasus Planning Group on behalf of J S Bloor Ltd whilst recognising that the Inspector will not be making site allocations in the Core Strategy, have prepared a Sustainability Appraisal to demonstrate the site at south west Keynsham is suitable, deliverable, and available.