

Planning Policy
Bath & North East Somerset Council
Lewis House
Manvers Street
Bath
BA1 1JG

10th January 2018

Dear Sirs,

Call for Sites – Land at Four Winds, Monger Lane, Midsomer Norton, BA3 2SP

On behalf of Mr & Mrs Vining

Planning Developments Limited are instructed by Mr & Mrs Vining to promote land within their ownership through the Housing and Economic Land Availability Assessment (HELAA) for its suitability for minor housing development.



Monger Lane is located on the fringe of Midsomer Norton and south of Paulton village. The ordnance survey extract above, identifies the full length of Monger Lane, which travels north east (towards the junction with Water Lane) and east (towards the junction with West Road (A362)).

Four Winds "The Site" (identified in red above) originally formed the final residential dwelling when travelling east from Phillis Hill along Monger Lane. Four Winds is a large two storey detached dwelling, sited centrally within its plot (circa 0.5 acres), with large lawn areas to the front and rear.

Continued.....

Continued.... /2
10th January 2018

Following a successful appeal by Taylor Wimpey in December 2013 and the subsequent submission of a reserved matters application, 135 dwellings are now under construction if not complete and occupied to the east of 'The Site'.

Furthermore, the housing development boundary (HDB) was altered, to include the new residential development, but omitted 'The Site' and other historic dwellings on Monger Lane, as shown on the housing development boundary extract below.



- The Site
- Existing housing development boundary
- - - Proposed housing development boundary

This representation to the HELAA is submitted to provide justification as to why this land should be considered for future residential development by extending the HDB and to demonstrate that two additional dwellings can adequately be accommodated on this site, without detriment to the newly constructed dwellings.

The context of Monger Lane and especially 'The Site' has altered. It can no longer be classed as semi-rural (comments within Officers Report dated 2013) location or within open-countryside, an assessment made on any development that sits outside the HDB. The fact remains that 'The Site' is surrounded by residential development is adjacent to the HDB and can accommodate an additional two dwellings comfortably.

Furthermore, 'The Site', is separated from its neighbour to the west by a road, which is clearly distinguishable on the aerial image on the following page. This road serves Windy Ridge a dwelling located to the rear of Ambleside and enabled access to the agricultural land beyond Windy Ridge prior to its residential development.

Continued....

Continued.... /3
10th January 2018



The road acts as a hard boundary between 'The Site' which is now consumed and surrounded by the Taylor Wimpey development (existing site plan extract below – drawing no. 885 02) and the residential development which forms the western element of Monger Lane.



Continued.....

Continued... /4
10th January 2018



We contend that the local planning authority would have cause for concern / resisting the proposal to include 'The Site' within the HDB, if there was no development immediately to the north, east and south of the site.

This is not the case, 'The Site' is surrounded by residential development and therefore the inclusion of this plot of land within the HDB would not and does not set a precedent. Other dwellings to the west of 'The Site' (as shown on the aerial image above) with adequate plots, have developed additional dwellings within their curtilages.

The HDB could be extended to include 'The Site', without detriment to adjoining dwellings and no harm to the open countryside, given that it is already surrounded by built form.

The indicative site layout (Drawing no. 851 03) which accompanies this representation, demonstrates that two additional dwellings (2 x 2-bedroom bungalows) can be comfortably accommodated within the plot. The proposed site layout also provides adequate amenity space for the proposed dwellings as well as the existing dwelling.

The indicative site layout also demonstrates that there are no issues of overlooking, given that distances between the dwellings proposed and neighbouring (off-site) dwellings, exceed the 21m separation standard.

Continued...



Continued.... /5
10th January 2018

We understand that a further assessment of sites will be undertaken later in 2018 and we therefore respectfully request that this representation is held until the Council undertakes its next review.

We trust that the details submitted to accompany the 'Call for Sites Response Form' is sufficient, however, should you require clarification or additional information, please do not hesitate to contact me.

We would be grateful to receive confirmation that this correspondence has been received.

Yours faithfully,

A black rectangular box redacting the signature of Clare Hillier-Brown.

Clare Hillier-Brown BA (Hons) MPLAN MRTPI
info@planningdevelopments.co.uk

Encls

Call for Sites Response Form

OFFICIAL USE

Date received

Respondent reference

GIS boundary

Site reference

Database entered

GUIDANCE ON COMPLETING THIS FORM

Individuals and organisations are invited to identify sites and broad locations for housing and economic development within Bath and North East Somerset. The sites and broad locations identified by the Call for Sites will be assessed for their suitability for development and will form part of the evidence base to demonstrate the supply of development land for the period to 2036 in the Housing and Economic Land Availability Assessment.

The Housing and Economic Land Availability Assessment is one of a number of studies which will support the development of the Joint Strategic Planning Strategy by the four West of England local authorities, Bath and North East Somerset, Bristol, North Somerset and South Gloucestershire. For further details please visit the website: www.westofenglandlep.co.uk/jointstrategicplanningstrategy.

The Housing and Economic Land Availability Assessment will also be used to support reviews of the Bath and North East Somerset Local Plan and help update five-year deliverable housing supply evidence. The Call for Sites is being coordinated across the four West of England local authorities and proposed sites and broad locations should be submitted to the relevant local authority.

Proposed sites and broad locations for housing and economic development should be submitted by 6th March 2015.

Sites and broad locations should be capable of delivering ten or more dwellings or economic development on sites of 0.25ha (or 500m² of floor space) and above. **For each site or broad location please complete a separate form and provide a map accurately identifying the boundary.**

This information is collected by Bath and North East Somerset Council, Bristol City Council, North Somerset Council and South Gloucestershire Council as data controller in accordance with the data protection principles in the Data Protection Act 1998. The purposes for collecting this data are: to assist in plan making; and to contact you, if necessary, regarding the answers given on this form. Some of the data relating to specific sites may be made public as it will form part of the evidence base used to inform the creation of planning policy documents. The above purposes may require public disclosure of any data received on the form, in accordance with the Freedom of Information Act 2000.

Completed forms and maps should be submitted to the following address:

By e-mail: planning_policy@bathnes.gov.uk By post: **Planning Policy, Bath and North East Somerset Council, Lewis House, Manvers Street, Bath, BA1 1JG**

For enquiries or assistance please contact us on **01225 477548**

1. YOUR DETAILS

Name

Clare Hillier-Brown

Company/Organisation
(if applicable)

Planning Developments Limited

Address

1 Naish Farm
Chilcompton
Broadway
Radstock
BA3 4ST

Telephone

07734317676

Email

info@planningdevelopments.co.uk

We would like to include your contact details in a new consultation database being set up by the West of England Office for the purpose of involving people in preparing the Joint Strategic Planning Strategy. If you do not want to be included in this new database please tick here:

Status (please tick all that apply)

Owner of (all or part of) the site	<input type="checkbox"/>	Land Agent	<input type="checkbox"/>
Planning Consultant	<input checked="" type="checkbox"/>	Developer	<input type="checkbox"/>
Registered Social Housing Provider	<input type="checkbox"/>	Amenity/Community Group	<input type="checkbox"/>
Local Resident	<input type="checkbox"/>	Other (please specify)	<input type="checkbox"/>

If acting on behalf of Landowner / developer please provide client name and address details:

Mr & Mrs E Vining
Four Winds
Monger Lane
Midsomer Norton
BA2 3SP

(~~For~~ my client)...

Is sole owner of the site	<input checked="" type="checkbox"/>	Owns part of the site	<input type="checkbox"/>
Do not own (or hold any legal interest in) the site whatsoever	<input type="checkbox"/>		<input type="checkbox"/>

If Owner/Part Owner, have you attached a title plan and deeds with this form? Yes No

If you are not the owner, or own only part of the site, do you know who owns the site or the remainder of it (please provide details)?

Does the owner (or other owner(s)) support your proposals for the site? Yes No

2. SITE DETAILS

Site Address (including postcode where applicable)

Land at Four Winds
Monger Lane
Midsomer Norton
BA3 2SP

Site Area (Hectares)(if known)

0.5

Current land use(s)

Curtilage

Adjacent land use(s)

Residential dwellings to east, south and west

Please tick box to confirm you have provided a site plan [x]

3. POTENTIAL USES & CAPACITY

Suggested uses (please tick all that apply and where mixed use indicate % of overall site for each use)

USE	TICK	Capacity and indication of possible residential tenures, types and housing for different groups
Residential	x	2 dwellings (2 x 2-bedroom bungalows)

USE	TICK	Floorspace (m ²) / number of floors/pitches / notes
Office, research & development, light industrial (B1)	N/A	N/A
General industrial (B2) / warehousing (B8)	N/A	N/A
Sports / leisure (please specify)	N/A	N/A
Retail	N/A	N/A
Gypsy and travellers / travelling Showpeople sites	N/A	N/A
Other (please specify)	N/A	N/A

Additional notes about potential uses:

Please see the accompanying letter dated 10th January 2018.

Has any design work already been undertaken? If so, please include brief summary [x] (Included) – please see the accompanying letter and indicative site layout.

4. SITE SUITABILITY ISSUES

Question		Comments/further details /mitigation proposed
Does the site have any physical constraints (e.g. topography, access, severe slope, vegetation cover etc.)?	Yes/No	
Is the site subject to flooding?	Yes/No	Site located within Flood Zone 1
Is the site affected by 'bad neighbour' uses (e.g. power lines, railway lines, major highways, heavy industry)?	Yes/No	
Is there a possibility that the site is contaminated?	Yes/No	
Is the site subject to any other key constraints?	Yes/No	
Can satisfactory vehicular access to the site be achieved?	Yes/No	There will be a requirement to widen the vehicular access into the site to assist with vehicular movements.

UTILITIES / INFRASTRUCTURE PROVISION

Please tell us which of the following utilities are available to the site

Mains water supply	<input checked="" type="checkbox"/>	Mains sewerage	<input checked="" type="checkbox"/>
Electrical supply	<input checked="" type="checkbox"/>	Gas supply	<input checked="" type="checkbox"/>
Landline telephone	<input checked="" type="checkbox"/>	Broadband internet	<input checked="" type="checkbox"/>
Other (please specify below)	<input type="checkbox"/>		

Additional notes about site suitability issues:

The site sits adjacent to the housing development boundary and can adequately accommodate two additional dwellings as shown on the drawing which accompanies this submission. The site is level, has good access and is in walking distance of shops, the town centre, public transport etc.

5. SITE AVAILABILITY ISSUES

Question		Comments/further details
Are there any legal/ownership constraints on the site that might prohibit or delay development of the site (e.g. ransom strip/covenants)?	Yes/No	
Must land off-site be acquired to develop the site?	Yes/No	
Are there any current uses which need to be relocated?	Yes/No	
Is the site owned by a developer or is the owner willing to sell?	Yes/No	

Please indicate the approximate timescale for availability:

2015/16	2016/17	2017/18	2018/19	2019/20
		Immediately available		
2020-2024	2025-2030	2030+		

If you have indicated that the site is not immediately available, please explain why:

N/A

6. SITE ACHIEVABILITY ISSUES

Question		Comments/further details
Is there a realistic prospect that the site would come forward for the proposed use?	Yes/No	
Are there any known significant abnormal development costs (e.g. contamination remediation, demolition, access etc.)?	Yes/No	
Does the site require significant new infrastructure investment to be suitable for development?	Yes/No	
Are there any issues that may influence the economic viability or timing of the development?	Yes/No	

7. ADDITIONAL COMMENTS

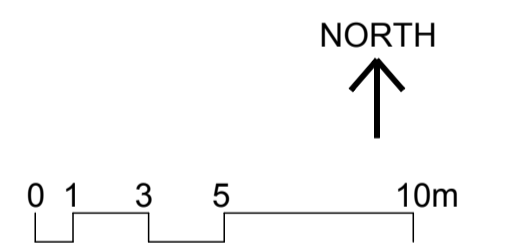
If necessary, please continue on a separate sheet and attach to this form.

Please see the accompanying letter dated 10th January 2018.

Thank you for your time. We will be in touch if we require any further information.



SITE LOCATION
(1:1250 @A1)



EXISTING SITE PLAN
(1:200 @ A1)

Rev	Note	By	Date
Scale:	1:1250 & 1:200	@A1	
Date:	05.01.18	Status:	Planning
Drawn:	IMA	Checked:	-
Job No:	851	Dwg/Rev:	02
Title:	Existing Site Plan		

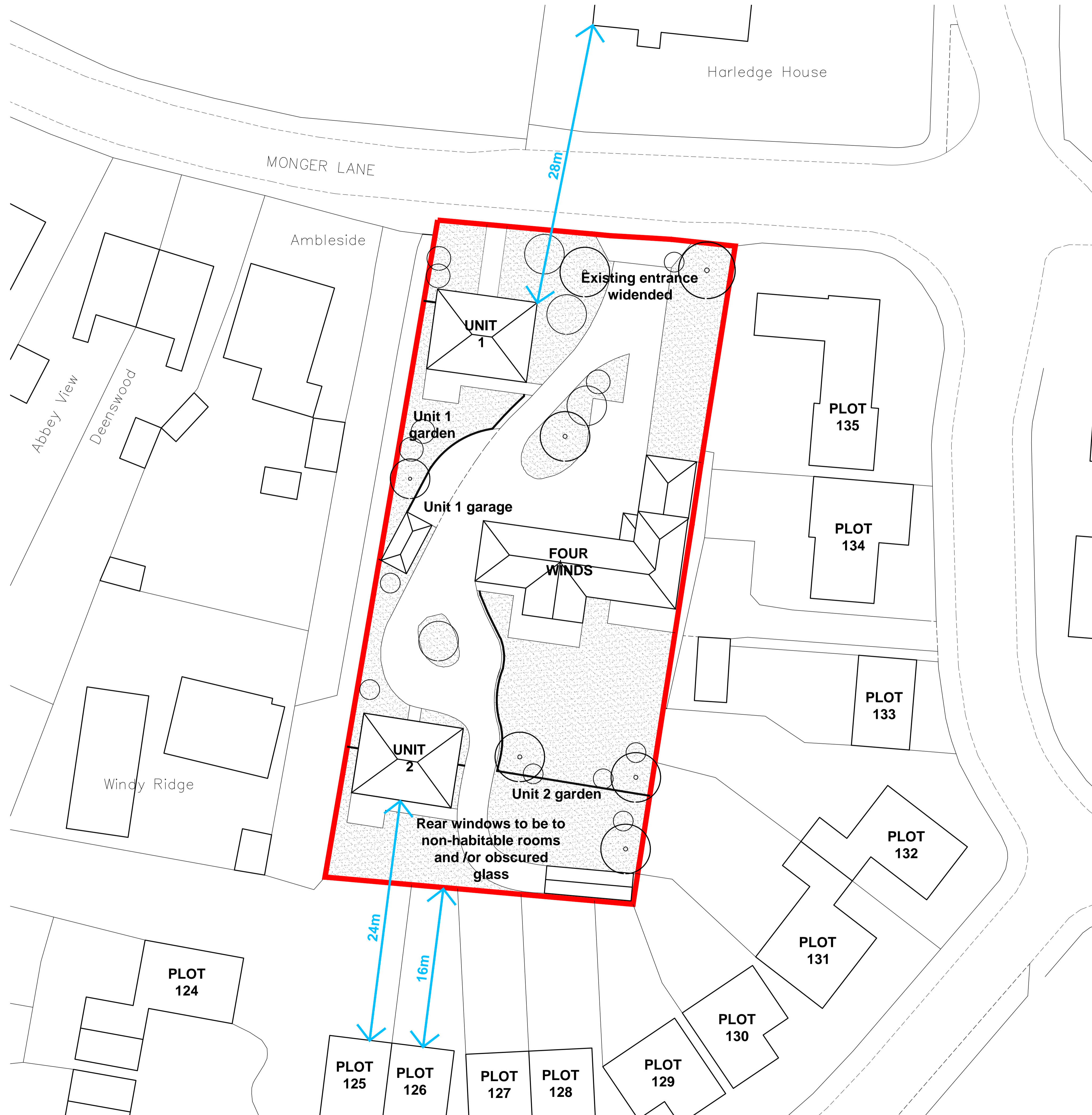
Project: FOUR WINDS
MONGAR LANE
MIDSOMER NORTON

Client: MR E VINING

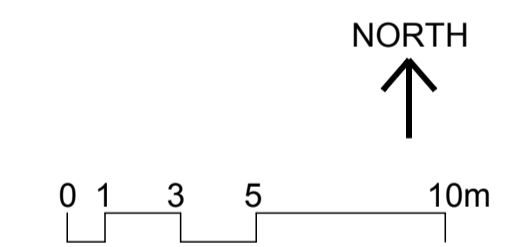




PROPOSED SITE LOCATION
(1:1250 @A1)



PROPOSED SITE PLAN
(1:200 @ A1)



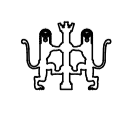
Rev	Note	By	Date
Scale:	1:1250 & 1:200	@A1	
Date:	05.01.18	Status:	Planning
Drawn:	IMA	Checked:	-
Job No:	851	Dwg/Rev:	03
Title:	Proposed Site Plan		

Project: FOUR WINDS
MONGAR LANE
MIDSOMER NORTON

Client: MR E VINING



33a Powell Street • Birmingham • B1 3DH
Tel: 0121 200 2638 • Fax: 0121 236 8356
e-mail: design@danielhurdassociates.com



From: Valerie Vivian
Sent: 08 January 2018 23:09
To: Local Plan
Subject: Comment on Local Plan

Dear Sirs,

I wish to comment on the Local Plan and in particular on a small site in Bathampton that is proposed to be "Green Space", which is an error but I could not afford to appeal the Inspector's error and wish to make you aware of that error, in the hope that it can be rectified for the new Local Plan.

With regard to this paragraph in the Inspector's decision quote:

"86. Millers Walk & Westminster Road, Bathampton (LGR3) is designated for its historic significance and value to the local community. It makes a positive contribution to the setting of the conservation area. Whilst the southern section has been subdivided by tall leylandii planting it nevertheless continues to complement the open paddock to the north and enhance the sense of tranquility for users of the public footpath from Millers Walk to Westminster Road. I am satisfied that it is of particular local significance and the designation is justified."

These are the errors in the Inspector's decision: -

1. Miller Walk is a new housing development built in 1996 with no historic significance whatsoever.
2. Westminster Road is actually called Warminster Road and the road itself is not designated for its historic significance. This is clearly an error, because Warminster Road is not near the site, so I believe the Inspector may have been referring to Bathampton Lane not Westminster Road.
3. In Bathampton Lane there are a few listed buildings, which you can see in the DAS but the Lane itself is not designated for its historic significance and contains many modern and sixties houses and bungalows.
4. Only one of the listed buildings in Bathampton Lane, called "Court Leet". is close to the site but not adjacent to it and cannot even be seen from the site and vice versa.
5. The site is private land of no value whatsoever to the local community, who cannot access it or even see it. The site has no historical significance whatsoever.
6. The first Local Plan Inspector in 1988 designated the site as Housing Land. The next Local Plan Inspector removed the proposed open amenity designation from the site, so again it was housing white land within the development boundary. The next Inspector determined the Leylandii trees detracted from the conservation area and suggested Landscaping with native trees. The last Inspector disagreed with the previous Inspector and determined the Leylandii trees were desirable as a green feature and totally ignored the green features of the comprehensive landscaping scheme of native trees and hedges, including a 10 metre wide wildlife corridor on the northern boundary to completely screen any development from view.
7. At the same time, Banes granted planning permission for 15 houses in the green belt on the edge of Bathampton that can be seen from everywhere.
8. The Inspector refers to "tranquility for users of the public footpath", which is nothing to do with "tranquility of wildlife" in planning Law. Local people using the footpath walk through the Miller Walk development, before they pass by one corner of the site to go into the open field to the north.
9. Two reports confirming that there is NO wildlife were submitted one from the professional consultant and one from the council themselves. **If there is no**

wildlife, then the issue of "tranquility of wildlife" is not an issue to be considered and certainly not an issue of "tranquility of footpath users"

10. It appears from my experience that Banes council does not have to provide any evidence in order to achieve their aims.
11. There is supposed to be consistency amongst Inspectors of the Planning system with an emphasis on presumption in favour of sustainable development. The opposite is true here.
12. In reality, the influential neighbours and Parish council have used the green space policy as a back door to stop sustainable development of self build houses. There is no way this land is demonstrably special in any way in planning Law, which in this instance has been altered to accommodate the NIMBY syndrome of the neighbours, as opposed to the directives of the Government regarding the need for self-build houses and sustainable development.

In addition and generally speaking, I wish to comment that not enough houses are being built to satisfy the need and in particular not enough self-build housing sites being provided in accordance with the Government directives. Also, not enough small sites are being made available for small builders, who have declined by over 50% in recent years to the detriment of the local economy.

More emphasis should be placed on the faltering economy nationally and locally and the dire need to boost all types of small businesses, instead of crippling them with red tape, high charges and a planning system that stifles enterprise and accommodates the NIMBY syndrome.

Yours faithfully,
Valerie Vivian