

**Consultation on the B&NES Local Plan
Options Document (November 2018)**

**COMMENTS
FORM**

**You are strongly encouraged to make your comments on-line via the
Local Plan consultation portal www.bathnes.gov.uk/localplan2016-2036**

However, if you are using this form, please complete the form by filling in Part 1 with your contact details and use Part 2 for your response to the questions in the Options document.

Please complete a separate form for each **proposed policy approach/option** you are commenting on using the **unique reference numbers** as set out in Chapters 3 - 8.

Please send your completed form(s) using email to local_plan2@bathnes.gov.uk.
Alternatively you can post the form to Planning Policy, Bath & North East Somerset Council, Lewis House, Manvers Street, Bath BA1 1JG.

Your comments must be received by 7 January 2019

Your comments will be used to inform the next stage of the Local Plan preparation.

Part 1: Contact details			
Email is the Council's preferred method of communication and enables us to contact you quickly and efficiently. Please also provide a postcode with details of your address.			
Personal Details		Agent Details (if applicable)	
Title	Mr	Title	Mr
First Name	S	First Name	Chris
Surname	Farthing	Surname	Beaver
Job Title <i>(only if applicable)</i>		Job Title	Director
Organisation <i>(only if applicable)</i>	DAF Property Ltd	Organisation	PlanningSphere Ltd
Email		Email	chris@planningsphere.co.uk
Address	c/o agent	Address	Coworking Bath, The Guild, High Street, Bath
Postcode		Postcode	BA1 5EB
Date	December 2018	Date	December 2018

Please tick

**I would like to be on the Planning Policy Mailing List and receive updates
about future consultations on Planning Policy documents including the
Local Plan. I am aware that I can unsubscribe at any time.**

YES

Please note that names and comments will be published

Part 2:

Which proposed policy approach/option in the Options document (November 2018) are you commenting on?

Representations submitted in respect of land between South Road and High Street, Midsomer Norton:

- Policy SOM2: Proposed policy options / approach for town centres and retail provision.

Please use the unique reference number by each policy approach/option.

Please make your comments as succinct as possible.

We object to the rolling forward of the Core Strategy food store allocation on South Road Car Park in MSN under Policy SOM2 when there is no apparent prospect of a food store being developed on this site in the foreseeable future.

It is also noted that the Council has in place a draft transport policy for the Somer Valley that requires the retention of existing car parking which conflicts with the proposed re-allocation of the food store.

This conflict must be decisively resolved through the Local Plan review process one way or another, as the uncertainty over the future of the South Road Car Park site is effectively blighting our client's under-utilised land holding, which has potential to revitalise the MSN town centre through a coordinated redevelopment – refer to Site Location Plan and Annotated Photographs Appendices A and B.

The vision for the Somer Valley should recognise that the MSN town centre is in decline, in common with many other market towns. As such, the Local Plan review should plan for a managed decline of retail floor space and create a more flexibility policy context to maximise the prospects for regeneration to include a wide range of uses.

Please expand this box or attach a separate sheet if you require more space.

See our website for more information and to make your comments online: www.bathnes.gov.uk/localplan

Please note that names and comments will be published

Appendix A: Site Location Plan

Land between the South Road and the High Street, Midsomer Norton BA3 2DA



Appendix B: Annotated Photosheet

Land between the South Road and the High Street, Midsomer Norton BA3 2DA



Photos 1 and 2: This view is taken from the rear of South Road car park owned by BANES Council. The arrow markers show the extent of subject site frontage to South Road. The remnant Brewery Building 112 High Street, and 112 High Street, are both outside the ownership of the site.

Appendix B: Annotated Photosheet

Land between the South Road and the High Street, Midsomer Norton BA3 2DA



Photos 3 and 4: view from the High Street to the north of the site. The ownership from this view comprises 111 High Street, which is occupied by Norton Discounts under a lease, 3 years unexpired as at April 2018.



Appendix B: Annotated Photosheet

Land between the South Road and the High Street, Midsomer Norton BA3 2DA



Photo 5 and 6: No. 10 South Road is occupied by the Green Shop who have a leasehold interest 3 years unexpired as at April 2018. Photo 6 shows the courtyard to the rear of 111 High Street who have a right of access.



Photo 7: No. 16 South Road is vacant, and was last occupied by Andrews Estate Agents. The building has an established Class A2 use. The Territorial Army site is located to left (west) of the existing pedestrian route from the South Road car park to the High Street.

Appendix B: Annotated Photosheet

Land between the South Road and the High Street, Midsomer Norton BA3 2DA



Photo 8: Unit 14 is occupied by Firenza (a kitchen and bathroom retail showroom), under a 7 year lease, which has a 3 year break in April 2021.



Photo 9: 113a High Street is owned by the Council and used as a drug rehabilitation centre.

Appendix B: Annotated Photosheet

Land between the South Road and the High Street, Midsomer Norton BA3 2DA



Photo 10 and 11: north and south facing views of the pedestrian link that connects the Council owned free car park to the south of South Road to the High Street. The ownership between 'off the record' to the High Street is unknown. DAF own the section to South Road.

[REDACTED]

From: Yvonne Dark [REDACTED]
Sent: 28 December 2018 16:06
To: Local Plan
Subject: Rad26 and Rad25

Categories: Green Category

I moved to writhlington has I thought it was bit quieter then usual area around .and since I moved here you already built over 50 houses . The Manor road crossroads is already very busy road and can spend up to 10 mins trying to get out on main road. even worse when it's on school times . The lane is also used as rat run and on many occasions my car been nearly hit. Also been stuck there while lorry's have to reverse all back up lane. My journey to my work place should take 25 mins it take about that time to get in and out writhlington most days.

John Theobald

From: Paris Davey [REDACTED]
Sent: 05 January 2019 14:33
To: Transport Planning; Local Plan; [REDACTED]
Subject: Planning Objection
Categories: Green Category

Dear Sirs

I STRONGLY OBJECT TO THE PLANS. Please register my objections.

I write to you as a resident who lives within Bristol City Council but will be affected by the BANES/Bristol City Council decisions..

I understand that BANES have proposed a new link road that will link up with the Bath Road with an existing residential road in Whitchurch, to form part of the Orbital highway. The proposed road ends on the boundary between the two councils at Ridgeway Lane and Whitchurch Lane.

If this goes ahead, the increased traffic will spew into Whitchurch Lane.

Whitchurch Lane has a primary school right next to it, the pollution will be horrendous! It has a 20 mile an hour speed restriction, a 7.5 ton weight restriction and traffic calming measures (speed humps). The road is not suitable to receive all this additional traffic from the new road that BANES would like to install. The reasons that all, of the above mentioned, were put in has NOT gone away, therefore are still very much needed. Whitchurch Lane is a residential area with houses on both sides.

In addition, BANES want to build 2500 houses in Whitchurch village. There appears to be plans for houses without any consideration to the impact on the existing infrastructure or facilities of the area, in which I live.

- There is very little employment, people will have to travel out of the area for work, that means using cars as the public transport is limited.
- There are NO shops in the village. Again more car use.
- There is no senior school within walking distance • No additional doctors surgeries planned. BANES residents are already using Stockwood and Whitchurch Health Centres. These GP's are not coping with the patients that they have already, getting an appointment is already quite difficult!
- The area suggested for housing (and the road that leads to a residential area, is prone to flooding and has an abundance of wildlife on it.

I accept that Bristol needs a true ring road to take it to 2036 and indeed beyond. BUT that road has to be fit for purpose. I accept that people need homes to live in. BUT those homes need to be built primarily on brown field sites and have the roads, jobs, and support systems for the areas to flourish. The new road and houses, as proposed, will NOT be of benefit to the majority residents in the area and will have a considerable negative impact on them, in very many ways.

Please keep me updated with situation.

Yours faithfully

Miss Paris Davey

[REDACTED] t

Sent from my iPhone

Planning Policy
B&NES, Lewis House,
Manvers Street,
BATH BA1 1JG

14th December 2018

Reference: Bath and North East Somerset Council Local Plan 2016-2036 /
www.bathnes.gov.uk/services/planning-and-building-control/planning-policy/local-plan-2016-2036

Dear Sir / Madam

Following on from your recent consultation meetings St Augustines Church, I am writing to register my concerns and disapproval of the planned developments, with particular reference to the South Orbital Highway link and the proposed site of any link road with Whitchurch Lane.

I believe that this proposal will have a serious and long-lasting negative effect on the Green Belt south of Bristol and will lead to urban sprawl. This is clearly indicated in your own document entitled "Local Plan: Part 1 Green Belt Assessment: Whitchurch Strategic Development Location".

As a parent of a pupil attending Bridge Farm Primary School, my primary concerns are centred around the proposed ring road route adjoining Half Acre Lane and Whitchurch Lane, which the school grounds back onto.

At present, Whitchurch Lane and the adjacent roads all currently have a 20mph speed limit. These are enforced for the safety of the children and local residents. The roads are used for dropping off and picking up pupils as well as on weekends for those using the schools facilities for sporting and recreational activities. Increasing the speed limit to even 30mph as suggested, introducing more and varied traffic and restricting the amount of on-street parking in this area will have a major impact on road safety and the lives of the school's pupils.

This is compounded by an increase in road noise and air pollution around the site of a 630 place primary school. Air pollution already exceeds the National guidelines and it is estimated that the proposal will add an additional 5000 cars to already congested roads.

The school has two busy crossing points on Whitchurch Lane as well as a school entrance on Half Acre Lane. Traffic flow has already been identified by Bristol City Council as a cause for concern, especially at peak times. In fact, Bristol City Councils own "South East Bristol and Whitchurch Transport Package Options Assessment Report" states that travel times heading along Whitchurch Lane will increase. Any proposal to funnel more varied traffic along this route will only compound matters further.

In conclusion, the Local Plan 2016-2036 illustrates how the proposals will have a major negative impact on the green belt, the existing local residents, wildlife (and habitat), ecology, eco system, local services, traffic volumes and pollution. It compromises the health and safety of pupils and parents of Bridge Farm primary School and as such, I am fiercely opposed to such a proposal.

Yours faithfully,

Karen Davey & Luke Davey

Residents of Whitchurch and Parent at Bridge Farm Primary School.

From: Mary Davidson [REDACTED]
Sent: 04 January 2019 00:14
To: Local Plan
Subject: South Bristol road proposal

Categories: Green Category

Planning Services
Bath & North East Somerset Council Lewis House
Manvers Street
Bath
Somerset
BA1 1JG
Ref: Bath & North East Somerset Council Local Plan 2016-2036

Mary Davidson
[REDACTED]
[REDACTED]
[REDACTED]

3.1.19

Ref: Bath & North East Somerset Council Local Plan 2016-2036

Following on from your recent 'consultation' meeting at Whitchurch Community Centre on the 19th November, I am writing to register my concerns and strong disapproval of the planned developments south of Whitchurch, the South Orbital Highway Link and the proposed Park and Ride on the A37 as outlined in your Local Plan 2016-2036. I believe that this proposal will have a serious and long-lasting negative effect on the Green Belt south of Bristol and will lead to Urban Sprawl. This is clearly indicated in your own document entitled "Local Plan: Part 1 Green Belt Assessment: Whitchurch Strategic Development Location".

The Local Plan will have a devastating impact on cells 52D, E, F & G as shown in the Green Belt Assessment. Each of which makes a major contribution to checking the sprawl of Bristol. Furthermore, the housing development will mean the Village of Whitchurch will become sandwiched between the City of Bristol and the New Garden Community and will, over time, lose all identity.

It's clear to all that 2,500 homes will bring with it well over 9,000 new residents and a large increase in the number of cars and commercial vehicles, all adding to already high air pollution figures and an unwelcome increase in traffic. Local services are already at a stretch in the area and recent developments on the old Horse World site and the construction of White Church Court near Queen Charlton have added to this. Further development, without adding additional facilities such as Doctors, Dentists and local shops will push the existing amenities to breaking point and have a major impact on those already living in the area.

In addition to the above, the land under consideration is home to a diverse range of wildlife whose habitats are forever under threat and whose disappearance could have a long term and devastating impact on the local ecology and eco systems.

In relation to the proposed South Orbital Highway Link, I can only conclude that the planners are not familiar with the local area and have no understanding of the issues already faced by local residents and road users.

Adding even more traffic to any already busy Whitchurch Lane, makes absolutely no sense and only goes to prove how out of touch the planners truly are. In fact, the councils own "South East Bristol and Whitchurch Transport Package Options Assessment Report" states that travel times heading west along Whitchurch Lane will increase.

I am also extremely concerned about the increase in noise and air pollution along the suggested route and fear for the health and safety of the 630 pupils of Bridge Farm Primary School whose life will undoubtedly be disrupted by this road development.

At present, the adjacent roads have a 20mph restriction in place and traffic calming measures to ensure the safety of the children, staff and parents. The roads are also used before and after school for dropping off and picking up pupils as well as on weekends for those using the school's facilities for sports and recreational activities.

In fact, a recent survey carried out by "20mph Bristol" in conjunction with Bristol City Council has shown that the vast majority of those asked think all schools should be protected by 20mph speed limits. Increasing the speed limit to even

30pmh as suggested, introducing more and varied traffic and restricting the amount of on-street parking in this area will have a major impact on road safety and the lives of the school's pupils.

The school has two busy road crossing points on Whitchurch Lane as well as an entrance on Half Acre Lane. Traffic in the area is already at a stand still at the start and end of the school day as these crossings are in constant use.

Funnelling more traffic along this route, especially in the rush hour periods, will only add to the situation and turn adjacent roads into "Rat Runs" as frustrated car, van and lorry drivers try to find alternate routes around the hold ups.

There are nine side roads that intersect with Whitchurch Lane along the residential section between Washing Pound Lane and The Community College. Getting in and out of many of these intersections (for example Fortfield Road, East Dundry Road and Bamfield) can be extremely difficult at busy times, causing long traffic queues to build up.

The proposed increase in traffic volumes will only add to this and it's therefore inevitable that restrictions will be put in place to stop right turns across the flow of traffic. This in itself will only add to an increase in the amount of traffic entering the residential side streets and put the health and safety of local residents at risk.

Finally, I must say that encouraging large Heavy Good Vehicles, which weigh in excess of 40 tons, to use this route is an insanity and the existing roads, which have limited room for expansion, just won't be able to cope. The impact on local residents will be insufferable and the additional noise and air pollution will degrade the quality of life as well as the physical and mental wellbeing of a great many in this community.

Turning to the proposed new Park and Ride on the A37. I am unclear who this is meant to serve and no full explanation could be given to me at the consultation.

The "South East Bristol and Whitchurch Transport Package Options Assessment Report" concludes that it will not improve journey times into the centre of Bristol by any significant amount. However, it will encourage more traffic from the Wells, Radstock, Midsomer Norton and Shepton Mallet areas to use the A37 and add to the issues already experienced by the residents of the smaller villages along the A37 such as Pensford and Temple Cloud where the width of the roads already cause traffic to build up at busy times.

The OAR also states that the Park and Ride would not be profitable for some time and would require subsidy. It also goes on to say that it's unlikely that a bus operator would take on the required number of buses per hour and users would have to rely on the existing 376 from Wells which runs every 30mins plus two other buses per hour if the local bus operator chooses to extend its services.

Given the above, plus the fact that no additional Bus Lanes will be provided along the A37, I must question if this is truly 'Value for Money' and if local tax payers should be asked to foot the bill!

In conclusion, I feel that within these proposals there is no indication of how the scheme will actually improve the day to day lives of those already living in the area. It does however go to show how the proposals will have a major negative impact on the green belt, the existing local residents, wildlife (and habitat), ecology, eco system, local services, traffic volumes and pollution.

As an aside, I would like to state that the way B&NES Council have gone about this consultation is a disgrace. I can't understand why given that they, along with Bristol City Council, have access to the names and addresses of all residents in the area, have not undertaken a direct mail campaign to make people aware of the proposals.

The lack of information and the way it's been disseminated is underhand and suggests that B&NES Council want to keep this process as quiet as possible. The only way most residents have found out about the proposal and consultation meetings is through Social Media, something that many elderly residents do not have access to. The cynical might go so far as to say that the fact that it's being carried out over the Festive period suggests that B&NES hope that people's focus is elsewhere and will therefore get fewer disagreements.

I sincerely hope that the views of Local Residents along with our MPs, Local Government & Parish Councillors and recently formed Pressure Groups who have already expressed their objections to this proposal are truly listened to and acted upon.

Kindest Regards

Mary Davidson

Mary Davidson

[REDACTED]

From: ken davies [REDACTED]
Sent: 05 January 2019 12:39
To: Local Plan
Subject: [REDACTED]

Categories: Green Category

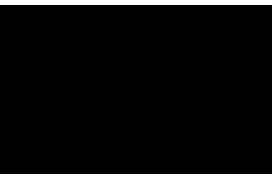
We refer to your plan to approve planning for many, many house in the Whitchurch and Hengrove areas. We have already many home, and very little services to back them up. This area is supposed to be a green belt area, and it is already prone to flooding risk. We chose to live in Whitchurch, because it was in a green belt area with green play areas for both Children and wild life. Your proposal will deprive us off both.

This area already suffers from sufficient infrastructure and services, and we feel your proposed will add to these problems.

Please reconsider your proposals.

Mr Ken Davies

Mrs Sue Davies



You are strongly encouraged to make your comments on-line via the Local Plan consultation portal www.bathnes.gov.uk/localplan2016-2036

However, if you are using this form, please complete the form by filling in Part 1 with your contact details and use Part 2 for your response to the questions in the Options document.

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Part 1: Contact details			
Email is the Council's preferred method of communication and enables us to contact you quickly and efficiently. Please also provide a postcode with details of your address.			
Personal Details		Agent Details (if applicable)	
Title	Mr & Mrs	Title	Mr
First Name	R	First Name	Chris
Surname	Denner	Surname	Beaver
Job Title <i>(only if applicable)</i>		Job Title	Director
Organisation <i>(only if applicable)</i>		Organisation	PlanningSphere Ltd
Email		Email	chris@planningsphere.co.uk
Address	Hamleaze Lodge	Address	Coworking Bath, The Guild, High Street, Bath
	73 Bristol Road		
	Keynsham		
Postcode	BS31 2WD	Postcode	BA1 5EB
Date	December 2018	Date	December 2018

Please tick

I would like to be on the Planning Policy Mailing List and receive updates about future consultations on Planning Policy documents including the Local Plan. I am aware that I can unsubscribe at any time.

YES

Part 2:

Which proposed policy approach/option in the Options document (November 2018) are you commenting on?

Promotion of Land at 73 Bristol Road, Keynsham (HEELA Ref: K37)

- SS1 Option 1. Focused approach avoiding the Green Belt
- SS2 Option 2. More dispersed approach avoiding the Green Belt
- SS3 Option 3. Combination of locations outside and within the Green Belt
- Policy DM5 – approaches for the delivery of self-build plots

Please use the unique reference number by each policy approach/option.

Please make your comments as succinct as possible.

Please refer to the accompanying Representation Statement (with appendices) submitted with this form.

Please expand this box or attach a separate sheet if you require more space.

See our website for more information and to make your comments on-line: www.bathnes.gov.uk/localplan

Representation in response to BANES Council’s Issues & Options Consultation: Winter 2018

Client: Mr R Denner

Date: December 2018

Site: Land at 73 Bristol Road, Keynsham

BANES HELAA Ref: K37



Contents

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- 1.0 Introduction
- 2.0 Relevant background information
- 3.0 Response to the Consultation
- 4.0 Suitability of Land at 73 Bristol Road, Keynsham
- 5.0 Conclusions

Appendices

- A Site Location Plan
- B Site Photographs

1.0 Introduction

- 1.1 PlanningSphere has been instructed to make representations to the emerging Bath and North East Somerset (BANES) Local Plan 2016-2036 on behalf of the owner of land at No.73 Bristol Road, Keynsham.
- 1.2 This representation is submitted to the BANES consultation on its Issues and Options Plan in accordance with the Winter 2018 consultation timetable with particular reference to the Council's proposed Options:
- Policy SS1 Option 1. Focused approach avoiding the Green Belt
 - Policy SS2 Option 2. More dispersed approach avoiding the Green Belt
 - Policy KSM1 Keynsham Spatial Strategy Proposed Policy Approach
 - Policy KSM2 Review of Existing Policies for Keynsham Policy
 - Policy DM5 – approaches for the delivery of self-build plots
- 1.3 The representations should also be read with the following appended documentation:
- **Appendix A:** Site Location Plan
 - **Appendix B:** Site Photographs
- 1.4 It is noted that the site is included in the Council's HELAA under the reference K37.
- 1.5 Preliminary work undertaken by the landowner's project team suggests that the site has the capacity to accommodate a small-scale self-build / custom-build residential development of around 25 units and/or a scheme of elder persons housing, which would provide greater choice from the standard housing that the Council is proposing to allocate on land north of the bypass at Keynsham in line with Government policy. It is proposed that the site is allocated in the emerging replacement Local Plan to enable short term delivery of custom / self-build housing / elderly persons housing noting that the strategic allocation would not be deliverable until much later in the plan period.

2.0 Relevant Background Information

Site Description

- 2.1 The site comprises a small parcel of generally open scrub land of circa 1.2ha, which is bounded by defensible boundaries on all sides.



Figure 1. Site Location

- 2.2 Keynsham is defined in the Placemaking Plan as follows:

The market town of Keynsham occupies a strategic location between Bath and Bristol. The local plan consultation proposes an evolution of the existing spatial strategy. The fundamental priorities are still broadly appropriate, but the town will continue to grow in size and importance with the introduction of the North Keynsham Strategic Development Location (SDL) through the West of England Joint Spatial Plan.

- 2.3 The policy options in the consultation draft focuses largely on the North Keynsham Urban extension and does not suggest any increase in the levels of non-strategic housing in the settlement.

3.0 Response to the Consultation

- 3.1 Our response to the consultation is focused on the matter of self/custom-build, as set out under draft Policy DM5 – approaches for facilitating the delivery of self-build plots. In this context, we also respond in respect of Policy Options SS1, SS2, KSM1 and KSM2. However, we also consider that the site could also be suitable to accommodate specialist elderly persons housing.
- 3.2 National planning policy and guidance is set out in the NPPF (2018) and web-based guidance in the NPPG (from 2014). There is a strong focus upon housing delivery, which has been further emphasised in the Housing White Paper (2017).
- 3.3 The benefits of self/custom-build housing as a way of increasing choice and creating a more diverse and a resilient housing market were identified in the 2017 Housing White Paper and this has been translated into both the NPPF (Paragraph 61 and associated footnote 26) and NPPG. Furthermore, legislation requires Councils to maintain a self-build housing register, and LPAs are encouraged to support self-build opportunities.
- 3.4 For ease of reference paragraphs 61 (and footnote 26) and 84 of the revised NPPF are set out below:

*61. Within this context, the size, type and tenure of housing needed for different groups in the community should be assessed and reflected in planning policies (including, but not limited to, those who require affordable housing, families with children, older people, students, people with disabilities, service families, travellers, people who rent their homes and **people wishing to commission or build their own homes** ²⁶.*

*Footnote 26: Under section 1 of the Self Build and Custom Housebuilding Act 2015, local authorities are required to keep a register of those seeking to acquire serviced plots in the area for their own self-build and custom house building. **They are also subject to duties under sections 2 and 2A of the Act to have regard to this and to give enough suitable development permissions to meet the identified demand.** Self and custom-build properties could provide market or affordable housing.*

(our emphasis in **bold**)

- 3.5 Paragraph 81 of the NPPF states:

*81. **Planning policies and decisions should recognise that sites to meet local business and community needs in rural areas may have to be found adjacent to or beyond existing settlements**, and in locations that are not well served by public transport. In these circumstances it will be important to ensure that development is sensitive to its surroundings, does not have an*

*unacceptable impact on local roads and exploits any opportunities to make a location more sustainable (for example by improving the scope for access on foot, by cycling or by public transport). The use of previously developed land, **and sites that are physically well-related to existing settlements, should be encouraged where suitable opportunities exist.***

(our emphasis in **bold**)

- 3.6 National Planning Practice Guidance (NPPG) was published on 6th March 2014 and provides a web-based source of supporting guidance to supplement Policies in the NPPF. In response to the question “*How can relevant authorities increase the number of planning permissions which are suitable for self-build and custom-build housing?*” NPPG: Paragraph: 025 (Reference ID: 57-025-201760728) states:

Relevant authorities should consider how they can best support self-build and custom housebuilding in their area. This could include:

- ***developing policies in their Local Plan for self-build and custom house building;***
- *using their own land if available and suitable for self-build and custom housebuilding and marketing it to those on the register;*
- ***engaging with landowners who own sites that are suitable for housing and encouraging them to consider self-build and custom housebuilding and facilitating access to those on the register where the landowner is interested; and***
- *working with custom build developers to maximise opportunities for self-build and custom housebuilding*

(our emphasis in **bold**)

- 3.7 The Self-Build and Custom Housebuilding Regulations 2016 have allowed local authorities to set local eligibility criteria (“a local connection test”). These are divided into:

- Part 1 – people who meet the local connection test and the basic eligibility (as listed in the 2016 Regulations). This part of the register keeps track of local demand. The Council will need to consider the number of registrations when consider how to provide serviced plots for self and custom-build projects.
- Part 2 – people without a local connection but meet the basic eligibility. This part of the register keeps track of general demand for self-build and custom-build and will inform planning policy and the Council’s overall approach to self-build and custom housebuilding. There is no requirement for the Council to grant sufficient development permissions for serviced plots of land to meet this demand.

3.8 The Register is run on an annual basis. Each Base Periods starts from the 31st of October.

3.9 Data collected on a district-wide basis has been recorded as follows:

Base Period	Number of entries (plots)	Required Permissions
1 (ending 30/10/2016)	463	457
2 (ending 30/10/2017)	263	180
3 (ending 30/10/2018)	153	32

Representations to the Options Consultation Paper: Draft Policy DM5

3.10 Self and custom-build is an important sub-sector of the housing market as it is a form of housing provision that seeks diversify the new homes market away from the volume home builder sector.

3.11 Paragraph 8.7.2 of the consultation document correctly states that PMP Policy H4 encourages self-build, but it does not create a policy environment that directly facilitates delivery of self and custom-build housing. There is also an acknowledgement that only a small number of self-build homes are being brought forward within existing Housing Development Boundaries, which will not meet the level of demand, as quantified in statutory BANES Self-Build Register, as noted above. Indeed, the Self-Build Register itself is unlikely to capture the real demand for self and custom-build homes as it is not well publicised, and at present there is no track record delivery within BANES administrative district for the delivery of self or custom build schemes.

3.12 Paragraph 8.7.4 of the consultation examples cites examples from other Council areas where self/custom-build is subject to a % requirement above a certain minimum greenfield site threshold, and other examples of Council's taking a more proactive role by purchasing or using their own land to promote their own schemes.

3.13 Given the constrained nature of the BANES administrative district, and to address the potential problem of speculative / volume home builders being able to outbid speculative and custom-build providers, because speculative developers also make a return on building as well land value uplift, we consider that the most appropriate approach for the delivery small-scale self-build, and small and larger scale custom-build schemes, would be for the Council to formulate a 'rural exceptions' form of self and custom-build

provision in suitable locations that are adjacent to existing Housing Development Boundaries and other appropriate locations as well as making self and custom-build allocations.

Facilitating the delivery of non-strategic housing

- 3.14 The allocation of the site at Keynsham for housing will contribute to meeting the strategic objectives in the emerging West of England Joint Spatial Plan 2016-2036 particularly with respect to meeting housing needs in the BANES District and also meeting spatial objectives in the emerging Issues and Options Plan which will allocate sites for development and set out the policy framework for determining planning applications across the District.
- 3.15 The Issues & Options Consultation document plans for delivery of around an additional 4,700 new homes in BANES. These homes will be provided at the Strategic Development Locations (SDLs) at Whitchurch and North Keynsham, through urban intensification in Bath and through what the JSP terms as 'non-strategic' growth across the rest of BANES, principally in the Somer Valley and rural areas. The Local Plan also has a key role in establishing how the 'non-strategic' growth of 700 dwellings can be delivered and it is this element of the strategy that is dealt with. The JSP defines 'non strategic growth' as sites of more than 10 homes and below 500 homes to be delivered through Local Plans (NB. these parameters have yet to be tested through examination).
- 3.16 The National Planning Policy Framework, (NPPF) together with the more technical advice found in National Planning Practice Guidance (NPPG) sets the context for both the overall development plan and more specifically policies to support the delivery of housing with an emphasis on delivering sustainable development. The NPPF definition of sustainable development as set out at Paragraph 8 defines sustainable development as having three overarching objectives which are interdependent and need to be pursued in mutually supportive ways; Economic, Social and Environmental. This commitment is implemented through the presumption in favour of sustainable development, set out in Paragraph 11 of the NPPF. For plan making this means that:
(a) plans should positively seek opportunities to meet the development needs of their area, and be sufficiently flexible to adapt to rapid change...

3.17 Para 68 of the NPPF states:

Small and medium sized sites can make an important contribution to meeting the housing requirements of an area and are often built-out relatively quickly. To promote the development of a good mix of sites local planning authorities should:
(a) identify, through the development plan and brownfield registers, land to accommodate at least 10% of their housing requirement on sites no larger than one hectare;...

3.18 Para 69 of the NPPF states:

Neighbourhood planning groups should also consider the opportunities for allocating small and medium-sized sites (of a size consistent with paragraph 68a) suitable for housing in their area.

3.19 Para 136 of the NPPF:

Once established, Green Belt Boundaries should only be altered where exceptional circumstances are fully evidenced and justified, through the preparation and updating of plans.

3.20 Para 137 of the NPPF:

Before concluding that exceptional circumstances exist to justify changes to Green Belt boundaries, the strategic policy-making authority should be able to demonstrate that it has examined fully all other reasonable options for meeting its identified need for development. This will be assessed through the examination of its strategic policies, which will take into account the preceding paragraph, and whether the strategy:

- a) makes as much use as possible of suitable brownfield sites and under utilised land;*
- b) optimises the density of development in line with the policies in chapter 11 of this Framework, including whether policies promote a significant uplift in minimum density standards in town and city centres and other locations well served by public transport; and*
- c) has been informed by discussions with neighbouring authorities about whether they could accommodate some of the identified need for development, as demonstrated through the statement of common ground.*

3.21 Para 138 of the NPPF states:

When drawing up or reviewing Green Belt boundaries, the need to promote sustainable patterns of development should be taken into account. Strategic policymaking authorities should consider the consequences for sustainable development of channelling development towards urban areas inside the Green Belt boundary, towards towns and villages inset within the Green Belt or towards locations beyond the outer Green Belt boundary. Where it has been concluded that it is necessary to release Green Belt land for development, plans should give first consideration to land which has been previously-developed and/or is well-served by public transport...

3.22 Chapter 5 of the Issues and Options Consultation document explains the Council's

approach to the growth of Keynsham. Essentially it focusses on the development of a garden settlement at North Keynsham which is a strategic location identified in the JSP. It is not proposed that Keynsham accommodates any non-strategic growth instead relying on the 700 homes to be delivered in the Somer Valley and Rural Areas and through further development of the Bath Urban area. The draft Plan then sets out three options for the distribution of non-strategic housing growth in the Rural Areas. The Consultation suggests that the main limiting factors in the Council's approach to

identifying suitable locations for non-strategic growth outside of the Green Belt is the availability of primary school places/the capacity for local school to expand. Essentially Options SS1 and SS2 are variations on the same concept distributing development between Timsbury, Midsomer Norton and Radstock (Option1) or including Temple Cloud/Clutton as an additional location in Option 2 and increasing the remaining housing distribution from 50 homes in other non-green belt villages to 100 to allow a slightly broader distribution of housing.

- 3.23 The revised NPPF and the Housing White Paper that preceded it both placed a very strong emphasis on the responsibilities of planning authorities to produce plans for housing that are both sustainable and deliverable. Likewise, both these documents clarified the need for delivery of a range of affordable housing. One of the key elements to this was to identify a variety of sites some of which could be accessed by a variety of developers including self builders.
- 3.24 In terms of the locations set out in Options SS1 and SS2 there are issues to deliverability and sustainability in the identified locations which would mean that the 700 homes target would not be met and would therefore justify a limited release of Green Belt land in a sustainable location. Whilst no actual sites have been identified in Midsomer Norton or Radstock delivery of existing plan commitments in these locations has been historically slow, due to both the issues faced when redeveloping previously developed land where there have been high abnormal costs for remediation and the relatively low land values for these sites meaning that they are hard to deliver without subsidy such as gap funding. Identifying additional brownfield sites would carry the same challenges, whereas if greenfield sites in this location were identified, these would prevent already allocated previously developed land in Midsomer Norton or Radstock coming forwards as the greenfield sites would be developed in preference. Whilst school capacity is likely to be addressed by the proposed new primary school in Silver Street, Midsomer Norton, improvements to the road network, public transport and health care facilities are identified as being necessary which may further impact on the viability of sites if such costs were applied to these developments through CIL or Section 106 agreements.
- 3.25 Likewise Timsbury is a relatively well serviced village and clearly the school has the potential to expand or be redeveloped although this again could result in a significant

cost to developers. However, without detailed transport modelling it would be hard to assess the impact of up to 200 units (in Policy Option SS1) on the Hayeswood Road/ North Road (B3115) through Timsbury which is already on a constrained rural road with little opportunity to improve pinch points on that road.

- 3.26 Clutton and Temple Cloud are located on one of the key bus routes into Bristol and there is capacity and potential for the further expansion of Temple Cloud School, although the Clutton School site is relatively constrained in terms of any potential for further expansion. There is also not the level of other service provision found in other villages particularly Clutton which does not have any form of shop. Critically though any additional housing in these locations is very likely to impact on traffic levels on the A37 and thus would lead to a further reduction in air quality in the designated AQMA. Unless improvements to the AQMA are made then it would be difficult to justify further significant housing in this location.
- 3.27 Furthermore, any shortfall in non-strategic capacity in rural areas could not be accommodated in Bath's urban area (which under draft Policy BTH2 already has to accommodate a further 300 homes through intensification) given its constraints as a World Heritage Site. The level of 300 new homes for Bath is going to be very challenging to achieve especially if employment land is to be protected given the constraints of the World Heritage Site, flooding issues, Green Belt and AONB. It is likely that there will be a significant shortfall in delivery of this target.
- 3.28 In addition the distribution and quanta of non-strategic housing is based on the assumption that the Strategic Sites, such as North Keynsham will deliver at the speed and level assumed in the JSP. All these strategic locations are highly reliant on significant and costly infrastructure interventions, some of which are almost certain to be delayed. It would be prudent to ensure that there is sufficient flexibility in the identification of non-strategic sites to ensure that any short fall or delay in strategic sites coming forward could be met in the short term by non strategic locations. We therefore consider that the potential for Keynsham to accommodate additional housing above level identified in the draft Plan outside of north Keynsham is a missed opportunity to provide more flexibility in the Local Plan.
- 3.29 Whilst we recognise that the NPPF is very clear that exceptional circumstances would

need to be shown to justify the release of green belt land in a Local Plan, and that the West of England JSP only allows for this on strategic sites, some very limited Green Belt release in highly sustainable and deliverable locations should be considered to allow additional flexibility and support delivery and this approach has not been seriously tested in this options exercise. This is largely as a result of Green Belt locations being automatically discounted in the HELAA which makes a systematic comparison of both the deliverability and sustainability of the Green Belt and non-Green Belt sites impossible.

- 3.30 Clearly, there is some doubt as to the deliverability of all 700 units in the Plan period for these reasons. There is also very limited capacity in the neighbouring authorities which is why 700 units were allocated through the West of England Joint Spatial Plan. Given this we consider that there are exceptional circumstances which would justify the very limited release of some non-strategic land in the Green Belt. Whilst we recognise that Policy DM10 *Proposed policy approach options for housing in Green Belt villages* has an option that would increase limited infill in Green Belt villages, this piecemeal development would not bring with it the additional benefits such as a 40% contribution to affordable housing that a more planned approach would bring. We set out below why the site in Keynsham is suitable in terms of sustainability and deliverability.
- 3.31 Current Local Plan allocations for Housing in Keynsham are largely focused on a series of large sites which are currently in development or being built out by volume house builders. The North Keynsham Strategic allocation would provide significant further housing for Keynsham. However, given its size and the associated infrastructure needs, development of this site would most likely have a considerable lead-in time and will be phased over many years. There would also be very limited opportunities for SME developers to access plots on such a large site with high up front costs. In order to maintain a pipeline of delivery in Keynsham, in line with the aspirations of the Housing White Paper outlined above, we consider that the allocation of smaller non-strategic sites, including some Green Belt sites is necessary and should be provided for in the new Local Plan.
- 3.32 Given the above we consider that both Policy KSM1 And KSM2 should seek more flexibility to allow the delivery of the required 700 units, and that new sites should be identified in sustainable locations both within, adjacent to and outside of the Green Belt.

3.33 Our client's site, listed as Site K37, in the current HELAA, is available and deliverable now and would make a modest contribution of circa 20-25 self-build/ custom-build units, to meet housing need and increase the variety of plots available to developers in line with government policy and the White Paper. Whilst currently located in Green Belt, development of the site would represent a logical rounding off of this part of Keynsham, and could also deliver highway safety betterment as part of the access proposals, which are currently under consideration. Furthermore, this is a highly sustainable site due to the existing excellent public transport links including bus links to Bristol and Bath, the walking proximity of the train station and the High Street and the cycle lanes provided at the frontage of the site. The release of this site from Green Belt land / provision for its development should therefore be reflected in the Core Strategy Review, thereby meeting the aim of section 3.6 of the Issues & Options Consultation document which seeks, in establishing the distribution of 'non-strategic growth,' to follow national planning policy on the importance of location to sustainability and the core role of planning to ensure that development is steered towards the 'right places', meeting the spatial priorities identified in section 2 of the Issues & Options Plan.

Representations to the Options Consultation Paper: Draft Policy Options SS1, SS2, KSM1 And KSM 2

- 3.34 **Policy SS1** – Focused approach avoiding Green Belt: **objection** on the basis that Green Belt land will be needed in order for the Council to meet its rural area housing requirement, subject to the 'exceptional circumstances' test being met (NPPF: 136 & 137).
- 3.35 **Policy SS2**: More dispersed approach avoiding the Green Belt: **objection** on the basis that Green Belt land will be needed in order for the Council to meet its rural area housing requirement, subject to the 'exceptional circumstances' test being met (NPPF: 136 & 137).
- 3.36 **Policy KSM1**: The policy should acknowledge that Keynsham can identify additional non-strategic sites for housing including sites that are currently in the Green Belt, subject to the 'exceptional circumstances' test being met (NPPF: 136 & 137).

3.37 **Policy KSM2:** the review of Placemaking Plan Policy should introduce new allocations for further housing sites including some limited Green Belt release such as our client's site HELAA Ref K37 subject to the 'exceptional circumstances' test being met (NPPF: 136 & 137).

4.0 Suitability of Land at Keynsham

- 4.1 The site is available for development and can be quickly brought forward providing additional flexibility in meeting housing need and additional choice in the housing market through self-build / custom build for around 25 units.

Transport & Access

- 4.2 The site has existing access onto Bristol Road and is suitably located for future residents to access local facilities in Keynsham and Bristol by sustainable modes of transport. There is also existing pedestrian access to Broadlands Academy (secondary school), which borders the site.

Utilities and Services

- 4.3 The site is suitable for connection to mains utilities including foul and surface water drainage, gas, electricity and telecoms.

Flood Risk

- 4.4 The Environment Agency Indicative Flood Map indicates that the site lies within Flood Zone 1 and is therefore not affected by any flood risk constraints.

Ecology and Biodiversity

- 4.5 Development could present an opportunity for wildlife enhancement through a comprehensive scheme of landscaping to include native trees and hedgerows, and swales to attenuate surface water runoff.

Landscape

- 4.6 The site is located in the Bath / Bristol Green Belt on the edge of the Housing Development Boundary of Keynsham defined on the Development Plan Policies Map. The site is bounded on all sides by defensible boundaries. As such the site is well-integrated into the urban fabric of Keynsham and its development.

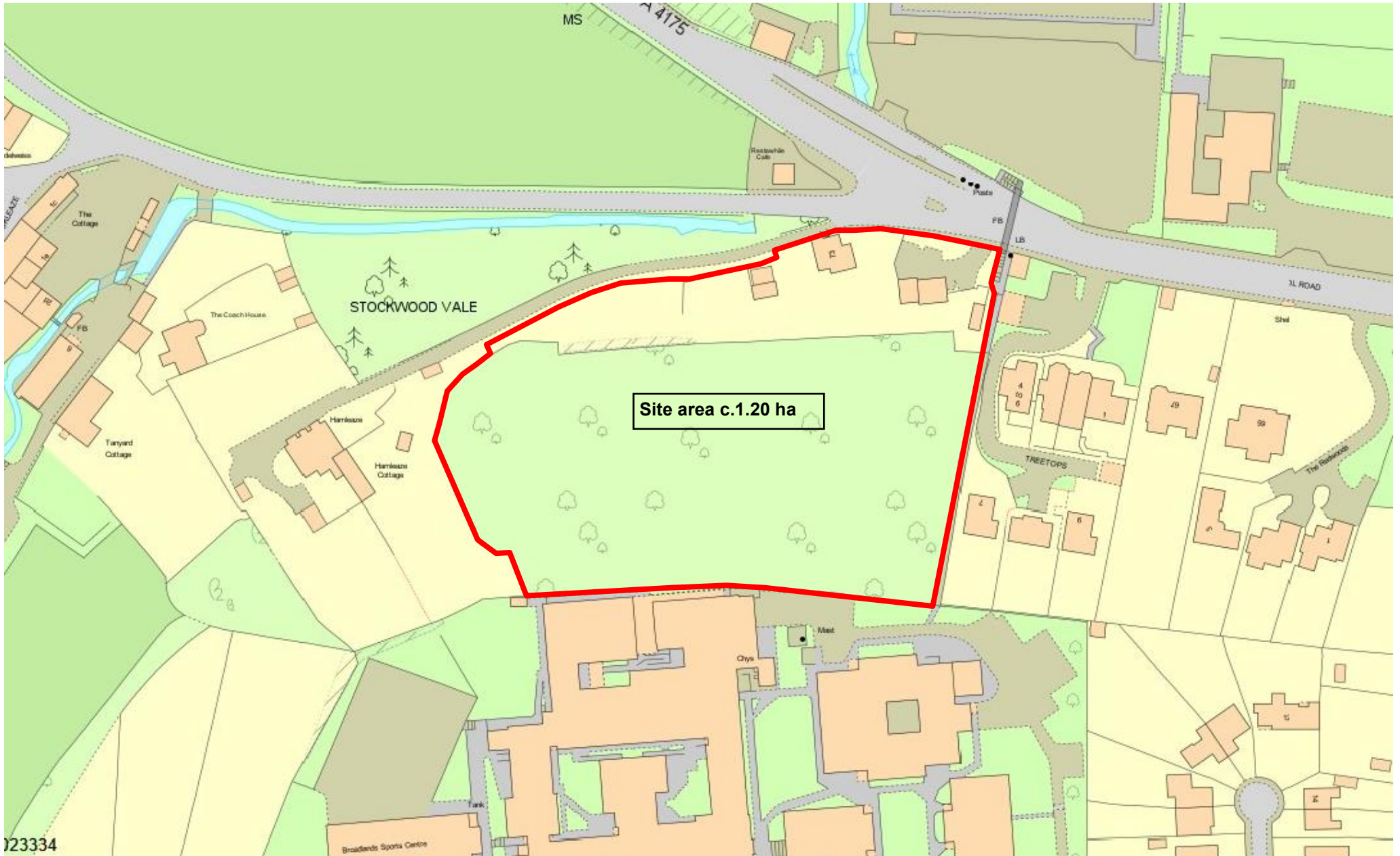
- 4.7 Photograph 2 of Appendix B illustrates the medium range view from the A4175 (Durley Hill). The site is well screened even in winter views with only filtered views of Broadlands Academy on the skyline. In summer views the site is completely screened from this viewpoint. As such, the assessment of the site in the Council's HEELA is not considered to be well founded, as development would be well screened, and would not significantly diminish the openness of this part of the Bath-Bristol Green Belt.
- 4.8 Photograph 4 of Appendix B provides a drone view of the site which also shows the new Treetops residential development to the east of the site. Any development of the site would retain / replace the existing trees on the southern boundary of the site to maintain the existing screen of the existing Broadlands Academy school buildings, which are only visible during winter months.

5.0 Conclusions

- 5.1 The Issues and Options Consultation does not take a sufficiently flexible approach to the allocation of sites for the proposed 700 non-strategic homes that need to be accommodated in the Plan period, relying on locations that in some instances have sustainability constraints and are not readily deliverable. This is particularly true for the 300 homes identified for delivery in Bath. The constraints on the remaining urban areas in Bath and North East Somerset and in neighbouring authorities are such that any shortfall in the 700 homes would be difficult to accommodate in these locations.
- 5.2 We therefore consider that this amounts to exceptional circumstances that would justify the consideration of the release of land in sustainable locations in the Green Belt. Unfortunately, the approach set out in Option SS1 and Option SS2 and KSM 1 and KSM 2 does not seriously consider the sustainability benefits of allowing some limited release of land in the Green Belt adjacent to sustainable key settlements such as Keynsham for delivery early in the plan period.
- 5.3 The site is capable of fulfilling the identified call for small unconstrained small sites that can be delivered quickly in the Plan area to meet local housing needs, increasing choice particularly through self-build / custom build / specialist elderly persons housing and supporting the provision of meeting the sustainability requirements of the NPPF. Furthermore, we consider that by amending draft Policy DM5 to allow the allocation of rural exception site for self-build / custom-build housing this national policy requirement could be met.
- 5.4 In this context we consider that there is a credible planning case to remove the land from the Green Belt and allocate it for the development scenario proposed. This in turn would ensure delivery of housing in Keynsham early in the plan period noting that the delivery of the proposed strategic allocation is highly complex and would not come forward until later in the plan period.

Appendix A: Site Location Plan

Land at 73 Bristol Road, Keynsham BS31 2WD



123334

Appendix B: Site Photographs
Land at 73 Bristol Road, Keynsham BS31 2WD



Photo 1. January 2018 view from Old Bristol Road showing the existing access and screened site frontage and pedestrian access to Broadland Academy (secondary school)

Appendix B: Site Photographs
Land at 73 Bristol Road, Keynsham BS31 2WD



Photo 2. January 2018 medium range view from the A4175 (Durley Hill). The site is well screened even in winter views with only filtered views of Broadlands Academy on the skyline. In summer views the site is completely screened from this viewpoint.

Appendix B: Site Photographs
Land at 73 Bristol Road, Keynsham BS31 2WD



Photo 3. December 2018 drone view showing the extent of the subject site comprising generally open scrub land, which is bounded by defensible boundaries on all sides.

Appendix B: Site Photographs

Land at 73 Bristol Road, Keynsham BS31 2WD



Photo 4. December 2018 drone view of the site which also shows the new Treetops residential development to the east of the site. Any development of the site would retain / replace the existing trees on the southern boundary of the site to maintain the existing screen of the existing Broadlands Academy school buildings, which are only visible during winter months.

Our Ref: DfE/Local Plan/B&NES 2018

07/01/2019

Dear Sir/Madam,

Re: Bath and North East Somerset Local Plan 2016-2036 Options Consultation

Consultation under Regulation 18 of Town and Country Planning (Local Planning) (England) Regulations 2012

Submission of the Department for Education

1. The Department for Education (DfE) welcomes the opportunity to contribute to the development of planning policy at the local level.
2. Under the provisions of the Education Act 2011 and the Academies Act 2010, all new state schools are now academies/free schools and the DfE is the delivery body for many of these, rather than local education authorities. However, local education authorities still retain the statutory responsibility to ensure sufficient school places, including those at sixth form, and have a key role in securing contributions from development to new education infrastructure. In this context, we aim to work closely with local authority education departments and planning authorities to meet the demand for new school places and new schools. We do this through a variety of means, including by supporting the adoption of sound local plan policies, site allocations and guidance (all based on robust evidence) that facilitate the delivery of education infrastructure where and when it is needed and maximise developer contributions for schools. In this capacity, we would like to offer the following comments in response to the proposals outlined in the above consultation document.

General Comments on the Local Plan Approach to New Schools

3. The DfE notes that significant growth in housing stock is expected in the district; the emerging West of England JSP proposes a requirement of 14,500 homes by the end of the plan period in 2036. This will place significant pressure on social infrastructure such as education facilities. The Local Plan will need to be 'positively prepared' to meet the objectively assessed development needs and infrastructure requirements.
4. The DfE welcomes the frequent references within the plan to school capacity and the spatial priority to 'ensure the timely and efficient provision of infrastructure to support growing communities'.
5. We support a focused approach to the distribution of development, as set out in SS1 (Option 1), rather than a more dispersed approach, which the Council recognises in paragraph 3.5 has already led to school capacity issues. Whichever option is taken forward, housing growth must only be directed to

locations where there is enough school capacity and/or scope to expand existing schools or build new ones.

6. In light of the requirement for all Local Plans to be consistent with national policy, you will have no doubt taken account of key national policies relating to the provision of new school places, but it would be helpful if they were explicitly referenced or signposted within the document. In particular:
 - The *National Planning Policy Framework* (NPPF) advises that local planning authorities (LPAs) should take a proactive, positive and collaborative approach to ensuring that a sufficient choice of school places is available to meet the needs of communities and that LPAs should give great weight to the need to create, expand or alter schools to widen choice in education (para 94).
 - The DfE supports the principle of B&NES Council safeguarding land for the provision of new schools to meet government planning policy objectives as set out in paragraph 94 of the NPPF. When new schools are developed, local authorities should also seek to safeguard land for any future expansion of new schools where demand indicates this might be necessary.
 - The Council should also have regard to the Joint Policy Statement from the Secretary of State for Communities and Local Government and the Secretary of State for Education on '*Planning for Schools Development*'¹ (2011) which sets out the Government's commitment to support the development of state-funded schools and their delivery through the planning system.
7. In light of the above and the Duty to Cooperate on strategic priorities such as community infrastructure (NPPF para 24-27)², the DfE encourages close working with local authorities during all stages of planning policy development to help guide the development of new school infrastructure and to meet the predicted demand for primary and secondary school places.
8. In this respect, the DfE commends, for example, the approach taken by the London Borough of Ealing in producing a Planning for Schools Development Plan Document (DPD, 2016)³. We are not suggesting that B&NES Council produce a separate DPD as Ealing have done, but we do believe that the systematic approach they have taken is informative for local plans. The DPD provides policy direction, establishes the Council's approach to providing primary and secondary school places and helps to identify sites which may be suitable for providing them (including, where necessary and justified, on Green Belt), whether by extension to existing schools or on new sites. It includes site allocations as well as policies to safeguard the sites and assist implementation and was adopted in May 2016 as part of the Local Plan. The DPD may provide useful guidance with respect to an evidence based approach to planning for new schools, securing site allocations for schools as well as providing example policies to aid delivery through Development Management policies.
9. Ensuring there is an adequate supply of sites for schools is essential and will ensure that B&NES Council can swiftly and flexibly respond to the existing and

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https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/740441/National_Planning_Policy_Framework_web_accessible_version.pdf

² NPPF paragraph 24-27 specifies that this collaborative working should include infrastructure providers.

³ https://www.ealing.gov.uk/info/201164/local_plans/1961/planning_for_schools_dpd

future need for school places to meet the needs of the district over the plan period.

Site Allocations

10. At this stage of the emerging Local Plan site allocation policies have not yet been drafted in detail, though we understand a number of existing allocations may be rolled forward into the new plan. The next version of the Local Plan should seek to identify specific sites (existing or new) which can deliver the school places needed to support growth, based on the latest evidence of identified need and demand in the Infrastructure Delivery Programme (IDP). The site allocations or associated safeguarding policies should also seek to clarify requirements for the delivery of new schools, including when they should be delivered to support housing growth, the minimum site area required, any preferred site characteristics, and any requirements for safeguarding additional land for future expansion of schools where need and demand indicates this might be necessary. If this level of detail is proposed at masterplanning stage for the Strategic Development Locations (SDLs) at Whitchurch and North Keynsham, the Local Plan policies or supporting text should at least set out the key requirements, such as a level, suitably shaped, accessible and serviced school site, transferred to the Council at the appropriate time.
11. These site specific policy requirements need to be set out clearly, informed by robust evidence of infrastructure need, so that they can be accurately accounted for in the viability assessment of the Local Plan (to ensure that the total cumulative cost of all relevant policies will not undermine deliverability of the plan)⁴, and in the price paid for land by developers and other parties.
12. While it is important to provide clarity and certainty to developers, retaining a degree of flexibility about site specific requirements for schools is also necessary given that the need for school places can vary over time due to the many variables affecting it. The DfE therefore recommend the Council consider highlighting in the next version of the Local Plan that:
 - specific requirements for developer contributions to increasing capacity of existing schools and the provision of new schools for any particular site will be confirmed at application stage to ensure the latest data on identified need informs delivery; and that
 - requirements to deliver schools on some sites could change in future if it were demonstrated and agreed that the site had become surplus to requirements, and is therefore no longer required for school use.
13. The DfE welcomes emerging Policy KSM10 regarding education provision within North Keynsham SDL. We recommend an equivalent policy for the Whitchurch SDL, consistent with the education need outlined in paragraph 6.15.
14. The DfE is advancing the delivery of two new free schools in B&NES, at Norton Hill and East Keynsham. The DfE and its associated delivery partner, LocatED, have both engaged considerably with the Council on these two projects to date and we welcome the opportunity to continue to work with the Council to deliver these projects on programme.

⁴ PPG on Viability: <https://www.gov.uk/guidance/viability#viability-and-plan-making>

Development Management

15. In regard to the emerging policy approach for carbon reduction set out in Policy DM1, the DfE recommends that a BREEAM Excellent requirement on all major non-domestic development should specify 'commercial development' or exclude community facilities such as state-funded schools. The development of state-funded schools should represent good value for money, making efficient and effective use of public funds. To date, the DfE has not seen robust, independent evidence to demonstrate that achieving the BREEAM 'excellent' standard (as opposed to BREEAM 'very good') provides value for money, i.e. that the additional construction and certification costs result in significant additional environmental benefits and/or cost savings over the lifetime of a new school. The DfE delivers schools to a BREEAM 'very good' standard; this should be the expected standard for all schools.

Evidence Base

16. The approach to planning for schools should be 'justified' based on proportionate evidence. The DfE welcomes the level of detail on education needs set out in the draft IDP, and the way this evidence is reflected in the emerging Local Plan. The next version of the Local Plan should be accompanied by an updated IDP which considers the education needs arising from the non-strategic sites taken forward for allocation, as well as the SDLs.
17. The IDP refers to evidence of increasing requirements for special educational needs (SEN) provision. There is no expectation in the IDP or Local Plan that any part of this should be funded by developer contributions, though housing growth will generate pupils requiring a place in special schools and resourced units. We recommend that the Council assess the level of need for SEN provision associated with planned housing, with a view to securing proportionate developer contributions. This could involve matching pupil addresses from the school census to a sample of recent housing developments to identify pupil yields, or applying the district's proportion of pupils attending SEN provision to new housing developments. The Government's proposed removal of Section 106 pooling restrictions should make it easier for the Council to pool relatively small contributions (due to small SEN pupil yields) for the delivery of expansion or adaptation projects required as a result of multiple housing developments. The National School Delivery Cost Benchmarking report provides information on the cost of delivering special school places.⁵

Developer Contributions and CIL

18. One of the tests of soundness is that a Local Plan is 'effective' i.e. the plan should be deliverable over its period. In this context and with specific regard to planning for schools, there is a need to ensure that education contributions made by developers are sufficient to deliver the additional school places required to meet the increase in demand generated by new developments. The DfE note that B&NES Council has introduced the Community Infrastructure Levy (CIL) and produced a Planning Obligations SPD. The Council does not appear to be reviewing the CIL charging schedule alongside the preparation of the Local Plan. We recommend that this is explained in the next version of the Local Plan or supporting evidence, to demonstrate that developer contributions are set at an appropriate level and the impact of any infrastructure funding gap to 2036 is understood.

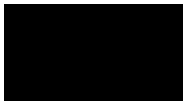
⁵ [National School Delivery Cost Benchmarking: Primary, Secondary & SEN Schools, February 2018.](#)

19. The Council should set out education infrastructure requirements for the plan period within an Infrastructure Funding Statement⁶. Where additional need for school places will be generated by housing growth, the statement should identify the anticipated CIL and section 106 funding towards this infrastructure. The statement should be reviewed annually to report on the amount of funding received via developer contributions and how it has been used, providing transparency to all stakeholders.
20. The DfE would be particularly interested in responding to any update to the IDP or review of infrastructure requirements, which will inform any CIL review and/or amendments to the Regulation 123 list. As such, please add the DfE to the database for future CIL consultations.

Conclusion

21. Finally, I hope the above comments are helpful in shaping the B&NES Local Plan, with specific regard to the provision of land for schools. Please advise the DfE of any proposed changes to the emerging Local Plan policies, supporting text, site allocations and/or evidence base arising from these comments.
22. Please do not hesitate to contact me if you have any queries regarding this response. The DfE looks forward to continuing to work with B&NES Council to aid in the preparation of a sound Local Plan.

Yours faithfully,



Liz Pickering MRTPI
Forward Planning Manager

Tel: 07990 082876

Email: liz.pickering@education.gov.uk

Web: www.gov.uk/dfe

⁶ PPG on Plan-Making: <https://www.gov.uk/guidance/plan-making#maintaining-effective-cooperation>

November 2018

Planning Policy, B&NES,
Lewis House, Manvers Street,
BATH BA1 1JG

Dear Sir,

LINK <http://www.bathnes.gov.uk/services/planning-and-building-control/planning-policy/local-plan-2016-2036>

Dear Sir,

The Plan is unsound as paragraph 14 in the NPPF clearly states that housing targets should not override constraints within the area. The constraints at Whitchurch Village are the Green Belt and Flooding. The Whitchurch Village Neighbourhood Plan has recently been adopted by B&NES and residents (98%) voted both for the retention of the Green Belt and for the Plan itself with an amazing 48% approx. voting turnout. Also the Green Belt should not be revisited for alteration within the current Core Strategy documents.

Whitchurch Village is being told to take 1.500-2.500 houses taking in hundreds of acres of Green Belt land at present mostly used for agriculture. This is not a sustainable area for such massive development due to –

Very little employment,
No Shops
No senior school and primary already oversubscribed
No doctor surgery
Poor road network already congested and no easy access to motorways

The new suggested Link Road from Whitchurch Village to Hicksgate/Brislington Road, will not alleviate/improve the congested roads in the area as publicly conceded by Highways Officers. In fact it will make the situation worse especially for our neighbouring village of Pensford where the A37 is regularly closed due to lorries being unable to pass each other through the village.

Other sites are more sustainable and can offer all of the above infrastructure such as Hicksgate/Brislington Road, Long Ashton and of course Bath. All of these can offer proximity to rail links to Bath & Bristol, Metro Bus, Ring roads for good access to Motorways, employment, schools, shops etc.

- I value the Green Belt and the farming on it, I do not wish to see any further development here.
- I reluctantly agree to a smaller figure of housing to 600 even though our village has contributed some 250 houses recently
- I agree to the development of 1500/2500 houses.

Yours sincerely,

Print Name and Address

Paul Rixon

From: Faye Dicker [REDACTED]
Sent: 06 January 2019 15:13
To: Local Plan
Subject: South Bristol Ring Road Proposals

Categories: Green Category

I STRONGLY OBJECT TO THE PLANS. Please register my objections.

I write to you as a resident who lives within BANES and will be affected by the BANES/Bristol City Council decisions..

I understand that BANES have proposed a new link road that will link up with the Bath Road with an existing residential road in Whitchurch, to form part of the Orbital highway. The proposed road ends on the boundary between the two councils at Ridgeway Lane and Whitchurch Lane.

If this goes ahead, the increased traffic will spew into Whitchurch Lane.

Whitchurch Lane has a primary school right next to it, the pollution will be horrendous! It has a 20 mile an hour speed restriction, a 7.5 ton weight restriction and traffic calming measures (speed humps). The road is not suitable to receive all this additional traffic from the new road that BANES would like to install. The reasons that all, of the above mentioned, where put in has NOT gone away, therefore are still very much needed. Whitchurch Lane is a residential area with houses on both sides.

In addition, BANES want to build 2500 houses in Whitchurch village. There appears to be plans for houses without any consideration to the impact on the existing infrastructure or facilities of the area, in which I live.

- There is very little employment, people will have to travel out of the area for work, that means using cars as the public transport is limited.
- There are NO shops in the village. Again more car use.
- There is no senior school within walking distance
- No additional doctors surgeries planned. BANES residents are already using Stockwood and Whitchurch Health Centres. These GP's are not coping with the patients that they have already, getting an appointment is already quite difficult!
- The area suggested for housing (and the road that leads to a residential area, is prone to flooding and has an abundance of wildlife on it.

I accept that Bristol needs a true ring road to take it to 2036 and indeed beyond. BUT that road has to be fit for purpose. I accept that people need homes to live in. BUT those homes need to be built primarily on brown field sites and have the roads, jobs, and support systems for the areas to flourish.

The new road and houses, as proposed, will NOT be of benefit to the majority residents in the area and will have a considerable negative impact on them, in very many ways.

Please keep me updated with situation.

Faye



www.fayedicker.com

www.freelancemum.co.uk

HELAA: Call for Sites 2018

GUIDANCE ON COMPLETING THIS FORM

Sites can be submitted for the HELAA between 12th November 2018 and 7th January 2019. Please return this form, a plan that clearly and accurately identifies the site boundary and any other attachments to: **planning_policy@bathnes.gov.uk** or Planning Policy, Planning Services, Bath & North East Somerset Council, Lewis House, Manvers Street, Bath, BA1 1JG (email preferred) by 7th January 2019.

- MS Word Users: Please enter text or tick boxes where requested, and please chose Yes / No / Unknown from the available drop-down menu.
- Apple Pages Users: Please enter text where requested, delete where applicable and if you cannot tick the appropriate boxes please indicate your choice with text beside the relevant box.

Data Protection Statement: This information is collected by Bath and North East Somerset Council as data controller in accordance with the data protection principles in the General Data Protection Regulations. 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 will 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.

1. PREVIOUS SUBMISSIONS
a. Has this site previously been submitted? No
b. Previous reference number (if known): Please enter text here.
c. If the site has already been submitted, how does the information provided in this form change the information you have previously provided to us? Please enter text here.

***Please choose/delete where applicable**

2. YOUR DETAILS		
a. Name:	Mr Joshua Ditte	
b. Company/organisation:	NHS	
c. Address:	[REDACTED] Bath	
d. Postcode:	[REDACTED]	
e. Telephone:	[REDACTED]	
f. Email:	[REDACTED]	
g. Status (please mark all that apply):		
i. Owner (all/part of site)	<input checked="" type="checkbox"/>	<i>If acting on behalf of landowner/ developer, please provide client name and address details (including postcode):</i> Please enter text here.
ii. Land agent	<input type="checkbox"/>	
iii. Planning consultant	<input type="checkbox"/>	
iv. Developer	<input type="checkbox"/>	
v. Amenity/community group	<input type="checkbox"/>	
vi. Registered housing provider	<input type="checkbox"/>	
vii. Other: Please enter text here.		
h. Ownership details (please mark where applicable):		
i. Owner of entire site	<input checked="" type="checkbox"/>	iii. No ownership of site <input type="checkbox"/>
ii. Owner of part of site	<input type="checkbox"/>	
i. If owner/part owner, have you attached a title plan and deeds with this form?		Yes/No*
j. If you are not the owner of the entire site, please provide details of the (other) owner(s), if known		
Only owner of the property 31 shaws way, I am making a suggestion for the whole of twertons BISF properties to be redeveloped to new properties to meet energy and sustainability targets		
k. Does the owner (or other owner(s)) support your proposals for the site?		Yes/No*

*Please choose/delete where applicable

3. SITE DETAILS	
a. Site Address:	Twerton Bath
b. Postcode (where applicable):	BA2 1QQ
c. Current Land Use	All houses residential / student accomodation
d. Adjacent Land Use(s)	Please enter text here.
e. Relevant Planning History (including reference numbers, if known)	Please enter text here.
f. Please confirm that you have provided a site plan:	Yes/No*

4. POTENTIAL USES & CAPACITY		
Suggested uses (please tick all that apply and where mixed use indicate % of overall site for each use)		
USE	SELECT	Capacity (number of units) and indication of possible residential tenures, types and housing for different groups
Residential dwellings (C3)	Yes	Please enter text here.
Residential – self-build dwellings only	No	Please enter text here.
Other residential, e.g. student accommodation, residential care homes etc (specify)	Yes	Please enter text here.
Office, research & development, light industrial (B1)	No	Please enter text here.
General industrial (B2) / warehousing (B8)	No	Please enter text here.
Sports / leisure (please specify)	No	Please enter text here.
Retail	No	Please enter text here..

***Please choose/delete where applicable**

5. SITE SUITABILITY

Question	Answer	Further details including details of further studies undertaken / mitigation proposed
Does the site have any physical constraints (e.g. topography, access, severe slope, vegetation cover etc.)?	No	Please enter text here.
Is the site subject to flooding?	No	Please enter text here.
Is the site affected by 'bad neighbour' uses (e.g. power lines, railway lines, major highways, heavy industry)?	No	Please enter text here.
Is there a possibility that the site is contaminated?	No	Please enter text here.
Can satisfactory vehicular access to the site be achieved?	Yes	Please enter text here.
Has the Highways Agency been consulted?	No	Please enter text here.
Is the site subject to any other key constraints?	No	Please enter text here.

a. UTILITIES / INFRASTRUCTURE PROVISION

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

i. Mains water supply <input checked="" type="checkbox"/>	ii. Mains sewerage <input checked="" type="checkbox"/>
iii. Electrical supply <input checked="" type="checkbox"/>	iv. Gas supply <input checked="" type="checkbox"/>
v. Landline telephone <input checked="" type="checkbox"/>	vi. Broadband internet <input checked="" type="checkbox"/>
vii. Other (please specify): Please enter text here.	viii. Please provide any other relevant information relating to site suitability: Please enter text here.

***Please choose/delete where applicable**

6. SITE AVAILABILITY

Question	Answer	Further details including details of further studies undertaken / mitigation proposed
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/ Unknown*	Private ownership and council owned homes
Must land off-site be acquired to develop the site?	Unknown	Please enter text here.
Are there any current uses which need to be relocated?	Yes	Current residents
Is the site owned by a developer or is the owner willing to sell?	Unknown	Please enter text here.

a. When do you estimate the first housing completion could realistically occur (if applicable)?

i. Within the next 5 years

ii. 6 to 10 years

iii. 11 to 20 years

b. What do you estimate the rate of delivery to be?

NB Year 1 is the first year of delivery:

Year	1	2	3	4	5	6	7	8	9	10	11-20
Number of units completed in year	Enter Units	Enter Units	Enter Units	Enter Units	Enter Units	Enter Units	Enter Units	Enter Units	Enter Units	Enter Units	Enter Units

c. Do you have any information to support when the site will come forward and its phasing? Please consider suitability, achievability and constraints.

unknown

***Please choose/delete where applicable**

7. SITE ACHIEVABILITY

Question	Answer	Comments / Further Details
Are there any known significant abnormal development costs (e.g. contamination remediation, demolition, access etc.)? If yes, please specify.	No	Please enter text here.
Does the site require significant new infrastructure investment to be suitable for development? If yes, please specify.	Yes	Demolishing of BISF homes to replace with new builds
Are there any issues that may influence the economic viability, delivery rates or timing of the development? If yes, please specify.	Yes	Please enter text here.
Has a viability assessment / financial appraisal of the scheme been undertaken?	No	Please enter text here.
Have any design work studies been undertaken?	No	Please enter text here.

8. ADDITIONAL COMMENTS

This is a suggestion to the council, I'm not taking responsibility for the plans or suggestion I'm putting it forward as part of a redevelopment suggestion for bath as part of their sustainability plan. The BISF houses of twerton were only built post war (1950/1960) as emergency accommodation and eventually were mostly sold to private buyers like myself. The houses have reached their life expectancy and exceeded it and most have very poor insulation with steel frames and cost a lot to heat, have terrible sound issues with no insulation with a large potential for steel rot on the frame. I feel if we focussed on this area to redevelop creating new homes which would contribute to sustainability plans and energy compliances for the area. It would reduce bills, create new homes and utilise a lot of area that's currently not in use like Camley Green, every semi detached property could be split into two terraces. We need to improve parking and I believe a complete redevelopment of the area could improve parking/driveways, improve sustainability and improve bath as a whole. It's time for these temporary prefabricated homes to be removed and replaced with brick. Please take my suggestion seriously and really look into the potential benefits of doing this instead of redeveloping existing brick homes. It would cost less (as the homes are prefabricated), and be a lot faster.

***Please choose/delete where applicable**





Planning Services

Bath & North East Somerset Council

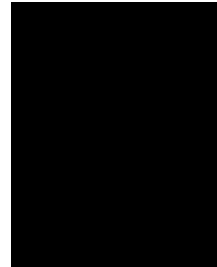
Lewis House Manvers Street

Bath

Somerset

BA1 1JG

Nel Doble



31st December 2018

Ref: Bath & North East Somerset Council Local Plan 2016-2036

Following on from your recent 'consultation' meeting at Whitchurch Community Centre on the 19th November, I am writing to register my concerns and strong disapproval of the planned developments south of Whitchurch, the South Orbital Highway Link and the proposed Park and Ride on the A37 as outlined in your Local Plan 2016-2036.

I believe that this proposal will have a serious and long-lasting negative effect on the Green Belt south of Bristol and will lead to Urban Sprawl. This is clearly indicated in your own document entitled "Local Plan: Part 1 Green Belt Assessment: Whitchurch Strategic Development Location".

The Local Plan will have a devastating impact on cells 52D, E, F & G as shown in the Green Belt Assessment. Each of which makes a major contribution to checking the sprawl of Bristol.

Furthermore, the housing development will mean the Village of Whitchurch will become sandwiched between the City of Bristol and the New Garden Community and will, over time, lose all identity.

It's clear to all that 2,500 homes will bring with it well over 9,000 new residents and a large increase in the number of cars and commercial vehicles, all adding to already high air pollution figures and an unwelcome increase in traffic.

Local services are already at a stretch in the area and recent developments on the old Horse World site and the construction of White Church Court near Queen Charlton have added to this. Further development, without adding additional facilities such as Doctors, Dentists and local shops will push the existing amenities to breaking point and have a major impact on those already living in the area.

In addition to the above, the land under consideration is home to a diverse range of wildlife whose habitats are forever under threat and whose disappearance could have a long term and devastating impact on the local ecology and eco systems.

In relation to the proposed South Orbital Highway Link - South East Bristol and Whitchurch Transport Package – Options Assessment report dated October 2018 , I can only conclude that the planners are not familiar with the local area and have no understanding of the issues already faced by local residents and road users. At present the capacity of Whitchurch lane appears to be a pinch point. It is currently traffic calmed however the report doesn't appear to address this which is critical to the design and not something that should be left to detailed design. It is clearly stated in the above report that this part of the route is sub-standard. It states that “although some of the network will see improvement both options linking up with Whitchurch lane provide an increase in congestion and significant increase in congestion for the Half Acre Lane route & Washing Pound Lane option” respectively (6.3.3.1 Modelled impacts).

Adding even more traffic to any already busy Whitchurch Lane, makes absolutely no sense and only goes to prove how out of touch the planners truly are. In fact, the councils own “South East Bristol and Whitchurch Transport Package Options Assessment Report” states that travel times heading west along Whitchurch Lane will increase.

I am also extremely concerned about the increase in noise and air pollution along the suggested route and fear for the health and safety of the 630 pupils of Bridge Farm Primary School whose life will undoubtedly be disrupted by this road development.

At present, the adjacent roads have a 20mph restriction in place and traffic calming measures to ensure the safety of the children, staff and parents. The roads are also used before and after school for dropping off and picking up pupils as well as on weekends for those using the school's facilities for sports and recreational activities.

In fact, a recent survey carried out by “20mph Bristol” in conjunction with Bristol City Council has shown that the vast majority of those asked think all schools should be protected by 20mph speed limits. Increasing the speed limit to even 30pmh as suggested, introducing more and varied traffic and restricting the amount of on-street parking in this area will have a major impact on road safety and the lives of the school's pupils.

The school has two busy road crossing points on Whitchurch Lane as well as an entrance on Half Acre Lane. Traffic in the area is already at a standstill at the start and end of the school day as these crossings are in constant use.

Funnelling more traffic along this route, especially in the rush hour periods, will only add to the situation and turn adjacent roads into “Rat Runs” as frustrated car, van and lorry drivers try to find alternate routes around the hold ups.

There are nine side roads that intersect with Whitchurch Lane along the residential section between Washing Pound Lane and The Community College. Getting in and out of many of these intersections (for example Fortfield Road, East Dundry Road and Bamfield) can be extremely difficult at busy times, causing long traffic queues to build up.

The proposed increase in traffic volumes will only add to this and it's therefore inevitable that restrictions will be put in place to stop right turns across the flow of traffic. This in itself will only add

to an increase in the amount of traffic entering the residential side streets and put the health and safety of local residents at risk.

Encouraging large Heavy Good Vehicles, which weigh in excess of 40 tons, to use this route is an insanity and the existing roads, which have limited room for expansion, just won't be able to cope. The impact on local residents will be insufferable and the additional noise and air pollution will degrade the quality of life as well as the physical and mental wellbeing of a great many in this community. All of the above points demonstrate that Whitchurch Lane is unsuitable to provide the last section of the orbital link and that alternative options should be employed. Surely it should be questioned whether a full orbital link is required at the cost of the local residents.

Turning to the proposed new Park and Ride on the A37. I am unclear who this is meant to serve, and no full explanation could be given to me at the consultation.

The "South East Bristol and Whitchurch Transport Package Options Assessment Report" concludes that it will not improve journey times into the centre of Bristol by any significant amount. However, it will encourage more traffic from the Wells, Radstock, Midsomer Norton and Shepton Mallet areas to use the A37 and add to the issues already experienced by the residents of the smaller villages along the A37 such as Pensford and Temple Cloud where the width of the roads already cause traffic to build up at busy times.

The OAR also states that the Park and Ride would not be profitable for some time and would require subsidy. It also goes on to say that it's unlikely that a bus operator would take on the required number of buses per hour and users would have to rely on the existing 376 from Wells which runs every 30mins plus two other buses per hour if the local bus operator chooses to extend its services.

Given the above, plus the fact that no additional Bus Lanes will be provided along the A37, I must question if this is truly 'Value for Money' and if local tax payers should be asked to foot the bill!

In conclusion, I feel that within these proposals there is no indication of how the scheme will actually improve the day to day lives of those already living in the area. It does however go to show how the proposals will have a major negative impact on the green belt, the existing local residents, wildlife (and habitat), ecology, eco system, local services, traffic volumes and pollution.

As an aside, I would like to state that the way B&NES Council have gone about this consultation is a dreadful. I can't understand why given that they, along with Bristol City Council, have access to the names and addresses of all residents in the area, have not undertaken a direct mail campaign to make people aware of the proposals.

The lack of information and the way it's been disseminated is underhand and suggests that B&NES Council want to keep this process as quiet as possible. The only way most residents have found out about the proposal and consultation meetings is through Social Media, something that many elderly residents do not have access to.

I sincerely hope that the views of Local Residents along with our MPs, Local Government & Parish Councillors and recently formed Pressure Groups who have already expressed their objections to this proposal are truly listened to and acted upon.

Kind Regards



Neil Doble

Planning Services

Bath & North East Somerset Council

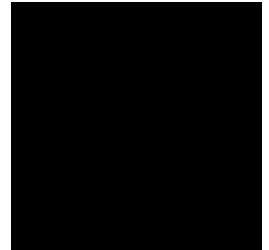
Lewis House Manvers Street

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Kind Regards



Neil Doble

[REDACTED]

From: Jim Docherty [REDACTED]
Sent: 17 December 2018 16:21
To: Local Plan
Subject: Draft Local Plan consultation

Categories: Green Category

I am writing to add my support for the four policy proposals submitted by John Branston on 14th December 2018, namely:

1. DM17 / H2

Suggested policy: Any application for an increase in the number of licensed occupants for any HMO within the HMO SPD Stage 1 test 'density map' ('red zone') will be refused.

2. BTH4

Suggested policy: Any application for purpose-built student accommodation (PBSA) within the HMO SPD Stage 1 test 'density map' ('red zone') will be refused.

3. DM15

Suggested policy:

- a. Purpose-built student accommodation is no longer to be exempt from parking standards. The line '*In the case of student accommodation, zero parking provision will be made in all locations, exclusive of any visitor and operational requirements*' is to be removed from the B&NES parking standards guidance;
- b. Parking standards for PBSA, exclusive of visitor and operational requirements, should be set at around 0.25 spaces per resident, to reflect a realistic level of car usage among students, except where PBSA is sited directly on a University campus.

4. BTH2 / DM11

A site-specific development policy for Wansdyke Business Centre is proposed for inclusion within the Local Plan as follows:

- a. Residential development, development as economic/commercial space, or a mixture of these uses. Residential development could include a variety of specialist older persons housing types but not student accommodation where this would prejudice the achievement of Policy DW1 and B1 in respect of boosting the supply of standard market and affordable housing;
- b. Development should seek to repurpose the older, red-brick buildings on the west of the site and should be sympathetic to the Victorian/Edwardian context of terraced housing on Monksdale Road / Beckhampton Road, Third Avenue and Melcombe Road.
- c. Development should be conscious of its appearance from higher ground across the city and from the immediately adjacent Linear Park;
- d. Development should respect the character (material) and roof heights in the area in accordance with the Building Heights strategy, with local terraced housing providing the reference 'prevailing' ridge and shoulder heights;
- e. Where the site faces Third Avenue, the opportunity should be used to form a focus to the view southwards along Third Avenue, in the same way that the 'Scala' completes the vista at the northern end of Third Avenue and the Church of Our Lady & St Alphege is framed when looking southwards along Second Avenue;
- f. Designs brought forward for the site must recognise the importance of the setting of Grade II* listed St Alphege & Our Lady church;
- g. Development should respect the amenity of the adjacent primary school sports facility in terms of preserving afternoon daylight / avoiding shadow, while ensuring safeguarding of the children is enhanced by any proposed scheme;
- h. The design response must recognise the importance of the Linear Park as a connective habitat, particularly as dark corridor for bats, and as a protected sustainable transport route.

James Docherty
[REDACTED]



27th December 2018

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

Ref: Bath & North East Somerset Council Local Plan 2016-2036

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The Local Plan will have a devastating impact on cells 52D, E, F & G as shown in the Green Belt Assessment. Each of which makes a major contribution to checking the sprawl of Bristol.

It is clear, to all, that the proposal to build a further 2500 houses on the outskirts of Whitchurch is not sustainable. With no available amenities or job opportunities in the area it can only be described as an urban sprawl.

In relation to the proposed South Orbital Highway Link, I can only conclude that the planners are not familiar with the local area and have no understanding of the issues already faced by local residents and road users. This is in itself a foolhardy attempt to divert the traffic problems that already exist to another overly congested road namely Whitchurch Lane.

As a resident of Church Lane my primary concerns are centred around the proposed road route adjoining Church Lane/ Half Acre Lane and Whitchurch Lane.

I cannot see this as being sustainable or indeed achievable because having given this route some considerable consideration I cannot see how the minor road could

be widened either on Church Lane or on Half Acre Lane to accommodate the level of transport that the plan describes.

Adding even more traffic to any already busy Whitchurch Lane, makes absolutely no sense and only goes to prove how out of touch the planners truly are. In fact, the councils own "South East Bristol and Whitchurch Transport Package Options Assessment Report" states that travel times heading west along Whitchurch Lane will increase. (much has changed since the survey completed in 2011 was used in this plan)

I am also extremely concerned about the increase in noise and air pollution along the suggested route and fear for the health and safety of the 630 pupils of Bridge Farm Primary School whose life will undoubtedly be disrupted by this road development.

At present, the adjacent roads have a 20mph restriction in place and traffic calming measures to ensure the safety of the children, staff and parents. The roads are also used before and after school for dropping off and picking up pupils as well as on weekends for those using the school's facilities for sports and recreational activities.

In fact, a recent survey carried out by "20mph Bristol" in conjunction with Bristol City Council has shown that the vast majority of those asked think all schools should be protected by 20mph speed limits. Increasing the speed limit to even 30pmh as suggested, introducing more and varied traffic and restricting the amount of on-street parking in this area will have a major impact on road safety and the lives of the school's pupils.

The school has two busy road crossing points on Whitchurch Lane as well as an entrance on Half Acre Lane. Traffic in the area is already at a stand still at the start and end of the school day as these crossings are in constant use.

Funnelling more traffic along this route, especially in the rush hour periods, will only add to the situation and turn adjacent roads into "Rat Runs" as frustrated car, van and lorry drivers try to find alternate routes around the hold ups.

There are nine side roads that intersect with Whitchurch Lane along the residential section between Washing Pound Lane and The Community College. Getting in and out of many of these intersections (for example Fortfield Road, East Dundry Road and Bamfield) can be extremely difficult at busy times, causing long traffic queues to build up.

The proposed increase in traffic volumes will only add to this and it's therefore inevitable that restrictions will be put in place to stop right turns across the flow of traffic. This in itself will only add to an increase in the amount of traffic entering the residential side streets and put the health and safety of local residents at risk.

Finally, I must say that encouraging large Heavy Good Vehicles, which weigh in excess of 40 tons, to use this route is an insanity and the existing roads, which have limited room for expansion, just won't be able to cope. The impact on local residents will be insufferable and the additional noise and air pollution will degrade the quality

of life as well as the physical and mental wellbeing of a great many in this community.

The proposed new Park and Ride on the A37. I am unclear who this is meant to serve and no full explanation could be given to me at the consultation.

The “South East Bristol and Whitchurch Transport Package Options Assessment Report” concludes that it will not improve journey times into the centre of Bristol by any significant amount. However, it will encourage more traffic from the Wells, Radstock, Midsomer Norton and Shepton Mallet areas to use the A37 and add to the issues already experienced by the residents of the smaller villages along the A37 such as Pensford and Temple Cloud where the width of the roads already cause traffic to build up at busy times.

The OAR also states that the Park and Ride would not be profitable for some time and would require subsidy. It also goes on to say that it’s unlikely that a bus operator would take on the required number of buses per hour and users would have to rely on the existing 376 from Wells which runs every 30mins plus two other buses per hour if the local bus operator chooses to extend its services.

Given the above, plus the fact that no additional Bus Lanes will be provided along the A37, I must question if this is truly ‘Value for Money’ and if local tax payers should be asked to foot the bill!

In conclusion, I feel that within these proposals there is no indication of how the scheme will actually improve the day to day lives of those already living in the area. It does however go to show how the proposals will have a major negative impact on the green belt, the existing local residents, wildlife (and habitat), ecology, eco system, local services, traffic volumes and pollution.

Beyond this is the emotional wellbeing element, the homes that are immediately affected by these proposals have been on the “edge” of Bristol since they were built. We live here not because it’s convenient to get to the city centre but because we want a quality of life that this area has offered for many generations.

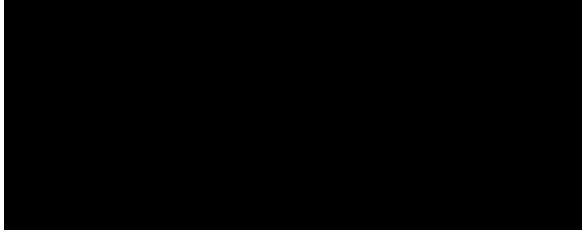
We are very lucky to have such a beautiful piece of unspoilt countryside on our doorstep and it should be protected at all cost, there are businesses, families, animals that will be destroyed as a result of this unworkable unsustainable proposal.

Therefore I want to state that I strongly object to these proposals and suggest more be done to improve public services, transport links, park and rides and school places near children’s homes.

I sincerely hope that the views of Local Residents along with our MPs, Local Government & Parish Councillors and recently formed Pressure Groups who have already expressed their objections to this proposal are truly listened to and acted upon.

Yours Sincerely,

Celia Dolan





27th December 2018

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

Ref: Bath & North East Somerset Council Local Plan 2016-2036

Following on from your recent 'consultation' meeting at Whitchurch Community Centre and St Augustine Church, I am writing to register my concerns and strong disapproval of the planned developments south of Whitchurch, the South Orbital Highway Link and the proposed Park and Ride on the A37 as outlined in your Local Plan 2016-2036.

I believe that this proposal will have a serious and long-lasting negative effect on the Green Belt south of Bristol and will lead to Urban Sprawl. This is clearly indicated in your own document entitled "Local Plan: Part 1 Green Belt Assessment: Whitchurch Strategic Development Location".

The Local Plan will have a devastating impact on cells 52D, E, F & G as shown in the Green Belt Assessment. Each of which makes a major contribution to checking the sprawl of Bristol.

It is clear, to all, that the proposal to build a further 2500 houses on the outskirts of Whitchurch is not sustainable. With no available amenities or job opportunities in the area it can only be described as an urban sprawl.

In relation to the proposed South Orbital Highway Link, I can only conclude that the planners are not familiar with the local area and have no understanding of the issues already faced by local residents and road users. This is in itself a foolhardy attempt to divert the traffic problems that already exist to another overly congested road namely Whitchurch Lane.

As a resident of Church Lane my primary concerns are centred around the proposed road route adjoining Church Lane/ Half Acre Lane and Whitchurch Lane.

There is a 20MPH speed limit on these roads which is necessary for the safety of the children access Bridge Farm Primary school, with a recently opened school entry point on Half Acre Lane.

Adding even more traffic to any already busy Whitchurch Lane, makes absolutely no sense and only goes to prove how out of touch the planners truly are. In fact, the councils own "South East Bristol and Whitchurch Transport Package Options Assessment Report" states that travel times heading west along Whitchurch Lane will increase.

I am also extremely concerned about the increase in noise and air pollution along the suggested route and fear for the health and safety of the 630 pupils of Bridge Farm Primary School whose life will undoubtedly be disrupted by this road development.

At present, the adjacent roads have a 20mph restriction in place and traffic calming measures to ensure the safety of the children, staff and parents. The roads are also used before and after school for dropping off and picking up pupils as well as on weekends for those using the school's facilities for sports and recreational activities.

In fact, a recent survey carried out by "20mph Bristol" in conjunction with Bristol City Council has shown that the vast majority of those asked think all schools should be protected by 20mph speed limits. Increasing the speed limit to even 30pmh as suggested, introducing more and varied traffic and restricting the amount of on-street parking in this area will have a major impact on road safety and the lives of the school's pupils.

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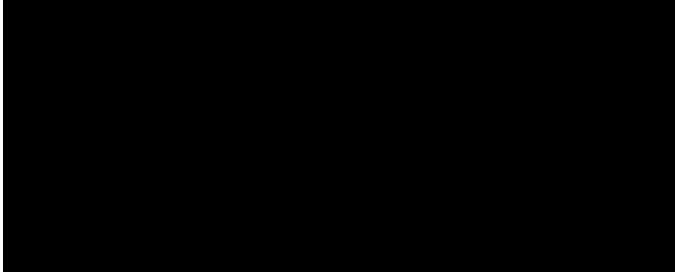
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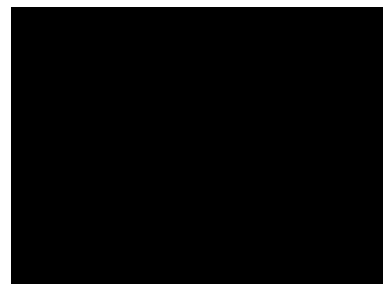
Therefore I want to state that I strongly object to these proposals and suggest more be done to improve public services, transport links, park and rides and school places near children’s homes.

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As a resident of Church Lane my primary concerns are centred around the proposed road route adjoining Church Lane/ Half Acre Lane and Whitchurch Lane.

I cannot see this as being sustainable or indeed achievable because having given this route some considerable consideration I cannot see how the minor road could

be widened either on Church Lane or on Half Acre Lane to accommodate the level of transport that the plan describes.

Adding even more traffic to any already busy Whitchurch Lane, makes absolutely no sense and only goes to prove how out of touch the planners truly are. In fact, the councils own "South East Bristol and Whitchurch Transport Package Options Assessment Report" states that travel times heading west along Whitchurch Lane will increase. (much has changed since the survey completed in 2011 was used in this plan)

I am also extremely concerned about the increase in noise and air pollution along the suggested route and fear for the health and safety of the 630 pupils of Bridge Farm Primary School whose life will undoubtedly be disrupted by this road development.

At present, the adjacent roads have a 20mph restriction in place and traffic calming measures to ensure the safety of the children, staff and parents. The roads are also used before and after school for dropping off and picking up pupils as well as on weekends for those using the school's facilities for sports and recreational activities.

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Given the above, plus the fact that no additional Bus Lanes will be provided along the A37, I must question if this is truly ‘Value for Money’ and if local tax payers should be asked to foot the bill!

In conclusion, I feel that within these proposals there is no indication of how the scheme will actually improve the day to day lives of those already living in the area. It does however go to show how the proposals will have a major negative impact on the green belt, the existing local residents, wildlife (and habitat), ecology, eco system, local services, traffic volumes and pollution.

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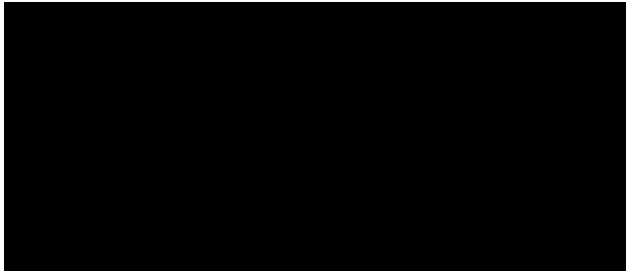
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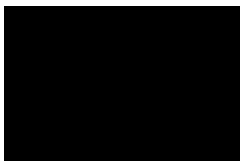
I sincerely hope that the views of Local Residents along with our MPs, Local Government & Parish Councillors and recently formed Pressure Groups who have already expressed their objections to this proposal are truly listened to and acted upon.

Yours Sincerely,

Celia Dolan



Jane Drew



Planning Policy
B&NES, Lewis House,
Manvers Street,
BATH BA1 1JG

December 2018

Reference: Bath and North East Somerset Council Local Plan 2016-2036 /
www.bathnes.gov.uk/services/planning-and-building-control/planning-policy/local-plan-2016-2036

Dear Sir / Madam

Following on from your recent consultation meetings at Whitchurch Community Centre and St Augustines Church, I am writing to register my concerns and disapproval of the planned developments, with particular reference to the South Orbital Highway link and the proposed site of any link road with Whitchurch Lane.

I believe that this proposal will have a serious and long-lasting negative effect on the Green Belt south of Bristol and will lead to urban sprawl. This is clearly indicated in your own document entitled "Local Plan: Part 1 Green Belt Assessment: Whitchurch Strategic Development Location".

As a parent of 2 pupils attending Bridge Farm Primary School, my primary concerns are centred around the proposed ring road route adjoining Half Acre Lane and Whitchurch Lane, which the school grounds back onto.

At present, Whitchurch Lane and the adjacent roads all currently have a 20mph speed limit. These are enforced for the safety of the children and local residents. The roads are used for dropping off and picking up pupils as well as on weekends for those using the schools facilities for sporting and recreational activities. Increasing the speed limit to even 30mph as suggested, introducing more and varied traffic and restricting the amount of on-street parking in this area will have a major impact on road safety and the lives of the school's pupils.

This is compounded by an increase in road noise and air pollution around the site of a 630 place primary school. Air pollution already exceeds the National guidelines and it is estimated that the proposal will add an additional 5000 cars to already congested roads.

The school has two busy crossing points on Whitchurch Lane as well as a school entrance on Half Acre Lane. Traffic flow has already been identified by Bristol City Council as a cause for concern, especially at peak times. In fact, Bristol City Councils own "South East Bristol and Whitchurch Transport Package Options Assessment Report" states that travel times heading along Whitchurch Lane will increase. Any proposal to funnel more varied traffic along this route will only compound matters further.

In conclusion, the Local Plan 2016-2036 illustrates how the proposals will have a major negative impact on the green belt, the existing local residents, wildlife (and habitat), ecology, eco system, local services, traffic volumes and pollution. It compromises the health and safety of pupils and parents of Bridge Farm primary School and as such, I am fiercely opposed to such a proposal.

Yours faithfully,

Jane Drew

Parent of Bridge Farm Primary School.

From: Rebecca Du Pontet [REDACTED]
Sent: 22 December 2018 14:26
To: Local Plan
Subject: Draft Local Plan consultation

Categories: Green Category

Dear BANES Planning,

I am writing to add my support for the four policy proposals submitted by John Branston on 14th December 2018, namely:

1. DM17 / H2

Suggested policy: Any application for an increase in the number of licensed occupants for any HMO within the HMO SPD Stage 1 test 'density map' ('red zone') will be refused.

2. BTH4

Suggested policy: Any application for purpose-built student accommodation (PBSA) within the HMO SPD Stage 1 test 'density map' ('red zone') will be refused.

3. DM15

Suggested policy:

- a. Purpose-built student accommodation is no longer to be exempt from parking standards. The line '*In the case of student accommodation, zero parking provision will be made in all locations, exclusive of any visitor and operational requirements*' is to be removed from the B&NES parking standards guidance;
- b. Parking standards for PBSA, exclusive of visitor and operational requirements, should be set at around 0.25 spaces per resident, to reflect a realistic level of car usage among students, except where PBSA is sited directly on a University campus.

4. BTH2 / DM11

A site-specific development policy for Wansdyke Business Centre is proposed for inclusion within the Local Plan as follows:

- a. Residential development, development as economic/commercial space, or a mixture of these uses. Residential development could include a variety of specialist older persons housing types but not student accommodation where this would prejudice the achievement of Policy DW1 and B1 in respect of boosting the supply of standard market and affordable housing;
- b. Development should seek to repurpose the older, red-brick buildings on the west of the site and should be sympathetic to the Victorian/Edwardian context of terraced housing on Monksdale Road / Beckhampton Road, Third Avenue and Melcombe Road.
- c. Development should be conscious of its appearance from higher ground across the city and from the immediately adjacent Linear Park;
- d. Development should respect the character (material) and roof heights in the area in accordance with the Building Heights strategy, with local terraced housing providing the reference 'prevailing' ridge and shoulder heights;
- e. Where the site faces Third Avenue, the opportunity should be used to form a focus to the view southwards along Third Avenue, in the same way that the 'Scala' completes the vista at the northern end of Third Avenue and the Church of Our Lady & St Alphege is framed when looking southwards along Second Avenue;
- f. Designs brought forward for the site must recognise the importance of the setting of Grade II* listed St Alphege & Our Lady church;
- g. Development should respect the amenity of the adjacent primary school sports facility in terms of preserving afternoon daylight / avoiding shadow, while ensuring safeguarding of the children is enhanced by any proposed scheme;
- h. The design response must recognise the importance of the Linear Park as a connective habitat, particularly as dark corridor for bats, and as a protected sustainable transport route.

Yours sincerely,

Rebecca and Simon Du Pontet
[REDACTED]



now part of



Representations to the Bath and North East Somerset Local Plan 2016-2036

Options Consultation (Winter 2018)

On behalf of **Duchy of Cornwall**



Project Ref: 44424/4501 | Rev: B | Date: January 2019

Registered Office: Buckingham Court Kingsmead Business Park, London Road, High Wycombe, Buckinghamshire, HP11 1JU
Office Address: 10 Queen Square, Bristol, BS1 4NT
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Document Control Sheet

Project Name: Land West of Bath

Project Ref: 44424

Report Title: Representations to the B&NES Local Plan Options Consultation (Winter 2018)

Doc Ref: 2018\20190107_Representation to Local Plan Consultation

Date: 07January 2019

	Name	Position	Signature	Date
Prepared by:	S Jefferies	Principal Planner	SJ	19.12.18
Reviewed by:	C Danks	Director	CD	19.12.18
Approved by:	C Danks	Director	CD	07.01.19
For and on behalf of Peter Brett Associates LLP				

This report has been prepared by Peter Brett Associates LLP ('PBA') on behalf of its client to whom this report is addressed ('Client') in connection with the project described in this report and takes into account the Client's particular instructions and requirements. This report was prepared in accordance with the professional services appointment under which PBA was appointed by its Client. This report is not intended for and should not be relied on by any third party (i.e. parties other than the Client). PBA accepts no duty or responsibility (including in negligence) to any party other than the Client and disclaims all liability of any nature whatsoever to any such party in respect of this report.

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Appendices

Appendix A	Duchy of Cornwall Representation to the West of England Joint Strategic Plan – Jan 2019
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1 Introduction

Background

- 1.1.1 Peter Brett Associates, now part of Stantec, (PBA) is instructed by the Duchy of Cornwall to submit representations to Bath & North East Somerset (BaNES) Council in respect of the Options Local Plan Consultation document (the consultation document).
- 1.1.2 This Local Plan consultation is running in parallel with the West of England Joint Spatial Plan (JSP) consultation, to which the Duchy of Cornwall has also made representations (**Appendix A**). The outcome of that higher tier process will inform the production of this plan and these representations should be read in that context.
- 1.1.3 The Duchy of Cornwall owns land to the west of Bath, some of which is located around the A4 economic/transport corridor and so have an interest in the preparation of the Local Plan. Some of the land is at the very edge of the Bath urban area and is therefore situated in a very sustainable location, in terms of its spatial relationship to existing community facilities/services and transport routes.
- 1.1.4 These representations cover each section of the consultation document, with a focus on the policy options relating to the housing distribution of non-strategic sites across the district.
- 1.1.5 At this stage our Client is not promoting a specific site but does believe some of their land ownership could help deliver part of the spatial, social and economic needs of the City. The Duchy of Cornwall considers that their land within the A4 economic corridor can help with the sustainable growth of Bath in alignment with the Council, LEP and West of England Council's strategic priorities.
- 1.1.6 Through these representations, it is demonstrated that there are sound social, economic and environmental reasons to direct appropriate growth to Bath. As a World Heritage Site, the Council is already committed to addressing a significant level of sub-regional growth through urban living, a concept that if delivered with due care and attention, is supported. However, this should not amount to "town cramming" or inappropriate intensification to the detriment of Bath's heritage, design and social culture.
- 1.1.7 The Local Plan explores different spatial strategy options for delivering non-strategic growth within the wider BaNES area. Options include directing growth to Somer Valley, which focuses development beyond the Green Belt to locations that do not provide for sustainable development. Therefore, the Council should explore alternatives at Bath because it represents the most sustainable location for development having regard to the evidence for social, economic and environmental matters and needs.
- 1.1.8 There is an economic corridor and Bath sits at its eastern end. There is already growth identified at the Bristol end (western end) and between Bath and Bristol, at Keynsham (central on the corridor). This submission explains why the Local Plan should therefore explore alternative development locations at Bath, at the eastern end of the A4 economic corridor.

Structure of the representation document

- 1.1.9 The detailed points that the Duchy of Cornwall wishes to make are set out below and structured to respond to the Local Plan consultation document, as follows:
 - Relationship with the NPPF;
 - Relationship with JSP;

- Spatial Strategy – Policy Options SS1, SS2, SS3 (and additional Option 4):
- Bath Policy Options;
- Keynsham and North Keynsham Policy Options;
- Somer Valley Policy Options; and
- Development Management Policy Options.

2 Relationship of the Local Plan to the 2018 NPPF

- 2.1.1 This section sets out the parts of the NPPF that are most relevant to these representations and the consultation document. It identifies either where there should be greater strength in policy, inconsistencies with the NPPF, or where the consultation document is not justified.

Ensuring enough homes are planned in the right places

- 2.1.2 The JSP is the overarching development plan and is being prepared under the 2012 NPPF. Therefore, the housing need and the identification of Strategic Delivery Locations (SDLs) were developed under 2012 NPPF. These representations do not challenge this. They do however ask the Council to consider its position with regard to speculative applications and appeals and the need to address the Standard Method for calculating housing need set out in the 2018 NPPF. It is considered better to plan for sufficient development now through the Local Plan process (with some flexibility) than risk unplanned and un-coordinated development in the future.
- 2.1.3 Providing for housing in sustainable locations and identifying land where it is most needed, to address the needs of groups with specific housing requirements is set out in paragraph 59 of the NPPF and re-iterates the approach that the plan should take.

Planning for sustainable development and exploring options

- 2.1.4 Paragraph 11 sets out that *'Plans and decisions should apply a presumption in favour of sustainable development...For plan-making this means that plans should positively seek opportunities to meet the development needs of their area, and be sufficiently flexible to adapt to rapid change.'* The consultation document is unfortunately unsound at the moment as the policy options for the spatial strategy do not promote sustainable development, and reasonable alternative development options have yet to be explored.
- 2.1.5 This submission explains that the consultation document is not currently consistent with national policy as the spatial strategy has not considered the consequences for sustainable development of focusing growth beyond the outer limit of the Green Belt rather than within it at the Bath and around A4 corridor.

Support for the allocation of sites at a local level

- 2.1.6 The revised NPPF provides direction for non-strategic policies which should set out more detail for specific areas. The Duchy of Cornwall supports the application of paragraph 28 which states *'this can include allocating sites, the provision of infrastructure and community facilities at a local level, establishing design principles, conserving and enhancing the natural and historic environment....'*
- 2.1.7 The Local Plan should be informed by a relevant and up-to-date assessment of each settlement within BaNES, including the consideration of settlement issues, capacity and needs, as well as a robust assessment of the Green Belt. This would inform the choice of the right locations for the right types of development. This is supported in paragraph 31 of the NPPF.
- 2.1.8 Paragraph 32 states that *'local plans and spatial development strategies should be informed throughout their preparation by a sustainability appraisal...'* Not all options relating to the location of the 700 non-strategic dwellings have been explored. An option to direct non-strategic development to Bath should be assessed as a reasonable alternative which matches those needs outlined in the emerging Local Plan.

- 2.1.9 Paragraph 67 of the NPPF further supports this, as strategic policy-making authorities should identify available land through the preparation of a strategic housing land availability assessments, to ensure there is a *'sufficient supply and mix of sites'*. There are currently no strategic or larger non-strategic sites identified at Bath to provide a mix necessary to meet the need for the existing and future residents of City. Indeed, the NPPF acknowledges, in paragraph 72, that larger scale development can sometimes be the best route to provide a regular supply of new homes, as well as delivering infrastructure, services and employment opportunities.
- 2.1.10 The consultation document is not 'justified' as the spatial strategy has not identified all reasonable alternative options and reasonable alternatives at Bath have not been assessed in the Sustainability Appraisal.

Investment in the right places to support communities

- 2.1.11 Paragraph 80 states that *'planning policies...should help to create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity'*. Development on the A4 economic corridor, at Bath would be supported by national policy.
- 2.1.12 Similarly, significant levels of growth should be directed to sustainable locations where there is a genuine choice of transport modes, as this limits the need to travel, in line with paragraph 103 of the NPPF.
- 2.1.13 As yet, it appears that the option to focus growth at Bath within the A4 corridor has yet to be explored as a reasonable alternative. That, in our Client's view, would represent an appropriate and sustainable part of the wider local plan strategy.

A robust approach to Green Belt and sustainable development

- 2.1.14 The consultation document follows the strategic housing need identified in the JSP which has been prepared under the 2012 NPPF. However, new local plan policies for BaNES, including the identification of re-drawn Green Belt boundaries, will be carried out under the 2018 NPPF.
- 2.1.15 Paragraph 123(a) of the 2018 NPPF sets out that policies should optimise the use of land in the local authority area unless it can be shown that there are strong reasons why this would be inappropriate. The intensification of sites in Bath is supported by the Duchy of Cornwall, as long as it is not at the risk of impacting on the historic assets within the City. The Council should develop a detailed, site by site evidence base to show how capacity assumptions will impact the World Heritage Site.
- 2.1.16 Effective engagement between everyone involved and being clear about design expectations will be important in delivering development in Bath, as set out in paragraph 124 of the NPPF and is a strong theme that the Duchy of Cornwall believes should underpin the Local Plan.
- 2.1.17 Paragraph 136 states that *'Green Belt boundaries should only be altered in exceptional circumstances are fully evidenced and justified, through the preparation or updating of plans, Strategic policies should establish the need for any changes to the Green Belt boundaries, having regard to their intended permanence in the long term, so that they can endure beyond the plan period'*. The JSP has identified strategic locations for development in the Green Belt having confirmed exceptional circumstances exist. From a need perspective, the position is established, the question for the BaNES local plan is whether exceptional circumstances exist for non-strategic growth of sites under 500 dwellings. The Duchy of Cornwall submission illustrates that they exist, (as discussed below). It can be demonstrated in accordance with paragraph 137 (a-c) that:
- The Urban Living approach makes as much use of brownfield sites as possible, but that has to be tempered by realistic delivery expectations in Bath.

- Potential impacts within the World Heritage Site of inappropriate intensification and densification need to be carefully managed through a detailed understanding of the effects and potential for significant harm in a heritage context.
- Through joint working within the JSP there have been discussions about meeting need elsewhere, but as can be seen below, this is to the detriment of sustainable living.

2.1.18 Paragraph 138 goes on to explain, *'when drawing up or reviewing Green Belt boundaries the need to promote sustainable patterns of development should be taken into account...Where it has been concluded that it is necessary to release Green Belt land for development, plans should give first consideration to land which...is well-served by public transport. They should also set out ways in which the impact of removing land from the Green Belt can be offset through compensatory improvements to the environmental quality and accessibility of remaining Green belt land.'* Non-strategic growth on the edge of Bath and within the A4 economic corridor is a sustainable location for development and represents a more sustainable approach than pushing development beyond the Green Belt into the Somer Valley where the evidence shows it is not needed and would lead to unsustainable commuting patterns.

2.1.19 In the context of a reasonable alternative being non-strategic growth within the Green Belt at Bath, paragraph 139 is relevant. It states *'when defining boundaries, plans should:*

- *ensure consistency with the development plan's strategy for meeting identified requirements for sustainable development;*
- *where necessary, identify areas of safeguarded land between the urban area and the Green Belt, in order to meet longer-term development needs stretching beyond the plan period;*
- *be able to demonstrate that Green Belt boundaries will not need to be altered at the end of the development plan period.'*

2.1.20 The need to consider development needs well beyond the plan period is important in a Green Belt context to avoid the need for regular review. It is also important in circumstances that as the JSP is adopted, the Standard Methodology may demonstrate a different housing need, so the BaNES Local Plan may need to respond; this could result in two Green Belt reviews in quick succession.

2.1.21 These representations therefore support identification of safeguarded land at Bath. And a Green Belt review that addresses a period to at least 2040 and perhaps to 2050- to cover two plan periods.

Summary

2.1.22 There are many other facets to the 2018 NPPF, but for the purposes of these representations, the focus is on sustainable development, design quality, community building and robust, long term Green Belt planning.

3 Relationship with the JSP

- 3.1.1 The Joint Spatial Plan (JSP) is the top-tier strategic plan for the BaNES local authority area, although it has yet to be examined and found sound. The Duchy of Cornwall has submitted representations to the JSP consultation, which can be found at **Appendix A**. It sets out the strategic policies, housing requirement and identifies strategic Green Belt locations for development for each local plan area, including BaNES.

A balanced approach to Urban Living

- 3.1.2 The JSP strategy presents an emphasis for 'urban living' which promotes increasing density of development within urban areas. The Duchy of Cornwall is supportive of urban living as a concept, as long as it is planned with care and in line with density policies in the NPPF. However, the addition of a further 300 homes within the urban area of Bath through intensification of existing sites is not based upon any reasonable or robust evidence. There is no certainty that these homes will be capable of delivery in the context of the World Heritage Site limitations, resulting in the likely event that there will be unmet need. The potential for sustainable and responsive urban edge sites that support the setting of Bath through their detailed design and layout should be explored, even if they are located within the Green Belt.

Homes in the right places for BaNES population

- 3.1.3 The JSP also identifies the need to plan for the non-strategic growth of 700 homes within BaNES. The JSP gives no indication as to whether these homes should be delivered, for example, outside or within the Green Belt. Instead it identifies that the homes should be delivered in sustainable locations. The need to plan for 1,000 dwellings (or more) is, as a matter of principle, for the JSP to determine when it considers need and supply. As set out in these representations, there are sound sustainability, travel pattern and economic reasons to focus this growth at Bath, and particularly around the A4 economic corridor.

Exceptional Circumstances for growth in the A4 Corridor at Bath

- 3.1.4 Finally, the JSP also identifies strategic areas for development within the Green Belt, and confirms exceptional circumstances within BaNES to direct strategic scale development to Whitchurch and Keynsham (at Strategic Development Locations, SDLs). These representations do not seek to challenge those decisions or the emphasis on urban living, but do comment that, by the same token, exceptional circumstances exist to support the delivery of some of the remaining 1,000 dwellings (300+700) in the most sustainable parts of the Green Belt, on the edge of Bath.
- 3.1.5 Given the drawing of new Green Belt boundaries to accommodate SDLs is a matter for the BaNES local plan, the Council will need to go through the process of Green Belt review. This work could readily include non-strategic Green Belt sites or longer-term safeguarded land as well as SDLs. These representations advocate a comprehensive approach to Green Belt review that encompasses more than the SDL locations; this should include the consideration of locations at Bath where there is the greatest need for housing.

Summary

- 3.1.6 The Duchy of Cornwall has demonstrable experience of achieving the creation of communities within historic settings (Dorchester) which in turn supports regeneration and the best use of urban land in ways that respect heritage. The urban area of Bath is already identified in the JSP evidence as supporting over 5,000 new homes on an ever-decreasing number of urban sites. Extensive evidence was originally produced to support the JSP's approach to urban living and to now suggest an additional increase in Urban living is, in our opinion, unsustainable in this unique and low-rise city.

- 3.1.7 The JSP establishes the exceptional circumstances for a review of the Green Belt and this should be extended to the non-strategic development planning through the emerging BaNES Local Plan to avoid unnecessary development in the Somer Valley.

4 Spatial Strategy for urban intensification (Bath) and non-strategic sites policy options

- 4.1.1 The JSP identifies Strategic Development Locations (SDLs) within BaNES, directing the Local Plan to make changes to the Green Belt to accommodate this growth. However, it is silent on the non-strategic Green Belt changes.
- 4.1.2 However, in addition to the SDLs, the JSP expects the delivery of a further 1,000 dwellings through non-strategic options. The emerging Local Plan's approach explores only 3 options for addressing 700 dwellings, as it suggests 300 can be met through the increased use of urban land (urban living). Comments have been made on urban capacity above. This part of the representations focuses on why the 3 options are unsound as a means of accommodating the remaining 700 dwellings (if that is the residual requirement from the JSP) and how a fourth reasonable alternative should be explored.

Non-strategic sites (Options SS1, SS2 and SS3)

- 4.1.3 The three policy options for the distribution of 700 homes at non-strategic sites are:
- SS1 Option 1: focused approach avoiding the Green Belt (avoiding around urban edge of Bath) – mainly at Midsomer Norton, Radstock and Timsbury and up to 50 units to villages;
 - SS2 Option 2: more dispersed approach avoiding the Green Belt (avoiding around urban edge of Bath) - Midsomer Norton, Westfield, Radstock, Peasedown St John, and potentially Clutton and Temple Cloud and up to 100 units to villages; and
 - SS3 Option 3: combination location outside and within the Green Belt.
- 4.1.4 Our client considers there to be a case for growth at non-strategic sites, but has concern about all three options (SS1, SS2 and SS3) because they represent a dispersed development pattern primarily focussed on avoiding the Green Belt, rather than focussing on the sustainable development needs of BaNES as a whole. Any growth at smaller towns should be well-connected and sustainable, providing both market and affordable homes in the areas of greatest need, together with supporting economic growth. However, distribution should still be informed by the settlement hierarchy, with growth predominantly directed towards Bath.
- 4.1.5 The Local Plan suggests exploring Options 1 and 2 first before seeking 'exceptional circumstances' for Option 3. Option 3 is the only option that could direct some development to Bath, the largest settlement in the district with the greatest need. However, Option 3 still disperses development to rural areas across the district which already benefit from a very high windfall allowance and commitments to deliver homes.
- 4.1.6 The key issue is that the emerging Local Plan states there is not enough urban land to meet Bath's development needs; this alone represents an exceptional circumstance for considering its very modest expansion through Green Belt release.
- 4.1.7 In addition, there remains uncertainty about the capacity of settlements to accommodate growth. The emerging Local Plan states more work needs to be completed on villages outside the Green Belt to understand the capacity of settlements to deliver housing and the capacity of facilities to accommodate them. This is important in understanding which settlements could best accommodate sustainable growth.

- 4.1.8 Whilst our client considers there to be potential for some considered, sustainable non-strategic growth, options SS1, SS2 and SS3 are unsound and are not 'consistent with national policy' and are not 'justified' for the following reasons:
- The consultation document is not 'consistent with national policy' as the spatial strategy does not deliver sustainable development, because it seeks to 'leap frog' the Green Belt rather than delivering sustainable development, i.e. development in the right locations within its inner boundary; and
 - The consultation document is not 'justified' as the spatial strategy has not identified all reasonable alternative options and these reasonable alternatives have not been assessed in the Sustainability Appraisal.
- 4.1.9 In the context that authorities should consider the consequences for sustainable development when identifying locations within and outside the Green Belt, (as set out in paragraph 138 of the NPPF) there seems to be a missing Option 4; growth at Bath through a non-strategic Green Belt review. The Duchy of Cornwall considers there to be a compelling case for significant growth at Bath to provide homes in sustainable locations that support economic growth. An additional Option 4 of well-planned and sustainably located development at the edge of Bath would deliver this.
- 4.1.10 The suggested Option 4 of placing most non-strategic growth at Bath is a reasonable alternative to SS1, SS2 and SS3 and is a counterfoil to the SDLs at Whitchurch and Keynsham. This new spatial strategy option should be considered to deliver the non-strategic growth, and be assessed in the Sustainability Appraisal.

Context for a New Option 4

- 4.1.11 Continuing to direct non-strategic growth to Bath is a reasonable alternative to consider through the Sustainability Appraisal and as part of the next consultation stage.
- 4.1.12 It represents a good opportunity to create a new sustainable neighbourhood as part of Bath, providing housing with appropriate employment and community facilities nearby. The approach to this should draw upon local need and evidenced requirements.
- 4.1.13 Directing non-strategic growth to Bath delivers on the consultation document's Vision and would be consistent with the Spatial Priorities for the emerging local plan, including:
- *Pursue a low carbon and sustainable future in a changing climate:* West of Bath is in an accessible location and close to good public transport links, which would reduce the need to travel.
 - *Meeting housing needs arising from a changing and growing population:* Locating housing around Bath meets the critical housing needs of Bath, where there is currently no strategic or large non-strategic housing sites identified.
 - *Plan for development that promotes health and well-being:* Promoting development on the edge of Bath provides opportunity to provide easy access to the open countryside, as well as connection to health and community facilities/services within the urban area. The A4 corridor is a key off-road cycle link to Bristol and aligning development with this makes access to recreation a convenient option. A new larger, non-strategic site can also be master planned to ensure there are quality recreational and play spaces available within the development, as well as other infrastructure which promotes health and well-being that may not be achieved through smaller-scale sporadic development.
 - *Deliver well connected places accessible by sustainable means of transport:* West of Bath is in an accessible location, with the A4, the Bristol/Bath cycle route and Bristol – London rail line running between Bristol and Bath. The area provides an opportunity to

encourage people to live sustainably and travel using sustainable transport modes such as cycling, walking or bus.

- *Ensure the timely and efficient provision of infrastructure:* Located adjacent the urban area of Bath, there is an opportunity for the area to link into the existing community at Twerton and potential to help provide any required deficit in community facilities and services, such as schools and health facilities. Opportunities to link to the nearby Bath University Campus could also be explored.

4.1.14 Not only would an Option 4 address the emerging Vision of the plan, it would perform consistently with other strategies that influence functionality of BaNES and the wider sub-region. It would be aligned with:

- The focus for transport investment between Bath and Bristol providing an opportunity for development to support road and rail transport infrastructure delivery along the A4 corridor.
- The Local Enterprise Partnership which recognises the close relationship between Bath and Bristol, and the importance of the A4 economic corridor between the two cities.
- The West of England Combined Authorities' strategy to build on the strengths for the West of England, including strong connections by road and rail, and providing an attractive place to live and work.

Exceptional Circumstances to release Green Belt on the A4 corridor

4.1.15 Option 3 (SS3) of the emerging local plan explains that if Options 1 and 2 are found to be undeliverable or unsustainable then the Council should identify exceptional circumstances to remove land from the Green Belt adjacent to the built-up area of Bath.

4.1.16 In the absence of any other evidence it appears that the Local Plan already supports an exceptional circumstances case for a Green Belt review and is the reason to test the fourth option – which could deliver both the 700 non-strategic growth and also the 300 dwelling urban living housing need.

Additional work necessary to inform the emerging plan

4.1.17 To deliver sustainable development, the Council needs to plan for individual settlements and direct development accordingly, having understood how they function now and what changes would improve their level of sustainability. Whilst some work has been carried out, it would be reasonable to expect an evidence base to include the following if it were felt that an option which sought to avoid the Green Belt was the only option:

- A detailed assessment of existing jobs and people for each individual settlement to understand the current balance of jobs and homes;
- An assessment of how and where people travel for employment, including key routes;
- An assessment of other sustainability issues relating to each individual settlement including location and capacity of existing facilities to accommodate growth;
- A policy-off assessment of the environmental capacity to accommodate growth rather than a policy-on approach (like Green Belt); and
- Identify the most sustainable settlements; those settlements with the most need and locate development to where it is needed, e.g. Bath has a high need and development should be located where need is – to help create sustainable communities: which will

provide new housing, provide affordable homes, reduce commuting distances, provide homes close to wide range of facilities, jobs and shops.

5 Bath Policy Options

BTH2 Housing

- 5.1.1 The Plan's approach to accommodating 300 homes in Bath through intensification is unsound, as it is not 'justified'.
- 5.1.2 The 300 homes have not been directed to any specific sites within Bath. Therefore, there is no certainty that they can be delivered and no means of testing any delivery assumptions that may have been made. The Local Plan should also plan for all housing need.
- 5.1.3 Using the umbrella term, urban living, to accommodate a further 300 homes in the City appears contradictory to a plan which has already identified Bath has insufficient land to accommodate its growth pressures (as set out in paragraph 4.1.2 of the consultation document).
- 5.1.4 There is no explanation of what this means for higher densities and taller buildings within a World Heritage Site. Intensifying sites without proper assessment has the potential to cause substantial harm to the urban structure that defines this World Heritage Site.
- 5.1.5 It is also unclear how a general increase of 300 unplanned dwellings may cumulatively impact upon the City through ad-hoc or sporadic growth.
- 5.1.6 As set out above, an alternative is to direct the 300 home urban living requirement to a well-planned urban extension to Bath. This should be explored by the Council as part of the spatial strategy and assessed in the Sustainability Appraisal.

BTH1 Employment; BTH4 Student accommodation and University and academic & research space; BTH Large-scale purpose-built shared living; Bath University Claverton Campus; Bath Spa University Newton Park Campus; BTH9 Bath Park & Ride provision

- 5.1.7 The Duchy of Cornwall supports policies which facilitate the development of different land uses within and around Bath, as this helps to create a sustainable place to live, work and visit.
- 5.1.8 Education sits at the heart of a community and the plan should support the two universities to grow and compete at an international level.
- 5.1.9 Using plan policies to deliver new and enhanced employment opportunities is also supported. Part of this is, however, the availability of a skilled labour force that have the opportunity to live close to their place of work and have access to an affordable home. This type of support is often most effectively delivered within larger non-strategic sites and it remains unclear how Options 1-3 achieve this for Bath.
- 5.1.10 As has been mentioned, the A4 transport corridor is a key piece of infrastructure, but one which needs to be the focus of investment and adaptation to suit changing travel patterns and demands. Park and Ride is one such adaptation to reduce private vehicles within Bath, but a plan that is focused on a 15+ year period should also consider, for example, how rail based access along the A4 may be improved to improve air quality by removing road based town centre traffic?

BTH11 Review of existing Bath policies

- 5.1.11 These policies relate mainly to existing site allocation policies which are in the adopted development plan. Since those policies were prepared, there have been significant changes at a national planning level, not least the publication of the 2018 NPPF, but also the findings of the Taylor and Letwin reviews. There are many facets to fixing the broken housing market

and whilst some solutions may relate to the quantum of homes provided, others will relate to the way in which homes are delivered as part of the community and their viability to achieve a comprehensive delivery package.

5.1.12 For these reasons, it is important that this plan not only reviews the overall supply, but also changes in the national approach to considering development. This includes a review of:

- Whether these sites are deliverable as envisaged;
- Whether the types of development are still suitable and viable; and
- Considering if existing policies appropriately manage the density and height of buildings to ensure in-keeping with the World Heritage Site and the urban living approach advocated in the JSP.

6 Keynsham Policy Options

- 6.1.1 The JSP identifies Keynsham as an SDL for strategic residential development, and this is reflected in the consultation plan.
- 6.1.2 In directing strategic growth to Keynham, within the Green Belt, the JSP has identified exceptional circumstances to meet the housing needs of the Bath Housing Market Area. The Duchy of Cornwall supports the approach to well-planned, strategic housing growth along the A4 economic corridor. It does however note through these representations, that opportunities closer to Bath, in the same corridor have yet to be fully explored.

7 Somer Valley Policy Options

SOM1 Somer Valley Enterprise Zone

- 7.1.1 The Somer Valley area has only seen a moderate level of employment growth in the last 5 years in comparison to Bath. However, the Somer Valley area appears to have become a focus for meeting the residual housing need arising from the current JSP position.
- 7.1.2 The Somer Valley Enterprise Zone, despite its title, represents only a single “new” employment site (the site was formerly known as Old Mills Industrial Estate in the adopted Placemaking Plan, 2017) within the whole of the Somer Valley Area. Furthermore, a large part of the site is recognised as undeliverable in the consultation document.
- 7.1.3 In the context of Section 11 of the NPPF (making effective use of land), it is right to review the allocation for other uses. However, that does not mean it should become a housing focus simply to deliver the number. The Somer Valley is not where housing need is arising and with declining employment provision, it may be that the policy needs to become more flexible to support wider economic growth to try and maintain a balance of homes and jobs.

Policies relating to various saved employment site allocations

- 7.1.4 The consultation document proposed to take forward existing employment allocations, in Somer Valley, which are in the B&NES adopted Core Strategy (2014) and Placemaking Plan (2017).
- 7.1.5 As these allocated sites have not previously come forward there are questions over deliverability of some of these sites. The sites provide limited opportunity for employment growth, for the amount of housing proposed to the Somer Valley area.
- 7.1.6 The Council needs to be satisfied that the level of employment provision (existing and proposed), within the Somer Valley, is sufficient to match the economically active population living (and proposed through new housing). As explained above re-focusing these sites on housing delivery is not a solution that would encourage sustainable growth. Given known travel patterns and the stated under-supply of housing at Bath itself, such an approach would only encourage commuting and reliance on travel by car. For Bath this is a significant issue, not only in terms of congestion, but also air quality; two issues that the Local Plan must grapple with in making decisions about focusing some development to sustainable locations on the edge of Bath but also within the Green Belt.

8 Development Management Policies

- 8.1.1 The emerging Local Plan sets out development management policies for delivering development in the district. The Duchy of Cornwall's representation are, where appropriate, grouped together across several policies for brevity.

DM1 Carbon Reduction; DM16 Electric vehicles infrastructure; Revised CP2 Sustainable construction; Revised CP3 Renewable energy; Revised CP4 District heating; Revised SCR2 Roof-Mounted/building; Revised SCR3 Ground mounted solar arrays; R – integrated scale solar PV; Revised SCR5 Water efficiency; SU1 Sustainable drainage

- 8.1.2 The Duchy of Cornwall supports high quality designed communities, which limit the impact on the environment and climate change. The emerging Local Plan should however give proper consideration to locating development on the edge of Bath compared to a dispersed spatial strategy and the ability to genuinely achieve the minimisation of CO2 emissions.
- 8.1.3 The implementation of either Option 1 or Option 2 (SS1 and SS2) would appear to conflict with objectives of reducing impact of climate change by increasing the use of the car and particularly trip lengths.
- 8.1.4 If the Council intends to promote carbon reduction, then its spatial strategy should make this a central plank of the distribution of homes and jobs.

DM5 Facilitating the delivery of self-build plots; DM6 Extra care housing; DM7 Housing accessibility; DM8 Space standards; Revised CP9 Affordable housing; Revised CP10 Housing mix; Revised H2 Houses in multiple occupation; Revised H2 Houses in multiple occupation; Revised H5 Retention of existing housing stock

- 8.1.5 The Duchy of Cornwall supports a mix of housing, which is developed in the right location, to allow for a healthy lifestyle and to improve affordability for all. This is however, only achieved by delivering the right level of development in the places where it is needed, such as the City of Bath.
- 8.1.6 It is particularly important in a city with two ambitious universities that their needs are accommodated to reduce the growing impact of multiple occupation housing and the impact upon wider family housing stock. Again, this further emphasises that need for homes in the right locations to address specific local issues to Bath (which are not experienced in places like the Somer Valley).

DM4 Regeneration of social housing

- 8.1.7 The concept of regenerating the stock of older social housing as a matter of principle, is supported, especially if this also supports the character and community of the Bath World Heritage Site. However, it is important to ensure that any intensification of social housing does not result in harm to its heritage and conflict with S.66 of the Planning and Listed Building Act 1990.

DM10 Housing in Green Belt villages

- 8.1.8 The Duchy of Cornwall recognises the need for village communities to thrive and where locally supported, their adaptation through appropriate growth. In the context of where need is greatest though, the City of Bath should remain the focus of addressing unmet need to help balance its employment base and reduce travel.

DM12 Office floorspace

- 8.1.9 The Duchy of Cornwall supports a balance of different types of uses, which provides sustainable development and meets the needs of the place.

DM14 & DM15 Residential parking standards

- 8.1.10 The appropriate levels of residential parking should be provided within any proposal, to reflect the accessibility of the location to community facilities/services and jobs, as well as how good the public transport provision is in that area.
- 8.1.11 As a wider issue, the ability to reduce the need for parking is directly related to the location of growth and access to regular and convenient public transport. The A4 corridor is one such location where such a change could be achieved.

Revised CP8 Green Belt

- 8.1.12 Policy CP8 is broadly consistent with the 2018 NPPF as a means of managing the openness of the Green Belt from a development control perspective. However, at a Local Plan strategy level, the protection of Green Belt should not be at the expense of sustainable development and creating sustainable places, in line with the wider content of the 2018 NPPF, as set out in paragraph 8 of that document.

Revised CP12 Centres and retailing

- 8.1.13 Policy CP12 encourages higher density development which, as with housing is supported in principle, as long as it does not have an adverse impact on the character of the Bath World Heritage Site.

Revised CP13 Infrastructure provision

- 8.1.14 The approach to the delivery of infrastructure is noted. At a Local Plan strategy level, it is important to recognise that it is more likely to be delivered comprehensively through larger developments.

Revised D10 Public realm; Revised HE1 Historic environment; Revised General urban design principles; Revised D2 Local character and distinctiveness; Revised D3 Urban fabric; Revised D4 Streets and Spaces; Revised D5 Building design; Revised Amenity; Revised Policy NE2 Conserving and enhancing the landscape and landscape character; Revised NE2A Landscapes setting of settlements

- 8.1.15 The Duchy of Cornwall supports the need to create places which people enjoy living, working and visiting through ensuring high quality design is used to shape development within the local historic, built and natural landscape.

Revised NE3 Sites, species and habitats; Revised NE4 Ecosystem services; Revised Trees and woodland conservation

- 8.1.16 Biodiversity is a key tenant of sustainability. There is demonstrable evidence that well-designed places achieve a net gain in biodiversity. The Duchy of Cornwall supports the emerging plan's approach to habitats, conservation and biodiversity.

Revised LCR3A Primary school capacity

- 8.1.17 The consultation document identifies there is a lack of capacity within existing primary schools in rural areas, which includes Somer Valley. Options within the consultation document to deliver 700 non-strategic homes will increase the demand for primary school places in these

locations. Such a strategy risks a negative social impact on existing schools. Whilst financial contributions are often made to mitigate for new development, this does not mean that the result is sustainable if for example, there is no capacity for local school expansion.

- 8.1.18 Conversely, larger developments have the potential to contribute to deliver new primary schools.

Revised LCR1 Safeguarding local community facilities; Revised LCR1A Public houses; Revised LCR2 New or replacement community facilities; Revised LCR Land safeguarded for primary school use; Revised Safeguarding existing sport and recreational facilities; Revised New and replacement sport and recreational facilities; Revised LCR6A Local green spaces; Revised Recreational development proposals affecting waterways;

- 8.1.19 The Duchy of Cornwall supports the provision of community facilities and services, including recreational and play facilities. It is recommended that the policy is supported by an up to date evidence base of need and supply, as well as exploring qualitative provision and the benefits of targeted investment rather than a blanket approach to setting financial contributions from development.

Revised LCR8 Protecting allotments; Revised LCR9 Increasing the provision of local food growing; Revised RE5 Agricultural land

- 8.1.20 Providing allotments and increasing the provision of local food growing should be provided within or on the urban edges of sustainable settlements in a manner that allows for their long-term support and management. Again, it is often larger development proposals that are able to support the provision of new allotments as part of a comprehensive approach to development.

Revised RE3 Farm diversification; RE4 Essential dwellings in rural workers; RE6 Re-use of rural buildings

- 8.1.21 The Duchy of Cornwall supports providing farms and rural businesses to thrive, through farm diversification and providing dwellings for rural workers.

Revised ST1 Promoting sustainable travel; ST2 Sustainable transport routes; ST3 Transport infrastructure; ST4 Rail freight facility; ST5 Traffic management proposals; ST6 Park and ride

- 8.1.22 Sustainable travel is important to a city like Bath, which is constrained by its location and setting. Bath however, benefits from a mainline and local rail network which could be better used to support sustainable travel patterns that avoid car or road-based journeys.

- 8.1.23 As part of an enhanced strategy for the A4 economic corridor, the plan process should explore how better use could be made of the rail network and whether there are opportunities to develop and adapt it following the significant electrification investment that has taken place?

- 8.1.24 The Duchy of Cornwall supports development which is located in sustainable locations; in that it is located with good access to public transport and minimises the need to travel by car.

- 8.1.25 PBA, on behalf of the Duchy of Cornwall, hopes that BaNES Council find these comments helpful and wish to be kept informed of all future stages of the preparation of the BaNES Local Plan 2016-2036.

Appendix A

Duchy of Cornwall Representation to the West of England Joint Strategic Plan – Jan 2019



now part of



JSP Additional Technical Evidence and Proposed Changes Consultation

Representations on behalf of Duchy of Cornwall

On behalf of **Duchy of Cornwall**



Project Ref: 44424/4502 | Rev A | Date: January 2019

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For and on behalf of Peter Brett Associates LLP				

Revision	Date	Description	Prepared	Reviewed	Approved
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1 Introduction

1.1 Context

- 1.1.1 Peter Brett Associates (PBA), now part of Stantec, is instructed by the Duchy of Cornwall to submit representations to the Joint Spatial Plan (JSP) Councils on the Additional Technical Evidence and Proposed Changes documents which have been published for consultation until 7th January 2019.
- 1.1.2 Part of the Duchy of Cornwall estate is located between Bath and Bristol and these representations are submitted in support of their long-term land interest in the West of England (WoE) region and the sustainable growth of its communities.
- 1.1.3 In the Inspectors' letter (ED01) to the JSP Councils dated 1st June 2018, further work was requested, largely to provide an explanation and justification for the spatial strategy and selection of Sustainable Development Locations (SDLs). This work is presented in the additional technical evidence documents that are currently being consulted on. This evidence review has identified changes to infrastructure needs, particularly transport interventions, and modifications to the wording of policies in the Publication Plan are proposed to reflect this.
- 1.1.4 These representations provide a commentary on both the proposed changes to the draft policies, and on several of the evidence documents published for consultation.
- 1.1.5 Overarching comments on the consultation documents are set out at **Section 1.2** below, with Chapter 2 providing comments on the proposed policy changes and additional evidence documents.

1.2 Overarching Comments

- 1.2.1 The Duchy of Cornwall notes the relevance of a plan-led system as a means of delivering housing, employment and infrastructure to meet local needs. At the same time, it is necessary to be responsive from an environmental and social perspective to build sustainable and successful communities. These representations are written within this context and are focused on finding ways to achieve this outcome. PBA, on behalf of the Duchy of Cornwall, makes the following overarching comments in response to the current public consultation:
 - Within the WoE, particularly around the city of Bath, Green Belt has historically restricted development to maintain openness. However, the National Planning Policy Framework (NPPF) recognises that in order to achieve sustainable development sometimes land from the Green Belt needs to be released in exceptional circumstances. Whilst the Green Belt has a role to play in containing urban sprawl and managing the setting of historic towns and cities, small scale release for development can prove to be exceptionally needed. The Duchy of Cornwall supports the JSP Councils in taking the difficult step of concluding that exceptional circumstances exist to achieve sustainable patterns of development and concur that they exist for meeting the needs of Bath in a sustainable manner.
 - The Duchy of Cornwall believes that in the context of exceptional circumstances being established, should the JSP identify further need for development in the Bath HMA, then the edge the City would be a sustainable location to meet those needs.
 - There is, however, some concern about the approach suggested in the emerging Bath and North East Somerset (BaNES) Local Plan which seeks to further intensify development within central Bath to avoid the Green Belt. This approach should be tempered in response to the impact it may have on the World Heritage Site (WHS) designation. Developing communities around Bath's fringes, especially in the A4 economic corridor, which respects the WHS setting, would be the logical option for delivering sustainable growth.

- Sustainable development could be achieved around Bath in the circumstances of putting growth where there is the greatest number of jobs. This would have benefits for the City such as reducing the need for car-borne trips, which is an existing issue for Bath and its air quality amongst other matters.
- There is generally the need for new development to be supported by new infrastructure. It is recognised that several of the proposed policy changes set out in document WED 002 refer to changes to infrastructure delivery even though the quantum of development remains the same. This raises questions over whether the level of infrastructure needed to support the SDLs has been properly assessed and identified.
- As others have also pointed out, the consultation process has not provided full opportunity for consultees to make comments on the evidence base in a formal arena. Not all evidence documents submitted for examination were available during public consultation periods. This has made it difficult to know what technical evidence supported which stage of plan preparation and has made it difficult for duly made representation to interrogate the basis for the emerging JSP.

2 Representations

2.1 Schedule of Proposed Changes (WED 002)

PC/01 – Reasoned Justification to Policy 7

- 2.1.1 Whilst the Duchy of Cornwall appreciates the role of the Green Belt to maintain openness, the JSP's approach of identifying exceptional circumstances to release Green Belt land in order to deliver sustainable development is supported as a matter of principle.
- 2.1.2 The proposed addition of paragraphs 68 and 69 to Policy 7 (PC/01) are intended to provide clarity relating to the demonstration of exceptional circumstances and the relationship between the roles of the JSP and the respective authorities' Local Plans when it comes to Green Belt land release.
- 2.1.3 The proposed text addition is supported, however there is concern that there may still be confusion about smaller scale Green Belt release at a local level. It is suggested that the proposed text goes further to state that exceptional circumstances still apply for non-strategic growth in order to ensure clarity for all readers.
- 2.1.4 The proposed additional text should also provide clarity on the application of NPPF policies, given that:
- The JSP is being dealt with under the 2012 version and forthcoming local plans, such as BaNES, will need to be compliant with the 2018 version; and
 - There are slight differences in Green Belt policies in the two versions.
- 2.1.5 For example, the Plan should be clear that NPPF 2018 paragraphs 136 and 137 wouldn't apply to the BaNES Local Plan, as exceptional circumstances are dealt with by the JSP, however paragraphs 138 and 139 would be applicable to all sites (including SDLs) as Green Belt release is dealt with at Local Plan level.
- 2.1.6 In this context, there is the need for the JSP to understand and consider the extent of Green Belt boundary changes even though this is to be formally dealt with at Local Plan level. Further clarity is therefore needed on which parts of NPPF 2018 applies to Local Plans and the proposed change PC/01 does not deal with this to a sufficient degree yet.

PC/02 – Paragraph 66

- 2.1.7 PBA, on behalf of the Duchy of Cornwall, recognises the need for setting out a strategic framework and principles to guide the delivery of the strategic sites so as to deliver high quality developments that are of benefit to the community; this approach is advocated. There are, however concerns over the following:
- The robustness of the process underpinning the selection of the SDLs; and
 - Whether the choice of SDLs constitutes the most appropriate strategy to deliver sustainable development?
- 2.1.8 It is therefore suggested that the SDL selection process is revisited to ensure consistency with the sustainability priorities and vision of the JSP, as well as paragraph 182 of the NPPF.
- 2.1.9 The identification of the SDLs effectively fixes the strategic sites, just not the exact site boundaries. Whilst highlighting the need for strategic principles, paragraph 66 also refers to

requirements for each location; it must be ensured that these principles and requirements of the SDLs are achievable and deliverable from the outset.

PC/05 - Whitchurch

- 2.1.10 PBA, on behalf of the Duchy of Cornwall, supports investment and provision of infrastructure on key transport routes, such as the A4, to support the delivery of sustainable patterns of development.

PC/08, PC/12, PC/16, PC/22, PC/24

- 2.1.11 There appears to be uncertainties over the necessary level of infrastructure required to support the proposed SDLs because:
- Interventions that were originally seen as necessary to support some SDLs are proposed to be removed from policy wording (for example M5 J21a). This implies they are no longer necessary to support development in the Plan period, despite there being no change to the quantum of development being proposed; and
 - Newly proposed policy wording identifies additional infrastructure measures that were originally not considered necessary to support development (for example the A38 strategic cycle route), again even though the quantum of development remains the same.
- 2.1.12 The SDLs should be based on robust and consistent plan making. The supporting assessment of infrastructure need to ensure the Plan is justified and positively prepared, and therefore sound in the context of NPPF 2012 paragraph 182. This is explained further below in respect of comments on the evidence base.

2.2 Transport Topic Paper 8 (WED 007) (TTP8) and Emerging Findings Transport Report (WED 008) (EFTR)

- 2.2.1 The Duchy of Cornwall supports the JSP's vision of delivering development that enables healthy, sustainable lifestyles for residents. However, the EFTR is very private car focused which appears at odds with the JSP's desire to achieve their vision?
- 2.2.2 PBA, on behalf of the Duchy of Cornwall, has found it difficult to ascertain how the JSP Councils have justified their decision to include/remove individual infrastructure measures. This is because no technical evidence is provided as part of the new evidence base. As such it is unclear how the assessment supports the proposed changes to policy wording?
- 2.2.3 As a result of this, it is also not possible to confirm whether the JSP is adopting the most appropriate strategy from a transport perspective; consequently, there is concern over the soundness of the Plan.
- 2.2.4 The JSP Councils are encouraged to publish the technical evidence so that the reasoning for their conclusions can be understood and to determine if the strategy represents the most appropriate in sustainability terms.

2.3 Updated Viability Assessment (WED 005)

- 2.3.1 The Updated Viability Assessment (UVA) is a strategic review of the viability of JSP Policy 3, which seeks a minimum target of 35% affordable housing provision on all sites of 5 or more dwellings across the WoE plan area. Overall the Councils are seeking to deliver 24,500 affordable homes across the region.
- 2.3.2 The Duchy of Cornwall is committed to delivering affordable housing in its developments to facilitate the creation of balanced communities. The following observations are made on the WED 005:

- There is currently uncertainty as to whether the SDLs can achieve the policy requirement of 35% affordable housing as the strategic principles, infrastructure requirements and site allocation boundaries are yet to be finalised.
- There is concern over whether the Plan's affordable housing target will be met given that the UVA notes that the "urban living" element of the spatial strategy will deliver approximately 20% affordable housing, not 35%.
- The JSP is a high-level strategic plan and currently there are too many unknown elements to conduct a meaningful and robust assessment of viability, particularly of the SDLs; yet they will become fixed now.
- There is concern over the assertion that Policy 3 will supersede the affordable housing policies of the Councils' Local Plans. This is because the UVA implies that further viability testing will be undertaken. On this basis, Policy 3 is not yet ready to become the default policy for the region; there is a need to properly test the further viability work that appears to be suggested. Policy requirements should be set so that sites are deliverable without further viability testing or negotiation being required.

2.3.3 As a result of these uncertainties, the UVA does not currently provide sufficient evidence to justify Policy 3.

2.4 Consolidated Sustainability Appraisal Report (WED 009) (CSAR)

2.4.1 WED 009 (CSAR) draws together the Sustainability Appraisal work that has been carried out throughout the preparation of the JSP and presents additional work to address the Inspectors' points state in letters ED01 and ED02.

2.4.2 Paragraph 4.136 of the CSAR states that urban extensions to Bath were excluded as potential strategic growth options at Issues and Options Stage due to evidence showing that development would have adverse impacts on heritage and landscape assets (notably the World Heritage Site and Cotswolds AONB).

2.4.3 The Duchy of Cornwall supports the protection of important heritage assets and landscape designations. It is noted that there is a substantial level of housing committed as "urban living" for Bath which could have implications on the WHS and its setting. The potential for intensification within Bath is limited due to heritage/design constraints. Once opportunities for intensification are maximised, the next logical location for development with high levels of sustainability would be the edge of settlement based on:

- Good access to local services and facilities;
- Good sustainable transport opportunities; and
- Proximity to employment opportunities.

2.4.4 PBA, on behalf of the Duchy of Cornwall, believes there is the potential to achieve sustainable growth and create successful communities on the edge of Bath. There is concern that the analysis of growth opportunities at the edge of Bath (carried out at the Issues and Options Stage) was not sufficiently robust and the most appropriate strategy has not been reached. The Duchy of Cornwall wishes to ensure that future site selection (strategic and non-strategic) is a flexible and iterative process that acknowledges changes to site circumstances and boundaries. Potential sites therefore should not be discounted because of historical information/ testing as circumstances change over time. Furthermore, any perceived impacts on the setting of the WHS and valued landscapes can be addressed through the careful selection of sites, their scale, format of development and respectful design.

2.4.5 It is therefore suggested that the approach to development at Bath is revisited to ensure the most appropriate strategy for meeting the needs of Bath and the wider WoE region is adopted.

2.5 Updated Habitat Regulations Assessment (WED 010)

- 2.5.1 The Habitat Regulations Assessment (HRA) has been reviewed and its conclusions updated following the recent “People over Wind” European court judgement. This states that proposed mitigation measures cannot be taken into account at the Screening Stage, and that, if there is likelihood of significant effects, there is a requirement for an Appropriate Assessment to be carried out. This is the case for the JSP given that numerous SDLs would significantly affect European designated habitats.
- 2.5.2 The Appropriate Assessment applies the test of whether a project will adversely affect the integrity of the European Site(s). The updated HRA requires that when the likelihood of significant effects cannot be ruled out on the evidence available, it must be assumed that a risk of significant effects may exist. To overcome this test there must be a comprehensive understanding of the baseline status of the European sites and an assessment of the type and scale of effects of the proposed project on the European site. These should inform any proposed mitigation measures, which should be precise and quantifiable, so that it is clear whether or not the adverse effects can be ruled out and the test passed.
- 2.5.3 PBA, on behalf of the Duchy of Cornwall, questions whether the updated HRA can sufficiently demonstrate that adverse effects on European sites, particularly the Bath and Bradford-on-Avon Bats SAC, can be ruled out. The justification for this is as follows:
- The updated HRA does not contain evidence relating to the baseline status of some European Sites. This evidence should be made available for consultation.
 - Paragraph 5.146 of the updated HRA notes that work relating to assessing the effects of North Keynsham SDL on the Bath and Bradford-on-Avon Bats SAC has not yet been carried out. As such the nature and level of potential effects is not yet known.
 - As the baseline evidence is limited and the level of effects on the SAC not yet determined, it is impossible at this stage to propose effective mitigation measures.
- 2.5.4 As additional work is required, it is not possible for the updated HRA in its current form to demonstrate that all the proposed SDLs and their associated infrastructure would not have adverse effects on the European Sites in the WoE region. This is of particular relevance to the effects on the Bath and Bradford-on-Avon Bats SAC.
- 2.5.5 PBA, on behalf of the Duchy of Cornwall, hopes that the JSP Councils find these comments helpful and wish to be kept informed of all future stages of the preparation of the JSP.

**Consultation on the B&NES Local Plan
Options Document (November 2018)**

**COMMENTS
FORM**

**You are strongly encouraged to make your comments on-line via the
Local Plan consultation portal www.bathnes.gov.uk/localplan2016-2036**

However, if you are using this form, please complete the form by filling in Part 1 with your contact details and use Part 2 for your response to the questions in the Options document.

Please complete a separate form for each **proposed policy approach/option** you are commenting on using the **unique reference numbers** as set out in Chapters 3 - 8.

Please send your completed form(s) using email to local_plan2@bathnes.gov.uk.
Alternatively you can post the form to Planning Policy, Bath & North East Somerset Council, Lewis House, Manvers Street, Bath BA1 1JG.

Your comments must be received by 7 January 2019

Your comments will be used to inform the next stage of the Local Plan preparation.

Part 1: Contact details			
Email is the Council's preferred method of communication and enables us to contact you quickly and efficiently. Please also provide a postcode with details of your address.			
Personal Details		Agent Details (if applicable)	
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Surname		Surname	Danks
Job Title <i>(only if applicable)</i>		Job Title	Director
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Date		Date	7 January 2019

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Local Plan. I am aware that I can unsubscribe at any time.**

Please tick

Please note that names and comments will be published

Part 2:

Which proposed policy approach/option in the Options document (November 2018) are you commenting on?

Please use the unique reference number by each policy approach/option.

Please make your comments as succinct as possible.

Please see enclosed representations document.

Please expand this box or attach a separate sheet if you require more space.

See our website for more information and to make your comments on-line: www.bathnes.gov.uk/localplan

Please note that names and comments will be published

[REDACTED]

From: M Dury [REDACTED]
Sent: 07 January 2019 14:57
To: Local Plan
Subject: Proposed new road and housing in Whitchurch

Categories: Green Category

As a Whitchurch village resident and parish councillor I would like to strongly oppose the proposed new ring road and new housing plans.
The proposed road is not in the correct location and the proposed new roundabout is located where the 4 main local amenities are situated (cricket club, play park, allotments and rugby club) There is also no way this village can sustain 2500 houses.

Regards

Mark Dury

Sent from my iPhone