

Further Written Statement

3094 - Savills for Purnell Property Partnership

Matter 19, Issues 1 and 2

Matter 22

Matter 19 – Housing in Somer Valley

Issue 1: Whether the policies contained in the Placemaking Plan would meet the housing requirement for Somer Valley of 2470 new homes to be built at Midsomer Norton, Radstock, Westfield, Paulton and Peasedown St John within the housing development boundary?

Issue 2 – whether the site allocations are the most appropriate when considered against the reasonable alternatives, having regard to the evidence to support the selection of allocated sites?

Matter 22 - Infrastructure & Delivery

Issue: Whether the timely delivery of the infrastructure necessary to support the Somer Valley Spatial Strategy is realistic and feasible.

1. This Further Written Statement should be read in conjunction with our original representation, dated 1st February 2016.

Background

2. The Placemaking Plan must conform to the adopted Core Strategy. Adopted Core Strategy (CS) Policy DW1 identifies provision to increase the supply of housing by 'around 13,000 homes' over the Plan period of 2011-2029. The CS is not intended to be a cap on housing development. The CS Inspector's Report (paragraph 78) confirms that:

"13,000 might be too low, but this evidence alone is insufficient and too crude a tool to justify any specific higher figure. It does justify the need to make clear that the proposed provision in the plan is not a cap on housing development and that more than 13,000 can and should be permitted where consistent with other policies...Planned provision of around 13,000 would represent a reasonable, but not generous, response to market signals."

3. It is clear therefore that sustainable development ought to be granted planning permission even if the housing targets are otherwise being met. This principle is confirmed by the 'presumption in favour of sustainable development' contained within the NPPF.
4. The Core Strategy identifies a requirement for 2,470 homes from 2011 to 2029 in the Somer Valley as a proportion of the minimum 13,000 provision for the Bath and North East Somerset area. There is no reason why sustainable development above that figure should not be supported and indeed would accord with the CS Inspector's conclusions. The Somer Valley is not constrained by World Heritage Site, AONB or Green Belt designations. Therefore the Somer Valley (including Paulton) is one of the most sustainable locations within B&NES to contribute to housing needs.
5. It is clear from the Somer Valley chapter of the Placemaking Plan that very few new 'allocations' are made in the Somer Valley. Indeed, the Placemaking Plan concludes that sites in Paulton and Peasedown St John "do not need to be allocated in the Placemaking Plan in order to meet the Core Strategy housing requirement" (paragraph 145). This does not accord with the CS Inspector's comments that the proposed provision is not a cap on housing development (i.e. *"that more than 13,000 can and should be permitted where consistent with other policies"*). It also assumes that all sites will deliver the projected level of housing. It seems unlikely to us that each and every site will deliver as expected. The proposed housing supply has no flexibility to adapt to changing conditions. Accordingly, we do not consider that the Plan is positively prepared.
6. It is therefore difficult to comment on Matter 19 Issue 2. The Plan is reliant on permitted or committed development such that the housing trajectory shows little significant new housing development in the Somer Valley from 2021 onwards. In our view the approach taken by the Placemaking Plan is unduly restrictive will not result in sufficient housing being met across the plan period. For this reason we do not consider that the plan is in accordance with the adopted CS.

Former CCRC site, Paulton Print Works

7. The former CCRC site formed part of the original Paulton Print Works redevelopment and was proposed to be developed as a Continuing Care Retirement Community. The Council accepts that it now looks highly unlikely to be developed as retirement housing. In the Council's Housing Land Supply Findings Report (April 2016), paragraph 2.100 states:

"In the foreseeable future it would appear that this previously developed land is not going to generate retirement housing as initially supposed. Whilst new retirement housing schemes are evident elsewhere in BANES e.g. Somerdale, Keynsham and in Bath, marketing feedback

is that currently Paulton is not a preferred location for operators at present and Paulton already has an established care home of 100 beds.”

8. The site therefore comprises Previously Developed Land that is available for alternative development. The site is part of Paulton village, which is acknowledged as a sustainable location with existing residential development, shops, local services and transport links. The site falls within the housing development boundary of Paulton.
9. The Council has resisted residential development on the site on the basis of a shortage of places in the local primary school and the lack of land for further expansion of that school. This is not considered alone to be sufficient reason to refuse a planning application (see below). However, the Council accepts (in paragraph 2.100 of the Housing Land Supply Findings) Report that:

“A negative housing supply situation could also change the dynamics of the acceptability of pupils being transport to schools further afield. The lands previously developed status and the apparent lack of any other objections would weigh heavily in favour of it being used to support housing land in supply, where this was deficient in some way.”
10. Indeed, development on the CCRC site is included within the Council’s Housing Trajectory, which shows 130 units coming forward between 2023/24 and 2025/26.
11. This position is clearly contradictory. The Council has assumed that housing will come forward on the site and has counted the numbers within the housing trajectory, leading to the conclusion that housing figures for the Somer Valley are met. However, it has not allocated the site in the Placemaking Plan.
12. Therefore, the ‘negative housing situation’ as considered by the Housing Land Supply Findings Report does exist, because if housing development is not permitted on the site, then there will be a shortfall against the Somer Valley housing requirement and hence the Core Strategy housing requirement. Therefore the Plan does not conform with the Core Strategy. Therefore the Plan is not positively prepared as it does not meet objectively assessed development requirements.
13. Therefore the former CCRC site should be formally allocated in the Plan so that it can properly contribute to the provision of housing numbers in accordance with the target in the Plan.

School Provision and Policy LCR3A

14. Policy LCR3A states that:

“Residential development will only be acceptable where there is a school within a reasonable distance that has sufficient spare capacity or is able to be expanded to create additional capacity to accommodate the pupil needs arising from the development.”
15. As set out in our original objection, we consider that Policy LCR3A is not 'positively prepared' as it does not take a positive approach to meeting educational requirements. It simply takes an alternative and restrictive approach that seeks to stymie development in the absence of a positive approach to providing infrastructure.
16. It is of course an entirely laudable objective that all children should go to primary school within close walking distance of their home. The reality is more complex.
17. Some children within a school will not live within that school’s catchment area because they have moved locally or could not get a place at their local primary school. For example, in the case of the Paulton schools, it is stated that 15-20% of pupils live outside the village (see

School Travel Plan, prepared on behalf of Bath and North East Somerset Council with input from representatives of Paulton Infant School and Paulton Junior School).

18. Generally, people moving to new build dwellings will either have pre-school children, primary school age children, secondary school age children (or older or no children). Those with pre-school children will need to apply for places alongside everyone else within the school catchment area. For example, the effect of this in the case of the Paulton schools will be that over time (i.e. with each new intake), the 15-20% of children coming from outside the village will reduce. In that case, therefore, there is actually capacity within the school because over time children living outside the village will be displaced by each year's new pupils.
19. People with primary school aged children that move to new houses will either be moving locally (in which case they are likely to leave their children within their existing schools) or will be moving from further afield (in which case they will need to find places for their children). In the latter case, it is reasonable to expect that they will check the position as regards local primary school places prior to deciding to move and it is accepted that if they cannot find suitable school places then they may decide not to move to an area.
20. In the case of Paulton, it should be noted that Paulton Infant School has a 'Good' OFSTED rating and Paulton Junior School has an 'Excellent' OFSTED rating and both schools are understood to have an excellent reputation. Therefore the schools are likely to be highly sought after and no doubt attract applications from outside the village.
21. For the above reasons, the position taken by Policy LCR3A is too simple. It does not consider the existing school roll (e.g. whether a large number of children come from outside the locality and therefore, in reality, there will be capacity at school entry level).
22. Further, the availability of primary school places is only one facet of development being sustainable. There are many factors that weigh in the balance of whether development is sustainable or not. These include whether the site is brownfield or greenfield, local land designations, the location of the site in relation to other facilities and the availability of public transport. Policy LCR3A risks development that is sustainable in every other sense being refused because it fails against just one factor of sustainability. This is contrary to the developed rationale of planning and sustainability, which is to weigh up the many factors for and against a development including planning policy and material considerations before making a decision based on the planning balance. Policy LCR3A is too simple and inflexible.
23. For the above reasons, Policy LCR3A is not considered to be positively prepared, justified or consistent with national policy. We therefore suggest that Policy LCR3A should be deleted.

Paulton Development Boundary

24. The Examiner's attention is drawn to our original representation which sought to align the General Development Site boundary and Housing Development Boundary with the outline planning permission granted on the site. For the Plan to be 'justified' the boundaries need to be aligned.