

Representor Reference: 6434

Phoenix Land Solutions for David Webb Management Ltd

Matter 19 – Housing in the 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 Mid Somer Norton, Radstock, Westfield, Paulton and Peasedown St John?

Q1: Is Policy SV1, as amended to restrict development within the housing development boundary (unless identified in a neighbourhood plan), positively prepared and justified.

1. The Spatial Strategy seeks new development to be located in the most sustainable locations. Here housing development is considered acceptable in principle if it is within the HDB or identified in an adopted Neighbourhood Plan.

2. This approach is not considered to be justified as it curbs any flexibility to deliver sustainable sites that are previously developed outside the HDB. The national position to prioritise development on brownfield land in sustainable locations is not reflected within the policy.

3. An outline planning application on land just outside Radstock's HDB at Tynning Hill is currently being considered. The proposals are in a sustainable location and considered to be previously developed land. They seek to regenerate the Whitelands area as a whole in terms of providing a focal point to the area, resolve on going parking issues of existing residents on unauthorised land, arresting ecological decline, providing ecological enhancement, increasing access to nature and open space. Given that Radstock does not have a neighbourhood plan and no intentions exist to pursue one the options are limited in bringing forward sustainable regeneration proposals.

4. The policy as currently worded fails to recognise national policy on the prioritisation of previously developed land and the position that the requirement of 2470 homes is not a cap on development.

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NEW ISSUE: Is the Designation of a UK Priority Habitat at Tynning Hill as show in Diagram 6 and 7 based on robust and credible evidence and the the most appropriate strategy when considered against the alternatives?

Background information

This statement has been prepared on behalf of David Webb Management Ltd the landowner in respect of land that has been described as a UK Priority Habitat in the Placemaking Plan.

A plan (blue line) shows the extent of my client's landownership is attached. The redline on the plan indicates an area subject to an outline planning permission. A summary of the proposals are attached to this statement and further details can be found on the Councils website.

Diagram 6 and 7 refer to UK Priority Habitat. The resolution of both plans make it difficult to identify the area involved. Clarity is also required between the two plans.

Diagram 7 contains a Key notation but no indication on the plan. This plan also contains a notation in the form of a star without reference in the accompanying Key.

Diagram 6 indicates areas which are considered to be UK Priority Habitat. My clients site is identified as such although this was not the case at Options Consultation Stage of the Placemaking Plan. There appears to be no information on why this position changed and the evidence base to support it. We are currently seeking to resolve this matter with the Council's ecology officer and have prepared this statement should the matter remain unresolved by the time of the hearing.

At the time of writing this statement the evidence supporting the description of the site is yet to be provided by the Council. It is understood from conversations with Council policy officers that no evidence base exists to support the designation.

As part of the regeneration proposals for the Whitelands area, in particular my client's site detailed ecological surveys have been prepared, this is to assess the likely impact of development and to inform a mitigation and ecological enhancement strategy.

A summary of the reports is provided below and full copies of the reports are attached to this statement for information.

Summary of 2016 Ecological Assessments

9. The whole area, including the application area includes tall, coarse grassland with patches of tall ruderal species and scrub that are common and widespread habitats. Approximately 0.2ha of more species-rich grassland and pioneer habitat has established on the hardstanding bases of the former mine workers' cottages that have been cleared. Whilst this is the most important habitat, according to published guidance (JNCC, 2011), it does not cover a sufficiently large area to be classed as UK Priority 'Open Mosaic Habitats on Previously Developed Land'.

10. In terms of fauna:

- the site supports four notable invertebrates and the assemblage is considered to be of county importance. At least three of these are likely to exist in similar habitats that extend beyond the application area to the west and north within the site;
- common reptiles of local importance are present;

- bats would not roost at the site, and whilst the habitats are not likely to be of importance for foraging, bats could commute across the site, with as noted, the woodland edge adjacent to Tynning Tip being the most obvious commuting route;
- The site is likely to be of some importance to nesting and foraging birds, though there is an abundance of similar habitat locally;
- No evidence of badgers was recorded though there are anecdotal reports of a sett, which could exist within dense scrub that could not be searched during the surveys.

11. When assessed against the criteria for local wildlife site selection in BANES, the site would qualify and hence would be protected under saved policy LE. 9 of the BANES Local Plan 2007. However, this assessment has confirmed that, with the exception of the reptile populations, the ecological features of greatest importance are relatively restricted in distribution. Furthermore, comparison of the 2014 and 2016 surveys demonstrates that in the absence of management there is an ongoing trend towards dominance of rank vegetation at the expense of more species-rich habitats.

12. Development therefore provides a mechanism to arrest this trend and to maintain or re-create the most important habitats both botanically and that support important fauna. It also presents an opportunity to restore the currently unmanaged and species-poor rank habitats within the site outside of the application area.

13. An Ecological Management Plan has been produced that describes how approximately 3.9ha of habitats in the developer's control would be managed to:

Recreate and safeguard in the long-term the species-rich pioneer grassland community of importance to flora, invertebrates, reptiles and birds, which would otherwise decline in importance;

- Restore species-rich grassland where it is currently unmanaged and rank;
- Restore and create hedgerows, and create a community orchard;
- Manage public access with pathways created and managed to maximise the amenity and interpretative value of the land.

14. By adopting the mitigation and enhancement policies described, which could be controlled by planning conditions, the proposed development should be in conformity with relevant planning policy and legislation.

Change sought

15. For the reasons outlined above together with a lack of evidence base supporting the sites description as a UK Priority Habitat, Diagrams 6 and 7 should be amended. This amendment is removal of the site being indicated as a UK Priority Habitat.

Summary of Outline Regeneration Proposals

16. The outline proposals focus on a land area of 2.2ha but include additional land within my client's ownership within the blue line (see site location plan). The aim of proposals is not only to provide development within the 2.2ha of land but to regenerate the Whitelands area as a whole. The proposals specifically seek to:

- Provide up to fifty five homes, 30% of which would be affordable homes.
- Introduce parking spaces for existing Whitelands residents.
- Introduce a community orchard.
- Widen the road to 5.5m along Tynning Hill, together with a pedestrian footway.
- Provide open space to include a local area of play on the south west part of the land fronting onto Tynning Hill.
- Provide a community space/cafe/shop facing out toward Tynning Hill which could

also be used for educational uses.

- Introduce public sculpture.
- Introduce a local community bus-stop.
- Introduce an interpretation board to explain the local heritage and ecological interest in the area.
- Divert the existing footpath.
- Create new pedestrian routes outside the application site to the north and east and to the batches (the areas proposed by the Council under LSG18).
- Create and enhance wildlife habitats of value (approximately 3.9 hectares) to mitigate for any loss on the application site. This would lead to an overall biodiversity gain and arrest the decline of ecological interest (without proposed enhancement these areas will decline in value).
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