

# HEARING STATEMENT ON BEHALF OF BIDWELL METALS LTD

## **MATTER 19: HOUSING IN SOMER VALLEY**

- 1.0 We have previously made representations to the Placemaking Plan, on behalf of our client Bidwell Metals, in respect to two brownfield sites located within the Somer Valley: land at Chapel Road, and land to the east of Bath Old Road, to promote their redevelopment for housing. We do not aim to repeat our full representations in this statement but seek to reinforce our opinions and furthermore answer the initial questions set out by the Inspector.
- 1.1 The council have stated within their 'Schedule of Limited Changes to the Draft Placemaking Plan' document (March 2016) that *'it is not considered that any significant changes are required to make the Placemaking Plan sound as a consequence of the public representations'*. We would inherently disagree with this statement due to the multitude of representations made to the Placemaking Plan, which are publicly available and the majority of which described in various ways how the document was unsound and required additional work, including making additional land allocations.
- 1.2 We are unable to see any evidence of reasoning or rationale as to how the council have come to the conclusion that only limited changes are necessary to make the plan sound and why they have disregarded so many of the representations submitted during the December 2015 to February 2016 consultation period. Furthermore the proposed wording of policies in the Placemaking Plan will have significant implications for the delivery of housing over the plan period. A lack of clarity means that any future neighbourhood plans that come forward will have no direction regarding the level of growth they are expected to provide, particularly in the Somer Valley.
- 1.3 We are currently preparing two planning applications for the sites at Chapel Road and Bath Old Road in Radstock for their redevelopment for housing and community infrastructure. Bidwell Metals operate a metal recycling premises on this land but this has attracted a high level of perceived amenity and disturbance issues. The company are therefore looking to re-locate to a

purpose-built facility in a more appropriate location, but this is neither viable nor feasible unless their existing brownfield sites could be sold for some other use, such as housing.

- 1.4 The overall spatial strategy for the Somer Valley is to restrict housing growth. The policy wording within the Placemaking Plan in its current format would therefore mean that the redevelopment of this sustainably located brownfield site adjacent to the settlement boundary would be in conflict with policies set out in this chapter.

***Issue 1: Whether the policies contained in the Placemaking Plan would meet the housing requirement for Somer Valley of 2,470 new homes to be built at Midsomer Norton, Radstock, Westfield, Paulton and Peasedown St John?***

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

- 1.5 As set out in our representations to the Placemaking Plan in February 2016 we do not consider that Policy SV1 that seeks to restrict development within the housing development boundary is positively prepared and justified. Paragraph 001 of National Planning Practice Guidance states that '*national planning policy sets clear expectations as to how a Local Plan must be developed in order to be justified, effective, consistent with national policy and positively prepared to deliver sustainable development that meets local needs and national priorities*' (Reference ID:12-001-20140306) (our emphasis).
- 1.6 The adopted Core Strategy sets out that the proposed 2,470 dwellings in the Somer Valley will be distributed amongst the main settlements such as Midsomer Norton and Radstock. We would agree with this strategy as this will form the most sustainable pattern of development by directing development to locations that have good accessibility to existing services, public transport nodes and employment opportunities. These locations have the widest range of facilities available in this area and are in close proximity to key transport routes linking them to Bath City Centre.
- 1.7 In contrast the combined Core Strategy and Placemaking Plan seeks to restrict development in these locations. In light of the need to '*significantly boost the supply of housing*' as required by paragraph 47 of the NPPF we are unable to see how restricting housing growth in the Somer Valley and in particularly in the sustainable locations of Midsomer Norton or Radstock constitutes the positive preparation of a development plan that can react to changing circumstances and be flexible. Therefore we fail to see how it is consistent with national policy in this regard.

- 1.8 The identification of 2,470 homes in the Somer Valley should not be seen as a 'cap' on development and should be seen as the minimum level of development over the coming years. Paragraph 004 (Ref ID: 2a-004-20140306) of National Planning Practice Guidance states that *'plan makers should not apply constraints to the overall assessment of need, such as limitations imposed by the supply of land for new development'*. In effect BANES are already doing this by limiting the overall level of growth allowed in the Somer Valley.
- 1.9 Furthermore by restricting housing growth where housing affordability is particularly acute, such as in Radstock, would not be consistent with National Planning Policy nor does this suggest the plan has been positively prepared.
- 1.10 The housing target for Bath City Centre and the adjacent urban area is 7,020 dwellings over the plan period. The most recent HELAA 2016 and Housing Trajectory for BANES confirms that this target will be an issue in future as the trajectory has identified that only 6,612 dwellings will come forward in Bath City Centre, meaning that an insufficient level of housing will be delivered as it currently stands.
- 1.11 As recently established within the West of England JSP Issues and Options Document, paragraph 5.12 clearly states that, in relation to BANES: *'urban extension options at Bath, where evidence shows development would have an adverse impact on heritage and landscape assets (specifically the World Heritage Site and Cotswolds AONB) have been excluded as possible strategic locations'*. This highlights that the existing urban area of Bath has limited opportunities to accommodate further growth, which raises the issue as to how the remaining 408 dwellings in Bath City Centre will be delivered over the plan period (and how the additional number of dwellings required by the future JSP will be accommodated). Development that would have an adverse impact on the World Heritage Site should be refused, whereas settlements that have good transport links with the City Centre and have limited technical constraints to their growth, should be promoted for development, and in particular sustainably located brownfield sites should be considered.
- 1.12 With the pressing need to deliver housing in the West of England it is clear that allocations for housing will have to be considered within the smaller settlements of BANES to ensure future housing need continues to be met. Therefore a more permissive approach needs to be set out in the Placemaking Plan to allow sustainably located brownfield sites to come forward when additional housing growth is required by the JSP or when delivery has failed within the main urban area of Bath. Development would therefore be placed in the most logical and sustainable location which would be the main settlements of the Somer Valley.

- 1.13 Hence, the policies in their current format means that if development is unable to be met within the main urban area of Bath City Centre and there is an embargo on the delivery of housing land in the Somer Valley, it is likely that in future BANES will be unable to demonstrate a five year housing land supply. If in fact that BANES continue to proceed with this policy, we are unable to see how any of the identified sites in the SHLAA laying adjacent to the Somer Valley settlement boundaries would be able to contribute to 5YHLS. This cannot be seen to be positively prepared or consistent with national planning policy.
- 1.14 The Placemaking Plan intends to create an Enterprise Zone within the Somer Valley to increase the level of employment in the area to address the perceived imbalance of the availability of jobs and housing. An Enterprise Zone is usually sought as a catalyst to economic development and as such if the area were to become a huge success that resulted in more jobs than planned for, with employees wanting to live locally, this is likely to cause worsening affordability and consequently there is no policy mechanism to deal with induced demand in future. Restricting housing growth in this location will have severe economic implications and is more likely to result in an increase in housing prices and stifled economic growth, as well as causing an immobility of labour.
- 1.15 As we have already stated in our initial representations, whilst we support the introduction of an Enterprise Zone in this location to improve self-containment this relates only to one aspect of sustainable travel. The likelihood is that those commuting from the Somer Valley into the centre of Bath (along good public transport connections) is not due to a lack of jobs in the Somer Valley but instead due to worsening affordability of housing in the centre of Bath, meaning they are unable to live there. This one aspect of sustainable travel should be balanced against the other requirements of the NPPF which include the need to make the fullest possible use of public transport, walking and cycling; reduce congestion; and planning for development which ensures that the need to travel is minimised and the use of sustainable transport modes can be maximised.
- 1.16 Planning for positive growth in the Somer Valley, particularly in Midsomer Norton and Radstock, would increase S106 contributions which could be diverted to improving bus transport networks which in turn meets the other aspects of sustainable travel.
- 1.17 In addition to the above, which we consider to be inconsistent with National Planning Policy, Radstock Town Council have no immediate plans to undertake a Neighbourhood Plan that would make housing allocations in the area. The policies of the Place Making Plan due to their effect in restricting housing growth currently rely on Neighbourhood Plans to bring forward future development. As the Town Council have no wish to undertake this the policy in its current format

therefore will result in no development, even brownfield sites, being considered outside of the Housing Development Boundary in the Somer Valley and this is inconsistent with National Planning Policy. This will inevitably lead to land within and outside of the housing development boundary coming forward via the appeals process or lead to unsustainable patterns of development forming in the smaller settlements of the Somer Valley and elsewhere in BANES.

- 1.18 Waiting for Neighbourhood Plans to come forward to allocate sites is not the most efficient and effective manner of dealing with the delivery of housing in the larger settlements in the Somer Valley which are sustainable locations. A clearer strategic policy direction is needed at the very least to ensure that where Neighbourhood Plans are actually prepared they have development targets to work towards.

*Q2. Are sufficient housing allocations made to achieve the housing requirement?*

- 1.19 According to the April 2016 HELAA concludes that the Somer Valley can deliver 2,503 dwellings between 2011/12 and 2028/29. This comprises:

<b>Source</b>	<b>Dwellings</b>
Large and small sites built 2011/12 – 2015/16	994
Large sites with planning permission	1,104
Small sites with planning permission	125
Small windfall site allowance	162
Large developable brownfield sites or allocations	118
<b>Total</b>	<b>2,503</b>

Table 1. HELAA 2016

- 1.20 The two allocations coming forward according to the HELAA 2016 are the Welton Bibby & Baron site, and the Radstock County Infants site. We will discuss these two allocations under Issue 2 of this statement.
- 1.21 The overall requirement for the Somer Valley is 2,470 dwellings. It is important to ensure that double counting has not occurred within the separate elements of supply including large sites with planning permission, small sites with planning permission and large developable brownfield sites or allocations. The figures only account for 30 dwellings more than the required target over the plan period and therefore to suggest that there is a '*severe imbalance between jobs and houses in the Somer Valley*' is inappropriate. If any of these sites were to fall through, or permissions elapsed, immediately there would not be sufficient available land to meet the overall requirements and no policy method to deal with this due to the overall restriction in the Somer Valley and particularly in Radstock. This leaves no choice or flexibility in the market for land to come forward which is a key requirement of the NPPF.

- 1.22 In addition the elements of supply above in Table 1 incorporate a small windfall allowance. Given that the policies aim to restrict development within and outside of the Housing Development Boundary this would result in a lack of windfall sites coming forward, which again would result in the under delivery of housing in the Somer Valley.
- 1.23 As we have already established an insufficient level of housing will be delivered in Bath's urban area over the plan period and the JSP and the Placemaking Plan has highlighted that there are limited opportunities for future growth in this area. There is therefore no positive policy mechanism to allow extra growth in the Somer Valley should this be required.
- 1.24 As stated in our previous representations, for clarity each of the allocations presented in the plan needs to establish what uses and quantum of growth is envisaged in each location. This information is only available when delving into the HELAA or the Sustainability Appraisal which makes it difficult for the read to understand what is being proposed in the Plan.
- 1.25 Allocating additional sites for housing or mixed uses would be planning positively should any of the existing permissions elapse or development not come forward in the plan period. We would therefore indicate that additional allocations need to be made to ensure choice and competition in the market for land.

***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?***

*Q1. Does the evidence support the selection of the allocated sites, when considered against any reasonable alternatives and having regard to deliverability considerations?*

- 1.26 The evidence base for the Somer Valley formed for the Placemaking Plan largely consists of the SHLAA 2013 and the Sustainability Appraisal documents which form part of the Core Documents list submitted to the Inspector in April 2016.
- 1.27 Sites that were put forward in the It is unclear how the council has agreed the way forward from the SHLAA sites identified in 2016 to the sustainability appraisal options which merely assesses the allocated sites. We are unable to see how the reasonable alternatives have been assessed in relation to other sites that have clearly been put forward for allocation and have been ignored.

- 1.28 The two sites that have been allocated within the Placemaking Plan for the Somer Valley are the Welton Bibby & Brown site and the Radstock County Infants site. Whilst we do not dispute the inclusion of these allocations which are considered to be viable by the sustainability appraisal and the HELAA, other reasonable alternatives seem to have been ignored with no rationale set out behind this.
- 1.29 The remaining allocations in the Somer Valley chapter are not envisaged for housing according to the sustainability appraisal. Therefore clarification within the plan as to what is expected to come forward needs to be given.
- 1.30 For example, it is unclear as to the level of development that would be expected from the Radstock County Infants site – the SHLAA 2013 indicates 15 dwellings, the HELAA Housing Trajectory states 18 dwellings and the Placemaking Plan states 10 dwellings. The site was previously refused permission for 14 dwellings in April 2008 due to poor design and layout.
- 1.31 As we have previously stated we consider that land at Chapel Road and land east of Bath Old Road should be allocated for their redevelopment for housing and community infrastructure (please see the site location plan attached as appendices A and B to this statement). Although having been assessed in the 2016 SHLAA the site has been ignored as a reasonable alternative to provide housing on a sustainably located brownfield site.

# **APPENDIX A – SITE LOCATION PLAN, CHAPEL ROAD**



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NORTH

Legend



Site Boundary



**CLIENT:**

Bidwells Metals

**PROJECT:**

Bidwells Main Yard, Radstock

**DRAWING TITLE:**

Site Location Plan

SCALE: 1:2500@A4    DATE: 01/02/2016    DRAWN: JNM

DRAWING NUMBER: 13074/001    REVISION:

**BIG  
PICTURE  
DESIGN**

## **APPENDIX B – SITE LOCATION PLAN, LAND TO EAST OF BATH OLD ROAD**

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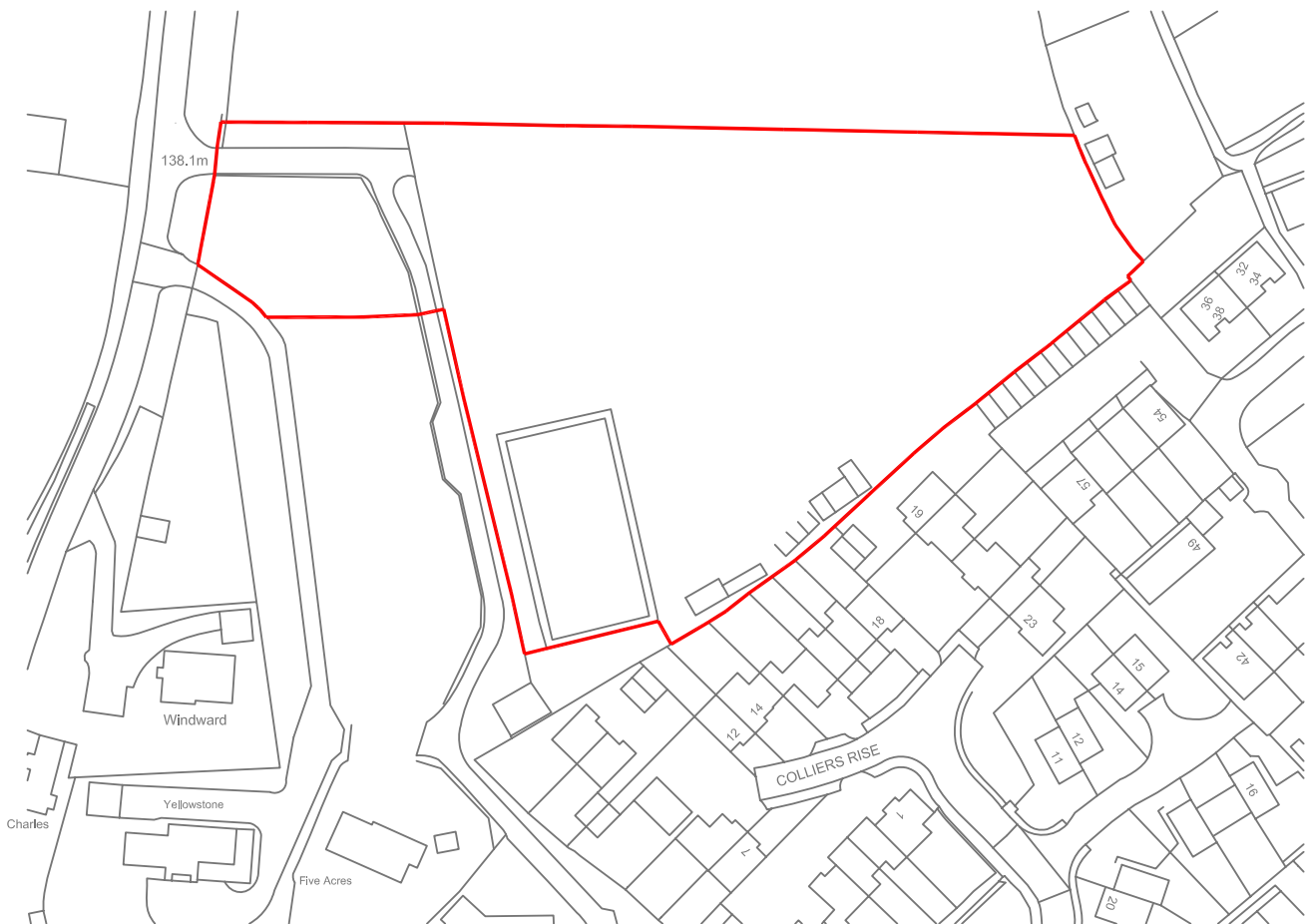


**NORTH**

**Legend**



Site Boundary



**CLIENT:**

Bidwells Metals

**PROJECT:**

Former Yard at Bath Old Road, Radstock

**DRAWING TITLE:**

Site Location Plan

SCALE: 1:1250@A4    DATE: 19/08/2014    DRAWN: JNM

DRAWING NUMBER: 13072/001    REVISION:

**BIG  
PICTURE  
DESIGN**