

EXAMINATION OF THE BATH AND NORTH EAST SOMERSET PLACEMAKING PLAN

STATEMENT ON MATTER 23: HOUSING IN THE RURAL AREA

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?

1. Introduction

1.1 This statement is submitted by Ian Jewson Planning (IJP) on behalf of Mrs. E. Russell in support of the promotion of Land South of Loves Hill, Timsbury for residential development. It is our position that the two sites that are proposed for allocation at Timsbury are not the most appropriate when considered against the reasonable alternatives.

2. Background

2.1 The Placemaking Plan proposes two housing allocations in Timsbury. These are:

- SR14 – Wheelers Manufacturing Block Work: 25 dwellings and employment space.
- SR15 – Land to the East of the St Mary’s School: 20 dwellings.

2.2 In our representations to the consultation on the Draft Placemaking Plan (December 2015) we highlighted that the two sites are unlikely to deliver the 50 dwellings that are required by Policy RA1 of the Core Strategy, and also identified issues that may prevent or delay their delivery. On this basis we recommended that Land South of Loves Hill is allocated for residential development.

2.3 The purpose of this statement is to provide the Inspector with an update on the planning application for Land South of Loves Hill (referred to in our previous representations) and the potential capacity of Land to the East of the St Mary's School (SR15).

3. **Land South of Loves Hill, Timsbury**

Current Application

3.1 As set out in our representations to the consultation on the Draft Placemaking Plan (December 2015) an outline planning application (Ref: 15/04980/OUT) was submitted for Land South of Loves Hill in November 2015. The proposals were for the erection of 45 dwellings, including the provision of 18 affordable homes to meet local housing needs.

3.2 The application was refused under delegated powers on 9th May 2016 for the following reasons:

1. Landscape impact.
2. Impact on a non-designated heritage asset.

3.3 It is important to note that the Council did not dispute the principle of developing the site. There were also no technical objections in respect of highways, ecology, drainage, archaeology, noise, air quality or ground conditions (as demonstrated by the detailed reports and information submitted with the application).

3.4 An appeal against the refusal was lodged on 21st July 2016 and is due to be determined later this year. The Statement of Case for the appeal is included as **Appendix 1** and sets out in detail why we consider the reasons for refusal to be incorrect. However, a summary of our position is set out below.

Reason for Refusal 1 – Landscape Impact

3.5 A Landscape and Visual Statement has been prepared in support of the

appeal proposals and is included at Appendix 4 of the Statement of Case (**Appendix 1**). The statement assesses the visual effects of the proposed development from a range of viewpoints and demonstrates that the proposals will have little or no effect on the setting and distinctiveness of the village as experienced in local and long distance views.

- 3.6 It is acknowledged that the loss of the fields to development will be apparent from immediate views when walking towards the village from the west. But the harm arising is limited, and the overall setting of the village and of the footpaths will remain open and rural in character.

Reason for Refusal 2 – Impact on a Non-Designated Heritage Asset

- 3.7 The second reason for refusal is based on the consultation response from the Council's Conservation Officer. The Council's concern is that the proposed development would erode the 'isolated' setting of the unlisted Lynch House, which is situated outside the appeal site to the south west.
- 3.8 A rebuttal to the Conservation Officer's comments is included at Appendix 6 of the Statement of Case (**Appendix 1**). It establishes that there is no basis for the Council's concern as the building lost its relative sense of isolation during the early to mid-19th century, when it was converted from a field barn to a dwelling. Furthermore, between the eastern boundary of the curtilage of Lynch House and the appeal site is a mature field boundary hedgerow, and in places the hedge is substantial in height. The boundary hedgerow will be retained as part of the appeal proposals, and will be reinforced where necessary with additional native hedgerow planting (secured through a S106 planning obligation), thereby providing robust screening between Lynch House and the appeal site. The setting of Lynch House will be therefore be preserved, and there will be no material harm or loss, having regard to the test in paragraph 135 of the National Planning Policy Framework (NPPF).

Revised Application

3.9 An application for a smaller area of housing (around 20 dwellings) on the northern part of the site will be submitted shortly. The Council has confirmed that it would have no objection on heritage grounds to development on that part of the site. Nevertheless, it is important to note that our position remains that the entire site is suitable for housing and should be allocated for residential development.

4. Land to the East of the St Mary's School (SR15)

4.1 In our representations to the consultation on the Draft Placemaking Plan (December 2015) we stated that for a variety of reasons the Land to the East of the St Mary's School (SR15) is unlikely to be able to deliver the 20 dwellings that are required by the allocation. The representation that the landowner (Respondent: 7042) of SR15 submitted to the consultation indicates that they share the same concerns. The comments made include:

"The plan is not POSITIVELY PREPARED or JUSTIFIED i.e. it is not the most appropriate strategy for the Mead. It is only EFFECTIVE i.e. deliverable if I as landowner agree to make the land available and at the moment I have strong reservations about the plan with which I believe many in the village would concur. It could enable the delivery of sustainable development were land use less profligate."

"The number of dwellings has gradually increased to "around 20". When I agreed to the larger area as indicated in my original plan, this was to allow planning flexibility not to increase the area occupied by housing."

"I am speaking for myself and many in the village when I state that the development should be restricted in size and compact in nature. There should be pedestrian access to the school and it would be far sighted"

even if the school is not to be redeveloped to make provision for access or egress on this side at some point in the future."

- 4.2 The above indicates that the landowner could withhold delivery of the site unless the proposed quantum of development is reduced. On this basis it is essential that additional housing is allocated elsewhere in Timsbury in order to ensure that the 50 dwellings that are required by Policy RA1 of the Core Strategy can be delivered.

Appendix 1

Statement of Case