

EXAMINATION INTO THE SOUNDNESS OF THE BANES PMP

**INSPECTOR'S MATTERS AND ISSUES FOR EXAMINATION AT
HEARINGS**

MATTER 23: HOUSING IN THE RURAL AREAS

POSITION STATEMENT ON BEHALF OF

BOYSTOWN LTD (ID: 6456)

AUSTEN SMITH (ID: 7124)





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RA Ref: BOYS0001

LPA Ref: -

Office Address: Number One
Queen Square Place
Bath
BA1 2LL

Telephone: +44 (0)1225 433675

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1. Introduction

- 1.1 This Statement sets out the representors' preliminary response to the Inspector's questions in relation to Matter 23.
- 1.2 It should be read in conjunction with both the representors' submissions to the Submission Draft PMP, and their Position Statements relating to other matters identified by the Inspector for Examination.

2. Issue 1: Whether the approach to development in the rural areas is justified and positively prepared?

Q1

- 2.1 The PMP will not provide sufficient housing in the rural areas to deliver the objectives of either the Core Strategy policies for the policy area or national planning policies.
- 2.2 For reasons set out in response to Matter 2, Q1(c), the changes to the qualification requirements for RA1 villages are likely to result in a 'downgrading' of certain settlements to RA2 villages, which has a consequential effect on the scale of development for which they are deemed to be suitable. The Council must explain to the Inspector in response to Q1(b) the assessments that it has undertaken to establish the effect of the policy change.
- 2.3 Perhaps more significant in relation to this matter since much development in rural areas is through small windfall sites that are brought forward through the development management process rather than specific allocations, the strategy for determining Housing Development Boundaries is not considered to be have been positively prepared. Again, this issue is subject to consideration under Matter 2 (Issue 2, Q2).
- 2.4 Notwithstanding their age, there has been no comprehensive review, or indeed 'flexing', of HDBs to allow for sustainable development opportunities at relevant settlements or in response to settlement evolution since they were originally defined. A case in point relates to Farmborough and the adjustment promoted through representations made by Boystown Ltd (ID: 6453), which has not met with a positive response from the Council.
- 2.5 The use of HDBs is purely defensive, to tightly contain development within existing developed areas. It is a blunt instrument which, used in such a way, gives very little scope for sustainable expansion of existing settlements. Indeed, as is confirmed in CD/PMP/DM20, the 'main' guiding principle in the Council's approach has been that HDBs *"... will generally be defined tightly around the housing (i.e. permanent dwellings) of the settlement, excluding non-housing uses on the edge of the settlement"*. However, this is not necessarily consistent with the stated objective for HDBs to *"... allow small site windfall*

housing development to come forward, within the framework of the local plan, reflecting the roles and character of each settlement”.

- 2.6 As is further stated in the ‘Introduction’ to CD/PMP/DM20, *“as part of the Placemaking Plan, HDBs are being reviewed in order to take into account housing development which has occurred since the HDBs were last defined in the 2007 B&NES Local Plan, committed housing developments (allocations and extant permissions) and anomalies”.* However, this is unlikely to ‘allow’ for additional windfall housing to come forward, particularly in the rural areas, which is the stated objective of the policy tool.
- 2.7 The approach is, in consequence, contrary to national planning policy guidance to deliver sustainable development and to, *inter alia*, ‘boost significantly’ the supply of housing. A positively prepared strategy ought to have involved the introduction of some flexibility into the policies to allow for development commensurate with a scale appropriate to RA1 and RA2 villages to come forward on sites of less than 10 dwellings, and therefore below the normal threshold for specific allocations.
- 2.8 Such flexibility should include drawing HDBs around non-housing uses on the edge of settlements, which is expressly excluded as part of the main principle. Again, a case in point is the change promoted by Boystown Ltd at Farmborough, where redevelopment of land in non-housing uses on the edge of the settlement for residential purposes that is complimentary to the scale and character of the village, will deliver both much needed additional housing and environmental enhancement. Absent such flexibility, the consequence for most rural settlements which have been developed to their limits is to render ineffective Policies RA1 and RA2 which encourage some development to sustain local communities and services.
- 2.9 The approach is particularly onerous and negative in the rural areas, where small settlements have largely been developed to their limits and specific site allocations are limited. For policies supporting economic growth in rural areas ‘by taking a positive approach to sustainable development’ (NPPF, para. 28) to be deliverable, HDBs should be used in a positive way to promote organic growth, rather than negatively to pull up the drawbridge.
- 2.10 The Council has failed to justify the ‘defensive’ use of HDBs against both the requirement to deliver modest growth in housing in smaller settlements, and the NPPF requirements to

‘promote the retention and development of local services and community facilities in villages’ (para. 28), and ‘boost significantly’ the supply of housing.

- 2.11 The strategy for determining HDBs is therefore not positively prepared, justified, or consistent with national policy
- 2.12 In the light of the above, it is concluded that the PMP will not provide sufficient housing in the rural areas. The requirement should be regarded as a minimum figure that should aim to be exceeded to ensure that necessary housing is delivered to support rural communities.

Q3

- 2.13 The strategy for the rural areas, which is integral to delivering the overall housing requirements of the Plan, is reliant on the delivery of around 50 dwellings at ‘each’ of the RA1 villages, ‘in addition’ to windfall developments that come forward within HDBs (PMP, para. 67). The fact that some RA1 villages are not allocated sites for around 50 dwellings, and others are assigned a lesser quantum, endorses the conclusion that the Placemaking Plan will not provide sufficient housing in the rural areas.
- 2.14 To uphold the strategy for the rural areas as a whole, any underprovision in some villages should be made good in others where social infrastructure and other constraints are absent. There is capacity for achieving this through a combination of additional allocations in settlements such as Timsbury (see site promoted by Austen Smith (ID: 7124)) and adjustments to HDBs to take in non-residential uses on settlement margins (see HDB change at Farmborough promoted by Boystown Ltd (ID: 6456)).

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

Q1

- 3.1 The site allocations for Timsbury are not the most appropriate when considered against reasonable alternatives. Through the Options consultation document (CD/PMP/G8), three sites were canvassed as potential residential development opportunities, including the two proposed allocations in the PMP and a third option comprising land north of Loves Hill promoted Austen Smith (ID: 7124).
- 3.2 It appears that the site to the north of Lansdown Crescent was selected since it was the Parish Council's preferred option (CD/PMP/G8, para. 1.415). However, it is clear from the contextual assessment of the site that it is more environmentally sensitive than that promoted by the representor to the north of Loves Hill. This is reflected in the fact that the entire site was identified as a 'Visually Important Green Space' during the preparation of the Bath and North East Somerset Local Plan, the appreciation of which is enabled by a viewing plinth adjacent to the site. The site is flat, open to the countryside on two sides, and there are expansive views across it toward Farmborough Common and beyond.
- 3.3 In contrast, the site at Loves Hill is much more visually contained owing to its southerly aspect, and is contained by Loves Lane to the south and existing development to the west, east and north east. It provides capacity for up to 50 dwellings, with the potential for further expansion northwards in due course onto land contained by the B3115 Hayeswood Road, if required.
- 3.4 The site at Loves Hill is therefore considered to be a reasonable and better alternative to the allocation north of Lansdown Crescent (Policy SR15). Moreover, there are understood to be uncertainties relating to the deliverability of the allocated site at the former Wheelers

Manufacturing Block Works (SR14) owing to land ownership constraints and the policy requirement for simultaneous delivery of employment floorspace.

- 3.5 Notwithstanding, and without prejudice to, the foregoing, given the shortfall in delivering the requirements of Policy RA1 in relation to other settlements, there is an opportunity to make good the deficit through the allocation of an additional site at Timsbury. The suitability of the land north of Loves Lane for residential development has been endorsed through the Issues and Options Consultation Document (CD/PMP/G8).
- 3.6 The site is Loves Lane is suitable, available and deliverable now. It has a willing landowner who has sought to promote it through the Placemaking Plan. In contrast, the allocated sites are of uncertain deliverability. Notwithstanding it being a vacant site with the existing buildings having been cleared, there are understood to be constraints on bringing forward the site allocated through Policy SV14. Moreover, as is evident from CD/PMP/G8, in addition to environmental sensitivities relating to the site allocated through Policy SV15, there is a reluctant landowner which limits the capacity of the site to, at best, half of what is required to deliver the minimum requirement for the village.
- 3.7 In the light of the above considerations, the representor's site at Love's Hill should be allocated, either as an alternative, or an addition, to the allocations in the PMP to facilitate delivery of the strategy for the rural areas. .

