



OJ/TW/1

**TOWN AND COUNTRY PLANNING ACT 1990
SECTION 78 APPEAL**

BY

TAYLOR WIMPEY UK LTD

LAND SOUTH OF PARK ROAD, KEYNSHAM

Hybrid planning application for a housing led mixed use development comprising 285 dwellings, retail accommodation, flexible business / employment floor space, affordable housing, formation of new vehicular, pedestrian and cycle accesses, pedestrian and cycle improvements to Parkhouse Lane, formal and informal public open space, including junior playing pitch and associated changing rooms and parking facilities, together with landscaping and tree planting and ancillary works including drainage (full application) and extension to Castle Primary School (outline application, all matters reserved)

**PINS REF.: APP/F0114/A/10/2143212/NWF
LPA REF.: 09/04351/FUL**

**PUBLIC INQUIRY COMMENCING
TUESDAY 7TH JUNE 2011**

**PROOF OF EVIDENCE
OF
OWEN JONES**

MAY 2011

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PREAMBLE

I am a Chartered Town Planner and a Member of the Royal Town Planning Institute. I hold the BA Hons in Planning and Local Economic Development and a Post Graduate Diploma in Town Planning. I also hold a MSc in Residential Development.

I am a Director of Boyer Planning Ltd, an environmental planning and development consultancy, having joined the company in 2001. Boyer Planning operates throughout England and Wales from offices in Cardiff, Wokingham, London, Twickenham and Colchester.

Prior to joining Boyer Planning I was employed by the House Builders Federation as a Regional Planner in the South West.

I have many years' experience in the assessment and design of development proposals. This includes the appraisal and promotion of a range of schemes through the development plan and development control processes. I have acted variously for developers and house builders and private individuals.

Boyer Planning was first instructed by Bryant Homes in the promotion of its land interests south of Park Road, Keynsham in 1999. I have led the company's involvement in this scheme since 2003. I represented Bryant Homes at the Local Plan Inquiry in 2005. I have been directly involved in the formulation of development proposals since Local Plan was adopted, participating in negotiations with owners of Site A and their agents Pegasus Planning Group, the Local Authority's Major Development Team and its consultants White Young Green. Boyer Planning has been involved with the preparation, submission and subsequent project management of the planning application and this Appeal.

During the period of my involvement, Boyer Planning's client has changed from Bryant Homes, to Taylor Woodrow and now Taylor Wimpey and there are references to each of the companies in my Proof of Evidence and the supporting Appendices. These changes occurred on account of the acquisition of Bryant Homes by Taylor Woodrow and subsequently the merging of Taylor Woodrow and George Wimpey



My evidence is to be read in conjunction with the evidence of Mr Lear and Mr Cooper who deal respectively with transportation and environmental matters, along with an accompanying report concerning drainage matters from WSP Development and Transportation.

My documents comprise this Proof and an accompanying volume of Appendices. Section 10 of the Proof has been written as a summary for the purposes of evidence in chief. Wherever possible I have avoided repetition of material that occurs elsewhere in the application documents or in Statements of Common Ground but there is inevitably some overlap.



SECTION ONE – INTRODUCTION

- 1.1 This Appeal relates to a hybrid planning application for a residential led mixed use development on land south of Park Road, Keynsham.
- 1.2 The site is allocated for this purpose in the adopted Bath and North East Somerset Local Plan. It forms part of the 'South West Keynsham General Development Site' which comprises of two separate parcels of land – Site A owned by Bath and North East Somerset Council and Site B, the Appeal Site, which is controlled by Taylor Wimpey.
- 1.3 The application was submitted in November 2009 in accordance with the policy and relevant development requirements set out in the Local Plan.
- 1.4 The planning application was reported to the Council's Planning Committee on the 27th October 2010 with a recommendation by Officers that the Development Manager be delegated to permit the application subject to detailed design issues, completion of an agreement under Section 106 of the Town and Country Planning Act and subject to Conditions. In the event the application was refused although the reasons for refusal were not confirmed until a later stage.
- 1.5 The LPAs Decision Notice (CD/B/7), issued on the 15th December 2010 cited five Reasons for Refusal, which may be summarised as follows:
1. *The proposed means of access from Park Road is unacceptable.*
 2. *The scheme does not represent an efficient use of land.*
 3. *Submitted details are inadequate and incomplete in respect of i) a co-ordinated and comprehensive delivery of the allocated site, ii) on-and off site drainage requirements, iii) on an off site traffic management, iv) the extension of the school adjoining the site, v) future management of the playing field and vi) improvements to Keynsham Railway Station.*
 4. *The development has inadequate townscape and design qualities.*



5. *The scheme represents a piecemeal approach to development which fails to make adequate provision for employment opportunities.*

1.6 In their Statement of Case the LPA formally withdrew Reasons 4 and 5. They also indicated that they intended only to maintain matters i) and iii) of Reason for Refusal 3. The Appellant's evidence continues to address these matters where they are raised by third parties.

1.7 My evidence addresses the planning policy considerations and context for the Appeal. Specifically I deal with Reasons for Refusal 2, and 3(i). I also give evidence in respect of housing land supply, planning obligations, and other matters raised by third parties.

1.8 Mr. Lear addresses Reason 1 and 3(iii) concerning transport and highways matters.



SECTION TWO – THE APPEAL SITE AND ITS SURROUNDINGS

2.1 General Location

2.1.1 The Appeal site adjoins the south western edge of Keynsham, a substantial town situated between Bath and Bristol. It has a population of around 15,500 and is linked to these two cities by the mainline railway and the A4.

2.1.2 An established residential area lies directly to the north of the appeal site, which includes a primary school (Castle Primary School), a small parade of shops, and a public house. A range of community facilities, including a social club, doctor's surgery, and a Community Health Centre, are located within walking distance of the Site. Keynsham town centre lies approximately 1 km from the site.

2.1.3 Bus services run through the residential area to the north and provide services to Keynsham, Bath and Bristol. The nearest bus stops to the site are located on Cedar Drive.

2.2 The South West Keynsham General Development Site

2.2.1 The South West Keynsham allocation, described in Policy GDS.1 K2 of the Bath and North East Somerset Local Plan, comprises two separate parcels of land (CD/C/2). These are referred to in the Local Plan as follows:

- Site A, situated east of Charlton Road and measuring 8.5 hectares in size; and
- Site B, located west of St.Clement's Road and measuring 11.7 hectares.

2.2.2 Site A is owned by Bath and North East Somerset Council (Property Services). It is principally an undeveloped parcel of land, with an area of equipped play and informal football pitch located adjacent to the southern edge of the existing built up area. Informal paths cross the site and lead to Abbots Wood (see para 2.2.4).

2.2.3 Site B is the Appeal Site. The appellant controls this by means of an Option Agreement.



2.2.4 The two parcels of land are separated from each other by Abbots Wood, a community woodland owned and managed by the Woodland Trust. Public access to Abbots Wood is via an existing public right of way through the Appeal Site and from the existing urban area via Holmoak Road and May Tree Walk.

2.3 The Appeal Site

2.4.1 For convenience I provide a copy of the Appeal site plan at *Appendix A*. The location and boundaries of the Appeal site are consistent with area of land identified as Site B on the B&NES Local Plan Proposals Map (GDS.1 K2). A detailed description of the site and surroundings has been provided in the application documents – in particular the Planning Statement (CD/A/1) and the Design & Access Statement (CD/A/2). For ease of reference I provide a brief summary description below.

2.4.2 The appeal site predominantly comprises a large field bounded by hedgerows, with overgrown scrub land in the northern part of the site. It includes within it and along its north eastern edge Park Road Industrial Estate which houses a small complex of workshop units (15 in number), formed principally by the re-use of former poultry sheds and low grade buildings. Many of these workshop units are vacant or used only for storage and the remainder are occupied on the basis of short term leases.

2.4.3 An established hedgerow crosses the site east-west, to the south of the workshops and meets Abbots Wood. Two detached dwelling houses (194 and 196 Park Road) lie within the north-eastern corner. Although the Appeal Site includes the curtilage of 196 Park Road, as its owner has expressed the intention to continue to occupy it, this property has been retained in the development scheme, albeit that drainage infrastructure is to be constructed within its boundaries.

2.4.4 The southern boundary is defined by a hedgerow with intermittent trees which abuts Parkhouse Lane (a Class 4 public highway). This extends from Park Road to Charlton Road. The western section of Parkhouse Lane is accessible by vehicles from Charlton Road. However, adjacent to the Appeal site, Parkhouse Lane is overgrown and impassable to vehicular traffic.



- 2.4.5 The northern boundary adjoins the rear curtilage of two storey housing on Dunster Road and The Brambles. Castle Primary School also abuts this boundary.
- 2.4.6 Two public footpaths cross the site (CD/B/2): BA27/16 adjoins the northern boundary of the site, crossing between Dunster Road and the north eastern corner of Abbots Wood, and BA27/15 lies along the northern part of the western boundary crossing between Abbots Wood and a footpath link from The Brambles.
- 2.4.7 Existing vehicular access to the appeal site is from Park Road which lies in the north-eastern corner. This presently serves the residential premises within the Appeal Site, no 192a Park Road and Park Road Industrial Estate. The nature and character of Park Road is described in detail in Mr Lear's Evidence.

2.5 Surrounding Area

- 2.5.1 To the east of the site are allotment gardens with fields beyond. A small number of residential properties are situated along Parkhouse Lane, to the south west of the site, between it and Charlton Road. Open countryside lies to the south of the site which forms part of the Bristol-Bath Green Belt. Abbots Wood and fields to the south and east of the site also form part of the Forest of Avon. To the south east, is the village of Chewton Keynsham and to the south west is the village of Queen Charlton. The visual relationship between these villages and the Appeal Site is described in Mr Cooper's evidence. There is no other physical or functional relationship between these villages and the Appeal Site.



SECTION THREE – PLANNING HISTORY

3.1 Joint Replacement Structure Plan for the Former County of Avon (CD/C/1)

3.1.1 Through the preparation of the Joint Replacement Structure Plan, the general extent of the Green Belt at Keynsham was amended – Policies 2, 9 and 16 refer. This amendment was made to the Green Belt in order to release land for development and contribute towards housing requirements and associated employment and related uses, thus contributing to meeting the housing needs of Bath and North East Somerset at a town within the Bristol-Bath transport corridor. It followed that the Local Plan was to determine what detailed alterations to the Green Belt boundary were to be made having regard to the need for new development to be integrated with the existing town infrastructure whilst maintaining the town's character and separate identity within its Green Belt setting.

3.2 Bath and North East Somerset Local Plan Deposit Draft (CD/C/3)

3.2.1 The Appeal Site was identified first in the Deposit Draft Local Plan, prepared by the District Council in 2002 and in the context of Joint Replacement Structure Plan for the Former County of Avon (JRSP) described in the preceding paragraph. The proposed allocation comprised both Site A and Site B (as referred to in para 2.2) and included a list of 'development requirements'. I include a copy of this proposed policy at *Appendix B*. Whilst not directly relevant to this Appeal I draw attention to three aspects of the proposed policy as drafted at that time.

3.2.2 Firstly, the introductory aspect of the proposed policy referred to comprehensive proposals for a mixed-use scheme including both [Site A and Site B]. Secondly, it identified a capacity of about 500 dwellings across the two sites. Finally, access to Site B was identified as being from St.Clement's Road with traffic management measures to prevent vehicular access from Park Road except for emergency vehicles.

3.2.3 Representations to the Deposit Draft, principally in support of this proposed allocation, were submitted on behalf of Bryant Homes (the predecessor company to Taylor Wimpey). However, in these representations various changes to the policy were requested, including the replacement of the word 'comprehensive' with 'co-



ordinated' in the introductory paragraph to reflect the fact that the allocation comprised two entirely separate parcels of land which are in different ownerships and accordingly it was neither feasible nor necessary for them to be developed as one. A change to the means of access was also sought in favour of Park Road as opposed to St. Clement's Road, on the basis that amongst other things there was inadequate land within the highway at St. Clement's Road to achieve a satisfactory means of access and that the section of land between St. Clement's Road and the Allotments was not highway land at all, whereas in contrast all land required to achieve a satisfactory access via Park Road was either highway land or in the control of Bryant Homes.

- 3.2.4 In support of its representations concerning the use of Park Road as the means of access Bryant Homes had, through its transport adviser Mr Lear of (then) Halcrow Fox, prepared a diagrammatic drawing illustrating how the Park Road access could be achieved with a narrowing of the carriageway creating narrowing to serve as a traffic calming feature.

3.3 Bath and North East Somerset Local Plan Revised Deposit

- 3.3.1 In 2004, the LPA published its Revised Deposit Local Plan. On this occasion, the South West Keynsham site had been deleted in favour a different housing land supply strategy, with a greater emphasis on the delivery of previously developed sites and windfall estimates. Consequential to this change, the Revised Deposit Plan proposed no alteration to the Green Belt at Keynsham, contrary to the express requirement in the JRSP.
- 3.3.2 Bryant Homes objected to the Revised Deposit Local Plan, seeking firstly the alteration of the Green Belt at Keynsham and the re-allocation of Site B as a mixed use development, comprising a scheme to provide 250 dwellings, 0.8 hectares of employment land and open space and landscape planting.
- 3.3.3 The objections were taken forward to be considered at the Local Plan Inquiry.



3.4 The Local Plan Inquiry and the Inspector's Report

3.4.1 The Local Plan Inquiry was conducted between February and May 2005. It was held at Keynsham. It considered objections concerning the Revised Deposit Local Plan seeking *inter alia* conformity with the JRSP in terms of the policy approach at Keynsham which required an alteration to the Green Belt to accommodate future housing and associated uses, the housing land supply strategy to better ensure achievement of the strategic housing requirement set in the JRSP/RPG10, and the allocation of omission sites including Site B at South West Keynsham.

3.4.2 I, along with Mr Cooper and Mr Lear, prepared evidence for the Local Plan Inquiry on behalf of Bryant Homes. My evidence to the Inquiry was in respect of housing and strategy matters and also the omission of Site B at South West Keynsham. This latter aspect concerned the suitability of the site for housing, the required alteration to the Green Belt and also the representations made to the First Deposit Local Plan concerning the wording of the Policy and its development requirements. Mr Cooper presented landscape, visual and environmental evidence which included an illustrative masterplan, whilst Mr Lear gave evidence concerning transportation matters and included an 'agreed statement' with B&NES' Highway Officer as to the use of Park Road as the means of access rather than St. Clement's Road, along with an emergency access from Parkhouse Lane.

3.4.3 In her Report, the Inspector recommended that the Revised Deposit Plan be changed to include the allocation of the South West Keynsham General Development Site, reflecting the general position set out in the First Deposit Local Plan (CD/C/6). I include relevant extracts from the Inspector's Report at *Appendix C*. I summarise the salient points below:

- the Revised Deposit Local Plan's housing land supply strategy was not sufficient to meet the housing requirement set through the JRSP/RPG10.
- this represented a serious shortfall in housing land supply if no further sites were allocated.
- no reliance could be placed on additional housing supply from previously developed land or windfall sites



- it is land at South West Keynsham which would most readily meet the criteria of the JRSP for the release of land from the Green Belt for housing and associated uses.

3.4.4 Recommendation R7.22 proposed the re-instatement of Policy GDS.1 K2, with clause 1 amended to “about 700 dwellings”.

3.4.5 Subsequent to the main Report, the Inspector also produced an Addendum Report. This was prepared following Bryant Homes querying with the Planning Inspectorate how its representations concerning the wording of Policy GDS.1 K2 in the First Deposit Local Plan had been considered by the Inspector. Again, I include a copy of this at *Appendix D* and summarise the salient points below:

- The need for a co-ordinated strategy rather than a comprehensive approach was a more practical way to proceed recognising that the two parcels of land are in separate ownership;
- The proposed means of access from Park Road was accepted and the Policy was to be amended accordingly; and
- The proposed means of emergency access was to be altered to refer to Parkhouse Lane.

3.5 The LPA’s Proposed Modifications

3.5.1 The LPA considered the Inspector’s Report in October 2006 and, in so far as this Appeal is concerned, accepted the recommendations made as to inclusion on the South West Keynsham General Development Site. I include an extract from the Committee Report that concerned the re-instatement of the South West Keynsham allocation at *Appendix E*. In its Statement of Decisions in Response to the Local Plan Inspector’s Report (CD/C/10) the LPA state the following:

“Agree. In light of the housing shortfall, it is necessary for this allocation to be reinstated. The site will be required even if rapid progress is made on BWR [Bath Western Riverside] in the Plan period. This is a large site of around 20 ha and the site requirements will need to be reviewed. Further work has been undertaken on this site including assessments of transport implications and further investigations are underway on the programming of development which will clarify the housing contribution for the Plan period. It is proposed that the Local Plan should allow for at least 500 of the 700 dwellings to be completed before the end of the Plan period. Whilst the allocation of SWK entails a change to the Green Belt, it



provides the opportunity to develop a new residential community which exemplifies high quality of design and sustainable development principles and complements the objectives of the emerging Keynsham Vision in supporting local services and supplying affordable housing”.

3.5.2 The Proposed Modifications to the Local Plan were published for public consultation in November 2006 (CD/C/9). The Policy that was included in the Proposed Modification (M/B9/33) reflected the wording recommended by the Inspector and accordingly referred to the means of access as being from Park Road.

3.5.3 Representations to the Proposed Modifications were considered by Officers and reported to the Council on the March 2007 (CD/C/11). The Officer’s assessment of representations concerning South West Keynsham noted the following in recommending ‘No Change’:

- the Inspector’s recommendation was based on a need to identify additional housing land, and having regard to the lack of opportunity on previously developed land, the Policies and search sequence set out in the Structure Plan and national planning guidance;
- a masterplan will be prepared to guide the development which will be subject to public consultation;
- any developer will be required to comply with the 17 development requirements stipulated in the policy;
- the traffic study undertaken for the Council prior to the original allocation in the Deposit Draft Plan has been updated and its conclusion that the development could be accommodated satisfactorily on the road network between the sites and the A4 and A37 subject to reasonable mitigation confirmed;

3.5.4 Moreover, the Officers Report indicated that the representations received did not raise any new issues warranting a further modification.

3.5.5 In the event, the Council, at its meeting in March 2007 resolved to make a further modification to the South West Keynsham allocation – FM/B9/2 - adjusting the wording of the Policy to read ‘*up to 700 dwellings*’ rather than ‘*about 700 dwellings*’ and inserting the sentence “*with the final capacity to be decided by a*



comprehensive masterplan approach". These Further Proposed Modifications (CD/C/12) were subject to public consultation in May 2007.

3.5.6 In its consideration of representations to this Further Proposed Modification the Officers proposed no further change to the South West Keynsham Policy and the Local Plan was adopted on 18th October 2007. For completeness I include a copy of the Policy GDS.1 K2 of the adopted Local Plan at *Appendix F*.

3.6 Discussion

3.6.1 I have set out in the preceding sections how the South West Keynsham allocation was treated in the preparation of the Local Plan and have demonstrated the following:

- In various guises, the Appellant had engaged with the Local Plan process from its inception through to adoption.
- The company had identified the limitations of the initial means of access to Site B from St. Clement's Road and had prepared an alternative access arrangement utilising Park Road;
- At the Local Plan Inquiry, the means of access from Park Road was the subject of an Agreed Statement with the Council's Highway Officer.
- The Local Plan Inspector recommended that the Local Plan be amended to re-instate the South West Keynsham allocation with her conclusions in this regard based upon an otherwise insufficient housing land supply strategy, the requirement of the JRSP for new housing and associated uses to be provided at Keynsham, and the overall suitability of the South West Keynsham site.
- In reaching this conclusion the Inspector considered the suitability of the proposal put forward by the Appellant for Site K2 to be accessed from Park Road and found in favour of this, recommending consequential amendments to the Policy to give effect to this.
- Her conclusion as to the adequacy of the Park Road access was based on a proposal for 250 new homes and 0.8 hectares of employment land to be accommodated on Site B, but her recommendation was that the allocation



could in overall terms accommodate around 700 dwellings demonstrating her view as to the resilience of the site and the location generally, including the local highway network to absorb this level of development.

- The Inspector recommended other changes to the Policy, including introducing a reference to a co-ordinated approach to the site's development, reflecting the practical position that the allocation could not be implemented in a comprehensive manner but could be planned in a co-ordinated fashion.
- The Council accepted the Inspector's recommendation, recognising the need to allocate additional land to ensure a satisfactory supply of housing, and in doing so accepting that the Park Road access was appropriate.
- Representations at the Proposed Modifications Stage were made in opposition to the re-instatement of the allocation, referring to various reasons including the perceived adverse impacts on the local highway network.
- In response to these Representations, officers cited, amongst other things, the updated highway assessment that was undertaken and demonstrating that, subject to mitigation measures, the development could be accommodated satisfactorily.
- Ultimately, the Council modified the Inspector's Recommendation by applying a ceiling to the number of new homes to be provided – up to 700 – and required a masterplan exercise to determine the final capacity of the site.

3.6.2 The analysis above demonstrates that a wide range of factors that were to guide the development of the allocation were the subject of detailed and indeed repeated consideration during the Local Plan process. This led to key principles being settled in the adopted Local Plan following the consideration by the Local Plan Inspector and finally the LPA of representations in opposition to the scheme and its development principles. In the case of Site B, the Local Plan is unambiguous as to the means of access to the site being from Park Road with emergency access from Parkhouse Lane. As is explained in Section 5 the Appeal scheme corresponds with these aspects of the Local Plan policy. This is echoed in the Officer's Report to



Planning Committee concerning the Appeal Scheme which recommended that delegated approval be given to the Development Manager to permit the proposed development.



SECTION FOUR – THE JOINT MASTERPLANNING EXERCISE

4.1 Having recounted how the Appeal site was dealt with through the Local Plan process in the preceding Section, here I describe the process of engagement between the Appellant, the owner of Site A – B&NES Property Services, and the Local Planning Authority's Major Development Team, led by its Senior Professional, in preparing a masterplan to guide development of the allocated sites. In doing so I refer to various Core Documents which I identify individually.

4.2. Development Principles Document

4.2.1 In the period immediately after the Local Plan Inspector's Report was published, the Appellant met on various occasions with the LPAs Policy Officers and representatives of B&NES Property Services as would be customary at that time given the Local Plan process that existed.

4.2.2 During this time, the Council's Planning Policy Section produced the document entitled 'Development Principles' which was published in January 2007 (CD/K/1). This sets out the design considerations to be taken into account in the preparation of a masterplan. It is clear that the masterplan was to be the subject of public consultation and that it was intended to be approved by the Council. However, I draw attention to the reference in the introduction regarding the weight to be afforded to the masterplan as a material consideration depending on the status it achieves. It is apparent, even at this stage, that the Council had considered that the masterplan might not achieve an approved status.

4.3. Joint Masterplanning

4.3.1 As consideration of the Local Plan proceeded during late 2006 and through to its adoption in October 2007, engagement with the LPA changed from planning policy officers to the Council's Major Development Team and in the form of pre-application meetings relating to the preparation of the masterplan.

4.3.2 Between 2007 and 2009, various masterplan submissions were made. Initially masterplan proposals were submitted by Taylor Wimpey and B&NES Property Services independently of each other (CD/F/1 and CD/F/5). However, with the



passage of time and through the process of iteration a single joint masterplan was prepared for consideration by the Major Development Team (CD/F/9). This was submitted in December 2008.

4.3.3 The Major Development Team responded by letter dated 2nd February 2009 (CD/F/10). This letter identifies a number of detailed points that were considered to require further consideration either as part of a further masterplan submission or alternatively through detailed development proposals in the form of a planning application. This letter does not raise objection to the principles of the disposition of land uses across the site, nor the quantum of development and other land uses to be provided. This was subsequently confirmed in correspondence from the Major Development Team dated the 20th August 2009 (CD/F/19). which states that the broad approach to developing the allocation (the location of the employment land on Site A, the location of the additional land required for the school site on Site B and the elements of residential development and open space across both Sites A and B) are acceptable.

4.3.4 Following consideration of the Major Development Team's comments of the 2nd February 2010, Pegasus Planning Group wrote on the 13th February 2010 on behalf of B&NES Property Services and Taylor Wimpey outlining that in view of the detailed nature of the comments received and that the disposition of land uses across the allocation and between Site A and B appear to be settled, it was intended that the masterplan, subject to minor changes to bring it in line with the Major Development Team's comments, would be subject to public consultation at that stage.

4.4 Public Consultation

4.4.1 The agreed joint masterplan was the subject of public consultation in March and April 2009. This is described in the Statement of Community Involvement (CD/A/10) that formed part of the submitted planning application. The SCI also identifies the matters raised by residents who attended the public exhibitions and those that submitted representations in the period following these events. I do not repeat the range of issues raised at that event in my evidence, save to identify the commonality with third party representations that I address later.



4.4.2 A feedback session was also held with the Town Council and local Members on the 19th May 2011.

4.5 Progress of the Joint Masterplan

4.5.1 Following the period of public consultation only one further meeting was held between B&NES Property Services and Taylor Wimpey. This resolved that additional work in relation to Site A and B would be undertaken by the respective landowners to remedy outstanding issues.

4.5.2 However, it became apparent to Taylor Wimpey, and especially after the 19th May 2009 meeting, that they were progressing at a different pace to B&NES Property Services as regards the bringing forward of development proposals either in the form of securing a formal status for the masterplan or the preparation of a planning application and that there was no prospect of a single conjoined application being submitted.

4.5.3 As this position crystallised during the summer of 2009, Taylor Wimpey sought direct liaison with the Major Development Team as regards a detailed layout for Site B. It had also become apparent at this stage that the Major Development Team were seeking clarification from B&NES Property Services as to their intentions and ultimately received confirmation that they would not be continuing the promotion of their land.

4.5.4 Despite this the Major Development Team would not consider Taylor Wimpey's detailed proposals absent information concerning the implementation of the whole of the allocated site. This appeared to be a pre-requisite to further engagement with the Major Development Team (CD/F/21 and CD/F/22). Whilst Taylor Wimpey prepared outline information relating to this B&NES Property Services did not participate with this and although Pegasus Planning Group acknowledged that the work prepared on behalf of Taylor Wimpey was appropriate, the company had no ability to submit this information to the Major Development Team for its consideration.

4.5.5 This led to Taylor Wimpey having no alternative but to submit its planning application without further consideration by the Major Development Team. The



application was submitted on the 13th November 2010 and duly registered by B&NES later that month.

4.6 Discussion

- 4.6.1 The above chronology demonstrates that the Appellant and the owner of Site A had, over a period of time, reached agreement on the disposition of land uses across the site – housing, employment, retail, education, open space. The amount of housing to be accommodated on both Site A and Site B had also been agreed, along with the access arrangements to both sites reflecting the Local Plan and additional linkages. These broad principles were endorsed by the Major Development Team in their communication of the 20th August 2009.
- 4.6.2 However, it is evident that the difficulties faced by B&NES Property Services in continuing to progress development proposals, including securing a more formal status to the masterplan, caused a different strategy to be deployed than that envisaged in the 2007 Development Principles document, which suggested that the masterplan could be approved the Council. Rather, and recognising that the masterplan would be afforded less weight than had it been approved by the Council, Taylor Wimpey had to consider the preparation of a planning application that both drew from the joint masterplan and ensured the delivery of the relevant Development Requirements that related to Site B.
- 4.6.3 It is apparent that the ability to pursue single or conjoined applications was fettered by the decision of B&NES Property Services in the summer of 2009 not to continue with the promotion of its land. This hamstrung the ability of Taylor Wimpey to negotiate with the Major Development Team on detailed matters relating to Site B as the Major Development Team required, as a precondition of on-going discussions, information that the company was not able to supply.
- 4.6.4 In this circumstance, Taylor Wimpey thus had no alternative but to pursue planning permission for Site B in the context of the masterplan jointly agreed between the two landowners and endorsed by the Major Development Team. In the event, the application that was submitted demonstrated how the Development Requirements in the Local Plan Policy were being achieved, how Taylor Wimpey's proposals did not prejudice delivery of the remaining Development Requirements and how those



could reasonable by achieved with the eventual development of Site A. This is described chiefly in the Planning Statement (CD/A/1) and Implementation Strategy (CD/A/12).

4.6.5 The success with which the application achieved this was acknowledged in the Officer's Report to Committee, which stated that ***“the current application not only accords with the provisions of the Draft Masterplan for Site K2, but also proposes a development that will deliver (on a pro-rata basis) a realistic contribution to the substantial list of requirements in the Local Plan policy for the site as a whole.”***

4.6.6 Therefore, despite the process which the joint masterplan went through and the inability to secure it a formal status, the development proposals put forward by Taylor Wimpey were appropriate and satisfactory to the Officers in the overall context of the Local Plan Policy. Having given this contextual information I describe the nature of the Appeal scheme having regard to the above in the following Section.



5.1 SECTION FIVE – THE PROPOSALS

5.1 The Appeal Scheme

5.1.1 The appeal scheme comprises two elements:

- (i) A full planning application for residential development (285 units) and other associated uses (224 sq.m. retail accommodation, 231 sq.m. business / employment floor space, formal and informal recreational and public open space).
- (ii) An enlargement of Castle Primary School; this comprises an outline planning application (all matters reserved) as the requirements of the school extension have not been developed in any detail by the Council as Local Education Authority (LEA). The Design and Access Statement establishes the parameters associated with this aspect of the development.

5.2 The Housing Component

5.2.1 The application proposes the construction of 285 residential dwellings. This contributes to the overall dwelling requirement identified in *criterion 1* of the Local Plan Policy. This mirrors the intention of the joint masterplan as to the quantum of housing to be developed on Site B. It is anticipated that up to 15 dwellings could be provided in the event that the retained dwelling is redeveloped at a future date.

5.2.2 Of the dwellings that are to be constructed 35% are to be affordable homes – 100 dwellings. This accords with Policy HG8 of the Local Plan. 76% of these affordable homes will be in the form of social rented accommodation, the remainder will be shared equity. The means by which the affordable homes are to be provided is governed by the S106 Agreement.

5.2.3 The Design and Access Statement provides information about the form and nature of the residential component which consists of two and two and a half storey dwellings along with 3 storey apartments. The mix of houses is identified in *Appendix G*, ranging from two to six bedroom homes.



5.2.4 Of the two residential properties that are located within the Appeal Site, No. 194 is to be demolished and redeveloped (CD/A/31), whilst No. 196 and its curtilage is to be retained

5.3 The Commercial Component

5.3.1 Located centrally within the scheme are commercial units comprising 231 sq.m. (gross internal area) of flexible business / office / employment space. This responds to *criterion 2* of the Local Plan policy for employment to be provided as part of the overall allocation, reflecting the position in the joint masterplan that the principal area of employment space should be on Site A. The disposition of this land use component was endorsed by the Major Development Team in its comments on the draft masterplan.

5.3.2 Obligations relating to the timing and delivery of this component of the development are included within the S106 Agreement.

5.3.3 The existing workshop units located along the north eastern edge of the application site will be demolished (CD/A/31). This is anticipated by the Local Plan's Policy (criterion 2).

5.4 The Retail Component

5.4.1 Again located centrally within the scheme are two retail units comprising 224 sq.m. gross internal floor area. This responds to *criterion 11* of the Local Plan policy. These units have residential development on the first floor.

5.4.2 Again obligations relating to the timing and delivery of this component of the development are included within the S106 Agreement.

5.5 Open Space

5.5.1 There are three elements of open space within the scheme:

- a junior playing pitch located in the north west corner of the site with associated changing facilities;



- areas of equipped play space located centrally within the development (LEAP), adjacent to the south eastern boundary of the site (LAP) and in the south west corner of the development (LAP); and
- Informal and incidental areas of open space / amenity space associated with the equipped areas of play, along the boundary with Parkhouse Lane, adjacent to the central hedgerow within the site; along the boundary with Abbots Wood; and at the entrance to the Site

5.5.2 These elements of open space reflect what is required by criteria 13, 14, 15 and 16 of the Local Plan's Policy. The approach towards open space provision accords with Policy SR.3.

5.5.3 The means by which the open space is to be provided is set out in the S106 Agreement.

5.6 Vehicular Access

5.6.1 Vehicular access to the site is from Park Road. This is in accordance with *criterion* 3 of the Local Plan's policy. The detailed design of the access arrangements are included within the Transport Assessment that accompanied the application and is subject to detailed explanation in Mr Lear's evidence.

5.7 Emergency Access

5.7.1 Emergency access is to be provided from Parkhouse Lane, where improvements will be made to a short section of this road to enable this. This is in accordance with *criterion* 3 of the Local Plan's policy. Again, the detailed design of the access arrangements are included within the Transport Assessment that accompanied the application and is subject to detailed explanation in Mr Lear's evidence.

5.8 Pedestrian and Cycle Access

5.8.1 In addition to the principal access from Park Road, additional pedestrian connections are proposed as follows:

- via Parkhouse Lane benefiting from the improvements required to implement the emergency access described in para 5.7.1;



- via the existing public rights of ways that exist at the site's northern edge;
- via the existing public right of way that accesses Abbots Wood;
- via a new link to the existing footpath adjacent to Newlands Road / The Brambles.

5.8.2 These connections reflect *criteria 3, 4 and 6* of the Local Plan's policy.

5.8.3 The Parkhouse Lane access will also serve as a cycle connection, similarly in accordance with *criterion 3* of the Local Plan policy.

5.8.4 The timing and delivery of the linkages form obligations in the S106 Agreement.

5.8.5 In addition, the S106 Agreement includes a financial contribution for off site pedestrian and cycle improvements at St. Clements Road and Albion Road reflecting further *criterion 6* of the Local Plan.

5.9 Protection of Abbots Wood

5.9.1 A landscape buffer, measuring 10m in depth, is situated along the western boundary of the proposed development to afford protection to Abbots Wood. This reflects *criterion 15* of the Local Plan's policy and also the aspirations of the Woodland Trust, who own and manage the Woodland. This is described in Mr Cooper's evidence.

5.9.2 In addition, at the entrance points for pedestrian access, appropriate furniture is to be installed to restrict cyclists and motorcycles entering the Woodland. This again accords with the aspirations of the Woodland Trust as is described in Mr Cooper's evidence.

5.9.3 Finally, the Woodland Trust have requested that Abbots Wood be fenced. The appellant is prepared to erect an appropriate means of enclosure along the Woodland's eastern boundary adjoining the Appeal site through a 'chain link fence' as sought by the Woodland Trust. It is not the Appellant's intention to enclose the woodland's western boundary as this would not be necessary until development of Site A commences and is a matter for an application for that site to address.



5.10 The School Extension

5.10.1 As described in paragraph 4.3.1, outline planning permission is sought for the enlargement of Castle Primary School. This is in direct response to *criterion 9* of the Local Plan's policy which requires such improvements and the circumstances that exist at this school. The existing school accommodates a one form entry and pre-school provision. Through the masterplanning process, it was established that the school would need to be increased to a two-form entry school to accommodate development of the allocated site and existing demand from within Keynsham. This process also led to the location of the school site extension being agreed, both with the LEA and the Major Development Team, this being the only opportunity to extend the site within the area of land allocated for development.

5.10.2 It will be for the LEA to undertake the design and procurement process for the school site, subject to the separate requirements of the Education Act, hence the application was in outline. This is acknowledged by the LPA as an appropriate approach to adopt. The Design and Access Statement includes information as regards the school extension to inform a reserved matters applications in due course. It is intended that the school extension will measure up to 1200 sq m with up to 2000 sq m of hard surface play area, access road and path to bring it up to the size of a two form entry school. It is anticipated that the extension will be single storey (minimum external height of 3.35 metres to a maximum height of 4.55 metres) with an element increasing up to double height (minimum height of 7.05 metres to a maximum height of 8.25 metres) to add interest and legibility to the scheme and to provide flexibility in the range of potential uses which the LEA could accommodate within the building. I include information concerning this at *Appendix H*.

5.10.3 Obligations relating to the timing and delivery of this component of the development are included within the S106 Agreement.

5.11 Landscape Planting

5.11.1 *Criterion 16* of the Local Plan's policy requires landscaping measures to incorporate Forest of Avon planting guidelines. This is duly complied with, as is described in Mr



Cooper's evidence. Most notably, additional tree planting is proposed in the south west corner of the application site and existing trees and hedgerows are afforded appropriate protection from development.

5.12 Planning Obligations

5.12.1 It is intended that, as described in preceding paragraphs, implementation of the Local Plan's development requirements will where appropriate be governed by means of planning obligations. This extends to, in addition to those referred to, *criterion 5* (general traffic measures) and *criterion 8* (improvements to bus services) which can only be addressed in this manner. Mr Lear's evidence provides more detailed information in respect of these aspects of the scheme.

5.12.2 *Criterion 7* – improvements to Keynsham Railway Station will not be subject to a planning obligation. The reasons for this are set out in the LPA's Statement of Case and this is not a deficiency of the scheme for these reasons.

5.13 Management Company

5.13.1 The Appellants intend, as with a great many of its other developments, that a Management Company is established to manage and maintain the communal elements of the development. This is common practice across the housebuilding industry as an alternative to the transfer of land with a commuted sum paid to the Local Authority.

5.13.2 The Management Company will be a legal entity and through the conveyance process with future homeowners and their successors in title it will have obligations to discharge the management and maintenance of various aspects of the development. As is conventionally the case, future residents will pay an annual charge towards the work of the Management Company, which will be secured through the conveyance process. A Management Board, formed from the residents, will be responsible for and have oversight of the work of the Management Company.



5.14 Discussion

- 5.14.1 It has been demonstrated in these preceding paragraphs how, and consistent with the Officer's analysis of the scheme in the Planning Committee Report, the Appeal scheme responds to, caters for, and is in accordance with, the development requirements listed in Policy GDS.1 K2 and in doing so takes forward the principles established in the joint masterplan that was endorsed by the Major Development Team in its letter of the 20th August 2011.
- 5.14.2 Importantly, the development does not prejudice the ability of the remainder of the allocation (Site A) adhering to the development requirements listed in Policy GDS.K2. In the same way as Site B has reflected the principles of the joint masterplan, Site A will also be able to be developed on this basis and the Local Planning Authority will have the means to ensure this occurs to their satisfaction. Similarly, Site A will be required to enter into planning obligations to address development requirements as has been the case with Site B, again to ensure that the development is to the satisfaction of the LPA.
- 5.14.3 In overall terms, whilst there is no single application or conjoined applications for Sites A and B, this does not mean that the development proposals have not been brought forward on the basis of a co-ordinated strategy.. Rather, the Appeal scheme has adhered to the joint masterplan and will deliver the development requirements directed towards it and is satisfactory in these terms.
- 5.14.4 This conclusion was shared by the Officers who recommended that Planning Committee grant delegated powers to the Development Manager to Permit the application. I explain how the Council considered the application in the following Section.



SECTION SIX - CONSIDERATION AND DETERMINATION OF THE PLANNING APPLICATION

- 6.1 The hybrid planning application was submitted on 13th November 2009 and was registered by the Council on 25th November 2009. As explained earlier this comprised a detailed application for the residential component and an outline application for the school extensions.
- 6.2 Dialogue was opened up between the Appellants and Mr Geoff Webber, the Senior Professional - Major Developments, as the Case Officer in order to respond to responses received from statutory consultees, internal consultees and third parties (including local residents and local interested groups). Consultation responses were made known via the Council's website and via the case officer.
- 6.3 Various meetings were held with officers from the Council, consultees and third parties:
- 11 January 2010: Meeting with Police Crime Prevention Officer;
 - 22 January 2010: Meeting with Wessex Water;
 - 26 January 2010: Meeting with the Environment Agency;
 - 8 February 2010: Meeting with BANES Ecology Officer, TW, Cooper Partnership and Wessex Ecology;
 - 17 February 2010: Meeting with BANES Case officer;
 - 29 March 2010: Meeting with BANES Case officer, Highways, Urban Design officers;
 - 15 April 2010: Meeting with, BANES Case officer and the Environment Agency;
 - 6 May 2010: Site Meeting with BANES / Highways;
 - 6 May 2010: Meeting with BANES Case officer and Education Officer.
- 6.4 In response to these meetings and to respond to queries raised by residents and statutory consultees, amended plans and further information was submitted to the Council as follows:
- 25 February 2010: relating to drainage matters;
 - 3 June 2010: including site layout amendments, selected house type / apartment design revisions, revised Construction Management Plan, further



drainage information, Technical Note regarding emergency access strategy for Park Road, Park Road traffic monitoring, Parkhouse Lane emergency access management, landscaping and tree retention proposals, pre-application discussions with the Council's Property Services, Habitats Directive evaluation of the proposed development;

- 24 June 2010: further drainage information, revised tree protection plan, revised Construction Management Plan, site layout amendments, revised phasing, materials and site section drawings, badgers sett relocation.

6.5 In addition to the amended plan submissions, written clarification was provided on behalf of Taylor Wimpey in response to various points raised by officers during the application's consideration:

11 May 2010 – Education heads of terms for Section 106 Agreement ;

13 May 2010 – Park Road traffic monitoring;

17 June 2010 – Pedestrian and cycle linkage improvements;

21 June 2010 – Footpath link improvements from the site to The Brambles;

22 June 2010 – Response to Natural England letter of 8 January 2010. Proposed access arrangements to Abbots Wood.

6.6 The Council's Case Officer's original intent was to report the application to the 7th July 2010 Planning Committee meeting. An interim Planning Committee report was prepared for this Committee meeting and made publically available the week before the meeting. This report did not include an explicit recommendation to approve the planning application, due to the need for the Council's case officer to consider and agree the amended plans attached to Boyer Planning's letter of 24th June 2010. However, the Council's case officer confirmed in email correspondence dated 6th July 2010 that it was his intent to recommend approval of the application, subject to a Section 106 Agreement and appropriate conditions and that this confirmation was to be provided in an updated Committee Report to be prepared two days before the Committee meeting. This confirmation and clarification is contained in *Appendix I*. However, the planning application was withdrawn from consideration at this Planning Committee by the Case Officer in response to allegations from local



Residents that the Site was subject to Anthrax contamination and that this would require further investigation prior to the application's determination.

6.7 Further amended plans and further information concerning principally the matter of contamination but also other matters that arose during this period were submitted to the Council on the following dates:

- 12 July 2010 (Boyer Planning letter with accompanying revised planting plans);
- 26 August 2010 (Hydrock Method Statement regarding anthrax investigation);
- 29 September 2010 (Boyer Planning letter regarding public footpaths crossing the site);
- 30 September 2010 (Hydrock letter incorporating evaluation of anthrax investigations);
- 12 October 2010 (Boyer Planning letter regarding location of basements at 185-189 Park Road and supporting technical note, residential amenity on Park Road, off-site foul drainage works, construction traffic route.

6.8 Following the conclusion of the anthrax investigations, the application was reported to Planning Committee on 27th October 2010 (CD/E/1). This recommended that Members of the Committee delegate to the Development Manager powers to permit the application subject to a Section 106 Agreement, appropriate conditions, and completion of negotiations regarding "*detailed design issues including the provision of satisfactory site drainage*". For completeness I include a copy of this Report at *Appendix J*.

6.9 The Officer's Report to the Planning Committee meeting identified the following points:

Masterplan

- (i) "... whilst the Local Plan anticipated that this site will come forward for development on a co-ordinated basis in tandem with the western portion of the larger allocated site, the Council (which is the owner of the western portion) has elected not to submit proposals for development at this stage,



and this has restricted the current Applicants' ability to fully comply with the provisions in the Local Plan" (para. 1.2 of the Committee Report);

- (ii) The wording "*with the final capacity to be decided by a comprehensive masterplan approach*" within Policy GDS.1 K2 ensures that the number of dwellings on the site could be adjusted in order to take account of any access constraints (para. 2.4 of the Report);
- (iii) The current application accords with the principles incorporated into the draft masterplan (para. 3.1.5 of the Report) and "*there is no sustainable reason for refusing the current application based upon the failure of the Draft Masterplan to have been progressed to a fully-agreed status*" (para. 3.1.6);
- (iv) "*...The Local Plan does not require the two sites [the appeal site and Site A] to come forward simultaneously, but instead seeks to establish a degree of co-ordination and comprehensiveness using the Masterplan as the delivery mechanism*" (para. 6.3). Para. 6.3 of the report goes on to state that "*the Draft Masterplan has sufficient weight and merit to enable the current application to be permitted*";
- (v) Para. 6.4 of the report confirms that "*the Draft Masterplan addresses the majority of the Local Plan policy requirements, and those that rely upon Site A can be managed through the Development Management process, as and when an application is submitted for development on Site A*";

Masterplan / Density

- (vi) The masterplanning process for Site K2 is a mechanism for ensuring that the number of housing units proposed is appropriate for the access arrangements (para. 3.1.7). "*In detailed negotiations regarding the then emerging masterplan for K2, the figure of 285 dwellings was agreed between your Officers and the applicant's agents as the realistic maximum for the Taylor Wimpey part of the K2 site*" (para. 3.1.10);

Access

- (vii) Policy GDS.1 K2 "*specifically sanctions the use of the Park Road access and plainly does not use the terminology that might have been expected had it been considered by the Council when adopting the Local Plan in 2007 that the access would need to be improved*" (para. 2.3);



- (viii) During the Local Plan Inquiry correspondence from the Council's Highways Development Control team confirmed that the access from Park Road would be acceptable as the sole vehicular access to Site K2B and included a plan showing how the access might be configured (para. 3.2.2);
- (ix) *"Significant weight must be given to the decision of the Local Plan Inspector to recommend the site's allocation incorporating access from Park Road. In addition, even greater weight should be attached to the decision of the Council' in October 2007 to allocate the site within a Policy which specifies that the access to K2 Part B shall be from the end of Park Road"* (para. 3.2.9);
- (x) There are no other immediately available alternative accesses as all the potential alternatives require the inclusion of additional land in other ownership (para. 3.2.4) and the development should be determined on its own merits rather than with regard to the merits of potential alternative proposals (para. 3.2.9);
- (xi) The Highways Development Team Leader comments that *"the proposed means of access to the site from Park Road provides a workable solution and is considered to be the optimum attainable solution given current constraints"*. He also considered that *"the [revised] proposed site layout is acceptable in principle subject to the whole development achieving the standards required for a 20mph zone"*. He concludes that *"the highway response is one of NO OBJECTION in principle"* subject to the completion of a Section 106 Agreement (para. 4.3)

Urban Design

- (xii) The Urban Design officer considered the amended site layout to have an acceptable balance of layout considerations with a better relationship between residential and other uses on the site (para. 4.13);

Officer's Conclusions

- (xiii) The development accords with the provisions of the Draft Masterplan for Site K2 and also proposes a development that will deliver a realistic contribution to the Local Plan Policy's substantial list of requirements for the site as a whole (para. 7.1);



- (xiv) The Highways Development Control Team Leader is satisfied that the access from Park Road can be regarded as acceptable on the basis of the proposed residential numbers of the site (para. 7.2).
- 6.10 The applicant submitted correspondence to the Council on 20th October 2010 which responded to issues raised or considered insufficiently addressed within the Officer's Report including the omission of any reference to this site being intrinsic to the Council's housing land supply need and that consultation responses did not reflect the amendments undertaken to the development proposals since submission of the planning application (CD/A/83).
- 6.11 A supplementary report was also made available on the day of the Planning Committee meeting with further observations received since the preparation of the main agenda and included comments received from the Council's Planning Policy Team Leader which stated (CD/E/2):
- “As stated in its most recently published Annual Monitoring Report the Council does not currently have a 5 year supply of housing land as required by government policy set out in PPS3. The allocated site (K2) is of key importance to helping meet the identified need for housing in the District and reduces the pressure for less suitable sites to be developed for housing.”***
- This addressed in part the letter of the 20th October 2010 submitted by the applicant.
- 6.12 Immediately prior to Planning Committee the Environment Agency submitted an objection to the proposed development, reversing the position it had taken previously. There was no time available to the applicant to address this objection. (Matters relating to drainage are considered in the accompanying report prepared by WSP Development and Transportation).
- 6.13 The Planning Committee meeting included a presentation by the Council's Planning Officer on the proposals for the site (CD/E/3) (included at *Appendix K*). This included an evaluation of the alternative access routes to Site B which, the Officer stated, had been previously rejected by the Council and included:



‘Option A’ – Access from St. Clement’s Road via an extension from St. Clements Road across the Park Road allotments. The Officer stated that the Council rejected this option as this required the purchase of third party land which could impede the delivery of development on Site B;

‘Option B’ – Access from the north, adjacent to Castle Primary School, via existing residential roads. The Officer stated that the Council rejected this option as it would result in the loss of school land and would generate traffic on narrow residential roads which were already busy as a result of school traffic;

‘Option C’ – Access across the Woodland Trust land (Abbots Wood). The Officer stated that this option was a “non-starter” with the Woodland Trust and had therefore been excluded from the Local Plan policy allocation;

‘Option D’ – Access via the creation of a new road from Charlton Road to the west and entering the site in the south-west corner. The Officer stated that this would require a substantial road through the Green Belt and was therefore rejected.

- 6.14 I consider the extent to which an alternative means of access to the Appeal Site is available and appropriate in response to Reason for Refusal 2 at Section 8.
- 6.15 Following the Officer’s presentation to Members of Planning Committee, Members determined to refuse the application contrary to the Officer’s Recommendation. The Minutes of the Committee Meeting, attached at *Appendix L*, [show](#) that the Officer identified the potential alternative access routes to the site and why each had been discounted in favour of the Park Road access during the preparation of the Local Plan. It is also minuted that Members were advised that the Council’s Planning Policy Team had confirmed that the development of this site was essential in order that the Council could meet its obligation to provide a minimum of 5 years’ supply of housing land. The Minutes also refer to the fact that Policy GDS.1 K2 specifically sanctions the use of the Park Road access.
- 6.15 The Minutes of the Committee Meeting note that “*the Senior Professional – Major Development responded to the issue of low density and referred Members to the Draft Masterplan which covered both sites, explaining how the Masterplan provided*



a mechanism for the 2 sites to work together in order to deliver the requirements of the Local Plan Policy'. However, the Minutes identify that whilst Officers expressed concerns regarding Members comments regarding the alleged underdevelopment of the site the mover of this reason for refusal did not amend his motion.

- 6.16 Following the recommendation of the Planning Committee to refuse the application discussions continued between Taylor Wimpey, the Environment Agency and the Council Drainage Engineers in order to resolve their concerns regarding surface water and foul drainage matters in relation to the development. A Drainage Design Report (CD/A/18) was prepared by Taylor Wimpey and circulated to both parties. This report was considered acceptable by the Environment Agency who subsequently withdrew their objection to the proposed development in correspondence dated 22nd December 2010 (CD/J/1). The Council's Drainage Engineer similarly withdrew her objection in email correspondence dated 15 February 2011 (CD/J/2).



SECTION SIX – PLANNING POLICY FRAMEWORK

6.1 In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004, the application is to be decided in accordance with the development plan unless material consideration indicate otherwise. As already explained, the Appeal site is allocated for residential development and associated uses in the Bath and North East Somerset Local Plan. The principle of the site's development in the manner proposed by the Appeal scheme is in accordance with the adopted Local Plan and I have demonstrated in earlier sections how the Appeal scheme responds to and adheres with the development requirements listed in Policy GDS.1 K2 of the Local Plan.

6.2 Notwithstanding, in this Section of my evidence is set out planning policy relevant to the Appeal. In particular I consider:

- national planning policy;
- the development plan;
- emerging Regional Spatial Strategy and Local Development Documents; and
- Supplementary Planning Guidance.

6.3 I bring together the various strands of policy in an overall summary at paragraph 6.9.

6.4 National Planning Policy

6.4.1 The principal themes of national planning policy as they relate to my evidence are to be found in PPS1, PPG2 and PPS3. I provide a précis of the framework which they provide for consideration of the Appeal Scheme in the following paragraphs.

6.4.2 ***PPS1: Delivering Sustainable Development and General Principles:*** This sets out the Government's overarching planning policies on the delivery of sustainable development through the planning system. Its detailed guidance is directed at development plans but is applicable by extension to the consideration of planning applications and appeals.



6.4.3 Paragraph 3 of PPS1 establishes sustainable development as the core principle under-pinning planning. Paragraph 5 sets out five key measures by which planning should facilitate and promote sustainable and inclusive patterns of development. In summary these are:

- making suitable land available for development in line with economic, social and environmental objectives;
- contributing to sustainable economic development;
- protecting and enhancing the environment, the countryside and existing communities;
- ensuring high quality development through good design, and efficient use of the resources; and
- ensuring that development supports existing communities and contributes to the creation of safe, sustainable, liveable and mixed communities with good access to jobs and key services.

6.4.4 Paragraph 8 confirms the importance of the plan-led system, the certainty and predictability that it aims to provide, as central to planning and plays the key role in integrating sustainable development objectives. The accompanying *Companion Note – General Principles of the Planning System* describes the plan-led system as it operates in England and provides guidance in relation to the determination of applications. Paragraph 10 indicates that Local Planning Authorities must determine planning applications in accordance with the statutory development plan, unless material considerations indicate otherwise; a matter which I address in due course.

6.4.5 Paragraph 27 of PPS1 sets out the general approach towards delivering sustainable development. Although expressed in the context of development plans, the guidance may be assumed to have general applicability. The following of the ten criteria are of direct relevance to a proposal such as this:

- iv) bring forward sufficient land in appropriate locations to meet expected needs;
- v) provide improved access for all to jobs, health, education, shops, leisure and community facilities, open space, sport and recreation, by ensuring that new



development is located where everyone can access services or facilities on foot, bicycle or public transport rather than having to rely on access by car;

- vii) reduce the need to travel and encourage accessible public transport provision to secure more sustainable patterns of travel;
- viii) promote the more efficient use of land through higher density, mixed use development and the use of suitably located previously developed land and buildings; and
- ix) enhance as well as protect biodiversity, natural habitats, the historic environment and landscape and townscape character.

6.4.6 Paragraphs 33 to 39 identify the importance of good design as a key element of achieving sustainable development. In this regard, paragraph 36 identifies as a key objective ensuring that developments:

- are sustainable, durable and adaptable (including taking account of natural hazards such as flooding) and make efficient and prudent use of resources;
- optimise the potential of the site to accommodate development, create and sustain an appropriate mix of uses (including incorporation of green and other public space as part of developments) and support local facilities and transport networks;
- respond to their local context and create or reinforce local distinctiveness;
- create safe and accessible environments where crime and disorder or fear of crime does not undermine quality of life or community cohesion;
- address the needs of all in society and are accessible, usable and easy to understand by them; and
- are visually attractive as a result of good architecture and appropriate landscaping.

6.4.7 **PPG2: Green Belts** This sets out the Government's Policy relating to Green Belt and defines its five purposes at paragraph 1.5:

- to check the unrestricted sprawl of large built-up areas;
- to prevent neighbouring towns from merging into one another;



- to assist in safeguarding the countryside from encroachment;
- to preserve the setting and special character of historic towns; and
- to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

6.4.7 PPG2 describes how Green Belts are established through the development plan; the general extent being determined through strategic planning documents – Structure Plans, whilst detailed boundaries are determined through Local Plans. Paragraph 2.6 indicates that the general extent of a Green Belt should only be altered in exceptional circumstances and this should normally be through the Structure Plan process.

6.4.8 There exists a presumption against inappropriate development in the Green Belt, as described in Section 3. Engineering and other operations and the making of material changes in the use of land are inappropriate development unless they maintain the openness and do not conflict with the purposes of including land in the Green Belt.

6.4.9 **PPS3: Housing:** This sets out the Government’s Policy relating to Housing. The Government’s intention, as set out in paragraph 10, is for the planning system to deliver:

- high quality housing that is well design and built to a high standard;
- a mix of housing, both market and affordable;
- a sufficient quantity of housing taking into account need and demand and seeking to improve choice;
- housing developments in suitable locations, which offer a good range of community facilities and with good access to jobs, key services and infrastructure;
- a flexible and responsive supply of housing land.

6.4.10 Guidance is provided on achieving these objectives which relates both to development plan policy formulation, the allocation of land for housing development and by extension the consideration of planning applications. Paragraph 69 identifies criteria which Local Planning Authorities should have regard to, namely:



- Achieving high quality housing.
- Ensuring developments achieve a good mix of housing reflecting the accommodation requirements of specific groups, in particular, families and older people.
- The suitability of a site for housing, including its environmental sustainability.
- Using land effectively and efficiently.
- Ensuring the proposed development is in line with planning for housing objectives, reflecting the need and demand for housing in, and the spatial vision for, the area and does not undermine wider policy objectives eg addressing housing market renewal issues.

6.4.11 With regards to housing land supply, PPS3 requires Local Planning Authorities to demonstrate and maintain a five year supply of deliverable housing sites (para 71). To be deliverable, such sites should be available, suitable and achievable (para 54). Where there is less than a five year supply of deliverable sites, LPAs should consider favourably planning applications for housing having regard to the policies in the PPS including the considerations of para 69. Local Authorities are also required to prepare housing trajectories, the purpose of which are guide the achievement of a continuous five year supply of deliverable sites for, linked to Annual Monitoring Reports. I comment specifically on housing land supply matters in Section 7 of my evidence.

6.4.12 In June 2010, PPS3 was re-issued by the Coalition Government. One of the two changes made at that time was the deletion of the national indicative minimum density of 30 dwellings per hectare in paragraph 47.

6.4.13 The Government recently issued a Written Ministerial Statement: Planning for Growth (23rd March 2011) attached at *Appendix M*. It outlines the pressing need to ensure that the planning system does everything it can to help secure a swift return to economic growth.



6.4.14 The Statement outlines the Government's top priority in reforming the planning system is sustainable economic growth and jobs and that the expectation is:

“that the answer to development and growth should wherever possible be ‘yes’, except where this would compromise the key sustainable development principles set out in national planning policy.”

6.4.15 The Government expects Local Authorities to make every effort to identify and meet the housing, business and other development needs of their areas, and respond positively to wider opportunities for growth. The Ministerial Statement is a material planning consideration and the extent to which the Appeal scheme delivers new housing in response to local need and demand as required by this is relevant.

6.4.16 As indicated I draw together the principal strands of planning policy relevant to the Appeal scheme in paragraphs 6.9.

6.4 The Development Plan

6.4.14 **The Joint Replacement Structure Plan (CD/C/1):** The JRSP for the former County of Avon was adopted in September 2002. It formed a basis for preparation of the Bath and North East Somerset Local Plan. Its Strategy for the distribution of new development is relevant along with the role which Keynsham was afforded in contributing to this.

6.4.15 Policy 2 outlines the locational strategy. Criterion I refers to Keynsham's role in accommodating new development, requiring the Green Belt to be altered to provide land to contribute towards housing requirements and associated employment, and associated social infrastructure. Policies 9 and 16 repeat the requirement for land at Keynsham to be removed from the Green Belt to provide for additional housing and related uses. These are each 'saved' policies.

6.4.16 It is evident therefore that the Structure Plan identified a requirement for the Green Belt to be altered at Keynsham to provide development land to meet future housing and associated uses. This is consistent with advice in PPG2 concerning Green Belt. The Local Plan was required to be in conformity with the Structure Plan and the Policy requirement therein to remove land from the Green Belt at Keynsham for



this purpose. The Appeal Scheme draws from and contributes to this Policy framework.

6.4.17 **Bath and North East Somerset Local Plan (CD/C/2):** The Local Plan was adopted in 2007. Policy GDS.1 K2 of the Local Plan allocates the Appeal site for a mixed use development. This Policy is a 'saved' policy (CD/C/14). As a matter of principle the proposed development draws policy support from the adopted Local Plan.

6.5.2 I have explained how the Appeal scheme responds to the development requirements listed in this Policy in Section 5 and I do not repeat this here.

6.5.3 Similarly, the Statement of Common Ground identifies the plethora of Local Plan Policies which are not disputed by the Local Planning Authority (para 2.13.3 refers). Again I do not repeat this, save for observing that these policies variously cover matters relating to: design and appearance, open space and recreation, retail provision, renewable energy/energy efficiency, water resources, natural and built environments, pollution control and contamination, housing provision and affordable housing, integrated transport, walking and cycling and parking.

6.5.4 In contrast the policies of the Local Plan which the Local Planning Authority cite as the basis for its Reasons for Refusal are as follows:

- Policy GDS.1 K2 only in so far as it is asserted that the requirement for a co-ordinated strategy is not met; I have explained the circumstances relating to this and the suitability of the Appeal scheme in the context of the decision of B&NES Property Services not to bring forward Site A in Sections 4 and do not repeat this here.
- Policy HG.7 in that the density of development is considered insufficient;
- Policy T.24 in that detailed proposals for the access to the site from Park Road are unacceptable to serve as the sole vehicular access to the development



- 6.5.5 **Policy HG.7:** This intends for planning permission only to be granted where the maximum density compatible with the site, its location, its accessibility and its surroundings is achieved. It states that densities in excess of 30 dwellings per hectares will be expected in order to maximise the use of housing sites, with densities in excess of 50 dwellings per hectare encouraged in appropriate, well accessed, locations.
- 6.5.6 I note that paragraph B7.63 of the Local Plan cites its density policy in the context of national planning policy, however, I have earlier drawn attention to the national minimum target in PPS3 having been deleted in the June 2010 version (para 6.4.12 refers). This is an important material consideration that reduces the weight to be given to paragraph B7.63. Therefore, consideration of character and context are of greater relevance in determining the density of development.
- 6.5.7 Indeed, paragraph A5.33 of the Local Plan states “***The character of an area should take precedence over the desire to maximise density***”. Moreover, paragraph B7.66 confirms that, in all cases, density should be an outcome of design which should take account of those factors and issues which comprise local context such as character, landscape, views of the site and local distinctiveness.
- 6.5.8 Such a process was undertaken as part of the design evolution described in the Design and Access Statement (CD/A/02). I explain this further in my response to Reason for Refusal 2.
- 6.5.9 **Policy T.24:** This requires new development to provide a high standard of highway safety for vehicles, pedestrians and cyclists and allows for provision to be made for improvements in the transport system to support development proposals. The means of access via Park Road, which is the focus of the LPA Reason for Refusal in this regard, is that which is specified in the Local Plan (criterion 3) and the arrangement for which was to the satisfaction of the Council’s highway officer who did not object to the proposed development. Mr Lear’s evidence considers the means of access in the context of Policy T.24 in his evidence.
- 6.5.10 **Regional Planning Guidance for the South West:** RPG10 was issued by the Secretary of State in 2001 following an examination in public in 2000. It provides a



broad development strategy for the period up to 2016 and beyond. Accordingly, it had development requirements which were material in the preparation of the Local Plan and it can be observed from the Local Plan Inspector's Report the weight afforded to RPG10 in these terms in defining the Local Plan's housing requirement.

6.5.11 In the case of this Appeal, where there is an allocating policy in the Local Plan, the relevance of RPG10 is less significant, particularly where the adoption of both the Structure Plan and Local Plan have followed after RPG10 was issued by the Secretary of State. In such circumstances, Section 38(5) of the 2004 Act states that where there is a conflict between development plan policies, it would be resolved in favour of the policy which is contained in the last document to be adopted, approved or published.

6.5.12 The announcement by the present Secretary of State that he intends to revoke Regional Spatial Strategies through the Localism Bill, similarly limits the weight that would have been applied to RPG10.

6.7 Emerging Development Plan Documents

6.7.1 There are two emerging development plan documents that I intend to discuss:

- The Draft Regional Spatial Strategy
- The Draft Bath and North East Somerset Core Strategy

6.7.2 **The Draft Regional Spatial Strategy:** The South West Regional Assembly commenced preparation of the Draft RSS in 2004. A Draft Plan was prepared in 2006 and an Examination in Public was conducted in Spring / Summer 2007. Following receipt of the Panel's Report in December 2007, the Secretary of State issued Proposed Changes for public consultation in July 2008. I include extracts from the Draft RSS at *Appendix N*.

6.7.3 In the Draft RSS, the housing requirement for the administrative area of Bath and North East Somerset was 15,500 additional dwellings between 2006 and 2026.

6.7.4 In the Panel Report, Keynsham is acknowledged as “[**providing**] a wide range of **community services for the new development and we are confident that it**



would be an attractive location for associated employment development. In our opinion the combination of these factors make Keynsham a sustainable location...On this basis we propose a total of 3,000 dwellings at this location” (paragraph 4.1.65 refers). Recommendation 4.1.5 proposed an urban extension be provided at Keynsham to accommodate about 3,000 dwellings.

6.7.5 The Secretary of State’s Proposed Changes incorporated this Recommendation into Policy HMA1 which referred to expansion of Keynsham to strengthen its role as a service centre and included a proposal for 3,000 new homes at Area of Search 1F. The Key Diagram Insert annotates this in the form of a 360 degree area of search around the town (page 75 refers).

6.7.6 Both the EIP Panel and the Secretary of State in the Proposed Changes acknowledge that the need and demand for housing in the West of England (of which Bath and North East Somerset is a part) is substantially greater than was provided for in either RPG10 or the JRSP. I illustrate this in the following Table.

Joint Replacement Structure Plan (1996-2011)	50,200
RPG10 (Avon) (1996-2016)	74,000
Draft RSS (West of England)* (2006-2026)	92,500
Panel Recommendation (West of England)*	106,350
SoS Proposed Changes (West of England)*	117,350

* excludes Mendip and West Wiltshire

6.7.7 I similarly illustrate the change in housing provision for B&NES below:

Joint Replacement Structure Plan (1996-2011)	6,200 (413 dpa)
B&NES Local Plan (1996-2011)	6,825 (455 dpa)
RPG10 (Avon) (1996-2016)	N/A
Draft RSS (B&NES) (2006-2026)	15,500 (775 dpa)
Panel Recommendation (B&NES) (2006-2026)	18,800 (940 dpa)
SoS Proposed Changes (B&NES) (2006-2026)	21,300 (1065 dpa)

6.7.8 In the case of the B&NES figures that emerged through the Draft RSS process elements of this were directed to specific urban extensions at the edge of Bristol and Bath and in the Proposed Changes an urban extension at Keynsham.



- 6.7.9 What is clear from the above analysis is that with the passage of time the estimates of housing need and demand for the West of England and B&NES have increased from that which the Local Plan was based upon. Moreover, the amount of housing directed to Keynsham increased – in the Draft Plan it would have drawn from a component for the remainder of the District of 100 dwellings per annum (2000 dwellings in total) (figure 4.1) to over 3000 specifically at the town in the Secretary of State's Proposed Changes. As I will demonstrate in Section 7 this underscores the importance of the delivery of this allocated housing site.
- 6.7.10 Whilst I recognise that the Draft RSS is unlikely to proceed beyond its current stage following the announcement of the present Secretary of State that the Coalition Government intends to revoke Regional Strategies, the evidence base upon which the Draft RSS was prepared remains a material consideration. This is readily apparent from the Guidance Notes which accompanied the Chief Planning Officer's letter to Local Authorities in England, dated 6th July 2010, attached at *Appendix O*. In this case, the evidence supports a higher level of housing in the District than has been provided previously.
- 6.7.11 **The Draft Bath and North East Somerset Core Strategy (CD/C/7):** The Draft Core Strategy aims to provide a strategic planning framework to help guide change and development in the District over the next twenty years and beyond (ie up to 2026). In the publication version issued in December 2010, it proposed a district wide spatial strategy (Policy DW1) which aims to promote sustainable development by focusing new housing and community facilities in Bath, Keynsham, Midsomor Norton and Radstock. In contrast with the emerging Draft RSS, the Draft Core Strategy proposes a level of housing of 11,000 new homes, citing the opportunity to move away from the regionally imposed housing requirement. Whether this lower level of housing is acceptable remains to be tested and will no doubt be a matter of major debate at the Examination in due course.
- 6.7.12 At Keynsham, the Draft Core Strategy proposes 1,500 new homes and 1,500 new jobs by 2026. Paragraph 3.14 of the Draft Core Strategy confirms that the existing Local Plan allocation at South West Keynsham, of which the appeal site is an element, forms part of the town's future housing provision strategy.



6.7.13 The Appellant has made representations in relation to the Core Strategy, both in terms of the South West Keynsham allocation, but also wider matters including *inter alia* an objection to the overall level of housing proposed for the District. Such representations will be considered at a future Examination. I understand from the District Council's Planning Policy Team that the Draft Core Strategy was submitted to PINS for the purpose of its Examination on the 3rd May 2011 and that no material changes were proposed. I further understand that a schedule of non-material changes will be published in due course but these are not available as I finalise my evidence.

6.7.14 **SHLAA Site Assessment:** Also published at the same time as the Draft Core Strategy was the District Council's Strategic Housing Land Availability Assessment (CD/G/2). This includes consideration of the Appeal Site. Therein, the South West Keynsham site assessment confirms the suitability, availability and achievability of the allocation. However, contrary to the established position in terms of both policy and development principles, the assessment refers to a need to overcome an access constraint and that the primary access to both sites should be from Charlton Road with a route crossing the intervening Woodland Trust land to access Site B. Taylor Wimpey have submitted representations in respect of the SHLAA and I consider the issue of access in response to Reason for Refusal 2.

6.8 Supplementary Planning Guidance

6.8.1 The Planning Obligations SPD has informed the Appeal scheme in terms of the S106 Planning Obligation that is to be entered into and the nature of the affordable housing provision proposed by the Appellant. Neither the Officers assessment of the scheme or indeed the Reasons for Refusal cite this Supplementary Planning Document as a basis for the decision to refuse to grant planning permission.

6.9 Discussion

6.9.1 The Appeal site is allocated for residential development and associated uses in the Bath and North East Somerset Local Plan (Policy GDS.1 K2). The principle of the site's development in the manner proposed by the Appeal scheme is in accordance with the adopted Local Plan. It follows that the statutory weight of the development



- plan afforded by Section 38(6) of the 2004 Act favours the Appeal scheme. The Appeal scheme is alleged to conflict with only a small number of Local Plan policies and I consider these in detail in responding to the Reasons for Refusal.
- 6.9.2 Policy GDS.K2 is a 'saved' Policy. It therefore reflects and contributes towards objectives in national planning policy. Particularly, and in the context of the locational strategy defined by the Structure Plan, it will deliver a sustainable pattern of development at Keynsham; this being a central tenet of national planning policy in PPS1.
- 6.9.3 The development site was removed from the Green Belt consistent with the requirements of PPG2 – the general extent having been altered through the Structure Plan process and the detailed boundary being resolved with the site's allocation through the Local Plan. Whilst Parkhouse Lane lies with the Green Belt, the intention for this to be improved to provide a walking and cycle route, along with the means of emergency access, does not represent an inappropriate form of development in the Green Belt as it will not harm the openness and purposes of the Green Belt which in this instance is to surround and separate Bristol and Bath. This is acknowledged in the Statement of Common Ground (CD/B/6) at paragraph 2.1.9.
- 6.9.4 The Appeal site represents an identified element of the housing provision strategy in the District. It was allocated in the Local Plan to be substantially developed in the period up to 2011. However, with the passage of time the importance of the site providing new housing has increased as successive assessments of housing need and demand have caused an increase in the housing requirement from that which existed when the Local Plan was prepared. In the context of national planning policy, which attributes considerable importance to improving housing supply, the delivery of this allocated site is firmly aligned with this tranche of policy.
- 6.9.5 With the site being retained as an allocation in the Draft Core Strategy, the District Council's commitment to it being developed remains as with the Local Plan.
- 6.9.6 Moreover, the Appeal scheme achieves a high quality housing environment, provides a a good mix of housing and associated uses, education, open space, small scale retail/commercial, responds sensitively and appropriately to the site's



environmental characteristics, represents an effective and efficient use of land when regard is had to the overall land use requirements across the allocated sites. Accordingly, the Appeal scheme accords with the considerations in paragraph 69 of PPS3. (The last criterion of has been satisfied by virtue of the site having been allocated for development in the first instance).

6.9.7 In Section 8 I expand on these issues in giving my detailed response to the Council's Reasons for Refusal.



SECTION SEVEN – HOUSING LAND SUPPLY

7.1 I have identified in Section 6 the importance of the Appeal Site in terms of housing policy and the importance afforded to maintaining a continuous supply of housing land in national planning policy. Here I provide more qualitative information in relation to this but firstly I draw attention to the comments of the Policy Officer in relation to this aspect.

7.2 Planning Policy Team Leader Comments on Application (CD/E/2)

7.2.1 In his comments on the submitted application the Planning Policy Team Leader draws attention to the following:

“As stated in its most recent published Annual Monitoring Report the Council does not currently have a 5 year supply of housing land as required by government policy set out in PPS3. The allocated site is of key importance to helping to meet the identified need for housing in the District and reduces the pressure for less suitable sites to be developed for housing.”

7.2.2 It is evident from the above the significance of the Appeal scheme in providing additional housing land. In this context, paragraph 71 of PPS3 is engaged by this application.

7.3 Annual Monitoring Report (CD/G/1)

7.3.1 The 2009/2010 Annual Monitoring Report, published by the District Council in December 2010 states that ***“the delivery of housing is significantly behind the rate needed to achieve the requirement for the Local Plan period”*** (page 23 refers). The AMR indicates that there is an estimated shortfall of 962 dwellings by the end of the Local Plan period. The Appeal site was intended to contribute towards housing completions in the Local Plan period. The shortfall is therefore due in part to development not having occurred on the Appeal Site.

7.3.2 The Housing Trajectories within the AMR (page 24) show the increase in the per annum requirement to achieve the Local Plan target – from an average over the plan period of 457 dwellings per annum to 1,462 dwellings in 2010/11. Patently, this will not have been achieved and the strategic housing requirement will not have been met. This emphasises the benefit that granting planning permission would have in improving the overall supply of housing and contributing towards the remedying this shortfall.



7.4 5-year land supply

7.4.1 Within its AMR the District Council include an estimate of its 5-year land supply position. This, based on utilising the housing requirement from the as yet untested Draft Core Strategy, suggests a 5.2 years supply of housing land for the period 2010/11 – 2014/15.

7.4.2 A similar assessment is included in the AMR based upon the residual annualised average Local Plan requirement for the same 5 year period. This suggests a level of housing supply of 4.9 years.

7.4.3 In both instances, the Appeal Site forms part of the expected housing supply that will contribute in this five year period. In other words, without the Appeal Site, the Council's housing land supply estimates would fall below the 5 year requirement. Moreover, on any view of the matter a bare 5 year supply of housing is demonstrated through the AMR and depends fundamentally upon each and every one of the sites that make up the trajectory coming forward as anticipated.

7.4.4 As indicated at paragraph 6.7.13 the Core Strategy's housing requirement is subject to representations and will need to be considered at the Examination. It cannot therefore alone be the sole determinant of housing land supply estimates. The level of housing to be provided by 2026 could increase.

7.4.5 The AMR scenarios do not assess the amount of housing supply when considered in the context of the Draft RSS's housing requirements. Accordingly, the Table below outlines what the housing supply position would be in the context of these other scenarios.

Plan	Requirement *	Residual Requirement **	5 year requirement** *	Deliverable Supply***	No. of Years Supply
Draft RSS	15,500	13,836	4,323	3,977	4.6
Panel Recommendation	18,800	17,136	5,355	3,977	3.7
Proposed Changes	21,300	19,636	6,136	3,977	3.2

*2006-2026

** Requirement less completions 2006/7-2009/10

***2010/11 – 2014/15



- 7.4.6 I include these scenarios not because the Appellant's case is in anyway predicated upon a higher level of housing being required to justify the grant of planning permission. Rather it is to demonstrate that on the basis of the evidence base which informed the Draft RSS and significantly the EIP Panel's Recommendations and Secretary of State's Proposed Changes, the number of years' supply of housing becomes more critical. In anything other than the very low level of housing proposed in the Draft Core Strategy, there exists a paucity of housing land supply in the District, adding further emphasis to the benefit of granting planning permission.
- 7.4.7 In any event PPS3 states that a 5-year supply is a minimum and the government is committed to increasing housing supply. The position, therefore, in accordance with Section 38(6) is clear as regards housing delivery.



SECTION EIGHT – RESPONSE TO REASONS FOR REFUSAL

8.1 In this Section I provide the Appellant's response to Reasons for Refusal. As indicated earlier, only three Reasons for Refusal continue to be pursued by the Local Authority. Those being RfR1 relating to the means of access, RfR2 relating to the density of development and RfR 3 but limited to the points on a co-ordinated strategy for the delivery of the site and matters relating to on and off site traffic management (which duplicates RfR1). For completeness I also record the Appellant's position as regards RfR 4 and 5.

8.2 Reason for Refusal 1

8.2.1 Mr Lear provides detailed evidence in respect of the Reason for Refusal 1. I accept and adopt the conclusions given in Mr Lear's evidence. This demonstrates that the principle of vehicular access from Park Road has been agreed by the District Council both through the Local Plan process and subsequently. Moreover, the detailed design of the junction and on and off site highway management are satisfactory. For the reasons given in Mr Lear's evidence, the appellant submits contrary to the District Council's position that the Appeal scheme accords with, rather than conflicts with, Policy T.24.

8.3 Reason for Refusal 2

8.3.1 RfR2 suggests that, because of the single point of vehicular access from Park Road, the proposed development would represent an inefficient use of the allocated site, contrary to Policy HG.7. In its Statement of Case, the LPA have sought to justify this reason for refusal on the following grounds:

- the importance of ensuring that this site is developed efficiently with the optimum number of new homes – in effect maximising the contribution towards up to 700 dwellings in Policy GDS.1 K2;
- the restricted nature of the Park Road access has constrained the number of dwellings that could be accommodated on the site;
- other options for accessing the site other than Park Road should have been considered as these would have enabled a greater number of dwellings to be developed;



- the proposals do not maximise density in a manner that is compatible with the site and its surroundings with particular reference to the retention of the existing dwelling and its curtilage “as existing”, the proposed mix of houses and the arrangements for the emergency access off Parkhouse Lane.

8.3.2 I consider each of the points in the following paragraphs.

8.3.3 **Maximising the contribution of the allocated site.** It is plainly a statement of fact that the Local Plan seeks up to 700 dwellings from the South West Keysham allocation. However, the policy refers to the site’s final capacity being determined by a masterplan. Such a masterplan was prepared jointly by the Taylor Wimpey and B&NES Property Services as owners of Site A, and this process was described in Section 4. The Council’s Major Development Team participated in the process of preparing this masterplan, commenting on numerous occasions on the submissions made by the promoters.

8.3.4 This process culminated in the Major Development Team acknowledging that the disposition of land uses across the site – housing, employment, retail, education, open space and the amount of housing to be accommodated on both Site A and Site B had been agreed. I have identified at paragraph 4.6.5 how the development proposals were viewed by the Officer in these terms, who refers to the current application according with the provisions of the Draft Masterplan, whilst also delivering a realistic contribution to the substantial list of requirements in the Local Plan policy for the site as a whole. Moreover, as is acknowledged in the Committee Report the figure of 285 dwellings was agreed between Officers and the Appellant as a realistic maximum for Site B. I note also that the District Council’s SHLAA identifies that the capacity of the South West Keynsham as being 230 on Site A and 285 of Site B. There are the same figures that are within the Draft Masterplan.

8.3.5 I share this view as it reflects that there is no reasonable prospect of a higher number of residential units being provided on Site B in the face of the factors that need to be taken into account. These are to a large extent driven by the development requirements listed in the Local Plan’s policy, for example, the need to provide land for the extension of the primary school, the provision of a playing pitch and other space recruitments and protection of natural features within the site, including Abbotts Wood.



8.3.6 **The restricted nature of the Park Road access:** The means of access from Park Road was settled through the Local Plan process. Its nature was clearly acceptable to the Local Plan Inspector who had before her proposals from Bryant Homes for 250 dwellings and 0.8 hectares of employment land. I understand that these components would generate trips equivalent to 300 new homes. As such the proposed development is broadly comparable with what was considered by, and found to be acceptable to, the Local Plan Inspector. As Mr Lear describes the local network geometry is no different now to how it was when the Local Plan was adopted and there has been no development of any significance affecting Park Road since this time.

8.3.7 **Other options for access other than along Park Road:** Any alternative or additional access to the Appeal site other than from Park Road would represent a departure from the Local Plan. Notwithstanding this, as part of the masterplanning process, options were considered which included:

1. *A second means of access from Newlands Road* – This was included in Taylor Wimpey's initial masterplan submission to the Council's Major Development Team. It was commented upon in the Major Development Team response of the 15th January 2008 and it became clear that an additional point of access would not allow a greater number of housing to be built on the site. Accordingly there was no purpose to be served in pursuing this further given that the single point of access from Park Road was itself acceptable in highway and traffic terms. Moreover, the provision of such an access would have required reconfiguration of the existing school play ground. Similarly, it would have increased traffic adjacent to the entrance to the school increasing potential conflict in this location with school children. At no point was the sale of this land offered by the District Council.
2. *A vehicular link across Abbots Wood* – initially suggested as a public transport link by the Council's highway officer in early meetings with Taylor Wimpey, such a proposal requires third party land and would conflict with the aim in the Local Plan policy to protect the Woodland. The Woodland Trust, having regard to the current Local Plan policy, have expressed in



correspondence concerning the application (CD/F/25), their objection to anything other than a pedestrian link being provided across its land;

3. *St.Clements Road*: Whilst originally proposed within the Deposit Draft Local Plan, this means of access was deleted in favour of the Park Road access in accordance with the Local Plan Inspector's Report. Such an access could not be provided on highway land and would require third party land which would including part of the existing allotments. Moreover, the St.Clements Road access would not enable the same dispersal of traffic across the south Keynsham network.
4. *Parkhouse Lane*: The nature and character of Parkhouse Lane is not suitable to convey development traffic, nor is its junction with Charlton Road.

8.3.8 In presenting the application to committee the Case Officer drew attention to these alternative access options and dismissed each one. This is confirmed in the minutes of the Planning Committee meeting – paragraph 6.15 refers.

8.3.9 **Maximising Density**: This aspect appears to be formed from several sub-sections which I consider below. As I have identified earlier, the Local Plan requires in all cases consideration of the individual site concerned, its characteristics and context in determining density. At the outset I would draw attention to the density of the proposed development as 36dwellings per hectare, which is in conformity with Policy HG.7 which seeks densities in excess of 30dph. This is illustrated on the Plan at *Appendix O*.

8.3.10 *The characteristics of the site*: The site which I have described in Section 2 has existing features that are to be afforded protection under Policy GDS.1 K2. The development must also accommodate the school extension and playing field which are elements of the Local Plan policy and draft masterplan. The accommodation of these features and their setting and the land uses required to be provided on the site restricts the amount which can be developed for housing.

8.3.11 *The site's location*: The site is located at the edge of the existing urban area and immediately adjoining an area of open countryside. Reflecting this edge of settlement location and the urban rural interface necessary in this location, the



southern edge of the development is rightly proposed to be developed in a less dense fashion. Moreover, patently the site does not exhibit the same accessibility characteristics as those located centrally within an urban area, which are more appropriately developed at higher densities, as encouraged by the Local Plan.

8.3.12 *The site's surroundings:* The site is located between an area of existing housing of varying type and age, and open countryside. Plan 19764/01 at Appendix P shows that the density within the existing housing ranges from 21 dwellings per hectare (dph) to 30 dph. This demonstrates that the density of the Appeal scheme is not dissimilar to that of the existing residential environments that adjoin it.

8.3.13 Plan 19764/02 at Appendix P illustrates how the development proposals provide for a transition with the existing housing with medium density along the western edge, rising to higher density in the central part of the site and then reducing again towards the open countryside. This increase in density helps to provide enclosure around the key space at the heart of the scheme and contributes to the legibility of the design, whilst providing an appropriate rural edge.

8.3.14 *Retention of the existing house:* As I have explained in Section 3 the curtilage of no 196 Park Road is excluded from the development scheme because it is to continue to be occupied by its owner. The illustrative masterplan presented at the time of the Local Plan Inquiry, and which was considered by the Inspector, included the retention of this property and its curtilage. This consideration formed part of the masterplanning exercise for Site B, where access to the house was retained and its footprint was accommodated in the layout surrounding it.

8.3.15 The Major Development Team considered the implication of retaining this existing dwelling house. This is evident from certain of its correspondence to Taylor Wimpey. Indicative design work undertaken in relation to this parcel of land by Barton Willmore on behalf of Taylor Wimpey has suggested that it has a capacity to accommodate up to 15 dwellings. This would increase the overall level of housing to 300 dwellings. Clearly it would be for a subsequent planning application to consider the implications of the development of this land and the additional number of dwellings in the context of Policy GDS.1 K2 and other relevant Local Plan Policies.



8.3.16 *Housing Mix*: It is not clear what criticism is levelled at the mix of housing as this does not feature in Officer's Report, the precise wording of this RfR nor the minutes of the Committee meeting. The only suggestion that the mix of housing could be different is in the comments of the Strategic Housing Manager, but these were never raised by the Case Officer during the consideration of the application and no adjustments in this regard were sought. Accordingly, the mix of housing cannot be considered to be so detrimental to the overall form and nature of development as to constitute a sustainable reason for refusal.

8.3.17 *The arrangements for the emergency access off Parkhouse Lane*: Again, there is no explanation as to what aspect of the arrangement for the emergency access off Parkhouse Lane is deficient or what is said could be improved to allow for a greater level of development. The arrangements for emergency access were considered at the time of the Local Plan Inquiry and the Inspector's conclusions recommended the adjustment of the emergency access arrangements to favour Parkhouse Lane. Ultimately, this was included within Policy GDS.1 K2 and forms part of the development requirements for Site B. The Appeal scheme accords with this.

8.3.18 Taking each of these considerations together, the Appellant considers that the density of the proposed development is wholly suitable and accords with Policy HG.7 in that it is in excess of the 30dph minimum stipulated in the Policy and is compatible with the site, its location, its accessibility and its surroundings.

8.4 Reason for Refusal 3

8.4.1 Reason for Refusal 3 initially included various aspects about which inadequate or incomplete information were asserted to have been provided as part of the application. Through the LPA's Statement of Case this was narrowed to matters relating to a co-ordinated strategy and on- and off- site traffic management. Mr Lear has considered on- and off-site traffic management and I do not repeat that here, save to draw attention to the Appellant's response to RfR1 which is equally relevant to this aspect.

8.4.2 Turning therefore to the criticism that there is inadequate or incomplete information as regards a co-ordinated strategy, this is refuted.



8.4.3 In the first instance I challenge the suggestion in the Reason for Refusal that Policy GDS.1 K2 requires “the entire K2 allocated site to be delivered on a co-ordinated and comprehensive basis”. As a statement of fact this is incorrect. The Policy states that:

“...development of either site will only be allowed to proceed on the basis of a co-ordinated strategy for a mixed use development in accordance with the following principles:” (my emphasis)

It then goes on to list the 17 development principles that I have explained in Section 5.

8.4.4 The implication of the Reason for Refusal is that the allocation should be delivered by a single scheme. There is no requirement in the Policy to this effect. Indeed, and as I have observed in Section 3, the wording of the Policy was expressly amended by the District Council following the Local Inspector’s Recommendation to replace the word “comprehensive” with “co-ordinated”, reflecting the fact that a co-ordinated strategy was a more practical basis to proceed given that the two development parcels are physically separate and separate ownership.

8.4.5 The circumstances which caused the submission of the application on the basis of a draft joint masterplan have been described in Section 4 and it is apparent from that analysis that the ability to secure any greater degree of co-ordination was thwarted because of the decision the owners of Site A took not to continue engagement with site promotion. This fettered Taylor Wimpey’s ability to engage with the Major Development Team in the summer/autumn of 2009 and led to the submission of Taylor Wimpey’s application in the form that it was made.

8.4.6 This is not to suggest that there is insufficient information available concerning the co-ordinated strategy for delivery of the allocation. Amongst the documents submitted with the Planning Application was an Implementation Strategy (CD/A/12) which includes information on (i) phasing; (ii) delivery mechanisms and (iii) draft heads of terms for the S106 Agreement. Detailed information was provided in relation to Site B, whilst outline information was included in respect of Site A. The



information included in this regard was recognised by B&NES Property Services' advisors Pegasus Planning Group to be appropriate.

8.4.7 The information concerning implementation remains relevant at the present time and has been incorporated into the Section 106 Agreement as was always intended.

8.4.8 The one potential difference is in respect of the build programme identified therein. This, and the 7 year construction period estimated at that time, was on the basis of the difficult housing market as existed reflecting general economic conditions prevalent in 2009. As the buoyancy of the housing market improves, the build period is expected to reduce.

8.4.9 Once again, I share the view of the Case Officer that the Draft Masterplan has sufficient "weight and merit" to enable the current application to be permitted, on the basis that it addresses relevant Local Plan requirements, whilst those that rely upon Site A can be managed through the District Council's Development Management process, as and when an application is submitted for development on this parcel of land. The Appeal scheme not only accords with the provisions of the Draft Masterplan for Site K2, but also proposes a development that will deliver a realistic contribution to the substantial list of requirements in the Local Plan policy for the site as a whole. I therefore refute the suggestion that the Appeal scheme is not founded upon or will not be brought forward on the basis of a "co-ordinated strategy".

8.4.10 As regards the residual aspects of RFR3 I comment as follows:

- *Drainage:* the accompanying report concerning drainage matters demonstrates the suitability of the strategy to be employed.
- *School site:* outline planning permission is sought to allow for the enlargement of Castle Primary School. Information concerning the parameters of this development are described in para 5.10.2. The S106 Agreement includes the mechanisms for the transfer of the land for this purpose and financial contributions from the Appellant in relation to primary school education.
- *Playing field:* Arrangements for the future management of the proposed playing field site are included within the S106 Agreement.



- *Keynsham Railway Station*: The LPA Statement of Case indicates that, at present, there are no detailed proposals for the improvement of the railway station to which the appellant could make a contribution of an appropriate scale and kind. Such a planning obligation would not therefore be appropriate and is rightly not pursued by the LPA.

8.5 Reason for Refusal 4

8.5.1 RfR 4, which suggested that the proposed development was of inadequate townscape and design qualities, was withdrawn through the LPA Statement of Case. The design approach adopted to the Appeal scheme is described in detail in the accompanying Design and Access Statement (CD/A/2). Adjustments to the scheme were made during consideration of the application in response to comments by the Council's urban design officer and these were to the satisfaction of the Case Officer. Mr Cooper's evidence illustrates the extent to which the a landscape led design approach has been adopted and I do not repeat that here.

8.6 Reason for Refusal 5

8.6.1 RfR 5, which suggested that the proposed development did not make adequate provision for employment opportunities, was withdrawn through the LPA Statement of Case. Through the joint masterplan exercise the most suitable location for the employment area was considered to be on Site A, on account of access and visibility and this was agreed as appropriate with the Major Development Team. It is therefore intended that the employment area will be brought forward when the application for Site A is submitted and as the Case Officer notes in his report, the District Council will, through its Development Management process be able to ensure this is achieved.

8.6.2 For its part, the Appeal scheme includes 231 sq.m. business / employment floor space located centrally within the development. This reflects the joint masterplan's intention.



SECTION NINE – THIRD PARTY REPRESENTATIONS

9.1 Representations made by third parties during both the consideration of the planning application and following submission of the appeal are considered below. In respect of each matter I briefly summarise the main points under the various topic areas.

9.2 Transportation / Highway-Related Matters

Construction Management Plan: On-site management and off-site construction vehicle movements - Duration of the build programme and implications for nuisance and noise upon surrounding residents - Suitability of surrounding residential roads for construction traffic.

9.2.1 The Construction Management Plan (Rev. F) and construction traffic routing plan (Figure A) (CD/A/15) were prepared in consultation with Council's Planning and Highway Officers in order to agree an acceptable route for construction vehicles within the surrounding area and to incorporate any mitigation measures into the CMP. The phasing of the development is identified on Dwg. SK01-PP Rev. B. The phasing identified reflects what could be considered to be a 'worst case scenario' in terms of duration of the build programme. The CMP seeks to minimise amenity and noise disturbance to surrounding residential occupiers through careful siting of the construction compound and materials storage away from existing dwellings, the identification of an on-site contractor car parking, measures for community liaison, and the identification of a defined construction traffic route.

9.2.2 The CMP and route proposed for construction vehicles to arrive and leave the site is considered in greater detail within Mr. Lear's Proof of Evidence.

Impact of the development upon the amenity and privacy of residents adjacent to the site, on Park Road, and within the surrounding area.

9.2.3 The amenities and privacy of existing residents has been taken into account through the siting and orientation of proposed dwellings and inclusion of planting along the northern boundary.



9.2.4 The Officer's Report to the October 2010 Planning Committee identifies that whilst the development will have an effect upon the amenities and character of the existing residential area this is an "*inevitable and inescapable consequence*" of the Council's decision to allocate the site for development with a specific requirement for its access to be from Park Road (para. 6.6 of the Report) and is not a consequence of this development proposal.

9.2.5 The Appellant has sought to protect the amenities and privacy of adjacent and surrounding residents through:

- the layout of the highway within the southern part of Park Road which repositions the road away from the front doors of the cottages and creates a footway in front of these cottages;
- appropriate off-site highway improvements to assist traffic flows on streets within the surrounding area secured through a legal agreement.

Suitability of the access to the site from Park Road - Alternative and/or additional access points to serve the development should be considered.

9.2.6 This suitability of the access to the site from Park Road is considered within the Mr Lear's Proof of Evidence, whilst I have addressed potential alternative means of access in Section 8 of my Evidence.

9.2.7 In the interest of brevity I draw attention to the Highways Development Control Team Leader response to the application which indicates that the access arrangements were to his satisfaction, referring to them as providing "*a workable solution*" and "*the optimum attainable solution*" (para. 4.3 of the Committee Report). Moreover and as I have identified in Section 8 alternative accesses were rejected by the Planning Officer in his presentation of the application on the basis that the Local Plan is specific in the identification of Park Road as the means of access. In this context he added "*planning applications must be determined on their own merits, rather than with regard to the merits of potential alternative proposals that are not before the LPA for determination*" (para. 3.2.10 of the Report).



Impact of the development upon traffic flows, pedestrian safety, and congestion on Park Road, adjoining residential streets, and on the wider highway network in southern Keynsham resulting from the means of access being from Park Road.

9.2.8 Again Mr Lear's Proof of Evidence considers the perceived impact of the development upon traffic flows and pedestrian safety within the surrounding area.

Adequacy of the emergency access from Parkhouse Lane

9.2.9 The Statement of Common Ground (CD/B/6) identifies that the improvements to Parkhouse Lane to provide an emergency access to the appeal site are acceptable and this is not an issue in dispute (para. 2.4.12 of the SoCG). The suitability of this arrangement is described in Mr Lear's Evidence.

Increase in air pollution in the area resulting from traffic generation from the development

9.2.10 An Air Quality Assessment (CD/A/8) was submitted with the application.. This concludes that any air pollution impact will be small and that appropriate mitigation measures will assist in suppressing air pollution during construction. No concerns were raised by the Council's environmental health officer regarding any adverse air pollution impact resulting from the development.

Impact of traffic generated by the development upon the stability of the existing cottages in the southern section of Park Road

9.2.11 In response to representations concerning the potential impact of the proposed development on the stability of the existing cottages at Park Road, Taylor Wimpey investigated this matter to the satisfaction of the Case Officer. In this regard Halcrow produced a Technical Note entitled 'Cottage Basements: Highway Proximity / Vehicle Loading' dated 6 October 2009 (CD/A/48) which identifies that these basements are set back from Park Road and are not underneath it.



Provision of bus services into the site

9.2.12 No requirement is sought by the Council or by local bus operators to provide a bus service into the appeal site. Rather a financial contribution towards upgrading four bus stops close to the site will be provided within the Section 106 agreement.

Adequacy of proposed cycling and footpath facilities

9.2.13 Proposed footpaths within the appeal site will link into the surrounding local footpath network. Halcrow's Technical Note 'Pedestrian / Cycle Linkages' (4 June 2010) (CD/A/47) and Boyer Planning's letter of 17 June 2010 examines opportunities to improve existing footpaths adjacent to the appeal site. Improvements to off-site footpaths will be secured through the Section 106 Agreement.

9.3 Drainage and Flood Risk

Impact of the development upon the capacity of the foul sewage and surface water drainage infrastructure in the area and the adequacy of the proposed on- and off-site drainage proposals. Impact of the development upon flood risk in the area.

9.3.1 Drainage considerations associated with the Appeal Scheme are the subject of the Report prepared on behalf of the Appellant by WSP Development and Transportation. It is the case that the Environment Agency, the Council's Drainage Engineer and Wessex Water do not have objections to the proposed development and are satisfied that foul sewage and surface water drainage infrastructure can be satisfactorily provided to serve the development. Such drainage measures are to be secured by means of Condition.

9.4 Layout of the Development

Density / number of dwellings are considered too high for the site and for only one access point.

9.4.1 The Development Control Committee Report identifies that the residential component of the Appeal Scheme is appropriate for the proposed access arrangement (para. 3.1.7 of the Report) and that the figure of 285 dwellings was agreed between BANES officers and the Appellant during the emerging masterplan process for Site K2 (para. 3.1.10 of the Report). This issue is examined in detail in Section 8 of my Proof.



The need for a buffer zone between existing houses and the development along the northern boundary of the site.

- 9.4.2 The development has an appropriate relationship between existing houses and proposed dwellings along the northern boundary of the appeal site and this is reiterated by the Council's Urban Design Officer who states that "*the balance of layout considerations is now acceptable*" (para. 4.13 of the Development Control Committee Report). The Council no longer pursue Reason for Refusal 4 indicating that they are satisfied with the townscape and design of the Appeal scheme.

9.5 Wider Impact of the Development

Detrimental impact upon Abbots Wood

- 9.5.1 The Statement of Common Ground (CD/B/6) identifies that the relationship of the development between the proposed dwellings along the western boundary of the site and Abbots Wood is acceptable (para. 2.4.3 of the SoCG). Appendix 8 of Cooper Partnership's 'Supplementary Landscape and Environmental Information' (CD/A/4) identifies that appropriate boundary fencing will be erected along the eastern edge of the Woodland in order to protect the integrity of the woodland, reflecting the Woodland Trust's aspirations in this regard. Moreover, measures are included in the access furniture to ensure appropriate pedestrian access to the Woodland. The development has given appropriate consideration to ensuring that the development does not have a detrimental impact upon Abbots Wood. This is explained further in Mr. Cooper's evidence.

Inclusion of allotments into the layout

- 9.5.2 There is no requirement within Policy GDS.1 K2 of the adopted Local Plan for the appeal site to include allotments within the layout and no such provision has been sought by the Council in its discussions concerning the application with the Appellant during the period of its determination.

Ability of Keynsham's existing local facilities

- 9.5.3 No concerns have been raised by the Council in respect of the ability of local facilities in the area to accommodate development at this location, reflecting that the elements of social and community infrastructure required by the Local Plan's



policy are either provided as part of the development scheme or will be secured through the S106 Agreement.

9.6 Bringing Forward Development at Site K2B

Piecemeal development of Site K2 with Site A not being brought forward concurrently with the appeal site.

- 9.6.2 I address this point in response to Reason for Refusal 3(i). Policy GDS.1 K2 does not require the appeal site and Site A to be brought forward concurrently but instead for development on the two sites to be implemented on the basis of a “co-ordinated strategy” which has been achieved to the extent possible in the circumstances which exist as described in Sections 4 and 5.

Impact of piecemeal development of Site K2 upon the expansion of Castle Primary School

- 9.6.3 The Section 106 Agreement will enable the Council to progress the delivery of the expansion to Castle Primary School. It includes obligations relating to the transfer of the school site to the LEA to facilitate the extension of the Primary School and for financial contributions to be made for education provision to meet the needs arising from the development.

9.7 Other Issues

Existing workshops

- 9.7.1 I address this in response to Reason for Refusal 5, which is no longer being pursued by the District Council.

Adequacy of the anthrax investigations

- 9.7.2 The Council’s Contaminated Land Officer has accepted the anthrax testing results contained in Hydrock’s letter dated 30 September 2010 and considers that the investigation has been “*carried out in a professional, robust and scientific manner by a well respected consultancy ... the risk from anthrax ... is considered as very low by the HSE due to the length of time the carcasses have been buried so any risk from undisturbed ground is considered as even lower*” (Development Control Committee Report para. 4.1). The Statement of Common Ground (CD/B/6)



identifies that the Council has no concerns regarding anthrax contamination of the site (para. 2.5.3, SoCG).

Community facility at Castle Primary School

- 9.7.3 The opportunity to incorporate community facilities at Castle Primary School has been explored with the Council's Education Department and the Headteacher of the Primary School. The Section 106 Agreement includes provision for dual use facilities. The detail of this is a matter for the Education Department.



SECTION TEN – SUMMARY AND CONCLUSIONS

10.1 This Appeal arises from the refusal of planning permission for a residential-led mixed use housing development on land allocated for such a purpose in the adopted Bath and North East Somerset Local Plan. A hybrid application was submitted in November 2009 pursuant to the Local Plan Policy GDS.1 K2 which consisted of a detailed scheme for the residential and open space elements of the development, and an outline application with all matters reserved for education use. The application was refused permission on the 15th December 2010, contrary to the Officer recommendation.

Reasons for Refusal

10.2 The Reasons for Refusal can be summarised as follows:

- i. The proposed means of access from Park Road is unacceptable.*
- ii. The scheme does not represent an efficient use of land.*
- iii. Submitted details are inadequate and incomplete in respect of i) a co-ordinated and comprehensive delivery of the allocated site, ii) on-and off site drainage requirements, iii) on an off site traffic management, iv) the extension of the school adjoining the site, v) future management of the playing field and vi) improvements to Keynsham Railway Station.*
- iv. The development has inadequate townscape and design qualities.*
- v. The scheme represents a piecemeal approach to development which fails to make adequate provision for employment opportunities.*

10.3 In their Statement of Case the LPA formally withdrew Reasons 4 and 5. They also indicated that they intended only to maintain matters i) and iii) of Reason for Refusal 3.



The Appeal Site

- 10.4 The appeal site, shown at *Appendix 1*, measures 11.7 hectares and is situated to the south of Keynsham, adjacent to the town's southern extent. An established residential area lies directly to the north, which includes a primary school (Castle Primary School), a small parade of shops, and a public house. Within walking distance of the site are a range of community facilities and Keynsham town centre lies approximately 1 km from the site. The existing urban area is well served by bus based public transport, providing access to Keynsham Town Centre, Bath and Bristol.
- 10.5 It comprises principally of a large field bounded by hedgerows, with overgrown scrub land in the northern part of the site. Small workshop units (15 in number) are located within the north-eastern part of the site and are accessed from Park Road. Many of these are vacant or used simply for storage. An established hedgerow crosses the site east-west, to the south of the workshops and meets Abbots Wood. Two detached dwelling houses (194 and 196 Park Road) lie within the north-eastern corner. Existing vehicular access to the appeal site is from Park Road which lies in the north-eastern corner.
- 10.6 Open countryside lies to the south of the site and falls within the Bristol-Bath Green Belt. Directly to the west of the site lies Abbots Wood which is owned and managed by the Woodland Trust and is also situated within the Bristol-Bath Green Belt. Abbots Wood and fields to the south and east of the site also form part of the Forest of Avon.

Bath and North East Somerset Local Plan

- 10.7 The Site is one of two separate parcels of land allocated in the adopted Local Plan under Policy GDS.1 K2 – South West Keynsham. It is referred to in the Policy and in the Appellant's evidence at Site B. The allocation was initially identified in the Deposit Draft Local Plan in 2002 but was omitted in the Revised Deposit Local Plan produced in 2004 in favour of a greater focus on previously developed sites and the windfall opportunities. Such assumptions were tested through the Local Plan Inquiry process and the Inspector recommended a need to increase the supply of



housing land by means of additional allocations. She recommended that the South West Keynsham allocation be re-inserted. In doing so she acknowledged the requirement in the Joint Replacement Structure Plan for the general extent of the Green Belt to be altered at Keynsham to provide additional housing and associated development (Policies 2, 9 and 16).

- 10.8 The Inspector's recommendations, which included an increase in the capacity of the overall allocation to about 700 dwellings and the change to the means of access to Site B so as to be from Park Road, were incorporated in the adopted Local Plan through the then conventional process of Modifications that were subject to public consultation.
- 10.9 As part of the Local Plan's identified housing land supply strategy, delivery of the Appeal Site is central to meeting the District's housing requirement. Presently, the Council's Annual Monitoring Report estimates that there will be a shortfall of almost 1,000 dwellings against the Local Plan requirement by its end date (2011). This is partly because of the delay in achieving planning permission on the Appeal site. It should also be noted that the Appeal site forms part of the Council's housing trajectory for the next 5 years – it is therefore an integral component of the 5 year land supply which the District Council are required to maintain by PPS3. Absent delivery of the Appeal site, the Council do not have a 5 year supply of deliverable housing land.

The Masterplan Process

- 10.10 The adopted policy requires that a masterplan be prepared to define the overall capacity of the site. Work on a masterplan was undertaken during 2008 and 2009 which involved the owners of Site A - B&NES Property Services, the Appellant Taylor Wimpey and the Local Authority's Major Development Team. Several submissions were made to the Major Development Team during this period and their comments were taken into account in the various iterations. The joint masterplan was subject to public consultation in spring 2009 and further alterations were made to it as a consequence.
- 10.11 Shortly after this event, B&NES Property Services disengaged from continued preparation of the joint masterplan. Accordingly, and with no ability to progress to



joint scheme further, Taylor Wimpey had to pursue its own development interests. Whilst Taylor Wimpey provided further information to the Major Development Team in the summer / autumn of 2009 which included information concerning the implementation of Site B, the Major Development Team imposed as a precondition of further engagement the requirement for Taylor Wimpey to provide information as regards the implementation of Site A. Patently this could not be achieved. In this situation, Taylor Wimpey had no alternative other than to pursue an application for Site B without further engagement with Major Development Team and endorsement of the a masterplan by the Council. The Major Development Team had however indicated in August 2009 that the broad approach of developing the allocation such that much of the employment land is on Site A; the additional land required for the school site is on Site B; and residential development and open space are spread across both Sites A and B, was acceptable.

The Appeal Scheme

- 10.12 The Appeal scheme reflects the land use disposition and arrangements that were set out in the joint draft masterplan. Moreover the Appeal scheme delivers each of the development requirements listed in Policy GDS.1 K2 that are realistically attributable to Site B. The extent to which it achieves this satisfactorily is acknowledged in the Officer's Report to Planning Committee which states that ***"the current application not only accords with the provision of the Draft Masterplan for Site K2, but also proposes a development that will deliver (on a pro-rata basis) a realistic contribution to the substantial list of requirements in the Local Plan policy for the site as a whole."***
- 10.13 The Appeal scheme does not prejudice the ability of the remainder of the allocation to be implemented. So long as a scheme for Site A reflects the Draft Masterplan and meets the applicable elements of the Policy's development requirement, the overall allocation will have been satisfactorily implemented. It will be for the Council, through its Development Management process to govern this and any departure from this approach could only be sanctioned by the LPA in the event that material considerations existed at this time.



Response to Reason for Refusal 1

- 10.14 Mr Lear's evidence has demonstrated that the principle of vehicular access from Park Road has been agreed with the District Council and that the detailed design of the junction and on- and off-site highway management are satisfactory. For the reasons given in Mr Lear's evidence, the Appeal scheme accords with Policy T.24.

Response for Reason for Refusal 2

- 10.15 In my evidence I have considered and responded to the various aspects of Reason for Refusal 2 which suggest that the proposed development represents an inefficient use of the allocated site. The Appeal scheme has regard to the site and its characteristics, its location, and the means of access required by the Local Plan in determining the number of residential units to be accommodated on the site. This accords with Policy HG.7 which requires such an assessment of character and context. In any event, and whilst noting that there is no longer a minimum density threshold in national policy, the density of development proposed is in excess of the minimum density of 30 dwellings per hectare required by Policy HG.7. 285 dwellings was the figure that was included within various masterplan submissions to the Major Development Team and there has been no suggestion either through that process or during consideration of the application that a higher number of dwellings should be accommodated on Site B under the terms of the Local Plan policy. In overall terms the density of development is acceptable and satisfactory in terms of Policy HG.7.

Response for Reason for Refusal 3

- 10.16 The elements of Reason for Refusal 3 still in issue assert inadequate and incomplete information in relation to "a co-ordinated strategy" for delivery of the allocated site, and on- and off-site traffic management. The latter is dealt with by Mr Lear whose evidence demonstrates that there exists sufficient information concerning traffic management matters relating to the proposed development.
- 10.17 As regards the "co-ordinated strategy", the Appeal scheme does not depart from the principles of the Draft Masterplan that have been agreed with the owners of Site A and endorsed by the Major Development Team. Similarly the Appeal scheme accords with and delivers the development requirements that are relevant to Site B



- either through direct provision through the development or by means of Planning Obligations.
- 10.18 A future scheme on Site A will have to reflect the Draft Masterplan, and there is no reason to believe why this is unlikely to be achieved given that it has been jointly prepared by the landowner of Site A. The agreed approach to delivering the development requirements listed in Policy GDS.1 K2 also apply to any future scheme brought forward for Site A and the extent to which this is achieved will be a key consideration in the determination of such an application. There can be no risk of a material departure from the Local Plan's Policy for a scheme on Site A unless this is sanctioned by the LPA themselves. Accordingly the Appeal scheme is suitable and can be granted planning permission.
- 10.19 Reasons for Refusal 4 and 5 relating to townscape and employment provision are not being pursued by the LPA and the Appeal scheme is considered satisfactory in these terms.
- 10.20 In conclusion therefore I do not consider that there is any justification for refusing planning permission. On the contrary, the Appeal Site is allocated for housing development and there exists a shortfall of housing provision in the District. The Appeal scheme adopts the development requirements identified in the Local Plan policy and achieves those which are relevant to it. The scheme has been prepared in the context of a Draft Masterplan, agreed with the owners of Site A and for which the arrangement and disposition of land uses was endorsed by the Council's Major Development Team. There are no material considerations that would warrant a departure from the Development Plan in this instance.
- 10.21 I respectfully request that planning permission be granted subject to Conditions and the appropriate Planning Obligations under Section 106 of the Act.





OJ/TW/2

**TOWN AND COUNTRY PLANNING ACT 1990
SECTION 78 APPEAL**

BY

TAYLOR WIMPEY UK LTD

LAND SOUTH OF PARK ROAD, KEYNSHAM

Hybrid planning application for a housing led mixed use development comprising 285 dwellings, retail accommodation, flexible business / employment floor space, affordable housing, formation of new vehicular, pedestrian and cycle accesses, pedestrian and cycle improvements to Parkhouse Lane, formal and informal public open space, including junior playing pitch and associated changing rooms and parking facilities, together with landscaping and tree planting and ancillary works including drainage (full application) and extension to Castle Primary School (outline application, all matters reserved)

**PINS REF.: APP/F0114/A/10/2143212/NWF
LPA REF.: 09/04351/FUL**

**PUBLIC INQUIRY COMMENCING
TUESDAY 7TH JUNE 2011**

**APPENDICES – VOLUME 1
OF
OWEN JONES**

MAY 2011

LIST OF APPENDICES

Appendix A	Appeal Site
Appendix B	Bath and North East Somerset Local Plan Deposit Draft 2002 (extracts)
Appendix C	Bath and North East Somerset Local Plan Inspector's Report 2006 (extracts)
Appendix D	Bath and North East Somerset Local Plan Inspector's Addendum Report 2006
Appendix E	Committee Report concerning Inspector Report - Proposed Modifications
Appendix F	Policy GDS.1 K2 of the adopted Local Plan
Appendix G	Housing Mix
Appendix H	School Extension Parameters



The scaling of this drawing cannot be assured

Revision	Date	Initial
Rev A - Red line boundary to site A amended in-line with Appendix A from Development Principles document	29.01.07 hjc	
Rev B - Showing Local Plan Requirements 28.08.07 sp		
Rev C - General notes added	05.05.11 dg	
Rev D - General notes amended	06.05.11 dg	

- Legend**
-  Local Shops
 -  Public House
 -  Bus Stops
 -  Public Footpaths
 -  Park Road Industrial Estate
 -  Residential
 -  Existing Plants



Project
Land at Park Road
Keynsham, Bristol

Drawing Title
Site Location Plan



Date	Scale	Drawn by
05.05.11	1:5000 @ A3	DG
Project No	Drawing No	Revision
15149	01	D

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Bath & North East Somerset Local Plan

including minerals & waste policies



WRITTEN STATEMENT
DEPOSIT DRAFT 2002

Making B&NES a better place to live, work and visit



BATH & NORTH EAST SOMERSET

KEYNSHAM**K1. Somerdale - Site area : 24.3 ha****Development Requirements:*****Comprehensive mixed-use scheme Including:***

1. Retention of existing business uses and development of at least 10 ha of land for business development (Use Classes B1, B2 and B8).
2. About 50 dwellings on the southern part of the site.
3. Safeguarding of residential amenities of proposed residential development from existing and/or proposed business uses including incorporation of a buffer zone, landscaping and other visual and noise mitigation measures.
4. Provision of equipped children's playing space.
5. Replacement playing fields.
6. Preserve setting of existing main factory frontage.
7. Public access along River Avon.
8. Retention of avenue of trees in Somerdale Road.
9. No development in the floodplain.
10. Ameliorate impact on the Green Belt.
11. Provision of major landscaping on northern, western and eastern site boundaries to satisfactorily accommodate development into Avon Valley landscape and contribute to Bristol/Avon Community Forest.
12. Protection of the River Avon Site of Nature Conservation Importance.
13. No adverse impact on nearby agricultural use.
14. Remediation of potential ground instability.
15. Loss of recreational and social facilities to be offset by satisfactory alternative provision.
16. Provision of satisfactory highway access to A4175, realignment of Station Road and closure to traffic of Somerdale Road site entrance; off-site traffic management measures in Station Road and Avon Mill Lane.
17. Traffic management measures to restrict vehicular use of Chandos Road.
18. Provision of appropriate access to public transport, including enhanced rail infrastructure at Keynsham Station and enhanced bus services.

Phasing: 50 dwellings 2001-2006

K2. South West Keynsham - Site area : 20.2 ha**Development Requirements:**

Site in two sections: Part A 8.5 ha east of Charlton Road and Part B 11.7 ha west of St. Clement's Road Site requirements are for A and B combined and only comprehensive proposals for a mixed-use scheme including both sites will be considered including:

1. About 500 dwellings.
2. At least 1.5 ha of land for business uses (Use Class B1), including the retention of existing workshops.
3. Vehicular access from Charlton Road (Site A) and St. Clement's Road (Site B).
4. Traffic management to prevent vehicular access from Park Road except for emergency vehicles.
5. Pedestrian links to the adjoining Avon Forest woodland and countryside and between sites A & B.
6. General traffic management measures to mitigate impact on surrounding road network.
7. Enhancement of pedestrian and cycle routes to Keynsham town centre and railway station.
8. Improvements to Keynsham railway station.
9. Provision of public transport from both A and B to Keynsham town centre, Bristol and Bath.
10. Extension to the Castle County Primary School.
11. Provision of a community meeting place located adjacent to school together forming a community focal point.
12. Provision of at least two small scale local convenience shops provided with residential accommodation above; and to form part of the community focal point.
13. Provision of direct pedestrian/cycle access from Site A to shops at Holmoak Road.

14. Retention of existing hedgerows where possible, especially along Parkhouse Lane.
15. Protection of nature conservation interest.
16. Enhancement of Parkhouse Lane for informal recreation purposes.
17. Provision of equipped children's playing space on both A and B.
18. Provision of a playing field.
19. Protection of the Forest of Avon woodland.
20. Incorporation into the layout of the scheme of the Forest of Avon concept including provision of on and off site planting.
21. Careful boundary treatment to ameliorate visual impact on the Green Belt.
22. Replacement of part of the allotment lost through development of the site.
23. Provision of adequate sewerage infrastructure to serve site.

Phasing: 500 dwellings 2006-2011

K3. Broadmead Lane - Site area : 4.5 ha

Development requirements:

1. Development for waste management purposes.
2. Traffic management and highway improvement measures at railway bridge(s) to facilitate access including for pedestrians and cyclists.
3. No adverse impact on flood plain.
4. Topographical survey together with hydraulic and hydrological studies of bridge improvement area having regard to flood flow and flood storage capacity in order to ensure safe access to the site.
5. Remediation of potential ground instability as site is former refuse tip.
6. Remediation of potential land contamination including adjoining land as site is former refuse tip.
7. Landscaping and planting to ameliorate impact on Green Belt and surrounding countryside.

K4. St. John's Court/Charlton Road, Keynsham - Site area : 1.4 ha

Development requirements:

Comprehensive scheme for development/redevelopment for town centre/ community uses including:

1. Food store of 1,500 – 2,000 sq. metres net floorspace.
2. Community meeting place.
3. Measures to safeguard the amenities of adjacent residential properties both during and after development including noise attenuation, landscaping, and restriction of opening and servicing hours.
4. Satisfactory access improvements.
5. Improvements to existing parking and servicing of properties fronting Bristol Road, High Street and Charlton Road.
6. Protection/enhancement of the character and setting of adjoining listed buildings.
7. Preservation of any potential features of archaeological interest.
8. Provision of off-site foul and surface water improvements.
9. CCTV linking with existing provision in town centre.
10. Relocation of notable plant species.
11. Remediation of potential site contamination.
12. Measures to mitigate any adverse impacts on air quality.
13. Public transport provision serving site.
14. Pedestrian and cycle links to High Street.

NORTON RADSTOCK

NR1. Land south of Charlton Park, Norton-Radstock - Site area : 7 ha

Development Requirements:

Comprehensive mixed-use scheme including:

1. About 90 dwellings.

Inspector's Report

May 2006

Bath & North East Somerset Local Plan
including minerals & waste policies



BATH & NORTH EAST SOMERSET



The Planning Inspectorate

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April 2006

Mr Everitt
Chief Executive
Bath and North East Somerset Council
Guildhall
High Street
Bath
BA1 5AW

Dear Mr Everitt

Report on objections to the Bath and North East Somerset Local Plan Including Minerals and Waste Policies 1996 - 2011.

As you know, I was appointed by the First Secretary of State to hold a public inquiry into objections to the above mentioned plan. My colleague Mr Roy Foster was also appointed to assist me in holding the inquiry, and Mr Simon Emerson was later appointed to assist in the writing of the report. The inquiry was held between the 8 February and the 6 May 2005; it sat on 33 days; and was formally closed by letter dated 27 May 2005.

The Bath and North East Somerset Local Plan was placed on deposit for a period of six weeks ending 29 February 2002. The revised deposit plan was placed on deposit for a period of six weeks ending on the 11 December 2003. A first set of Pre-inquiry Changes (PICs) to the Local Plan were placed on deposit for a six week period ending 30 September 2004, and a set of Further Pre-inquiry Changes (FPICs) were placed on deposit for a six week period ending 20 January 2005. Some 22 minor changes were put forward as Inquiry Changes (ICs) under delegated authority and as agreed with the Executive Member for Sustainability and the Environment and some comments on these were received during the inquiry. I have had regard to all these changes in the consideration of the objections. A complete set can be found in the Local Plan library.

At the opening of the inquiry, there were:

2379 outstanding duly made objections and 663 outstanding duly made supports to the Deposit Draft Local Plan (DDLDP)

1607 outstanding duly made objections and 1125 outstanding duly made supports to the Revised Deposit Draft Local Plan (RDDLP)

175 outstanding duly made objections and 86 outstanding duly made supports to the PICs

133 outstanding duly made objections and 12 outstanding duly made supports to the FPICs

In total there were some 176 conditional withdrawals of representations.

A Pre Inquiry Meeting (PIM) was held on the 19 October 2004. Prior to, during and after the inquiry I carried out visits, mostly unaccompanied, to view those sites the subject of objection.

Format of the Report

The template for the report was prepared by the Programme Officer on behalf of the Council. It largely follows the order of the plan itself, although I have made some amendments where it makes for more logical and efficient reporting. The representations considered are those listed by the Council in the template. As agreed with the Council, the draft Sections on housing and shopping were submitted to the Council officers in draft, followed by the remaining sections of the report. Where appropriate I have dealt with any factual matters raised by the Council in my final report.

For each item in my report I list the policy and/or the paragraphs, or objection site. This is generally followed by a list of objections and supporting representations. However, where the number of representations is significant, they are listed separately in Appendix 1 to the report. A full list of representations, both supporting and objecting, is deposited in the Local Plan library together with complete lists of inquiry documents and inquiry appearances produced by the Programme Officer.

All references in the report are to the consolidated version of the Local Plan March 2005 (inquiry document A2.1.28). Under each heading within the report I list the main issues arising from the objections, then set out my reasoning on those issues and my consequent recommendations. I do not summarise the arguments for the parties, and mainly respond to the generality of the issue rather than the specific points raised by each representation. My recommendations relate to the consolidated version of the plan. This means that where I recommend no change, I am endorsing any pre-inquiry change which is included in that document. Changes put forward during the inquiry (ICs) are not included in the consolidated plan and therefore are highlighted where appropriate in my recommendations.

The scope of the recommendations

In my recommendations I have concentrated on the policies themselves, suggesting their rewording where appropriate, and in places the rewording of the supporting text. I generally found the plan to contain an unnecessary level

of detailed narrative which in places I have recommended to be deleted or substantially edited. The text should set out the reasoned justification for the particular policy which it supports. It is unnecessary to explain in detail the existing circumstances or history behind the approach adopted in the plan. However, it has not been feasible to carry out the comprehensive job of editing the text which I consider would be required in order to achieve a succinct and focussed plan. I have therefore concentrated my recommendations for deletions and changes to the text where these are straightforward or where they are of importance to the strategy of the plan.

There are a number of areas within the plan where the policies overlap or are repetitive. Where appropriate I have recommended the deletion or amalgamation of policies, but as for the editing of the text, it has not been feasible to recommend all the changes which I consider would be necessary to deliver a comprehensive but well directed set of policies. I have concentrated on those policies where a change is straightforward or where the policy is critical to the strategy of the plan, and there may be places where the council will need to redraft the wording of the supporting text to reflect the revisions made to a policy.

In general terms I have supported the overall strategy of the plan, but have concerns as to the Council's proposals for its implementation. In particular I find insufficient evidence to support the Council's view that the Bath Western Riverside would deliver the high level of residential development during the plan period to enable the deletion of the proposals for the release of land from the Green Belt at Keynsham which would accord with the policies of the Joint Replacement Structure Plan. In addition, I recommend against the level of retail development proposed for the Western Riverside site. I consider that a large scale retail development on this out of centre site would constitute a risk to the proposals for Southgate and to the vitality and viability of retailing within the historic city centre as it readjusts following the redevelopment of Southgate. Furthermore there are other sequentially preferable sites for city centre type retail development which should be investigated as part of the development of a city centre shopping strategy. In view of my conclusions regarding Western Riverside the Council may wish to pursue a less ambitious but potentially more readily deliverable scheme for the redevelopment of this important site in the Local Plan.

My conclusions in relation to the strategic housing land requirement are also significant. Whilst the plan is clearly based on the policies of the JRSP, that only runs to 2011. The context to 2016 as set out in RPG10 is an important consideration in order to ensure that the approach taken in this plan does not prejudice the long term provision of housing land in the District. I therefore recommend that the housing requirement in Policy HG.1 be revised from 6,200 dwellings to 6,855 dwellings by 2011 to take the RPG10 provision into account.

In terms of individual housing allocations, the most significant changes which I recommend are the reduction in the contribution to housing land supply from the development of Western Riverside and the deletion of the MoD Foxhill allocation. With other amendments I recommend to the level of provision to be expected from allocated sites, I calculate a shortfall in provision of some 1190 dwellings.

Having considered all the sites proposed in the DDLP and put forward by objectors, I identify sites for the Council's further consideration which could be released to make up the shortfall having regard to national and JRSP policy.

As you are aware, Government published draft PPS3 on housing after the close of the inquiry, and as a result I do not base my reasoning or my recommendations on the emerging statement of national policy. However, by taking a pragmatic approach to the availability of housing sites and recommending the higher rate of housing land supply implied by RPG10, my recommendations aim to ensure the plan provides at least a five year supply of developable land which is suitable, viable and available. With these changes in place, I consider that the policies of the plan would accord with the direction of travel set out in emerging Government policy.

I recommend substantial changes to the employment policies of the plan, which link them firmly to the findings of the Business Location Requirements Study (BLRS) prepared for the Council by Roger Tym & Partners/Cluttons and published in an updated final version in October 2003. The brief set for the BLRS is recognised as a "good practice example" in the recent national guidance on undertaking reviews of the adequacy of employment land. The changes I recommend provide a clear and realistic policy context for the future of employment land provision in the District, based on a commercially informed study.

As regards the Green Belt, I take the view that apart from the change to the boundary at Keynsham to provide for housing land, there is no remit in the JRSP for further changes to its extent or detailed boundary. The approach to Green Belt set out in RPG10 does not in my view support the ad hoc release of Green Belt land in this plan, but provides for a wider review as part of the next round of development plan preparation. I do find exceptional circumstances to justify a release of land for the expansion of the University, but I recommend against the release of land at Newbridge for a new park & ride, transport interchange and waste transfer facility.

Adoption of the Plan

I am very aware of the pressures on the Council to adopt the Plan prior to the 21 July SEA deadline, and the delay which could be incurred in the event of a Modifications Inquiry being held. The consolidated version of the Plan incorporates the PICs and FPICs which were subject to public consultation, and the responses to the public consultation have been considered through the Local Plan Inquiry. Therefore where I recommend no change to the consolidated version of the plan, it is unlikely to be necessary for the Council to take that part of the plan to a Modifications Inquiry.

Similarly, where I have recommended a change which reinstates a proposal included in the First Deposit Local Plan, such as the release of the land at Keynsham, those proposals have been subject to public consultation and whilst some objections were withdrawn, I have considered those which were not, or which were conditionally withdrawn. Clearly the Council will need to give careful thought to each of these recommendations and whether there would be

prejudice to any party if they were to be adopted without a Modifications Inquiry, but there should be opportunities for the Council to do so in a number of instances.

It is where I have recommended changes which have not been through public consultation that a Modifications Inquiry might be required. In order to avoid the consequent delay to the adoption of the full plan following a possible Modifications Inquiry, the Council may wish to consider the option of adopting only those parts of the plan which, if my recommendations are accepted, it would not be necessary to take through the modifications procedures. Whilst it is not entirely satisfactory to have a plan which does not cover all the matters set out in the consolidated plan, it would ensure that housing sites excluded from the First Deposit Draft can be brought forward in accordance with an adopted plan policy. Thus the supply of housing land in the District would be maintained whilst the Council progress the work on the new LDF. Those parts of the plan which are not adopted, together with the recommendations which I make on them, would then inform the work on your emerging LDF, bearing in mind the level of public consultation to which they have been subject.

Other matters

I wish to place on record my appreciation of the very hard work carried out by the Council's advocates and all their witnesses together with the Programme Officer Christine Self in ensuring the smooth running of what was a challenging timetable for the completion of the inquiry. All the participants adapted readily to the varying formality and procedures which I adopted in hearing the evidence at the inquiry. I would also like to record my thanks to my colleague Roy Foster who held some important inquiry sessions and drafted the relevant parts of the report, and to Simon Emerson who stepped in to speed the delivery of the report when I had been indisposed.

A copy of this letter has been sent for information to the Government Office for the South West and to the Office of the Deputy Prime Minister.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Wendy J Burden', with a long horizontal stroke extending to the right.

Wendy J Burden BA Dip TP MRTPI

Inspector

R5.7 Modify paragraph B7.17D by deleting the existing text and inserting:

"The increasing incidence of homelessness within the District will be addressed through the provision of a supply of housing in accordance with regional requirements. This will include a proportion of affordable housing through policies HG.8 and 9, together with residential accommodation over retail units through Policy HG.12. Proposals for temporary accommodation will be assessed against a range of policies in the Plan."

R5.8 Modify the plan by deleting the words in paragraph B7.18 from "Policy HG.2 acknowledges".

R5.9 Modify the plan by deleting paragraph B7.18A.

R5.10 Modify Policy HG.1 (as recommended to be amended) by adding:

"The provision will incorporate a mix of dwelling size, type, tenure and affordability to meet the needs of specific groups such as the elderly or first time buyers. New housing developments should avoid the creation of large areas of housing of similar characteristics."

R5.11 Modify the plan by deleting Policy HG.2.

Chapter B7 - Housing Need -General Approach Paragraphs B7.19-B7.27

There are large numbers of representations to this policy; details are listed at Appendix 1

Issues

- i) Does the Local Plan correctly follow the PPG3 sequential search process?
- ii) Whether adequate provision is made for housing in settlements outside the main urban areas.
- iii) Should reference be made in B7.21 to major existing development sites?
- iv) Was the Urban Housing Capacity Study (UHCS) carried out in accordance with Government advice, and should the Study have considered the potential of previously developed land within settlements other than Bath, Keynsham, and Norton-Radstock?
- v) Are the allowances for small and large brownfield windfall sites appropriate?
- vi) Whether the target for 60% additional homes in B7.23 on brownfield sites and through conversions is realistic?

- vii) Is adequate weight given to the biodiversity contribution and wildlife importance of brownfield sites, and should the release of greenfield sites at Keynsham be reconsidered to ensure that brownfield sites of biodiversity and wildlife importance are not lost to development?
- viii) Is it necessary to have a 10% allowance for non-implementation of sites with planning permissions and allocated sites, having regard to the reliance on brownfield allocations, or would a 25% flexibility allowance on previously developed land be appropriate?
- ix) Is the empty property figure appropriate and should it be added to the overall housing need figure?
- x) Would less greenfield land be required for housing if more residential development was accommodated on brownfield sites instead of business development?
- xi) Does the plan provide for a five year supply of housing in accordance with para 34 of PPG3?

Inspector's Reasoning

Issues i) & ii)

- 5.32 PPG3 para 32 sets out the order of priority for the identification of sites for housing in Local Plans. The presumption is that previously developed sites (or buildings for re-use or conversion) should be developed before greenfield sites, unless previously developed sites perform less well on the sustainability criteria listed in para 31 than a particular greenfield site. The RDDLP follows this approach in so far as it seeks to concentrate development on previously developed sites within the main urban area of Bath. Those greenfield sites which form a part of the housing land supply generally reflect commitments in earlier plans or sites with an existing planning permission. I therefore consider that there is no conflict in terms of para 32 of PPG3.
- 5.33 However, Government policy is also clear that sites allocated for residential development in a Local Plan must be genuinely available for development. Although B&NES proposes to meet a large proportion of its housing land requirement to 2011 on brownfield sites, the strategy will not work where sites are constrained and unlikely to provide the level of housing in the timescale anticipated in the plan. I consider the deliverability of the sites allocated in the RDDLP and find that they are unlikely to deliver the scale of development anticipated by the Council. I then consider other sites either proposed in the DDLP or by objectors. In my view the housing land requirements which I have identified could be met on sites identified in accordance with the sequential approach set out in PPG3.
- 5.34 In terms of the location of residential development, the plan provides for very limited allocations within the rural areas, and opportunities for

windfall developments are limited by the proposed wording of Policies HG.4, .5, and .6, which I consider later in this Chapter. The Council cites the locational strategy of the JRSP in support of the approach adopted. Furthermore, GOSW raised an objection to the DDLP on the basis that residential development was too dispersed. Policy 2 of the JRSP requires development to be concentrated at the main urban areas which include Bath, and otherwise to be located at settlements with good access to jobs and local services which are well served by public transport. This Policy largely accords with the locational strategy of RPG10, which requires major development to be concentrated in the principal urban areas, with towns identified to accommodate smaller scale development to serve local needs and to make services available to the wider rural areas of the region.

- 5.35 It is clear that any major development at settlements outside the main urban areas would be contrary to strategic policy. However JRSP Policy 2h) allows for limited development at rural settlements appropriate to their character, setting and accessibility to local facilities and employment. This accords with para 3.14 of RPG10 which states that at the local level, development plans should include the appropriate level of development at smaller market towns and key villages.
- 5.36 It is through some limited development in rural settlements that the economic and social vitality of rural areas will be maintained, and this is recognised in para 2.98 of the JRSP. This approach accords with PPG3 which recognises that infill development or peripheral expansion may be appropriate in suitable locations. Provided the development is small in scale, it would not create the concerns which would arise with large scale dispersal of growth. Whilst I endorse the overall strategy proposed in the plan, I consider that the policies of the plan should provide more opportunities for appropriate small scale development within the rural settlements. To a limited extent the amendments to Policies HG.4,.5,and .6 which I recommend later in this Chapter, would increase opportunities within the rural settlements. However, this is an issue to which further consideration will need to be given in the preparation of the new housing DPD.

Issue iii)

- 5.37 I agree with the Council that B7.21 is cast in general terms and that reference to a particular category of site would be inappropriate here.

Issues iv), v) & vi)

- 5.38 The table under paragraph B7.25 sets out how the requirement for housing land will be met during the plan period, with April 2003 as the base date. This table has been updated to April 2004 as Table 1 in Topic Paper 2, and it is the figures in the updated Table to which I refer.
- 5.39 The UHCS has contributed to the calculation of the future level of large and small windfall housing sites as part of the housing land supply during

the plan period. A total of 800 dwellings are expected to come forward from these sources. A number of criticisms are made of the methodology adopted for the UHCS, but I propose only to address the most significant of these.

- 5.40 The Council argues that it has followed advice in *Tapping the Potential*, and that this is only a best practice guide. Be that as it may, where the government has considered it sufficiently important to issue such advice, I consider that it is incumbent on Local Planning Authorities to follow it unless there are very good reasons for not doing so.
- 5.41 Taking first the choice of urban areas selected for the study. B&NES has focused on the three urban areas of Bath, Keynsham and Norton-Radstock on the basis that these are the locations in which the policies of the RPG and the JRSP require most development to be concentrated. Whilst I endorse the strategy of seeking to concentrate development in these areas, I consider that this is not a good reason to undertake such a limited study. *Tapping the Potential* makes it clear that a wide range of settlement types can contribute to sustainable development, and that the study should identify as many sources of capacity as possible within the area of search.
- 5.42 I do not accept that a simple statistical approach to the selection of settlements would in itself be appropriate as suggested on behalf of David Wilson Estates, but B&NES has carried out a classification of settlements generally based on sustainability criteria. *Tapping the Potential* states that a wide range of settlements can contribute to sustainable development and that a previously developed site in a village could provide the opportunity for essential new homes, which could in turn help to sustain local shops and services and public transport. To include those identified as R1 settlements within the UHCS would therefore be entirely in accord with Government advice, and opportunities for small scale development which would accord with the approach established in the JRSP and RPG could be identified. Furthermore, a wider selection of settlements to be included within the UHCS would also have provided a more comprehensive indication of the potential for windfall development across the District.
- 5.43 The other main area of criticism relates to the lack of involvement of the private sector in relation to discounting capacity. B&NES accepts that the private sector has not been involved as consultants in the process, but economic and market advice has been sought by the Council from DTZ¹. In my view such advice from a consultant is no substitute to the more rigorous test which would result from working in partnership with others involved in the housing market and I would encourage the Council to ensure that any future UHCS is properly tested in this way.
- 5.44 In view of the shortcomings of the UHCS, I agree with objectors that it fails to provide a credible basis for the assessment of large and small

¹ CD B7.1.20

brownfield windfall developments. However, the figures proposed in the plan exclude the potential arising from sites with planning permission and allocated sites to avoid double counting. They have also been tested against past trends and are conservative in comparison with the levels which have actually been achieved prior to 2004. Although the plan relies on some windfalls resulting from conversions, the re-use of commercial sites for housing accords with Government policy, and I recommend changes to employment policies within the plan to enable an appropriate balance to be struck.

- 5.45 One objector considers that the allowance for large brownfield sites should be increased because of potential at the 7 hectare MoD site at Warminster Road, but there is no certainty that a site of this size would come forward as a windfall. Indeed, I consider that once there is no doubt as to its availability, it would be more appropriately considered as a potential allocation in the new housing DPD.
- 5.46 Even taking into account all the other factors raised by objectors which are likely to lead to a reduction in the future contribution of windfall sites, I find no reason to disagree with the overall figures assessed by the Council.
- 5.47 However, in view of my conclusions on the shortcomings of the UHCS and my conclusions set out elsewhere in this report on the contribution which allocated brownfield sites will make to housing land supply to 2011, I find no justification for the target for new development on brownfield sites to be different from the RPG10 figure of 50%.

Issue vii)

- 5.48 Whilst the wildlife and biodiversity value of brownfield sites is an important consideration, it is a matter which will need to be addressed on a site specific basis since it is unlikely to apply to every such site. There are policies in the Natural Environment section of the plan which are concerned with maintaining biodiversity, and development schemes will fall to be tested against these.
- 5.49 It is Government policy to make the most efficient use of previously developed land, and there is a need to strike a balance between this policy priority and the interests of maintaining biodiversity. Whilst I comment later on the approach taken by the Council to the Radstock Railway Land, I consider that the policies of the plan generally enable future decision makers to make a balanced judgement on a site specific basis.

Issue viii)

- 5.50 Some 750 dwellings are identified as to be provided by sites with planning permission at April 2004. These include sites such as the redevelopment of Southgate for which I undertook the Inquiry and report into the CPO. From the evidence which I heard at that Inquiry and from objectors into

the Local Plan, it is far from certain that the scheme will be complete by 2010 as anticipated by the Council. The residential element would be built in the later phases of the scheme, therefore its contribution to housing supply before 2011 is not guaranteed. The practice of discounting from the projected provision from sites with planning permission should not be necessary where a system of plan, monitor and manage has been established. However, the short time remaining of the period of this plan does not lend itself to the effective application of plan, monitor and manage. In these circumstances I consider that it is appropriate to apply a discount in the RDDLP figures which would allow for slippage on sites such as Southgate, as well as provide some flexibility in the event that extant permissions are not renewed.

- 5.51 The April 2004 Residential Land Survey indicates that some 141 dwellings were under construction. I consider that a discount of 10% from the remaining 610 dwellings would be prudent, reducing the contribution from 750 to 690 dwellings.
- 5.52 As to a discount for the allocated sites, I consider that with a realistic and conservative assessment of the contribution which allocated sites will make to housing land supply during the plan period, it would not be necessary to incorporate a discount. I review the contribution which the allocated sites are likely to make to supply below.

Issue ix)

- 5.53 The projected rate of re-use of empty properties was calculated for the JRSP and the figures were taken away from the total housing requirement. At 80 properties for the remainder of the plan period in B&NES, the figure is conservative and the Council does have a strategy which sets out the proactive steps which it is taking to bring empty properties back into use. In these circumstances I find there is no need to add the 80 dwellings back into the housing land requirement. Paragraph B7.35 will require amendment to reflect the new figure.

Issue x)

- 5.54 This issue would be largely met by the housing land provision put forward in the RDDLP which significantly reduces the level of housing to be provided on greenfield sites. However, in my judgement it is unlikely that the brownfield sites identified in the plan will deliver the level of housing expected by the Council during the plan period, and I recommend later in this section that consideration is given to a number of sites which include greenfield sites.
- 5.55 Nevertheless, it remains appropriate for the plan to include an element of employment development on brownfield sites to ensure that the sort of mixed use scheme encouraged in Government policy is achieved. The location of housing and employment uses in close proximity can encourage more sustainable forms of transport such as walking and cycling to work. Furthermore, brownfield sites offer a more sustainable

location for employment development since they are likely to be more accessible by a range of transport modes. Whilst there are some employment sites which I recommend later for consideration as residential allocations, I would not consider such a change in use would be appropriate in all cases, and my recommendations in relation to the employment policies reflect this view.

Issue xi)

- 5.56 PPG3 para 34 requires Local Plans to show a five year supply of housing on the Proposals Map. Taking the starting point of a requirement for 6855 dwellings 1996-2011 and deducting completions as at April 2004 of 3250 (Table 1, Topic Paper 2), leaves a residual of 3605 dwellings to be provided from 2004 to 2011. Over the seven year period this amounts to 515 dwellings per annum. In the event that the advice in PPG3 was to be adopted, there would be a requirement to show sites allocated on the Proposals Map to accommodate 2575 dwellings for a five year supply. PPG3 makes it clear that windfall developments should not be taken into account to meet this provision, but I consider that it would be reasonable to take into account large sites with planning permission as part of the five year supply. Taking into account the 10% discount, this would result in a contribution of 690 dwellings, leaving a requirement for allocated sites for 1885 dwellings to be shown for the period 2004-2009.
- 5.57 However, the plan does not provide a ten year supply of land from the likely date of adoption, and I have concluded that in view of the introduction of the new system of LDFs, it would be preferable for resources to be used in the production of a new DPD rather than in seeking to provide a ten year supply in this plan. In the absence of a ten year supply, I consider that the plan should be rigorous in its provision of sites to meet the requirement over the plan period to 2011, and sufficient site allocations should be identified to meet that requirement. In identifying sites for this slightly longer period, I consider that it would be reasonable to take into account the expected windfalls of 800 dwellings. The land required in addition to sites with planning permission and expected windfalls to provide for the period 2004 to 2011 would therefore be for: $3605 - 690 - 800 = 2115$ dwellings to 2011. However, to save time and resources for the Council, rather than include the sites on the Proposals Map, sites for 2115 dwellings should be listed in a table of allocations as recommended above.
- 5.58 Changes would be required to the table under paragraph B7.25 to update it in accordance with Table 1 in Topic Paper 2, and to reflect the RPG10 figures. Furthermore, since I am recommending all allocations should be listed on a Table within the plan, the new table can be reduced in its detail.

Recommendations:

R5.12 Modify paragraph B7.23 by deleting "60%" in the penultimate line and inserting "50%".

R5.13 Modify paragraph B7.25 by deleting the table and inserting Table 1 from Topic Paper 2, subject to the following changes to Table 1:

line 2 delete "750" and insert "690";

line 3 delete "On large brownfield sites" and insert "From allocated sites listed in Table "; **delete "1430" and insert "2115";**

line 7 delete;

line 8 delete "6300" insert "6855";

line 10 delete "6270" insert "6825".

R5.14 Modify all references to figures in the Table in the reasoned justification in Chapter B7 to those in the modified Table set out in R5.13 and update figures where relevant

R5.15 Modify paragraphs B7.28 to B7.43 by editing the text to take out detailed references to sites which are covered within the table of allocations and subject to Policy GDS.1; **delete "90" in B7.35 and insert "80".**

Chapter B7 - Housing Need - Brownfield Sites, Brownfield Windfall sites etc: Paragraphs B7.28-B7.43

There are large numbers of representations to this section; details are listed at Appendix 1

Where the representations relate to issues already covered I do not repeat those issues here.

Issues

- i) Whether the capacity of the brownfield site allocations has been realistically assessed, and the extent to which they will contribute to housing land supply during the plan period.
- ii) Should the level of housing to be accommodated on the Radstock Railway land be reduced to take into account the importance of the site for wildlife and biodiversity conservation?
- iii) Whether the Paulton Printing Factory allocation is in a sustainable location.
- iv) Should greenfield housing sites deleted from the DDLP be reinstated?
- v) What reference should be made to other sites put forward as potential allocations in the plan?

Inspector's Reasoning

- 5.59 The first three issues raised in this section relate to the sites proposed by the Council to accommodate residential development under Policy GDS.1. I cover in detail the wording and content of the policies for these sites in Section 7 of my report. Issue v) relates to the omission sites proposed by objectors for housing development which are listed and dealt with in Section 8.
- 5.60 In this section I deal with the extent to which the sites allocated in GDS.1, apart from those with planning permission, will contribute to the housing land requirements, and indicate any additional sites which I consider should either be included in the list of allocations, or reconsidered by the Council for allocation. The contents of the table of allocations should be based on those sites which are adopted following my recommendations in this section, taking into account any more detailed consideration and recommendations as to Policy wording in Sections 7 and 8 of the report. Setting aside the sites with planning permission, it is essential that the sites selected for allocation are available to deliver a total provision of 2115 dwellings by 2011.
- 5.61 In my assessment of the brownfield sites proposed in the Local Plan, I take a robust view of the level of housing which each site may be expected to provide during this plan period. Where that figure is lower than the proposal in the RDDLP it is not because I disagree with the Council's strategy of giving priority to brownfield allocations, but because it is Government policy to allocate sites which are realistically available for development. In my assessment of what could be delivered from the brownfield sites, I take into account the level of constraints to which they are subject, and the importance of taking a comprehensive approach to ensure that the development value of relatively unconstrained areas will contribute to the costs of more difficult areas.
- 5.62 It was suggested at the Inquiry that to reduce the provision from brownfield sites such as Western Riverside and recommend greenfield sites to make up the numbers would send the wrong message. However, my message is not that the brownfield sites should not be developed, but that far more work needs to be done to ensure that constrained brownfield allocations are genuinely ready for implementation before any reliance is placed on them to provide for a significant part of the housing land supply. This is of particular importance for the RDDLP since the plan has a relatively short timespan and a heavy reliance on sites which are not genuinely available would result in significant shortfalls in housing land supply. It is only through the allocation of brownfield sites which are genuinely available for development that credibility can be secured in the strategy of giving priority to brownfield first; and an outcome which would fail to deliver an adequate supply of land, a key priority of Government policy, can be avoided.

Issues i) - iii)

- 5.63 The Council sets out a table of allocated sites, including sites with planning permission, as Appendix 3 to Topic Paper 2.3. I have dealt with the contribution to be assumed as made by sites with planning permission at April 2004, so I will not consider those sites again. It is the contribution to be made by brownfield sites, including B1 Western Riverside, B2 MOD Foxhill, B12 Lower Bristol Road, B13 St Martin's Hospital, B14 St Mary's School, K1 Somerdale, NR2 Radstock Railway land, V3 Paulton Printing Factory and V8 Radford Retail which I consider here.
- 5.64 **Bath Western Riverside** was the subject of much debate as to the level of housing which is likely to be provided on the site during the plan period. I fully endorse the importance of this site for regeneration. It forms a part of the urban fabric of the city and large parts of the area are currently either vacant or underused. There is no dispute that the redevelopment of the area with a large element of housing would fully accord with the priority given by Government to making the best use of brownfield sites within the urban area, and a carefully designed scheme which makes the best of opportunities presented by the setting of the site and its location adjoining the river would make a significant contribution to Bath as a WHS. Furthermore, I have no doubt that opportunities will be taken to achieve a high density of development in appropriate locations within the site.
- 5.65 However, the 35 hectare site is in a number of ownerships and much of it is in active use. Furthermore, it is subject to a variety of constraints including contamination, archaeological importance, underground thermal waters, and land liable to flood. The extent of the constraints varies across the site such that there are relatively unconstrained areas which I accept could be developed in the short term. Indeed, Landscape Estates, now owned by Crest Nicholson, is seeking a change to the wording of GDS.1/B1 which would facilitate the development of its land at an early stage. The developer also argues that more than 1000 dwellings could be delivered during the plan period.
- 5.66 I deal with the detail of the wording, and other objections relating to the boundaries of the site later in my report, but the Council is quite rightly seeking to set up a mechanism to ensure that the development value of the less constrained areas would contribute to the costs of bringing forward the more contaminated and constrained parts of the site. Whatever the mechanism used to secure those contributions, it cannot be established until the proposed Master Plan Supplementary Planning Document (SPD) has been adopted, and the cost of dealing with the constraints in order to achieve its implementation have been assessed and agreed.
- 5.67 In B&NES 12.4 submitted in May 2005 the Council sets out a timetable for the formulation of the Master Plan SPD and consequent submission of an outline planning application by the end of 2005. There is clearly a

considerable amount of work to be carried out in the preparation of the Master Plan SPD and in my view the timetable is unrealistic. Even if the strategic framework and spatial elements of the scheme can be agreed and formulated within this timeframe, to expect the costs of delivering the Master Plan to have been assessed and agreed, together with the delivery strategy and planning obligations/tariff strategy by November 2005 is wildly optimistic.

- 5.68 The timetable makes no allowance for the negotiations which will be required between landowners as to the form of development which will take place on individual sites, the likely costs of that development, and the level of contributions which will be required from the developers of the different sites. I anticipate that such agreement will not be easily achieved. Developers and landowners will seek to gain the maximum value from their own sites, whilst minimising the contribution to be made to the wider scheme. Whilst Landscape Estates indicate a willingness to contribute to infrastructure or other requirements that are genuinely necessary to enable development to proceed, at the Inquiry their representative indicated that they would expect the normal tests to be applied. It is quite likely that there will be considerable debate as to what costs are appropriate to the development of the less constrained sites, which are expected to deliver the bulk of the housing during the plan period.
- 5.69 On the other hand it would be entirely inappropriate for parts of the Western Riverside site to be released for development before there has been an assessment and costing for the delivery of the whole scheme, including the abnormal development costs of the more constrained areas. An early release of those sites without the certainty that the rest of the scheme will be delivered would be likely to prejudice the development of the sites which are subject to abnormal development costs, and for which a redevelopment is clearly desirable. The dangers of this scenario were clearly appreciated by Bath Preservation Trust whose representative indicated at the Inquiry that it would be preferable for the development of the site to be delayed rather than carried out in a piecemeal way in order to secure the early release of housing land. Indeed, in view of the importance of bringing this site forward on a comprehensive basis, I consider that the Council should not rule out the use of its CPO powers even though that would introduce its own delays. Such delay would be preferable to any risk to the development of the area as a whole.
- 5.70 Government policy emphasises the importance of deliverability. Sites allocated for housing in development plans should be both suitable and available. Whilst the Western Riverside is clearly suitable for housing, it is not available for commencement as a comprehensive development at the present time. The question is the extent to which the Council can depend on the release of early phases of the site before the end of the plan period, without compromising the delivery of a comprehensive scheme for the whole area.

- 5.71 I have referred to the importance of ensuring that there is adequate land available to meet the level of housing implied by RPG10, and the risk that otherwise arises of having to achieve a significant increase in housing land supply post 2011. In these circumstances I advise the Council not to take any risks with the supply of housing land during the period of this plan. To rely on the delivery of a significant level of housing at Western Riverside by 2011 would in my view be to take such a risk. At least a year should be allowed for the Master Plan SPD to be completed together with its assessment and apportionment of costs. A further 6 months should then be allowed for negotiations on S106 agreements and the outline planning application. Once the outline permission has been granted for the whole site, it would be open to developers such as Landscape Estates to apply for detailed permission on their sites and to deliver their contribution to overall costs. I consider that an optimistic estimate of the likely start date for construction would be spring 2008.
- 5.72 I accept that the first phases of construction could include the Westmark site for 110 units, and part of the Landscape Estates land which could accommodate 400 units. However, in view of my recommendations under Policy GDS.1/B1A in relation to the accommodation of a waste transfer facility at Newbridge, I do not accept that the availability of the Council's waste transfer site for redevelopment can be guaranteed before 2011. A later start date on that site is likely to have implications for the delivery of other parts of the Western Riverside, with completion beyond the end of the plan period.
- 5.73 There was much debate concerning the rate at which housing could be delivered at Western Riverside, but with just three years remaining of the plan period following the most likely start of residential development, I consider that it would be prudent to expect the contribution of the site to housing land supply to be no more than 450 dwellings by 2011.
- 5.74 My assessment is based on the evidence before me in May 2005. By the time this report is received by the Council, it should be clear whether the initial stages of the Council's timetable for the delivery of the site are likely to be met. However, it is essential that the development of Western Riverside is carried out in a properly planned and co-ordinated manner which ensures that the early release of some sites does not take place without securing the future development of more constrained areas. Only on that basis can there be any assurance that the overall potential of the site for residential development will be secured. I would therefore urge the Council not to take any risks in the achievement of the full potential of this site even though other sites would need to be released to make up housing land supply figures in the years to 2011.
- 5.75 However, even if the contribution for the period to 2011 is significantly lower than that put forward in the RDDLP, provided a truly comprehensive approach is achieved, the site will make a valuable contribution to housing land supply beyond the plan period. The future DPD will be able to rely on Western Riverside to make a significant contribution to housing land supply post 2011.

- 5.76 Land at **MoD Foxhill** is expected in the Council's figures to contribute 200 dwellings during the plan period. Although a Development Guide was approved for the site as early as 1998, the Council has no evidence that the site will be released by the MoD during the plan period. Indeed, evidence submitted by objectors indicates that no decisions have been taken for the release of part or all of the site, and that future uses of the site are subject to ongoing studies by Defence Estates.
- 5.77 In these circumstances I cannot accept that the site is currently available for development. Furthermore, there is no certainty as to whether it will be released for development within or even beyond the plan period. I therefore conclude that the site should be deleted from the plan.
- 5.78 Debate about the potential contribution from land at **Lower Bristol Road** related to both the level of housing which could be accommodated within the site, and the timing for its development. The site was originally a core industrial location in Bath, but following the Business Location Requirement Study in 2003, and the Urban Housing Capacity Studies of 2003 and 2004, the Council formed the view that the area had become run down with a need for regeneration through a mixed use redevelopment, with business use, some housing and other uses. I will deal with the details of the site and the wording of the Policy GDS.1/B12 later in my report, and here consider only the likely contribution which the site may make to housing within the plan period.
- 5.79 At present the site is in a number of uses with a range of ownerships. Although there are areas which are run down, the site is largely in a variety of active commercial uses, and there is evidence of contamination within a number of the sites. Urban design consultants have been commissioned by the Council to draw up a Masterplan Framework to inform more detailed planning guidance on the redevelopment of the site. It is clear to me that a comprehensive approach will be required both to establish the best locations for the different uses together with the delivery mechanisms for all of the proposed uses, and not just the higher value ones.
- 5.80 Without such an approach there is a danger that the more straight forward sites will be developed for higher value uses leaving the more constrained sites without the benefit of regeneration. Thus the position at Lower Bristol Road mirrors that of the Western Riverside site, but it is at an earlier stage and without the benefit of the environmental investigations and work on transport infrastructure which have been carried out for Western Riverside. As I have stated for Western Riverside, whilst the regeneration of Lower Bristol Road is a desirable objective, it is not one which should be hurried at the risk of prejudicing an appropriately comprehensive scheme.
- 5.81 Whilst I consider that the site is suited to high density residential development, I am not convinced that the number of units put forward by the objector would provide the quality of environment and scale of building appropriate to this location. I have no reason to question the

likely capacity identified on behalf of the council of 200 dwellings, but in view of the amount of preparatory work which will need to be carried out, together with negotiations with landowners or even the making of a Compulsory Purchase Order, I consider that it is unlikely that the site will make such a significant contribution to housing land supply within the current plan period. I have referred to the high priority placed by Government on land allocated in Local Plans being available for development. This site is not at present available, and in the relatively short period which remains of this plan, there can be no certainty that it will become available. To reflect that uncertainty, I recommend that the site be expected to contribute no more than 50 dwellings in this plan period, and that a further assessment is made of its likely contribution to housing land supply within the future housing DPD.

- 5.82 Although **St Martins Hospital** has been the subject of a resolution to grant permission subject to a S106 agreement since 2002 and development has not progressed, I have no evidence that the site is subject to any constraints and that it is not available to the housing market. I therefore recommend no change to the capacity of 128 given in the plan for this site.
- 5.83 Planning permission for residential development at **St Mary's School** has expired in spite of the strength of the housing market. However, I have no evidence that the site is subject to any abnormal constraints such that it is not available, and therefore recommend no change to the capacity of 16 dwellings given in the plan for this site.
- 5.84 The **Somerdale** site has wide ranging support as being the most sustainable location for meeting housing need in Keynsham. It is accessible to the town centre and to the railway station and is a brownfield site. As such it has a number of qualifications for allocation for residential development. However, the site is also subject to a number of constraints which include access arrangements, the location of the flood plain, remediation of potential ground instability, archaeological interest, and the provision of alternative recreation and social facilities.
- 5.85 Whilst these issues may be covered in the wording of Policy GDS.1/K1, I have no evidence that they will be resolved in time for the site to be brought forward for the level of residential development put forward by the Council during the plan period.
- 5.86 The allocation in the RDDLP is for 50 dwellings, but the Council's latest assessment indicates that it could accommodate 200 dwellings. The landowners argue that the site could accommodate an even higher figure of 500 dwellings. The site includes a substantial area of land, is subject to the resolution of its various constraints, and requires a suitable balance between housing and employment development; I have no evidence on which to choose between the various figures. More detailed work is required to demonstrate how the constraints affecting the site will be resolved and the timing for its development before an accurate assessment of its contribution to housing land supply before and after

2011 can be made. In view of the high level of uncertainty as to how the site could be brought forward for development in the plan period, I recommend that the expected contribution from this site is assumed to be no more than 50 dwellings.

- 5.87 At **Cannocks Garage, Keynsham** planning permission has been granted for 21 dwellings which are now under construction. This figure should be reflected in GDS.1/K5 which allocates the site for 25 dwellings.
- 5.88 The issues relating to the contribution to be made to housing land supply by **Radstock Railway Land** are whether the site should provide for the reinstatement of the rail track and a new station; whether the area for development should be reduced to retain larger areas for nature conservation; and the timing for its implementation.
- 5.89 The North Somerset Railway Company has clearly worked hard over the years to safeguard land to enable the rebuilding of the railway line between Frome and Norton Radstock, and the company sees the preservation of land for the track and station within this site as essential to the project. The provision of such sustainable means of transport is a cause worthy of support but in the absence of any demonstration of viability or indication of funding which would enable its implementation, it is not a scheme which can be given a high priority within the Local Plan.
- 5.90 Although there may not be an opportunity to use the Brunel shed and the railway turntable for railway uses, the retention of these structures remains of value. In any event, the wording of the policy does require provision of a sustainable transport corridor which would not entirely preclude the possibility of a rail link. I consider that this level of safeguarding is appropriate in all the circumstances and that no further land should be safeguarded for this project such as to reduce the capacity of the site for residential development.
- 5.91 However, the site clearly is of significant importance for nature conservation. A comprehensive report on the site was produced by Wessex Ecological Consultancy in response to the planning application for development of the site in 1999. This found the site to have four nationally scarce species of flora, and 21 species of nationally rare, scarce or vulnerable invertebrate fauna. Six of these species are Red Book Data species and the remaining fifteen are nationally scarce. The site was considered to be of national significance for its invertebrate communities and comes close to warranting designation as an SSSI. Although further work has been carried out since that report was prepared, that work does not in my view undermine the findings of the Wessex Ecological Consultancy.
- 5.92 The Council refers to the priority given in Government policy to the re-use of previously developed land, but having regard to the advice in Annex C to PPG3, the definition excludes land which was previously developed but where the remains of any structure or activity have blended into the landscape in the process of time and where there is a clear reason such as

its contribution to nature conservation that could outweigh the re-use of the site. Although there are some buildings which remain intact on parts of the site, the major part of it has become overgrown such that it blends into the landscape. This together with its importance as a site for nature conservation weighs against its status as previously developed land and the priority which should be given to its re-use.

- 5.93 The Master Plan for the development of the site put before me at the Inquiry takes into account the results of earlier surveys, including the 1999 report by Wessex Ecological Consultancy, and seeks a compromise between development and nature conservation interests. However, the scheme has not been the subject of consultation with Wessex Ecological Consultancy, the Council's ecologist or English Nature. Until it can be demonstrated that those areas of the site which are of significance for nature conservation can be fully safeguarded I consider that it would be inappropriate to increase its capacity for residential development above that proposed in the 1999 scheme, on which the ecological issues were unresolved.
- 5.94 I fully accept the importance of this site to the regeneration of Norton-Radstock. However, the maintenance of large parts of the site as a nature reserve can also be of value to the community. The 1999 report from Wessex Ecological Consultancy identified three areas which could be developed without significant biodiversity losses given appropriate management of the rest of the site. I am therefore confident that some development could take place within the site whilst conserving its ecological importance, but it needs to be demonstrated that the development is confined to areas which are not of significant value.
- 5.95 The NR Regeneration Company now has a developer partner ready to work on an appropriate scheme, and I see no reason why some development should not take place during this plan period. However, to avoid pressure for the achievement of high numbers of dwellings at the expense of the ecology of the site, I recommend that the site be expected to accommodate no more than 50 dwellings during the plan period. Any higher number of dwellings which may be achieved would count towards the supply of housing land beyond the plan period.
- 5.96 Although land at **Mount Pleasant Hostel, Radstock** is in an alternative use, I have no reason to consider that it will not come forward for development in the plan period and therefore endorse the allocation of the site for 10 units.
- 5.97 At **Paulton Printing Factory**, planning permission has been granted on the south east part of the site for 100 dwellings but there is a reserved matters application for this to increase to 217 dwellings. The Council object to this level of development on less than 4 hectares which would be at the top end of the range recommended in PPG3 for previously developed sites. Paulton is a R1 settlement which has a reasonable level of facilities and public transport services, and in which some residential development would be sustainable. The Council has conceded that an

increase to 150 units on the site would be an acceptable level of development, and in this location I agree. The 100 dwellings is included in the figure for sites with planning permission, therefore a further contribution of 50 should be added to the supply of brownfield sites without planning permission. I deal with changes to Policy GDS.1/V3 in Section 7 of my report. I consider the potential for a further area of residential development under issue v).

- 5.98 The **Former Radford Retail System Site at Chew Stoke** is identified in the plan as a Major Existing Developed Site in the Green Belt. Although there is some dispute that the site could deliver more than the allocated number of dwellings, a planning application has been submitted for 31 dwellings and I have no reason to doubt that the site will deliver its allocation of 30 dwellings during the plan period.
- 5.99 From my assessment of the contribution likely to be made by **brownfield sites without planning permission** by 2011, I conclude that a provision of some **855** dwellings is most likely to be achieved. This figure is significantly below that assumed in the Council's Table 1 of Topic Paper 2 (1430 dwellings) and the revised figure set out in Appendix 3 to Topic Paper 2.3 at 1760 dwellings.

Issues iv) & v)

- 5.100 I have indicated that sites allocated in Policy GDS.1 which did not have planning permission in April 2004 would need to provide for 2115 dwellings. In addition to the brownfield sites which I have considered above, three greenfield sites have been retained in the RDDLP to contribute 70 dwellings to the supply. Of these sites, **Folly Hill, Norton Radstock** now has planning permission for 50 dwellings; and planning permission has been agreed in principle at **Bannerdown Road, Batheaston** for 6 dwellings. The other greenfield site is at **Goosard Lane, High Littleton** which is expected to deliver 16 dwellings during the plan period. I consider this to be a reasonable level of development for the settlement and have no reason to doubt that it will be delivered.
- 5.101 On my calculations therefore, some **925** dwellings would be delivered from sites allocated in Policy GDS.1 by 2011. This leaves a significant shortfall (1190) on the 2115 dwellings required to meet the RPG10 housing land supply. The issue then arises as to whether the shortfall should be addressed through a reinstatement of land identified in the DDLP, or whether other sites which have been put forward by objectors would be more appropriate. The most significant of the DDLP housing sites was the 20 ha in GDS.1/K2 at South West Keynsham.
- 5.102 Before considering in detail which sites may be appropriate to allocate in order to provide an adequate supply of land during the plan period, it is necessary to be clear as to the strategic policy against which the selection of sites should be considered. The relationship between the JRSP and RPG10 is relevant in this regard, in particular in relation to the release of land from the Green Belt at Keynsham.

- 5.103 The Council argues that since the policies of the JRSP, apart from Policy 33, were agreed for adoption before the publication of RPG10, more weight should be given to the strategy of RPG10. Earlier in this section I accepted that by reason of the date at which the JRSP was formally adopted, that is the document to which S.38(5) of the Planning and Compulsory Purchase Act 2004 applies, but that RPG10 is a material consideration to which due weight should also be given. As a result I have recommended that this plan should provide for the higher level of housing implied by the figures set out in RPG10. I consider that it is of particular importance to give weight to RPG10 in this regard in order to avoid serious difficulties in meeting B&NES share of the regional housing land supply towards the end of and beyond the current plan period.
- 5.104 The approach favoured by the Council would be to follow Policy 33 of the JRSP which provides for a lower rate of housing development, but to adopt the strategy of RPG10 as set out in Policies SS2 and SS7 in so far as those policies relate to the release of land from the Green Belt at Keynsham. Policy SS2 directs new housing development to the Principal Urban Areas (PUAs), which include Bath, and where it cannot be accommodated within the PUAs, it should be in the form of planned urban extensions or other designated centres for growth beyond the direct influence of the PUAs. The policies direct new development away from small dormitory towns within easy commuting distance of the PUAs, and B&NES argues that this applies to Keynsham. Furthermore, it is the Council's case that there is no need for the release of Green Belt land at Keynsham since sufficient land can be made available for housing on mainly brownfield sites.
- 5.105 I have considered the potential of the sites proposed in the plan, and concluded that there would be a serious shortfall in housing land supply if no further sites are allocated. Although my assessment of the housing land requirements takes account of the provision of RPG10, I do not agree with the Council that the policies of RPG10 should take precedence in the identification of land to meet those requirements. Because of the delays in the adoption of the JRSP and subsequent preparation of the Local Plan, the normal process of cascading policy through the tiers from RPG to Local Plan is out of step in B&NES. That does not mean that the strategy of the JRSP can be ignored, even though under the new system it will cease to have effect in September 2007. That strategy is one of the building blocks for the long term development of B&NES. It is up to date in terms of Government policy on sustainable development, and should form the basis for the identification of housing sites during the current plan period.
- 5.106 Furthermore, although the RPG10 policies indicate that towns such as Keynsham should no longer be considered, the Panel had the emerging JRSP, with its provision for Keynsham, before it when considering the new Regional policies. Therefore the RPG10 policies relate to the strategy to be adopted subsequent to the implementation of the JRSP strategy. The current Local Plan is founded in the strategy of the JRSP, and it should seek to implement that strategy. RPG10 requires a review of the Green Belt around Bath to provide for sustainable development, but such a

review would need to be carried out as part of the preparation of the development plan. No such review has been carried out as part of the RDDLP. It is not therefore surprising that the Council had no alternative to offer in place of a release of Green Belt land at Keynsham to accord with the policies of RPG10. It is clear that an attempt at this stage to move forward with the strategy of RPG10 in this Local Plan would lead to serious delays in the delivery of housing sites.

- 5.107 Following the strategy of the JRSP, the RDDLP classifies Bath as the main urban area within B&NES, whilst Keynsham and Norton-Radstock are classified as urban areas. B&NES has quite rightly sought to concentrate residential provision within Bath, but it is clear that the allocated brownfield sites are not sufficiently advanced in their implementation to guarantee delivery before 2011. Other brownfield opportunities within the City are likely to be confined to windfall developments which are already accounted for in the calculation of housing land supply, so I place no reliance on the delivery of further housing from this source.
- 5.108 A number of objectors put forward sites for housing which are in the Green Belt, but there is no provision made in the JRSP for the release of land from the Green Belt apart from at Keynsham. In the absence of very special circumstances to justify the release of individual sites, I therefore make no recommendation to allocate any site currently within the Green Belt for housing development other than at Keynsham.
- 5.109 In the absence of any replacement RSS the Council should follow the requirements of RPG10 in the preparation of its LDF. I urge the Council not to await the issue of a new RSS but to prepare the LDF in accord with RPG10 having regard to any emerging RSS. A review of the Green Belt around Bath will need to be carried out to accord with RPG10, and I recommend elsewhere that anomalies in the existing boundary of the Green Belt should be resolved as part of that review. The review should be carried out as part of the preparation of a housing Development Plan Document to provide for the supply of housing land beyond the current Local Plan period.
- 5.110 Within the urban area of Bath, there were two greenfield sites which were identified in the DDLP. These were B7, 1.4 ha to the rear of 89-123 Englishcombe Lane to accommodate 45 dwellings; and B8, 0.4 ha to the rear of Bloomfield Drive to accommodate 13 dwellings. Although these sites are subject to a number of objections mainly from nearby residents, I recommend that the Council consider their reinstatement as residential allocations. With careful design, new development could be integrated within both sites. At Englishcombe Lane, the Environment Agency advises that strategies would be required for surface water drainage and watercourse treatment, but there is no suggestion that these could not be achieved, the site is in a sustainable location for transport, and there would remain a significant area of open space to preserve the amenities of the area. The land at Bloomfield Drive is former allotment land. There is much support for the provision of allotments in the City. I consider that any need for the reinstatement of the site to that use should be first

investigated in the light of the assessments made in the Council's Green Space Strategy. However, if the land is not needed for allotment use, I recommend that it be allocated for housing.

- 5.111 I consider in Section 8 of the report the merits of land at Beechen Cliff School, Greenway Lane. A multi-purpose sports pitch is proposed, which, in my view would be of better recreational value than the existing open space and development could be well integrated in the area without harm to strategic views of the City or to more local amenities. I therefore recommend it is allocated for 18 dwellings. Subject to the assessment of the Hayesfield School site for a new convenience store, and provided that it can be demonstrated that the Hayesfield School Playing Field is not required for recreational or educational use, consideration should also be given to the release of this site which could accommodate a significant number of dwellings. The former allotment site at Lansdown View is not in any use and subject to evidence of local need for and its potential for reinstatement as allotments, its release for housing should also be considered.
- 5.112 I have recommended that the British Waterways land at Brassmill Lane, Locksbrook could be removed from the employment designation and any proposal for its development for housing could be considered under the plan's policies without the need for a formal allocation. With the changes which I recommend to the policies relating to infill development, a number of other sites could be considered for residential development under the amended policies rather than by means of a formal designation. These include land at Hampton Row, Twerton Hill Farm, and land rear of 55-56 Forester Avenue.
- 5.113 Sites are proposed to the north and south of Bailbrook Lane adjacent to GDS.1/B6, but I recommend against the release of further land in view of the impact on the rural character of this part of the Lane. There is also the former nursery site at the rear of 64-92 London Road West. Whilst this site is not in the Green Belt, it relates visually to the open valley to the south east which is largely within the Green Belt. I therefore recommend that the future of the site should be considered as part of the review of the Green Belt boundary around Bath. I recommend against the allocation of the Twerton Football ground in the absence of an alternative location for the club which would be acceptable in policy terms.
- 5.114 Taking the sites on which there is evidence of capacity, Englishcombe Lane, Bloomfield Drive, and Beechen Cliff School could deliver some 76 dwellings. The Council would need to assess the potential for the land at Hayesfield School and at Lansdown View, but clearly the Hayesfield School site could deliver a substantial level of housing, and it is a vacant site which could be available in the plan period. I therefore recommend that priority is given by the Council to the assessment of these sites for allocation in this plan.
- 5.115 Whilst I am not in a position to calculate the likely contribution from the additional sites which I recommend the Council considers for housing in

Bath, it is unlikely that even with the addition of these sites there would be sufficient land available to meet the required housing land supply during the plan period within the main urban area of Bath. The JRSP anticipates such a shortfall in housing land supply and provides for the release of land from the Green Belt at Keynsham to meet the shortfall. Keynsham is on a strategic transport route between the main employment centres of Bristol and Bath. It is served by a mainline station and a wide choice of bus services, including a fast bus service along the A4. As a result I consider that Keynsham provides an appropriate location for additional residential development. Even if further housing development would add to the level of out-commuting, there are good public transport services available to attract future residents away from the use of the private car.

5.116 After Keynsham the next location to be considered for the release of housing land is the urban area of Norton-Radstock, followed by the R1 settlements. This accords with a sequential approach which looks at the most sustainable locations first, and if insufficient land can be made available for housing, the next best option must be considered. It is also in accordance with Policy 2(d) of the JRSP. Thus the Council should identify available brownfield and greenfield sites within Bath, followed by the same exercise in Keynsham and then Norton-Radstock. When considering the relative merits of brownfield and greenfield sites, regard should be had to the policies of the JRSP, but clearly the characteristics of each site and their detailed merits in terms of sustainability need to be taken into account.

5.117 It was argued on behalf of Taylor Woodrow that the omission of a Green Belt release at Keynsham would mean that the Local Plan does not conform with the JRSP. Be that as it may, the JRSP clearly anticipated a need to release land from the Green Belt at Keynsham to provide a supply of housing land. I find that this need remains and therefore there is no change in circumstances to justify any departure from the strategy set out in the JRSP.

Keynsham

5.118 Criteria for the release of land from the Green Belt at Keynsham are set out in JRSP Policies 9 and 16. In addition to the land at K2 which was deleted from the DDLP, a number of alternative sites have been proposed to meet the objectives of these policies. Policy 9 of the JRSP requires the alteration of the Green Belt boundary to provide for new residential development and associated local employment and social infrastructure in a form and of a scale which maintains the existing character of the town, safeguards against coalescence with adjoining settlements, enhances the service and employment role of its centre, ensures access to local facilities and services in accord with Policy 2, and supports the development of public transport within the Bristol – Bath corridor. Policy 16 requires the change to the Green Belt boundary to maintain the separate identity of Keynsham within the Green Belt.

- 5.119 Of the alternative sites proposed to be released from the Green Belt, I conclude that it is the land at South West Keynsham which would most readily meet the criteria of the JRSP. I have considered all the objections lodged against site K2 in the DDLP, including those withdrawn at the RDDLP stage. There is little difference in terms of distance from town centre facilities, or access to local facilities, between sites to the south west, west and east of the town, whereas the land at Uplands Farm is a more peripheral location. Furthermore, development there would intrude into the Chew Valley, an important green corridor which runs into and through the town, as would the development of sites proposed adjacent to Wellsway. As a result, the development of sites likely to affect the Chew Valley would harm the existing character of the town, and I recommend against the further consideration of these sites in view of this harm.
- 5.120 All the larger sites would provide opportunities for new employment and social infrastructure, and the increase in population would help support the service role of the town. In terms of support of public transport within the corridor from Bath to Bristol, sites close to the A4 would no doubt provide passengers for the fast bus service in the corridor, but proximity to this route could also encourage more use of the private car, which would balance out this benefit. The access to public transport from other sites varies to some extent, but there is no significant difference.
- 5.121 The most significant difference between the sites is in terms of the effect on the function of the Green Belt in maintaining the gap between Keynsham and other settlements. The development of land proposed to the east of the town would encroach on the already fragile gap between Keynsham and Saltford, and development to the west would extend the edge of Keynsham into the gap between the town and the urban area of Bristol. The site proposed by Wimpey at Hawkswell to the north west of Keynsham would also reduce the gap between Keynsham and Bristol. Development east, west or north west of the town would therefore contribute to the coalescence of Keynsham with adjoining settlements, and fail to maintain the separate identity of the town. Thus proposals at Lays Farm, Stockwood Lane, Hawkswell, Withies Farm and Manor Road would in my view conflict with the aims of Policies 9 and 16 of the JRSP.
- 5.122 The Green Belt separation of Keynsham and settlements to the south is more extensive than for other areas of Keynsham so development of K2 would not undermine the separate identity of the town. Whilst the site can be viewed from wider locations around Keynsham, and its development would be a clear extension of the urban area into the countryside, it would not have such harmful impacts as the Uplands Farm site on the sensitive Chew Valley, and the integration of development into the landscape can be achieved through landscaping which is related to the Woodlands Trust scheme. I therefore agree with the Council that the K2 site does not have the weight of issues which impact on other sites which have been proposed around the town.
- 5.123 In terms of capacity, in the DDLP, site K2 was expected to accommodate 500 dwellings. Wimpey proposes the release of the two sites which

comprised K2, together with the land between known as Abbots Wood which is controlled and has been planted by the Woodlands Trust. The objector contends that the whole area could accommodate some 1,300 dwellings, with 350 dwellings on the Abbots Wood site. However, I agree with the Council that the retention of Abbots Wood as a planted area would be of significant value to the setting of the town, and would provide an important amenity area to both the existing and proposed new housing in this part of Keynsham. As a result I consider that the original areas designated as K2 should be reinstated within the plan. The total site area would then be some 20 has. Having regard to Government advice on making the best use of development land, even with an area reserved for employment development and for community facilities, I consider that the site could provide for up to 700 houses. Since this is a green field site with no significant constraints, there is no reason why it should not be delivered during the plan period.

5.124 With the reinstatement of K2 to deliver 700 dwellings, together with the sites which I recommend to be allocated in Bath, the shortfall in the housing land supply would be reduced to some 4-500 dwellings. The shortfall would be considerably less if the Hayesfield School land is allocated for housing.

5.125 Other sites put forward by objectors which are not in the Green Belt include the former Nursery Site in the High Street and the greenfield site at Fox and Hounds Lane which is outside the HDB. However, these sites are not of a size appropriate to include as an allocation in the plan, and could be considered as potential windfall developments.

Norton-Radstock

5.126 Following the Local Plan strategy, Midsomer Norton/Norton Radstock should be the next area of search for suitable housing sites. In the DDLP, 7 ha of land south of Charlton Park was proposed to accommodate 90 dwellings with 2 ha of B1 uses and 1.5 ha for public playing fields. This site was considered for residential development by the Inspector for the Wansdyke Local Plan Inquiry. In his report dated March 2000 he recommended against its allocation, and I agree that this area of open agricultural land relates firmly to the surrounding open countryside such that its development would extend the built-up area southwards to the detriment of the rural character and appearance of the area. As a result I consider that other options for development should be assessed before this site is reconsidered for allocation.

5.127 Because of the level of residential development which has taken place in the area, and the scale of out-commuting, the plan seeks to promote additional economic development, and to retain existing employment sites in that use. However, I find that there is a good supply of employment land in Norton-Radstock, when balanced against the findings of the BLRR. As a result, I consider that redundant or under used industrial or commercial sites which may be costly to redevelop as modern employment sites are unlikely to attract new commercial occupiers.

Having regard to the advice in PPG3 paragraph 42(a), rather than protect such sites for an employment use which is unlikely to materialise, consideration should be given to their release for residential development, or in the case of the larger sites, a mixed use scheme. In a mixed use scheme, the residential development could provide a cross subsidy for the development of modern business premises, including small scale speculative development of units below 400 sq.m for which a need is identified in the BLRR.

- 5.128 St Peter's Factory, Westfield is a site where such an approach would be of benefit. It is currently identified as GDS.1/NR4 for Classes B1, 2 and 8 development. Oval Estates (Bath) Ltd seek a change to the allocation to allow for a mixed use scheme, so that residential development may cross subsidise business development. Such an approach would in my view be entirely in accord with Government policy, and could help facilitate the provision of modern employment development together with new housing on a brownfield site.
- 5.129 The objector also seeks the extension of the allocation to include land west of houses in Lincombe Road. This land has no allocation on the Proposals Map and I agree with the objector that it is different in character from the land zoned as Important Hillside to the south east, so there is no landscape constraint to its development. The land is seen by the Council as providing a buffer between the industrial and commercial uses within the site and the existing houses, but with a carefully laid out redevelopment the need for such a buffer would be avoided. The Council is also concerned that housing within the site would conflict with noise generated by B2 uses. However, the existing site is some 8 ha and together with the unallocated area I consider it to be of sufficient size to enable a mix of development to be implemented which would avoid conflict between different land uses.
- 5.130 I have insufficient evidence to give an accurate indication of the level of housing which could be provided at the site, or the timing for its provision. However, this is a substantial area of land and as part of a mixed use development it could be expected to contribute at least some 150 dwellings during the plan period. The Council will need to investigate whether this is a reasonable estimate and whether the site would provide further housing up to or beyond 2011.
- 5.131 The Welton Bag factory is another longstanding industrial site which is not in full use. The owners would like to rationalise its development with a mixed use scheme. As for the St Peter's Factory site, such an approach would be entirely in accord with Government policy, and with a scheme which uses the residential element to enable the development of modern B1/B2/B8 units, I consider that the Council's aim to provide balanced communities would be met.
- 5.132 Again this is a site on which I have no basis on which to estimate the level of housing which might be provided, or whether housing could be delivered during the plan period. However, this is a substantial brownfield

site which has the potential to make a significant contribution to the supply of housing land, and its potential should be investigated.

- 5.133 The Coomb End area of Radstock has evolved as a mix of uses, many of which are run down and unsightly. The road is a through route from the centre of Radstock to Clandown and the school. It is narrow and lacking in pavements in places, yet it serves a number of industrial and commercial premises as well as some residential uses. In recognition of the need to upgrade this area, the Council allocate it in the RDDLP as an Employment Regeneration Area under Policy ET.3A. However, the area is in a number of different ownerships and uses, and the policy fails to set out any identifiable strategy to warrant such a designation. The Council needs to consider whether any part of the area justifies safeguarding for employment purposes, in which case it should be designated as a core employment area, or whether the opportunity for a higher value residential redevelopment would be more likely to guarantee the achievement of the much needed improvement to the environment.
- 5.134 I have recommended the deletion of Policy ET.3A, and paragraph B2.41A, and consider that more specific proposals for the area designated in the RDDLP as an Employment Regeneration Area should be worked up in the form of an Area Action Plan DPD. This could include the provision of small employment units of 400 sq m or less together with housing. The Council will need to assess whether the site could contribute to the supply of housing land during the plan period, and what the level of any contribution might be.
- 5.135 The objection concerning land to the east of Coomb End relates to land which extends beyond the boundaries of the RDDLP's Regeneration Area on to land designated as Important Hillside alongside Bath New Road. In view of the contribution made to the character of Bath New Road on its approach into the town, the area for redevelopment should not be extended.
- 5.136 Clandown scrapyards are another site for which redevelopment could result in environmental improvements as sought by the Town Council. The site is in active use immediately opposite the school and is approached along narrow lanes which serve houses and the school. The use clearly has a very harmful influence on the amenities of the area and the potential for conflict is evidenced by the restrictions applied to large commercial vehicles at times when access is required to the school. In my view this is a very unsatisfactory juxtaposition of uses, and the residential development of the scrapyards could provide a resolution. I have no evidence as to the size of the site or constraints to its development and can therefore only recommend that this site be investigated for housing development either through its allocation in this Local Plan or a future DPD.
- 5.137 The Jewson's site at Westfield is in active use and whilst it adjoins residential development, it is on a busy main road and there would be no significant environmental gain from its redevelopment for housing. Similar considerations apply to Rymans Engineering, and Charlton's World

of Wood. I therefore make no recommendation in relation to these sites, but any proposals for redevelopment would fall to be assessed under Policy HG.4 and new Policy ET.3 (3).

5.138 The Council takes the view that it would not be appropriate to allocate significant levels of new housing to Midsomer Norton/Norton Radstock. However, the towns provide important services and facilities, there is scope for new employment development, and there are good public transport links to the main employment centres. I therefore consider that the towns provide a sustainable location for further residential development, and the potential for residential development on the brownfield sites which I have identified should be fully assessed.

5.139 A number of greenfield sites are put forward by objectors for residential development but the only site which I recommend for consideration as an allocation for residential development is land at Cautletts Close. I have insufficient evidence, in particular from the Council, to consider the potential of the site in detail. However, having visited all the sites put forward by objectors together with the Charlton Park site, I consider that land at Cautletts Close merits further consideration if there is a need for the release of a greenfield site in order to meet housing land requirements by 2011. It is an open flat field of no particular landscape quality, enclosed by housing to the north west and south west, with a cricket pitch to the north east and a substantial hedgerow to the east/south east. The site is within walking distance of the town centre and local schools, and subject to investigation of access and any physical constraints, I consider that the site would be a sustainable option for residential development. It could make a substantial contribution to the shortfall in housing land supply.

5.140 With allocations at St Peter's Factory, Welton Bag and Cautletts Close, the shortfall in housing land supply would be considerably reduced. The Council will need to assess whether the sites would be available for development before 2011 together with the number of dwellings that could be provided during the plan period. In the event that there remains a shortfall, then sites within the R1 settlements, as defined in Policy SC.1, should be considered.

R1 Settlements

5.141 The Council does not favour the dispersal of housing development to rural settlements primarily because of the implications for increased travel by private car in view of high levels of commuting to work. I have considered national, regional and strategic policy and consider that limited development at rural settlements which accords with Policy 2h) of the JRSP would be appropriate. The Council has carried out a classification of settlements, and it is to the larger R1 settlements that I consider attention should be given.

5.142 A number of alternative sites which have been put forward by objectors are within the Green Belt. As previously stated, I do not recommend that

any land should be taken from the Green Belt apart from at Keynsham since there is no remit for such an approach in the JRSP. Here I refer only to those sites which I recommend should be considered further as a potential allocation in the plan to provide for residential development during the current plan period.

- 5.143 In the DDLP, land was proposed for residential development at Brookside Drive, Farmborough. This is a greenfield site which was removed from the Green Belt and safeguarded in the Wansdyke Local Plan, as adopted by the Council for development control purposes in September 2000, for development post 2001. There are a number of objections to the development of this site, and further work would be required to assess floodrisk and access, and impacts on the adjoining school. However, the site relates well to the developed area of the settlement, and its development would not be unduly intrusive in the wider countryside. With a site area of 1.3 ha it would provide an appropriate scale of development for Farmborough, together with an opportunity for the provision of affordable housing as part of the development. I therefore recommend that GDS.1/V9 is reinstated for 30 dwellings as an allocation in the plan.
- 5.144 Polestar Properties propose the allocation of 3.789 ha to the north east of the Paulton Printing Factory, and an increase in the scale of residential development within GDS.1/V3 to 350 dwellings. Although a further release in Paulton would result in a significant level of development for an R1 settlement, Paulton is one of the larger R1 villages with a number of local services and facilities and public transport connections. The printing factory site is well located for future residents to make use of these services, and it comprises previously developed land. To that extent, development here would be a sustainable location. However, the current permission for residential development is not part of any mixed use development of the printing factory, and future residents are likely to add to the existing high levels of out commuting for employment. I therefore consider that there should be no further increase in the scale of residential development at Paulton unless it is linked to the provision of local employment opportunities.
- 5.145 Within the Printing Factory site, permission was granted for the development of B1/B2/B8 units on the vacant land to the north west of the factory in October 2002. Any further residential development at the site could therefore be linked to the development of this site either through new buildings for the existing business, or through the provision of new small scale business units. I accordingly recommend changes to GDS.1/V3 in the relevant section of my report, and the Council should assess the potential for a further 200 dwellings to be provided at the site together with new employment development during the plan period.
- 5.146 At Peasedown St John, some 2.54 ha between the bypass and Wellow Lane is promoted by David Wilson Estates for some 90 dwellings. The site was considered by the Inspector at the Wansdyke Local Plan Inquiry who found a number of arguments in favour of releasing the site for development, with which I agree. However, he recommended against the

site primarily because of the lack of significant employment development to match the scale of residential development which has taken place in Peasedown St John. At this Inquiry it was argued that the position has changed since a start has been made on the development of employment land to the south east of the bypass, but it is just one car dealership which has been constructed, and I heard evidence for the owners of that site that that there was insufficient demand for employment development of the 11 ha site to be viable.

- 5.147 With the high level of new housing which has taken place at Peasedown St John I agree with the Council that there is a need for the settlement to consolidate and allow local service provision to adjust to the new level of demand. Furthermore, in the absence of more progress in the provision of employment, an increase in housing would be likely to add to the already high levels of out commuting in conflict with Government objectives to achieve more balanced communities. Nevertheless, since I make no recommendation in favour of the release of the land south east of the bypass for housing there remains the potential for the balance to be addressed, and Peasedown St John has a reasonable level of local services and good public transport links. There is no evidence that the Wellow Lane site could not be developed during the plan period, and in the event that there remains a shortfall in housing land supply following the Council's assessment of sequentially preferable sites, I recommend that this site be allocated for residential development.
- 5.148 The other site in Peasedown St John which may be considered for residential development is the School playing field. The site is well located within the developed area of the village, but it would need to be demonstrated that the land is no longer required for recreational use before consideration can be given to its development. In the event that there remains a need for more housing land, I recommend that the Council investigate the potential release of this site.
- 5.149 The other site which I recommend for further investigation within the R1 settlements is the Coal Yard and Woolhouse at Peterside in Temple Cloud. It is previously developed land at the edge of the settlement with largely unused industrial buildings and overgrown areas of hardstanding. I appreciate the Council's concern to retain areas suitable for employment uses, but I doubt a redevelopment for employment purposes would be viable on this site. As a result I consider its release for housing would accord with Government policy. The site could accommodate a modest level of housing without harm to the setting or appearance of the village. I therefore recommend this is assessed for an allocation to be included within the HDB.
- 5.150 For a number of the sites which I recommend for further consideration by the Council as potential housing allocations in the Local Plan, I have insufficient information on which to estimate potential capacity. The capacity of those sites on which I do have sufficient information on which to base an estimate, would be some 1,246 dwellings. It is clear from this figure that the shortfall of 1190 which I have identified could be met from

the release of sites which would accord with national and JRSP policies. The figure of 1,246 does not include the release of either of the greenfield sites at Hayesfield School or Cautletts Close, which are other options which could make a significant contribution to the shortfall. Clearly it is not necessary for all the sites which I recommend for further investigation to be allocated in the present Local Plan.

- 5.151 It is for the council to undertake further detailed investigation of the sites to identify which would be both available and the most suitable for release during the current plan period. As I have already stated, the Council should first have regard to the locational policies of the JRSP in their assessment of these sites, and should prioritise accordingly. However, it would be an oversimplification of government policy to suggest that brownfield must always take precedence over greenfield. Paragraph 32 of PPG3 recognises that previously developed sites may perform less well than greenfield sites in regard to the criteria listed in paragraph 31 of the PPG. Within the framework provided by JRSP policies, the performance of the sites I have identified against these criteria should guide the Council in their identification of sites to fulfill the housing land supply.

Recommendations:

R5.16 Modify the contribution to housing land supply in the period to 2011 from the following allocations:

GDS.1/B1 Bath Western Riverside: 450 dwellings

GDS.1/B2 MOD Foxhill: delete allocation

GDS.1/B13 Lower Bristol Road: 50 dwellings

GDS.1/K5 Cannocks Garage: 25 dwellings

GDS.1/NR2 Radstock Railway Land: 50 dwellings

GDS.1/V3 Paulton Printing Factory: 150 dwellings (100 included in sites with planning permission and 50 to be added to brownfield allocations).

R5.17 That the following sites identified in the DDLP should be reconsidered as allocations for housing:

GDS.1/B7 land at Englishcombe Lane, Bath: 45 dwellings

GDS.1/B8 r/o 46-64 Bloomfield Drive: subject to investigation of the need for reinstatement of allotment use: 13 dwellings

GDS.1/K2 land at South West Keynsham: 700 dwellings

GDS.1/V9 land at Brookside Drive, Farmborough: 30 dwellings.

R5.18 That the following sites be considered by the Council for residential allocation in the Local Plan:

Bath

Land at Beechen Cliff School Greenway Lane, for 18 dwellings.

Hayesfield School Playing Field: investigate requirement for continued recreational use and if not needed assess capacity for residential development.

Lansdown View: investigate requirement for reinstatement of allotment use and if not needed, assess capacity for residential development.

Radstock/Midsomer Norton

St Peter's Factory, Westfield together with land to the rear of Lincombe Road: mixed use scheme with 150 dwellings.

Welton Bag Factory, Station Road: mixed use scheme - capacity to be assessed.

Coomb End, Radstock: area designated as Regeneration Area in the RDDLP: mixed use scheme - capacity to be assessed.

Clandown Scrapyard: capacity to be assessed.

Land at Cautletts Close: capacity to be assessed.

R1 Settlements

Further land at Paulton Printing Factory: amendment to GDS.1/V3 subject to provision of employment related scheme - additional 200 dwellings.

Land between Wellow Lane and the bypass, Peasedown St John: 90 dwellings.

School Playing Field, Peasedown St John: investigate availability and need for recreational use; capacity to be assessed.

Coal Yard and Woolhouse, Peterside, Temple Cloud: capacity to be assessed.

R5.19 Following the assessment by the Council of the additional sites, a Table of Residential Allocations be prepared in accordance with the recommendation following paragraph 5.22 above. The Table to list the sites selected to make up the housing land supply for the plan period.

Chapter B7 - Housing Needs - Phasing - Policy HG.3 and Paragraphs B7.44-B7.54

3233/B11	Mr & Mrs M Williams	B7.44
601/C19	House Builders Federation	B7.45/A
3009/C13	Polestar Properties Limited	B7.45/A
3605/C9	Nicholson Estates	B7.45/A
2388/C6	J S Bloor Ltd (Sytner Properties Ltd)	B7.45A/A
3116/C60	Bath & North East Somerset Allotment Association	B7.45A/A
3605/C19	Nicholson Estates	B7.45A/A
2388/C7	J S Bloor Ltd (Sytner Properties Ltd)	B7.45B/A
3098/C64	George Wimpey Strategic Land	B7.45B/A
3116/C61	Bath & North East Somerset Allotment Association	B7.45B/A
3605/C18	Nicholson Estates	B7.45B/A
3250/B2	Lattice Property Holdings	B7.46
1427/B65	Environment Agency	B7.48
2601/C33	Linden Homes (Developments) Limited	B7.48/A
2466/B9	Keynsham Civic Society	B7.49
2601/C34	Linden Homes (Developments) Limited	B7.49/A
3278/B15	Persimmon Homes (Wessex) Ltd	B7.50
3106/B3	Mr P D Chivers	B7.52
3251/B16	Prospect Land Ltd	B7.53
2/B39	T2000/Railfutures	HG.3
485/B9	Prowting Projects Ltd	HG.3
696/B17	South West RSL Planning Consortium	HG.3
696/B31	South West RSL Planning Consortium	HG.3
700/B17	Chase Homes	HG.3
2311/B2	Somer Community Housing Trust	HG.3
2313/B3	Bryant Homes (Taylor Woodrow)	HG.3
2380/B3	Mr M McGibney	HG.3
2388/B3	J S Bloor Ltd (Sytner Properties Ltd)	HG.3
2901/B1	Mr D Pera	HG.3
3098/B24	George Wimpey Strategic Land	HG.3
3099/B18	Barratt Bristol Limited(Mr A T P Joliffe)	HG.3
3233/B12	Mr & Mrs M Williams	HG.3
3251/B29	Prospect Land Ltd	HG.3
3268/B3	Ms J Allen	HG.3
696/C58	South West RSL Planning Consortium	HG.3/A
2340/C13	Mr & Mrs S Wiseman	HG.3/A
3009/C12	Polestar Properties Limited	HG.3/A
3605/C10	Nicholson Estates	HG.3/A

Supporting Statements

S3257/C136	Somer Valley Friends of the Earth	B7.45B/A
S3299/C62	Bovis Homes (South West Region) Limited	B7.45B/A
S3299/B20	Bovis Homes (South West Region) Limited	B7.50
S3251/B15	Prospect Land Ltd	B7.54
S3299/C61	Bovis Homes (South West Region) Limited	HG.3/A

Issues

- i) Whether there is a need for a phasing policy.
- ii) Should the word "brownfield" be replaced by an alternative definition?
- iii) Should reference be made to the Bath Western Riverside (BWR) proposal in paras B7.45B, and B7.46?

major landscaping in clause 11 is appropriate. However, in view of the distance of the site from any agricultural use, I agree that clause 13 is unnecessary and should be deleted.

7.101 As a site for employment and residential uses, it would not be appropriate to require provision for a higher education use in this location, although the policies of the plan would allow for any such proposals to be considered if they were to come forward for the site.

Recommendation:

R7.21 Modify Policy GDS.1/K1 by deleting clause 13.

Chapter B9 - Policy GDS.1/K2

There are large numbers of representations to this policy; details are listed at Appendix 1.

Issues

This site was not brought forward in the RDDLP, but in view of the shortfall in housing land supply which I identify in Section 5 of my report, I am recommending its reinstatement. Furthermore, I consider that the site could accommodate up to 700 dwellings.

Issues raised by objectors to the site in the DDLP include:

- i) Whether there is a need for the release of the site and whether housing would be better located at St John's Court or Somerdale.
- ii) The impact of development on the landscape and the gaps between Keynsham and Bristol and Keynsham and Queen Charlotte.
- iii) The impact on traffic through the town, and on the A4.
- iv) The distance of the site from High Street and community facilities.
- v) The potential for increased commuting.

Inspector's Reasoning

Issue i)

7.102 In section 5 I deal with the relationship between the JRSP, RPG10 and the RDDLP. I take the view that the Local Plan is founded in the policies of the JRSP. Although the policies of RPG10 are a material consideration, the normal process of cascading policy from regional guidance through the structure plan and to the local plan is out of step in B&NES. The current RPG10 strategy is not the foundation of the policies of the JRSP, but those policies were in place at the time the RPG was formulated. Although

many argue that Policies SS2 and SS7 of RPG10 militate against large scale residential development at Keynsham, those policies were drafted after the policies of the JRSP had identified Keynsham for a strategic release of land for housing from the Green Belt. Thus I find that it is strategic policy to release land from the Green Belt at Keynsham to meet the housing needs of B&NES.

- 7.103 The Council removed the K2 designation from the RDDLP following their assessment of the potential of brownfield sites to meet the housing land supply. However, whilst there is clearly a longer term potential for significant levels of housing on brownfield sites within Bath, there is no evidence to support the contention that this housing can be completed during the current plan period. In view of the priority placed by Government on the release of land for housing which is genuinely available for development, I am unable to support the Council's approach. I have identified a significant shortfall in the supply of housing land to meet strategic requirements to 2011 and in those circumstances there is no justification not to implement the provisions of the JRSP which are to meet the housing needs of the area through a Green Belt release at Keynsham.
- 7.104 Whilst the JRSP does not identify the location for the release of Green Belt land, it does set out criteria in Policies 9 and 16 to help in its identification. In my opinion the land identified in the DDLP as K2 best meets those criteria. I accept that there are brownfield opportunities in Keynsham at St John's Court and at Somerdale. However, St John's Court provides an opportunity for new retail development and with the increase in population arising from new housing development it becomes even more important for the town to become self sufficient in shopping provision. As for the Somerdale site, in view of the constraints to its development I consider it is unlikely to deliver more than 50 dwellings during the plan period. Furthermore, that site is required to make a contribution to employment development which is also important to the provision of a balanced community in Keynsham.

Issue ii)

- 7.105 In terms of impact on the landscape, the Council accepts that K2 is the optimum location if land is to be taken from the Green Belt for residential development. The site is contained by existing residential development to the north, by Charlton Road to the west and Parkhouse Lane to the east. I note the comments of Wimpey in relation to the split between the two parts of K2. However, the area allocated for woodland which splits the site would give relief to the built up area and the southern boundary can be reinforced by new boundary treatment where necessary in the form of an extension to the planted area. Furthermore, pedestrian links could be provided through the woodland site. Although there are limited views of the site from the south, mainly from public highways, it is seen against the backdrop of the existing urban area.

7.106 Located as it is to the south of this part of the developed area of Keynsham, residential development of the site would not intrude into the strategic gap between the town and the edge of Bristol to the west. Whilst the western area of K2 would bring the boundaries of Keynsham towards Queen Charlotte, there would remain a significant open area sufficient to prevent any harmful coalescence. By avoiding the coalescence of Keynsham with adjoining settlements, I am satisfied that the K2 site best meets the criteria set out in the JRSP for the identification of land to be released from the Green Belt at Keynsham.

Issue iii)

7.107 Whilst a large residential development in the south west of Keynsham would generate an increase in traffic using the roads to and within the town centre, I have no evidence to suggest that the impact would result in unacceptable levels of congestion. Assessments have been carried out of the impact of developing the easternmost part of K2 on traffic using the A4 with the conclusion that it would be negligible. I have no reason to consider that the development of the two K2 sites would have any significant effect on traffic conditions on the A4.

7.108 The K2 sites are within easy reach of the railway station which has regular train services to Bristol and Bath. There is also a local bus service with a 15/20 minute frequency of service to Bristol and a 30 minute frequency of service to Bath. In the Local Transport Plan this part of Keynsham is identified as one where the level of bus patronage is high and I have no doubt that with the increase in population the viability of providing bus services to the area would be reinforced. Clearly the greater use of public transport would in itself relieve the level of any impact on the roads from the use of private cars.

Issue iv)

7.109 Keynsham has a range of local services and facilities, with two secondary schools and six primary schools. The High Street provides a good mix of shops, and there are smaller local shops at Holmoak Road and Queens Road. The K2 site is within a reasonable distance of the town centre for walking or cycling, or it can be accessed by bus. As drafted in the DDLP, the policy requires enhancement of pedestrian and cycle routes to the town centre and railway station to encourage the use of alternatives to the car. The site adjoins Castle County Primary School, and an extension to the school is one of the requirements of the policy. Provision is also required of community facilities including convenience shops. I am confident that a development in this location will help support existing services and facilities whilst contributing to new provision.

Issue v)

7.110 I accept that Keynsham already experiences a high level of commuting from the town, and that any increase in residential development could add to that level. However, the policy includes a requirement for 1.5 ha of

employment uses, including the retention of existing workshops, and there is potential for further employment development at the Somerdale site which would help contribute to a more sustainable balance of housing and employment development. Furthermore, with its good public transport links to the main employment destinations of Bristol and Bath I consider that the effects of increases in commuting are unlikely to be as damaging as in a location which is less accessible by public transport.

Inspector's Conclusions

7.111 I conclude that the provision of a substantial level of residential development through the release of a Green Belt site in Keynsham accords with the policy of the JRSP, and the K2 site provides the location best able to meet the criteria for the release of Green Belt land in the JRSP.

Recommendation:

R7.22 Policy GDS.1/K2 be reinstated in the RDDLP, with clause 1 amended to "About 700 dwellings."

Chapter B9 - Policy GDS.1/K3

42/B12	CPRE	GDS.1/K3
254/B37	Keynsham Town Council	GDS.1/K3
398/B4	Mr G Hobbs	GDS.1/K3
670/B4	Keynsham Community Association	GDS.1/K3
1830/B2	Highways Agency	GDS.1/K3
1882/B2	Mr R Lainchbury	GDS.1/K3
2353/B1	Mr R E Swingler	GDS.1/K3
2389/B1	Mr A E Bone	GDS.1/K3
2567/B2	Mr J D Aldridge	GDS.1/K3
2582/B2	Mr R Wait	GDS.1/K3
2584/B1	Mrs H A Wait	GDS.1/K3
2585/B2	Wessex Water	GDS.1/K3
3019/B3	Mr J Gibbons	GDS.1/K3
3089/B2	Mrs S Kitchen	GDS.1/K3
3163/B1	The Henderson Family	GDS.1/K3
3258/B1	Mr Baker	GDS.1/K3
3272/B1	Mr & Mrs J Whittle	GDS.1/K3
3288/B1	Co-operative Group (CWS) Ltd	GDS.1/K3

Supporting Statements

1427/B96	Environment Agency	GDS.1/K3
2466/B4	Keynsham Civic Society	GDS.1/K3
2971/B2	Mr A Lassman	GDS.1/K3

Issues

- i) Whether the proposal is appropriate in this location in terms of nature conservation, access, the definition of the development restraint area, and air pollution.



The Planning Inspectorate

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99/3
RECEIVED
27 JUL

Mr O Jones
Boyer Planning
Environmental Planning & Development
Consultants
33-35 Cathedral Road
Cardiff
CF11 9HB

Your Ref: OJ/RE/99.370

Our Ref: DP529

Date: 25 July 2006

Dear Mr Jones

INSPECTOR'S REPORT ON BATH AND NORTH EAST SOMERSET LOCAL PLAN

I refer to your letter dated 22 May and my acknowledgment of 5 June. We have also spoken on the telephone on a couple of occasions and I would just like to apologise again for the delay in replying.

You had concerns about how objection 2213/B7 has been taken into account and asked for clarification. We have looked into this and unfortunately, the objection has not been covered in the identification of issues in respect of Policy GDS.1/K2. I apologise for this omission and for any concern and inconvenience it may have caused.

The Inspector, Mrs Wendy Burden, has produced an addendum. This has now been fact checked by the local planning authority. This is the normal practice, indeed the original report would also have had a fact check. The check is not an opportunity to question the Inspector's conclusions or introduce new evidence. I am enclosing a copy of the addendum for your information and I believe it will be published on the local planning authority's website later this week.

Finally, thank you for drawing this error to our attention. We take complaints against any aspect of the Inspectorate's work very seriously and I am sorry we have fallen short of our own standards in this instance.

Yours sincerely

Kathryn White (Mrs)
Quality Assurance Unit



Chapter B9 - Policy GDS.1/K2

Bryant Homes South West Ltd

2313/B7

Issue

Whether Policy GDS.1/K2 is appropriately worded.

Inspector's Reasoning

- 1 The objection is raised in respect of the eastern parcel of land forming part of K2 adjacent to Park Road. I recommend that the whole of K2 be re-instated, therefore I consider the wording of the policy as appropriate to the whole of the area.
- 2 The parcels of land which form K2 are physically separate. In their initial representations, the objector questioned the feasibility of achieving a comprehensive development, but accepted that there needs to be a co-ordinated development of the two sites, possibly with a single development brief. This part of the original representation was not pursued, but I agree it is a more practical way to progress the development of the two parcels of land, and recommend accordingly.
- 3 I do not agree the reduction in the area of employment land within the site in view of the scale of the residential development which could be provided on the two areas of land. However, the workshops referred to in the policy are not of a high quality and I agree that their replacement would be in keeping with a new residential development. I therefore agree the replacement of "retention" with "replacement" in 2.
- 4 Evidence is submitted as to the access which could be achieved along Park Road into the eastern parcel of land, and I accept that this is a potential means of access which should not be neglected in the policy wording. I recommend a change to 3 accordingly. It would then be appropriate to delete items 4 and 22 as proposed by the objector, and to insert a new clause relating to the provision of an emergency access in view of the length of the number of houses likely to be served by the access from Park Road. I agree the wording put forward by the objector which would also provide for a pedestrian and cycle route. As a result clause 16 can be deleted.
- 5 To ensure that contributions towards improvements to Keynsham railway station and to bus services are appropriate in scale and kind to the development, these are matters to be negotiated at application stage and I agree the form of words put forward by the objector.

- 6 Castle Primary School is the most appropriate location for further primary school provision to serve the new housing at K2. However, I consider that the wording of clause 10 would more appropriately be "Improvements to Castle Primary School to meet the demand arising from the K2 development." As to the provision of a community meeting place, two local convenience shops, and a playing field, in view of the scale of residential development which could be provided by K2, I endorse the approach taken by the Council.
- 7 The amendment suggested to clause 19 would improve clarity, as would the replacement of part of clause 20 as suggested. However, I consider that the reference to on and off-site planting should be retained.

Recommendation:

R7.22.1 Amend the reinstated Policy GDS.1/K2 as follows:

Delete in the second sentence from "only" to "including" and insert "and development of either site will only be allowed to proceed on the basis of a co-ordinated strategy for a mixed use development in accordance with the following principles:"

Amend the clauses as follows:

2 delete "retention" and insert "replacement".

3 delete "St Clement's Road" and insert "Park Road"

Insert new clause "A new pedestrian and cycle route to be provided along Parkhouse Lane. This will also serve as an emergency access."

5 and 19 delete "Avon Forest" and insert "Woodland Trust"

Delete 8 and 9 and replace with:

"A contribution towards improvements to Keynsham railway station of an appropriate scale and kind.

A contribution towards improvements to bus services between the two parts of the site, Keynsham Town Centre, Bristol and Bath of an appropriate scale and kind."

Delete 10 and replace with "Improvements to Castle Primary School to meet the demand arising from the K2 development."

Delete 20 and replace with "Incorporation into the layout of a scheme to accord with the Forest of Avon guidelines, to include the provision of on and off site planting."



Bath & North East Somerset Council			
MEETING:	COUNCIL		
MEETING DATE:	12 th October 2006	AGENDA ITEM NUMBER	
TITLE:	Bath & North East Somerset Local Plan (including minerals & waste policies) Inspector's Report Statement of Decisions & Proposed Modifications		
WARD:	ALL		
AN OPEN PUBLIC ITEM			
List of attachments to this report:			
Appendix 1 - Summary of key issues arising from the Inspector's recommendations			
Appendices 2, 3 and 4 are not yet available in a format which could be converted for the web but we are taking steps to put this right:			
Appendix 2 - Statement of Decisions on Inspector's Report Recommendations			
Appendix 3 - Proposed Modifications to the Bath & North East Somerset Local Plan			
Appendix 4 - Proposed Modifications to the Local Plan Proposals Map			

1 THE ISSUE

1.1 This report sets out the Council's proposed responses to the Local Plan Inquiry Inspector's Report, the consequent proposed modifications to the Bath & North East Somerset Local Plan and the next stages in the Plan preparation process.

2 RECOMMENDATION

The Council is asked to:

2.1 Agree the Council responses to the Inspector's recommendations as set out in the extract of the Statement of Decisions (see Appendix 2), and

2.2 Agree the proposed modifications to the Bath & North East Somerset Local Plan as set out in Appendices 3 & 4, and

2.3 Approve the proposed modifications for Development Control purposes and withdraw the Wansdyke Local Plan, and

2.4 Agree that the proposed modifications and the Statement of Decisions are placed on formal deposit for public comment, and

2.5 *Delegate to the Assistant Director Planning & Transport Development* in conjunction with the Council Executive Member for Sustainability & the Environment, the authority to make minor consequential and editorial amendments to the Local Plan and responses to the Inspector's recommendations arising from this report (see para 7.8 below).

3. FINANCIAL IMPLICATIONS

3.1 Budgetary provision has been made to cover the preparation of the Local Plan to adoption.

4. COMMUNITY STRATEGY OUTCOMES

- > *Promoting a 'sense of place' so people identify with and take pride in our communities*
- > *Building communities where people feel safe and secure*
- > *Taking responsibility for our environment and natural resources now and over the long term*
- > *Improving our local transport*
- > *Improving our housing situation for local people*
- > *Improving our local economy*
- > *Improving our local environment*

5. CORPORATE IMPROVEMENT PRIORITIES

- > *Increase in Affordable Housing*
- > *Improving the Quality of Public Transport/Roads/Pavements and easing congestion*
- > *Developing a sustainable economy*
- > *Improving the public realm*

6. CPA KEY LINES OF ENQUIRY

- > *Ambition for the community - i.e. What the council, together with its partners, is trying to achieve*
- > *Prioritisation of ambitions*
- > *Increasing capacity of the council to deliver ambition for the Community to ensure we achieve what we say we will*
- > *Managing performance of community ambition to ensure we achieve what we say we will*
- > *Creating and developing a better quality of life for the area through*
 - o *Sustainable Communities and Transport*
 - o *Safer and Stronger Communities*
 - o *Healthier Communities*
- > *Improving engagement with and a range of services for Older People and Children and*

*Young People***7 THE REPORT****Background**

7.1 A public Local Inquiry into the Local Plan and the objections to it was held in 2005. The Inspector's report was published in 2006. Whilst the approach taken in the majority of the Local Plan policies has been endorsed by the Inspector, she has recommended changes (modifications) to a number of policies and proposals. In moving towards formal adoption of the Local Plan, the Council must now respond to the Inspector's recommendations, make any consequential modifications to the Local Plan, publicise these changes and place them on deposit for a six week period to enable public comment. After this six week period, the Council must then consider all the objections received and decide whether:

- > to propose further modifications in response to the objections; or
- > a further inquiry is needed; or
- > to proceed straight to adoption of the Local Plan.

7.2 The Local Plan has been through four stages of public consultation and is now in the final stages leading to its adoption. Expedious adoption of the Local Plan is necessary to provide a coherent planning policy framework for the determination of planning applications, for the effective protection of the environment and to provide a platform for delivery of corporate priorities within the District such as Bath Western Riverside (BWR). As a development plan with full statutory weight, the adopted Local Plan will provide clarity and certainty for those involved in the development process and help to avoid time-consuming and costly speculative planning applications and associated appeals.

7.3 With the Local Plan moving towards adoption, work can be accelerated in preparing a new generation of policy documents under the Local Development Framework (LDF). The LDF process will enable an early review of policy and will provide a framework to realise emerging policy objectives such as those in the Bath Vision and associated documents. Until these new planning policy documents are adopted, having been through significant public consultation and examination, the Local Plan will be instrumental in the determination of planning applications and will provide a solid foundation for progression of corporate development objectives.

Responses to the Inspector's Report

7.4 The Inspector's Report supports many of the Council's agreed policies and proposals in the Local Plan. However, if the Council chooses not to accept any of the Inspector's recommendations it must provide clear and convincing reasons. Repetition of the case made at the Local Plan Inquiry or refutation of the Inspector's views on unsubstantiated grounds could attract a legal challenge. This could lead to a delay in the adoption of the Local Plan with consequential effects on the determination of planning applications and appeals.

7.5 This report is accompanied by the three schedules listed below which set out the detailed Council responses and proposed modifications (Appendices 2 to 4). Key issues arising from the consideration of the Inspector's Report have been considered by the Council Executive on 7th June and 6th September this year and the conclusions are summarised in Appendix 1. A significant number of the changes to the Local Plan have already been agreed by the Council in August and November 2004 as pre-inquiry changes but these need now be formally ratified as proposed modifications to the Local Plan.

> Appendix 1 sets out a summary of key issues arising from the Inspector's recommendations (see para 7.9 below)

> Appendix 2 sets out the Inspector's recommendations along with the proposed Council response.

> Appendix 3 sets out the proposed modifications to the Local Plan Written Statement

> Appendix 4 sets out the proposed modifications to the Local Plan Proposals Map

7.8 Incorporation of these policy changes into the Plan may result in minor editorial and/or consequential changes elsewhere in the Plan. Limited delegation is sought so that such changes can be made in preparing the proposed modifications for public consultation to ensure coherence and consistency.

7.9 List of key issues included in Appendix 1:

- > Key Issue A: District Housing Land Requirement
- > Key Issue B: Housing Contribution from existing allocated sites
- > **Key Issue C: Alternative Development Sites**
- > **Key Issue D: Land at the Beechen Cliff School, Greenway Lane**
- > Key Issue E: Affordable Housing
- > Key Issue F: University of Bath
- > **Key Issue G: Bath Western Riverside**
- > Key Issue H: Retail Provision
- > Key Issue I: Primary Shopping Frontages
- > Key Issue J: Hayesfield School Playing Field/St. Martin's Garden Primary School Site
- > Key Issue K: Employment Land Provision
- > Key Issue L: Old Mills Business Allocation
- > Key Issue M: Safeguarded Road Schemes

- > **Key Issue N:** Newbridge Park & Ride
- > **Key Issue O:** Important Hillside
- > **Key Issue P:** Bat Protection Zones
- > **Key Issue Q:** Visually Important Open Spaces
- > **Key Issue R:** Village Buffers

8. RISK MANAGEMENT

8.1 A risk assessment related to the issue and recommendations has been undertaken, in compliance with the Council's decision making risk management guidance.

9. CONSULTATION

9.1 The Council's responses to the Inspector's Report and any modifications to the Local Plan will be subject to a statutory 6 week consultation period. The opportunity to comment will be widely publicised and all the comments received will be considered by Council.

9.2 The issues addressed in this report were considered at the Council Executive meetings on 7th June and 6th September 2006 and have also been discussed informally by Executive Members.

10. ISSUES TO CONSIDER IN REACHING THE DECISION

10.1 The Local Plan policy framework is relevant to: Social Inclusion; Customer Focus; Sustainability; Property; Corporate; Health & Safety.

11. ADVICE SOUGHT

11.1 The Council's Monitoring Officer (Council Solicitor) and Section 151 Officer (Strategic Director - Support Services) have had the opportunity to comment on these issues and also on the reports to Council Executive.

Contact person	<i>Simon de Beer 01225 477616</i>
Background papers	<i>Bath & North East Somerset Local Plan including minerals & waste policies 2003 (& Pre-inquiry Changes 2004)</i> <i>Bath & North East Somerset Local Plan Inspectors Report 2006</i> <i>Report to Council Executive 06/09/2006</i> <i>Report to Council Executive 07/06/2006</i>
Please contact the report author if you need to access this report in an	

alternative format

APPENDIX 1

RESPONSES TO INSPECTORS REPORT ON KEY ISSUES

KEY ISSUE A: DISTRICT HOUSING LAND REQUIREMENT

Issue

A.1 The Inspector recommends that the overall housing requirement for the Plan period should be increased from 6200 to 6855 (approx. 10% increase). This reflects Regional Planning Guidance 10 (RPG10) building rates as opposed to the Joint Replacement Structure Plan (JRSP) on which the Local Plan is based. The Inspector's reasons include:

- > the JRSP housing requirement was agreed by the Secretary of State on the basis that it would be subject to early review but this has not happened;
- > RPG10 figures are based on more up to date data;
- > increasing the housing requirement accords with the national priority of the delivery of sufficient new homes;
- > the Council's approach of waiting for the RSS to apportion higher levels of housing provision will lead to severe under provision of housing in the short term and a substantial leap in the build rate post 2011.

Suggested Response

A.2 The Council argued at the Inquiry that increasing the housing requirement based on RPG10 would not allow for a review of the apportionment between the Unitary Authorities on the basis of a locational strategy. However, the Inspector has had regard to the environmental constraints within Bath & North East Somerset in recommending an increase. The District's portion of the JRSP figure established (12.3%) is maintained and is based on the JRSP locational strategy which focuses development in the larger, more accessible centres.

A.3 The Bath & North East Somerset build rate has dropped during the Plan period from over 400 dwellings a year in the 1990s to just over 200 dwellings per year in 2005. As a result, by 2005 the overall annual average for the Plan period has fallen to 385 dwellings a year which is below that required to meet the JRSP requirement of 413 a year. To achieve a requirement of 6,855, annual build rates would need to increase to 564 between 2005 and 2011. Whilst this increase in building rates is significant it is still well below the rates required in the emerging Regional Spatial Strategy (RSS). The Council has previously agreed the overall RSS housing apportionment for Bath and North East Somerset of around 15,500 dwellings by 2026. This equates with 770 per annum between 2006 and 2026.

A.4 It is considered that increasing the building rate between 2005 and 2011 to about 560 is achievable. Whilst building rates are influenced by fluctuations in

the economy and property market they are also significantly influenced by the supply of deliverable sites. By allocating deliverable sites (see Appendices 2 and 3) through modifications to the Local Plan it is anticipated that, allowing for lead in times on those sites, house building rates can progressively increase to ensure that an increased requirement of 6,855 could be met. It should be noted that during the mid-late 1990's, when significant sites at Peasedown St. John and Sulis Meadows in Bath were being constructed, District building rates averaged more than 560 per annum.

A.5 Achieving the increase in building rates to 564 per annum would represent the first stage or step change of increasing build rates to the longer term higher level required by RSS. If the Local Plan requirement were to remain at 6,200 build rates between 2011 and 2026 would need to increase to about 900 per annum. It is therefore recommended that Policy HG.1 is modified to increase provision from 6,200 dwellings to 6,855 dwellings within the District by 2011.

KEY ISSUE B: HOUSING CONTRIBUTION FROM EXISTING ALLOCATED SITES

Issue

B.1 The Local Plan is required to show how the housing requirement will be met. The Inspector has examined the sites allocated in the Local Plan and supports the Council's locational strategy and most of the allocated sites. However, the Inspector has concluded that some of the allocated sites will not deliver the anticipated housing within the Plan period i.e. by 2011. Of particular significance are Bath Western Riverside, Lower Bristol Road, MoD Foxhill in Bath and Radstock Railway Land. If any of the Inspector's recommendations are not accepted, the Council must give robust and convincing reasons such as changed circumstances since the Local Plan Inquiry. A brief analysis of the Inspector's recommendations on these key sites is set out below.

Suggested Response

Bath Western Riverside (BWR)

B.2 The Inspector strongly supports this site but is concerned that the timescale is optimistic particularly in relation to the construction start date and the build rate. She highlights the complexities in bringing the site forward such as site constraints, abnormal costs of development, form of development on different parts of the site, level of contributions, the need for a comprehensive approach, land acquisition/potential acquiring the site and securing planning permission. She therefore advocates a cautious approach and recommends that the Local Plan should rely on no more than 450 dwellings being built before 2011 as opposed to the 800 proposed in the Local Plan.

B.3 Further analysis of the BWR programme has been undertaken looking closely at the path to delivery of the scheme and the market considerations in relation to the build rate. This assessment generally corroborates the inspector's conclusions. Nevertheless there has been considerable progress since the Local Plan Inquiry (LPI). Work on the BWR Supplementary Planning Document (SPD) is advancing and is programmed for adoption this year. It addresses some of the concerns raised by the Inspector including spatial masterplanning, the assessment of costs and a contributions strategy. In addition, close working

with a key developer has enabled progress. Subject to expeditious progress, an earlier start date than that considered by the Inspector is conceivable which might enable up to 600 dwellings to be completed during the Plan period.

B.4 It is recommended that the Inspector's cautions should be heeded but allowance should also be made for the opportunity for more rapid progress. Therefore it is recommended that Local Plan should be modified to allow for a range of between 450 to 600 dwellings during the Plan period on Bath Western Riverside. It is stressed that this range in no way imposes a limit on the progression of the scheme and the revised wording of Policy GDS1 will not seek to impose a limit on completion rates by 2011.

B.5 In response to other objections, the Inspector has also made recommendations on the BWR site and these are set out in Key Issue G of this report.

Lower Bristol Road site

B.6 This is the site between Windsor Bridge Road and the bus depot access on Weston Island. The Inspector agrees with the principles of high density, mixed use development including a high residential capacity. However, it is a complex to bring site forward and a comprehensive approach should not be prejudiced. She therefore recommends that the Local Plan should be modified to allow for 50 dwellings to be built on this site before 2011 as opposed to the 75 set out in the Local Plan.

B.7 Since the Local Planning Inquiry, the Council has programmed the preparation of an SPD to facilitate the comprehensive development of the site. However, there is insufficient material justification for disagreeing with the Inspector regarding the programme for the Plan period and it is recommended that the Inspectors recommendation is accepted.

MoD Foxhill

B.8 The inspector highlights the MoD's recently changed position on the site and that there is now no certainty as to when it will be released for development. She recommends that the site should be deleted. It is accepted that site can no longer be relied on to make a contribution to housing needs during the Plan period. However, it remains possible that the site will become surplus to requirements during the Plan period and it is therefore proposed that the redevelopment proposals for the site remain in plan.

Radstock Railway Land

B.9 The Inspector recognises the importance of the site for regeneration of Norton Radstock (Insp. Report para 5.94) but at the same time she recognises that the site is locally important for nature conservation (Insp. Report para 5.91). On the basis of the information available to her at the Inquiry, the Inspector does not recommend a dwelling capacity for the site. Instead she recommends that in order to avoid pressure for the achievement of high numbers of dwellings at the expense of the ecology of the site, that the site be expected to contribute no more than 50 dwellings to housing supply during the plan period. The Inspector concludes that any higher number of dwellings which may be achieved would count towards the supply of housing beyond the plan period. She therefore

accepts that the site capacity is greater than 50 dwellings (Insp. Report para 5.95) and that the site should be allocated for mixed use development.

B.10 The Inspector's recommended policy wording also acknowledges that the development is likely to give rise to an unavoidable impact on some areas of ecological importance but that this should be mitigated and compensated for.

B.11 The development of this mixed-use site is integral to the regeneration of Radstock and entails significant development costs. The importance of this site for the regeneration of the town centre is reflected in the 'Brighter Futures Community Plan' which identifies a high quality mixed use development of the land as one of five priority projects. The site has a potentially crucial role in helping to fulfil the Council's 'Radstock Regeneration Principles' approved in May 2006. The site is complex and subject to a number of abnormal costs.

B.12 The local ecological importance of the site is also recognised and well documented. The existing ecological interest of the site will change in the long term, with certain species and habitats likely to decline unless supported by a management regime. It is likely however that the site could in future retain significant ecological value even without management, although this interest would be different to that currently present. The Inspector has explicitly adopted a precautionary approach in relation to housing provision on the basis of the need to resolve ecological issues. The Inspector states that 50 dwellings is not intended as an absolute limit on development capacity but explicitly recognises that the capacity of the site is higher.

B.13 On this basis, it is proposed that the Inspector's recommendations are accepted but with the proviso in the policy which reflects the inspector's recognition that the residential capacity of the site could be greater than 50 dwellings.

Paulton Printing Factory

B.14 The inspector recommends an increase from 100 dwellings in the Local Plan to 150 on the south east part of the site. This accords with the recent planning permission and it is proposed that this recommendation should be accepted. (NB see also paras C.11 below for Inspector's further recommendations on the rest of the site).

Conclusion

B.15 That Policy GDS.1 is modified to amend the housing contribution for the Plan period from the following four development sites already allocated.

Location	Site	Proposed Contribution	Change from Local Plan 2003
Bath	Bath Western Riverside	450-600	-350 to -200
	Lower Bristol Road	50	-25
	MoD Foxhill	0	-200
Norton Radstock	Radstock Railway Land	50+	-50

Villages	Paulton Printing Factory	*150	+50
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* See further consideration of Paulton Printing Factory below

KEY ISSUE C: ALTERNATIVE DEVELOPMENT SITES

Issue

C.1 It is accepted that there will be a shortfall in housing provision to 2011 as a result of the increased housing requirement and the review of existing allocated sites (see Key Issue B above). However it is considered that this shortfall is between 990 to 1190 dwellings as opposed to the 1190 dwellings considered by the Inspector. As the Local Plan is required to show how the District's housing requirement will be met, this shortfall will need to be rectified.

C.2 The sites listed below are those which the inspector recommends for consideration to meet the shortfall identified. She recommends that the identification of sites should reflect the locational sequence established in the Structure Plan: that is first Bath, then Keynsham, then Norton-Radstock and then the larger villages.

ALTERNATIVE SITES RECOMMENDED FOR INVESTIGATION

LOCATION	SITE
Bath	Land rear of 89-123 Englishcombe Lane
	Land at Greenway Lane, Beechen Cliff School
	Hayesfield School Playing Field, Odd Down
	Bloomfield Drive
	Lansdown View allotments
Keynsham	Land at SW Keynsham
Norton Radstock	Welton Packaging
	St Peters Factory
	Coomb End area
	Clandown Scrapyard
	Cautletts Close
Villages	Paulton Printing Factory (remainder of site)
	Wellow Lane, Peasedown St John
	School Playing Field, Peasedown St John
	Brookside Drive, Farmborough
	Coalyard/Woolhouse, Temple Cloud

C.3 In light of the Government's priority on deliverability, the Inspector has emphasized that the sites should be both *suitable* for development and able to *deliver* housing by 2011. The recommended alternative sites have been investigated taking into account the inspector's reasoning and recommendations, site constraints, the local plan strategy, corporate objectives, sustainability criteria and national planning advice, demand for alternative uses

etc. The conclusions of these investigations are summarised below.

Suggested Response

Sites in Bath

C.4 The **Englishcombe Lane** site was previously allocated in the 2002 Deposit Draft Plan and it is proposed that its re-instatement should be accepted. The inspector recommended that the **Bloomfield Drive** and **Lansdown View** allotment sites should be assessed for allotment use before being considered for residential allocation. Investigations indicate that both of these small sites are needed to meet allotment shortfalls and the Lansdown View site also has access difficulties. The **Hayesfield School Playing Field/St Martins Garden Primary School site** in Odd Down, is proposed for retail development (see Key Issue J below). It is also concluded that the site at the **Beechen Cliff School, Greenway Lane** is not available for residential development during the Plan period (see Key issue D below)

Sites Keynsham

C.5 The inspector has assessed the various sites being put forward by objector in and around Keynsham and recommends the land at **South West Keynsham (SWK)** should be investigated for re-allocation as mixed use scheme for up to 700 dwellings. This same site was allocated in the 2002 version of the Local Plan for a mixed use including 500 dwellings but was deleted when it was considered that there were sufficient alternative brownfield sites to meet the housing requirement. In light of the housing shortfall, it is proposed that this allocation is re-instated. The site will be required even if more rapid progress is made on BWR in the Plan period than anticipated and housing completions are at the higher end of the 450 - 600 range by 2011. South West Keynsham is a large site of around 20 ha and the site requirements will need to be reviewed. Further work is underway on this site including assessments of transport implications.

C.6 Whilst the allocation of SWK entails a change to the Green Belt, it provides the opportunity to develop a new residential community which exemplifies high quality of design and sustainable development principles. It complements the objectives of the emerging Keynsham Vision in supporting local services and supplying affordable housing. In conclusion, it is proposed that the site at SWK should be re-allocated for between 500-700 dwellings during the Plan period.

Sites Norton Radstock

C.7 Since the Local Plan Inquiry, the **St Peters Factory** site has already received planning permission subject to legal agreement along with **Jewsons** site and this change will be reflected in the Local Plan. The **Welton Packaging** site is an under-used factory site within a residential area and offers the opportunity for partial redevelopment for mixed uses providing modern workspace and local improvements. Opportunities may exist at **Clandown Scrapyard** for limited residential development but the likelihood of its contribution to the housing supply within the Plan period is hindered by their complex highways, land ownership and environmental difficulties. The site may offer longer term development opportunities, but it cannot be relied upon. If it does come forward for development within the Plan period it can be assessed under the existing policy framework.

C.8 The **Coomb End** part of Radstock consists of a variety of intermingled uses, and the area is rundown and neglected in parts with severe highway constraints. The southern part adjoins town centre and redevelopment within Coomb End offers the opportunity for considerable highway and environmental benefits as well as contributing to the town's regeneration. Initial work undertaken for the inquiry indicates that around 30 dwellings could be developed on sites in Coomb End within the Plan period. Any such scheme could be linked to the wider regeneration objectives for Radstock and have regard to the sub-standard highway network in co-ordination with other proposals for the highway improvements in the town centre.

C.9 The site at **Cautlett's Close**, Midsomer Norton is well related to the urban form of the town and is well located to local shopping and community facilities. It is of easy reach by foot and bicycle to the town centre. It is therefore recommended that this site is also allocated in order to meet the housing requirement.

C.10 In conclusion for Norton Radstock, it is therefore proposed that St Peters Factory/ Jewsons, land in the Coomb End area, Welton Packaging site and the Cautlett's Close site should be allocated for development. The emerging Vision for Bath & North East Somerset recognises the reliance on a small number of existing employers and significant outcommuting from the Norton Radstock area. The emerging Vision seeks to secure employment opportunities for the area in order to enhance its long term economic sustainability. As a result, it recognises that some employment sites need to be identified and mixed-use development to bring forward employment opportunities and this strategy will be maintained in the proposed modifications to the Local Plan.

Sites in the Villages

C.11 The **Paulton Printing Factory** also lies in the south of the District and there is an existing planning permission for the south east part of the site which includes around 150 dwellings. However, since the inquiry closed, the remainder of the site has become disused. The emerging Vision for Bath & North East Somerset recognises the particular employment needs in the southern part of the District and the significant out-commuting. The age and configuration of existing buildings on the site makes it difficult to attract new occupiers but redevelopment for a mixed-use scheme bringing forward modern employment space during Plan period will be of considerable local benefit. This is likely to include a further 200 dwellings as recommended by the Inspector.

C.12 Finally, the site at **Wellow Lane**, Peasedown St John will also be allocated in order to meet the housing requirement. The remaining three sites in the villages recommended by the Inspector for investigation are the least suitable in that they are in less sustainable locations or would lead to a more dispersed pattern of development.

Conclusion on Alternative sites

C.13 In conclusion, it is accepted that provision needs to be made to meet the housing shortfall within the Plan period of between 990 -1190 dwellings. The approach taken to the selection of sites is to re-instate those previously allocated, making more intensive use of existing allocated sites, use brownfield, regeneration opportunities and only use greenfield sites where necessary. In

order to meet the housing requirement, it is proposed that additional development sites are included in the Local Plan as follows;

Location	Site	Dwellings in plan period
Bath	Land rear of 89-123 Englishcombe Lane	45
Keynsham	Land at South West Keynsham	500-700
Norton Radstock	St Peter's Factory/Jewsons <i>(residential provision in existing allocation increased)</i>	107
	Welton Packaging Factory	100
	Land in the Coomb End area	30
	Land at Cautletts Close	110
Villages	Paulton Printing Factory <i>(residential provision in existing allocation increased)</i>	200
	Land at Wellow Lane, Peasedown St John	100

KEY ISSUE D: LAND AT THE BEECHEN CLIFF SCHOOL, GREENWAY LANE

D.1 The Inspector recommends that this site is considered for allocated for a residential development of about 18 dwellings to meet housing needs within the Plan period. The Inspector has considered (paras 8.5 to 8.9 of her report) a broad range of issues including: the need for housing; the visual and environmental impacts in the locality and in wider views; effect on Conservation area; effect on open space provision; continued need for educational use; recreational impacts & benefits; the public right of way; the nature of a scheme; highways issues; and design. She concludes there are benefits to the allocation of the site for housing and that much of the potential harm can be ameliorated. In particular she refers to the identification of the site by the Secretary of State for Education and Skills as surplus to the school's requirements (under the School Standards and Framework Act 1998). Whilst this is not in itself justification for its development, the Inspector considers that as it is not currently in use by any other organisation and therefore its development would not represent a loss. The conditions set out by the Secretary of State for the disposal of the site require the provision of new all weather sports facilities elsewhere at the school which, in the Inspector's opinion, would be of greater recreational benefit to the school and the community in view of the potential for shared use than the retention of this narrow and sloping area of open space.

Suggested Response

Highway Issues

D.2 The Council objected to the allocation of the site on the grounds of highway safety, narrowness of the lane and the poor junctions to either end, inter alia. In response to these issues the Inspector considers that 18 dwellings is unlikely to

CHAPTER B9 – GENERAL DEVELOPMENT SITES

REC. NO.	POLICY/ PARA	INSPECTOR'S RECOMMENDATION	COUNCIL'S DECISION AND REASONS	MOD NO.
R7.22	Policy GDS.1/K2 South West Keynsham	Policy GDS.1/K2 be reinstated in the RDDLP, with clause 1 amended to "About 700 dwellings."	2), clause 2 will be modified to reflect that the site could realistically accommodate about 50 dwellings during the Plan period. Agree with recommendation. In light of the housing shortfall, it is necessary for this allocation to be re-instated. The site will be required even if rapid progress is made on BWR in the Plan period. This is a large site of around 20 ha. Further work has been undertaken on this site including assessments of transport implications and further investigations are underway. It is proposed that the Local Plan should allow for at least 500 of the 700 dwellings to be completed before the end of the Plan period.	M/B9/33 - M/B9/34
R7.22.1 Addendum Report		Amend the reinstated Policy GDS.1/K2 as follows: Delete in the second sentence from "only" to "including" and insert "and development of either site will only be allowed to proceed on the basis of a co-ordinated strategy for a mixed use development in accordance with the following principles:" Amend the clauses as follows: 2 delete "retention" and insert "replacement" 3 delete "St Clement's Road" and insert "Park Road" Insert new clause "A new pedestrian and cycle route to be provided along Parkhouse Lane. This will also serve as an emergency access." 5 and 19 delete "Avon Forest" and insert "Woodland Trust"	Agree with recommendation (NB the Inspector omitted to carry forward from her reasoning to her recommendation R7.22.1 to delete old clause 4 and 16 but nevertheless this has been reflected in the proposed modifications to the site requirements for GDS.1/K2)	M/B9/33 - M/B9/34

CHAPTER B9 – GENERAL DEVELOPMENT SITES

REC. NO.	POLICY/ PARA	INSPECTOR'S RECOMMENDATION	COUNCIL'S DECISION AND REASONS	MOD NO.
		<p>Delete 8 and 9 and replace with:</p> <p>"A contribution towards improvements to Keynsham railway station of an appropriate scale and kind.</p> <p>A contribution towards improvements to bus services between the two parts of the site, Keynsham Town Centre, Bristol and Bath of an appropriate scale and kind."</p> <p>Delete 10 and replace with "improvements to Castle Primary School to meet the demand arising from the K2 development."</p> <p>Delete 20 and replace with "Incorporation into the layout of a scheme to accord with the Forest of Avon guidelines, to include the provision of on and off site planting."</p>		
-	Policy GDS.1/K3 Broadmead Lane	No change.	Agree with recommendation	(M/B9/35)
R7.23	Policy GDS.1/K4 St John's Court/ Charlton Road	Modify Policy GDS.1/K4 by deleting clauses 4, 8, 13, 14 and 15	Agree with recommendation and to modify the Local Plan accordingly.	M/B9/36
-	Policy GDS.1/K5 Former Cannocks Garage	No change.	Agree with recommendation.	(M/B9/37)
-	Policy GDS.1/NR1 Charlton Park	No change.	Agree with recommendation	-

CHAPTER B9 – GENERAL DEVELOPMENT SITES

MOD. NO.	POLICY/ PARA	PROPOSED MODIFICATIONS TO THE REVISED DEPOSIT DRAFT LOCAL PLAN	COUNCIL'S REASONS FOR THE MODIFICATION
		<p>Nature Conservation Importance.</p> <p>13. No adverse impact on nearby agricultural use.</p> <p>14. Remediation of potential ground instability.</p> <p>15. Loss of recreational and social facilities to be offset by satisfactory alternative provision.</p> <p>16. Provision of satisfactory highway access to A4175, realignment of Station Road and closure to traffic of Somerdale Road site entrance; off-site traffic management measures in Station Road and Avon Mill Lane.</p> <p>17. Traffic management measures to restrict vehicular use of Chandos Road.</p> <p>18. Provision of appropriate access to public transport, including enhanced rail infrastructure at Keynsham Station and enhanced bus services.</p> <p>19. Protection of minor aquifer below the site, during and after development.</p>	
M/B9/33	Policy GDS.1/K2 South West Keynsham	<p>K2. SOUTH WEST KEYNSHAM - Site area : 20.2 ha</p> <p>Development Requirements:</p> <p>Site in two sections: Part A 8.5 ha east of Charlton Road and Part B 11.7 ha west of St. Clement's Road</p> <p>Site requirements are for A and B combined and development of either site will only be allowed to proceed on the basis of a co-ordinated strategy for a mixed use development in accordance with the following principles:</p> <ol style="list-style-type: none"> 1. About 700 dwellings (about 500 delivered in the Plan period). 2. At least 1.5 ha of land for business uses (Use Class B1), including the replacement of existing workshops. 3. Vehicular access from Charlton Road (Site A) and Park Road (Site B). A new pedestrian and cycle route to be provided along Parkhouse Lane. This will also serve as an emergency access. 4. Pedestrian links to the adjoining Woodland Trust woodland and countryside and between sites A & B. 5. General traffic management measures to mitigate impact on surrounding road network. 6. Enhancement of pedestrian and cycle routes to Keynsham town centre and railway station. 	To accord with the Inspector's Recommendation R7.22 and R7.22.1. Remaining development requirements reviewed in accordance R7.3 and Inspector's reasoning in para 4 of the addendum report on South West Keynsham.

CHAPTER B9 – GENERAL DEVELOPMENT SITES

MOD. NO.	POLICY/ PARA	PROPOSED MODIFICATIONS TO THE REVISED DEPOSIT DRAFT LOCAL PLAN	COUNCIL'S REASONS FOR THE MODIFICATION
		<p>7. A contribution towards improvements to Keynsham railway station of an appropriate scale and kind.</p> <p>8. A contribution towards improvements to bus services between the two parts of the site, Keynsham Town Centre, Bristol and Bath of an appropriate scale and kind.</p> <p>9. Improvements to Castle Primary School to meet the demand arising from the K2 development.</p> <p>10. Provision of a community meeting place located adjacent to school together forming a community focal point.</p> <p>11. Provision of at least two small scale local convenience shops provided with residential accommodation above; and to form part of the community focal point.</p> <p>12. Provision of direct pedestrian/cycle access from Site A to shops at Holmoak Road.</p> <p>13. Retention of existing hedgerows where possible, especially along Parkhouse Lane.</p> <p>14. Provision of children's playing space on both A and B.</p> <p>15. Provision of a playing field.</p> <p>16. Protection of the Woodland Trust woodland.</p> <p>17. Incorporation into the layout of a scheme to accord with the Forest of Avon guidelines, to include the provision of on and off site planting.</p>	
M/B9/34	Policy GDS.1/K2 Proposals Map South West Keynsham	<i>Reinstate Site GDS.1/K2: land at South West Keynsham as shown on the DDLP Proposals Map</i>	To accord with the Inspector's Recommendation R5.17, R7.22 and R7.22.1.
M/B9/35	Policy GDS.1/K3 Broadmead Lane	<p>K3. BROADMEAD LANE - Site area : 4.5 ha</p> <p>Development requirements:</p> <ol style="list-style-type: none"> 1. Development for waste management purposes. 2. Traffic management and highway improvement measures at railway bridge(s) to facilitate access including for pedestrians and cyclists. 3. No adverse impact on flood plain. 4. Topographical survey together with hydraulic and hydrological studies of bridge improvement area having regard to flood flow and flood storage capacity 	Development requirements reviewed in accordance R7.3.



BATH & NORTH EAST SOMERSET

Bath and North East Somerset Local Plan Including Minerals and Waste Policies

Responses to Representations Made on Proposed Modifications November 2006

Part 1 – Chapters A1- B8, Pages 1-92

Part 2 – Chapter B9, GDS.1 + GDS.1/B1 – GDS.1/K1, Pages 92 - 171

Part 3 – Chapter B9, GDS.1/K2, Pages 171 - 388

Part 4 – Chapter B9, GDS.1/NR2 – GDS.1/V3, Pages 388 - 485

Part 5 – Chapter B9, GDS.1/V10, Pages 485 - 620

Part 6 – Chapters C1- D, Pages 620 - 739

Part 7 – Beechen Cliff School Playing Fields, Pages 739 - 897

- Farmborough

- Etc

Part 8 - St Martin's Garden Primary School + Hayesfield School Playing Field, Pages 901 - 933

Making Bath & North East Somerset a better place to live, work and visit.

this allocation the original study has been updated and its conclusion confirmed. Details of the necessary mitigation works will be included in detailed Transport Assessment which will have to accompany any future planning applications.

Whilst the allocation of SWK entails a change to the Green Belt, it provides the opportunity to develop a new residential community which exemplifies high quality of design and sustainable development principles. It complements the objectives of the emerging Keynsham Vision in supporting local services and supplying affordable housing.

The objection raises no new issues warranting a further modification.

Ref: 830/16

Location SW Keynsham
Keynsham

I wish to make representation please against the proposed housing development between Keynsham and Queen Charlton, on the following grounds:

- 1 The infra-structure to support the number of additional houses proposed does not exist. In particular the volume of additional traffic and people that would result cannot in my view be supported by either current services such as schools, buses, roads, medical services or such additional services as may be created. The volume of traffic already on the road between Keynsham and Queen Charlton at rush hours is already heavy.
- 2 House occupiers obviously need work. It does not make sense to house people where they must travel longish distances to work, such as to Bristol or Bath. The environment will not be helped by causing even greater traffic congestion.
- 3 Although roads of a substantial nature are impractical within the area. Additional plans are available for public inspection, most members of the existing community need a better understanding of the implications of the proposed development, including face to face meetings with the planners including a question and answer session, which could be carried out with a series of local meetings before important decisions are made. I personally chair our Village Committee and would gladly organise a meeting in our Village Hall, for example, if such a discussion could be arranged.

No change.

The Inspector considered the issues of housing supply again in detail at the Local Plan Inquiry and recommended that the Council should reinvestigate this site in order to meet the identified shortfall in housing in the District. The identification of sites reflects the locational sequence established in the Structure Plan: that is first Bath, then Keynsham, then Norton-Radstock and then the larger villages. Account has already been taken of the Brownfield site redevelopment opportunities. In light of the Government's priority on deliverability, the Inspector has emphasized that the sites should be both suitable for development and able to deliver housing by 2011. These options have been investigated taking into account the inspector's reasoning and recommendations, site constraints, the local plan strategy, corporate objectives, sustainability criteria and national planning advice, demand for alternative uses etc.

The Inspector has assessed the various sites being put forward by objectors in and around Keynsham and recommended the land at South West Keynsham (SWK) should be investigated for re-allocation as mixed use scheme for up to 700 dwellings. This site was previously allocated in the 2002 version of the Local Plan for a mixed use including 500 dwellings but was deleted when it was considered that there were sufficient alternative brownfield sites to meet the housing requirement. In light of the housing shortfall, it is proposed that this allocation is re-instated. The site will be required even if more rapid progress is made on the Bath Western Riverside site in the Plan period than anticipated and housing completions are at the

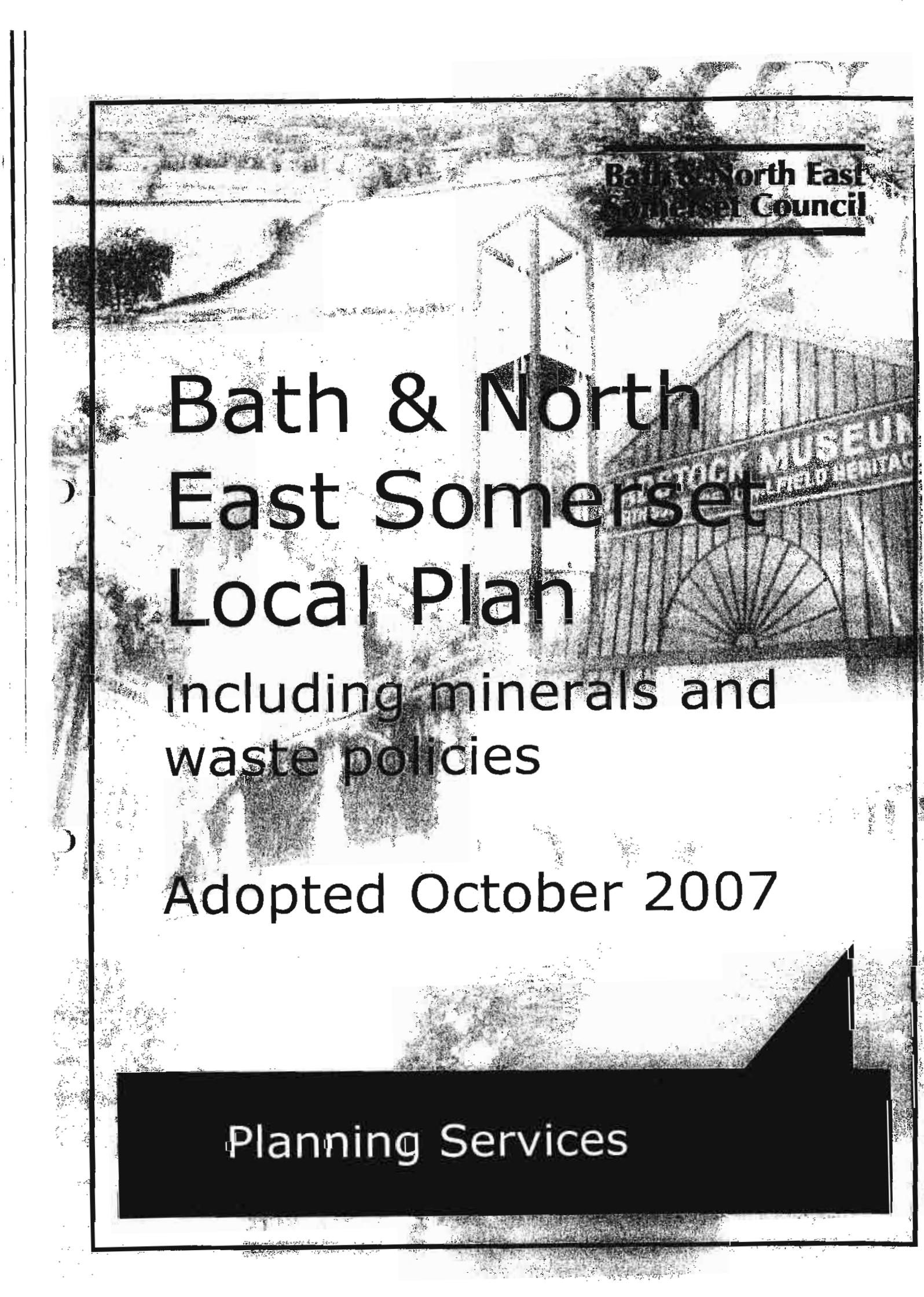
higher end of the 450 – 600 range by 2011. The Inspector concluded that the provision of a substantial level of residential development through the release of a Green Belt site in Keynsham accords with Policy 16 of the JRSP and the site at South West Keynsham provides the location that best meets the criteria for the release of Green Belt land in the JRSP.

A Master Plan will be prepared to guide the comprehensive development of the site which will be subject to public consultation. Any developer will be required to comply with the 17 development requirements stipulated in the Local Plan (Site GDS.1/K2) which include improvements to Castle Primary School to meet the demand arising from the development; provision of a community meeting place, two convenience shops and a children's playing space on each of the two parts of the site. The Woodland Trust woodland will be protected. The development requirements reflect the need to integrate with the existing urban fabric as well as mitigate the impact of the development.

A traffic Study was undertaken for the Council prior to the original allocation of land for housing at South West Keynsham in 2002. This examined the likely impact of development on the road network between the sites and the A4 and A37, and it was demonstrated that with reasonable mitigation works development could be accommodated satisfactorily. In preparation for the proposed reinstatement of this allocation the original study has been updated and its conclusion confirmed. Details of the necessary mitigation works will be included in detailed Transport Assessment which will have to accompany any future planning applications.

Whilst the allocation of SWK entails a change to the Green Belt, it provides the opportunity to develop a new residential community which exemplifies high quality of design and sustainable development principles. It complements the objectives of the emerging Keynsham Vision in supporting local services and supplying affordable housing.

The objection raises no new issues warranting a further modification.

The background of the cover is a black and white photograph of a street scene. In the foreground, a tall street lamp stands on the left. To the right, a building with a large arched window is visible. The window has a sign that reads "STICK MUSEUM" and "HERITAGE". The overall image has a grainy, high-contrast appearance.

**Bath & North East
Somerset Council**

Bath & North East Somerset Local Plan

**including minerals and
waste policies**

Adopted October 2007

Planning Services

B9. GENERAL DEVELOPMENT SITES

B9.1 Policy GDS.1 below sets out the sites allocated for development during the Plan period. These include proposals for both mixed-use schemes and for particular uses. The backgrounds for the allocations are set out in the relevant part of the Local Plan, e.g. Housing, Economy, and Waste chapters. All these sites are shown on the Proposals Map.

B9.2 The requirements to enable development to go ahead are included as part of the policy. These make explicit some of the individual site requirements which are needed in order to meet the policies of the Plan. As with all development proposals, planning applications for the development of the allocated sites will be assessed against all the Local Plan policies which are relevant to the scheme.

POLICY GDS.1

The following sites are allocated for development during the Plan period and are shown on the Proposals Map. The policy also sets out the requirements to enable development and phasing of development.

BATH

Bath Western Riverside

B9.3 The complex nature of redeveloping this site, partly arising from the scale of development and the multiplicity of land ownerships, makes it particularly important that a comprehensive approach to delivering regeneration is followed. Such an approach is required in order to:

- deliver the optimum mix of land uses for the benefit of the community;
- secure high quality employment generating development of sufficient critical mass to support Bath's regional economic role;
- deliver the requisite supporting infrastructure and facilities;
- achieve for the area as a whole high quality urban design which is sympathetic to and respectful of the city's World Heritage status;
- secure the necessary accessibility, linkages, permeability and transport infrastructure for Western Riverside, which enable it to integrate with the city as a whole;
- achieve development and financial viability over the whole regeneration period; and
- ensure that appropriate phasing and sequencing of development is secured to enable the regeneration of the area as a whole and not on a piecemeal basis.

B1. WESTERN RIVERSIDE - site area 33.05 ha

Development Requirements:

Comprehensive mixed used scheme including:

- 1. Significant provision for business development (Use Class B1).***
- 2. About 450 - 600 dwellings during the Plan period.***
- 3. High density urban form.***
- 4. Relocation of other uses including civic amenity site/refuse transfer station, sewage pumping and storage facility, gas storage facilities.***
- 5. On and off site transport infrastructure including an integrated transport system.***
- 6. Public access to and along the riverside.***
- 7. Small scale local needs shopping food and drink uses and local offices (Use Classes A1, A2 & A3).***

KEYNSHAM

K1. SOMERDALE - Site area : 25.3 ha

Development Requirements:

- 1. Retention of existing business uses and development of at least 10ha of land for business development (Use Classes B1, B2 and/or B8)**
- 2. About 50 dwellings during the Plan period.**
- 3. Safeguarding of residential amenities of proposed residential development from existing and/or proposed business uses including incorporation of a buffer zone, landscaping and other visual and noise mitigation measures.**
- 4. Provision of children's playing space.**
- 5. Replacement playing fields.**
- 6. Preserve setting of existing main factory frontage.**
- 7. Public access along River Avon.**
- 8. Retention of avenue of trees in Somerdale Road.**
- 9. Provision of major landscaping on northern, western and eastern site boundaries to satisfactorily accommodate development into Avon Valley landscape and contribute to Bristol/Avon Community Forest.**
- 10. Loss of recreational and social facilities to be offset by satisfactory alternative provision.**
- 11. Provision of satisfactory highway access to A4175, realignment of Station Road and closure to traffic of Somerdale Road site entrance; off-site traffic management measures in Station Road and Avon Mill Lane.**
- 12. Traffic management measures to restrict vehicular use of Chandos Road.**
- 13. Provision of appropriate access to public transport, including enhanced rail infrastructure at Keynsham Station and enhanced bus services.**

K2. SOUTH WEST KEYNSHAM - site area 20.2 ha

Development Requirements:

Site in two sections: Part A - 8.5 ha east of Charlton Road and Part B - 11.7 ha west of St. Clement's Road

Site requirements are for A and B combined and development of either site will only be allowed to proceed on the basis of a co-ordinated strategy for a mixed use development in accordance with the following principles:

- 1. Up to 700 dwellings (about 500 delivered in the Plan period) with the final capacity to be decided by a comprehensive masterplan approach.**
- 2. At least 1.5 ha of land for business uses (Use Class B1), including the replacement of existing workshops.**
- 3. Vehicular access from Charlton Road (Site A) and Park Road (Site B). A new pedestrian and cycle route to be provided along Parkhouse Lane. This will also serve as an emergency access.**
- 4. Pedestrian links to the adjoining Woodland Trust woodland and countryside and between sites A & B.**
- 5. General traffic management measures to mitigate impact on surrounding road network.**

6. **Enhancement of pedestrian and cycle routes to Keynsham town centre and railway station.**
7. **A contribution towards improvements to Keynsham railway station of an appropriate scale and kind.**
8. **A contribution towards improvements to bus services between the two parts of the site, Keynsham Town Centre, Bristol and Bath of an appropriate scale and kind.**
9. **Improvements to Castle Primary School to meet the demand arising from the K2 development.**
10. **Provision of a community meeting place located adjacent to school together forming a community focal point.**
11. **Provision of at least two small scale local convenience shops provided with residential accommodation above; and to form part of the community focal point.**
12. **Provision of direct pedestrian/cycle access from Site A to shops at Holmoak Road.**
13. **Retention of existing hedgerows where possible, especially along Parkhouse Lane.**
14. **Provision of children's playing space on both A and B.**
15. **Provision of a playing field.**
16. **Protection of the Woodland Trust woodland.**
17. **Incorporation into the layout of a scheme to accord with the Forest of Avon guidelines, to include the provision of on and off site planting.**

K3. BROADMEAD LANE - site area 4.5 ha

Development requirements:

1. **Development for waste management purposes.**
2. **Traffic management and highway improvement measures at railway bridge(s) to facilitate access including for pedestrians and cyclists.**
3. **Topographical survey together with hydraulic and hydrological studies of bridge improvement area having regard to flood flow and flood storage capacity in order to ensure safe access to the site.**

K4. ST. JOHN'S COURT/CHARLTON ROAD, KEYNSHAM - site area 1.4 ha

Development requirements:

Comprehensive mixed-use scheme for development/redevelopment for town centre/ community uses including:

1. **Food store of 1,500 – 2,000 sq. metres net floorspace.**
2. **Community meeting place.**
3. **Improvements to existing parking and servicing of properties fronting Bristol Road, High Street and Charlton Road.**
4. **CCTV linking with existing provision in town centre.**

SOUTH WEST KEYNSHAM

TaylorWimpey^{plc}

22.03.11- Schedule rev B

To accompany Planning Layout 15149 PL-03-01 rev K

House Type	No's	Sq.ft	Sq.m	storeys	no. of bedrooms	
OPEN MARKET						
HOUSETYPE	819	19	819	76.1	2	2
	656	20	656	60.9	2	2
	1020	18	1020	94.8	2	3
	1089	19	1089	101.2	2.5	3
	1227	30	1227	114.0	2	4
	1400	17	1400	130.1	2	4
	1536	8	1536	142.7	2	4
	1704	5	1704	158.3	2	4
	1735	10	1735	161.2	2.5	5
	2000	5	2000	185.8	2.5	6
	2350	6	2350	218.3	2.5	5
APARTMENT	A485	6	485	45.1	3	1
	A591	6	591	54.9	3	2
	A648	6	648	60.2	3	2
	A567	8	567	52.7	3	2
	A720	2	720	66.9	3	2
Total Open Market		185				
SOCIAL RENTED						
HOUSETYPE	Buckthorn (BH)	23	814	75.6	2	2
	Harebell (HA)	10	921	85.6	2	3
	Marram (MA)	10	1055	98.0	2.5	3
	Redshank (RED)	6	1138	105.7	2	4
	656	1	656	60.9	2	2
APARTMENT	A485	4	485	45.1	3	1
	A591	6	591	54.9	3	2
	A648	3	648	60.2	3	2
	A567	6	567	52.7	3	2
	A720	3	720	66.9	3	2
	A609	1	609	56.6	3	2
	A665	1	665	61.8	3	2
	Special	2	636	59.1	3	2
Total Social Rent		76				
SHARED EQUITY						
HOUSETYPE	Buckthorn (BH)	5	814	75.6	2	2
	Harebell (HA)	3	921	85.6	2	3
	Marram (MA)	2	1055	98.0	2.5	3
APARTMENT	A485	2	485	45.1	3	1
	A567	6	567	52.7	3	2
	A648	3	648	60.2	3	2
	A720	3	720	66.9	3	2
Total Shared Equity		24				
OVERALL TOTAL		285				
TOTAL SITE AREA	17.15 acres		6.94 ha			
PROVISIONAL NET SITE AREA (as per ma)	17.15 acres		6.94 ha			
DENSITY (net area)	16.6 no./acre		41.1 no./ha			

**BARTON
WILLMORE**

As part of the planning application, 0.75 hectares of land is set aside for an extension to Castle Primary School. The additional land extends south from the existing school site into Site B.

The land will accommodate an extension to the existing building for additional teaching accommodation, a new hall with the potential for dual use by the community and additional playing fields. The location relates well to the heart of the development alongside the proposed mixed use area LEAP (local equipped area of play) senior playing fields and changing facilities.

The proposed extension land boundaries are defined as follows:

East - The north east corner of the land is defined by the corner of the existing public right of way which is to be diverted south down the eastern boundary and around the south of the extension land. The boundary itself is defined by a wall facing and a regular rhythm of trees planting. The exact location of the fencing is to be agreed with the LEA (local Education Authority).

South - The vertical extension land extends down to the existing site level boundary to be maintained. This boundary forms the southern boundary of the extension land and will be reinforced by planting along the access.

West - The western boundary is defined by a metal fence to a maximum height of 2.00m. The fence will be reinforced by planting along the access. The fence will be reinforced by planting along the access.

The main vehicular access will remain via Dunster Drive. The existing pedestrian access via Dunster Road will also be retained. New pedestrian access from Site B will be via the north-western boundary along the east and west boundaries of the extension land. East-west: Existing linking to Site B via the footpaths through the site. Wood will link Site A to the school.

The form of the extension to the existing school building is shown schematically on the master plan. The building extension will measure up to 200 sqm with up to 200 sqm of hard surface play area, access road and path to bring it up to the size of a two form entry school. It is anticipated that the extension will be single storey (minimum external height of 4.35 metres to a maximum height of 4.55 metres) with an internal increase up to double height (minimum height of 7.05 metres to a maximum height of 7.25 metres) to add interest and height to the scheme and to provide flexibility in the range of potential uses which the LEA could accommodate within the building. Materials include facing bricks with white PVC windows to match the existing building, however details of the building facade and design will be brought forward by the Local Education Authority at a later stage.



(Top) School Extension Land
(Bottom Left) Existing Boundary with Site B
(Bottom Middle) Existing Playing Fields
(Bottom Right) Existing High School Area

castle primary school



OJ/TW/3

**TOWN AND COUNTRY PLANNING ACT 1990
SECTION 78 APPEAL**

BY

TAYLOR WIMPEY UK LTD

LAND SOUTH OF PARK ROAD, KEYNSHAM

Hybrid planning application for a housing led mixed use development comprising 285 dwellings, retail accommodation, flexible business / employment floor space, affordable housing, formation of new vehicular, pedestrian and cycle accesses, pedestrian and cycle improvements to Parkhouse Lane, formal and informal public open space, including junior playing pitch and associated changing rooms and parking facilities, together with landscaping and tree planting and ancillary works including drainage (full application) and extension to Castle Primary School (outline application, all matters reserved)

**PINS REF.: APP/F0114/A/10/2143212/NWF
LPA REF.: 09/04351/FUL**

**PUBLIC INQUIRY COMMENCING
TUESDAY 7TH JUNE 2011**

**APPENDICES – VOLUME 2
OF
OWEN JONES**

MAY 2011

LIST OF APPENDICIES

Appendix I	Email dated 6 th July 2010 from Senior Professional Major Development concerning July Committee Report
Appendix J	Planning Committee Report 27 th October 2010
Appendix K	Planning Officer's Presentation to Planning Committee 26 th October 2010
Appendix L	Minutes of Planning Committee meeting 26 th October 2010
Appendix M	Ministerial Statement Planning for Growth 23 rd March 2011
Appendix N	Chief Planning Officer's Letter 6 th July 2010
Appendix O	Draft Regional Spatial Strategy for the South West (extracts)
Appendix P	Density Plan



Helen Hodgson

From: Geoff Webber [Geoff_Webber@BATHNES.GOV.UK]
Sent: 06 July 2010 11:31
To: Helen Hodgson
Cc: Corrine Eatwell; Development Control
Subject: RE: Park Road, Keynsham (09/4351)
Follow Up Flag: Follow up
Flag Status: Red
Dear Ms Hodgson

Many thanks for your email and accompanying letter. Your summary of the current position regarding the alleged use of this site for the disposal of the carcasses of anthrax-infected animals is broadly correct, and I confirm that I have had a telephone conversation this morning with the Council's Contaminated Land Officer, Corrine Eatwell.

Corrine has confirmed that she will make her formal position clear to me in written comments to be provided shortly, but I am able to advise you that you can assume that this issue is one that she will require to be addressed adequately prior to the issue of any planning permission. It is not in her view an issue that can be dealt with by means of Conditions, and I note with satisfaction that your Clients' specialist consultants will be liaising with Corrine in order to ensure that any investigation and report are appropriately designed and scoped.

Leaving that new contamination issue on one side, I can confirm that it had been my intention to recommend to the Development Control Committee that planning permission be granted, subject to a SW106 Agreement and Conditions. Having withdrawn the application from the agenda for tomorrow's meeting, it is inevitably the case that the decision on this proposal will be made by the Committee in due course, but unless the contamination issue becomes one that affects the principle of the use of the site for residential development, I can foresee no reason why my intended approach and recommendation should change.

I will be happy to discuss and agree a revised timetable for the determination of the application as soon as we are in a position to understand the significance of the contamination issue, but in the meantime I am able to agree your letter as a fair summary of the current position.

Regards

Geoff Webber
Senior Professional - Major Developments
Bath and North East Somerset Council
Trimbridge House
Trim Street
Bath, BA1 2DP

Tel: 01225 477654
emails to: geoff_webber@bathnes.gov.uk

From: Helen Hodgson [<mailto:helenhodgson@boyerplanning.co.uk>]
Sent: 06 July 2010 10:10

To: Geoff Webber
Cc: Owen Jones
Subject: Park Road, Keynsham (09/4351)
Importance: High

Dear Geoff,

As discussed yesterday, I would appreciate it if you could confirm, in writing, that the attached letter is a correct interpretation of our telephone conversations regarding your intended recommendation to July's Planning Committee meeting.

Regards,

Helen Hodgson
Senior Planner
Cardiff
6/7/2010



Correspondence Address: Boyer Planning Ltd, , , , | Boyer Planning Ltd - Registered Address: Crowthorne House, Nine Mile Ride, Wokingham, Berkshire, RG40 3GZ. Registered in England 2529151. | To see full disclaimer that applies to this email please [click here](#).

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Making Bath & North East Somerset an even better place to Live, Work and Visit.

6th July 2010
Our Ref: HH/08.814

Geoff Webber Esq.
Major Developments
Bath and North East Somerset Council
Planning and Transport Development
Trimbridge House
Trim Street
BATH
BA1 2DP



Oak Tree House, 1B Oak Tree Court,
Mulberry Drive, Cardiff Gate Business
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T 0292 073 8747
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Dear Mr. Webber,

Land South of Park Road, Keynsham
Full Planning Application for residential development and associated uses and
Outline Planning Application for educational uses (Application Ref. 09/4351/FUL)

I note that it is now not your intention to report the above planning application to your Council's Planning Committee on 7th July 2010 pending further investigations by your Council's Contaminated Land Officer and Director of Environmental Services regarding the potential risk of anthrax contamination of the soil within / close to the application site as a result of local residents historical anecdotal reports of an incident of burning of anthrax-contaminated animals near the application site. As you are aware this matter is being investigated by Hydrock, the applicant's appointed Land Contamination consultants, to provide evidence that anthrax contamination does not affect the application site and that development at this location will not adversely affect health to humans.

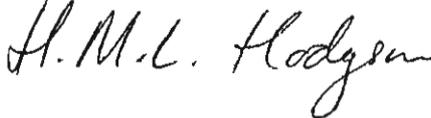
An interim Planning Committee Report in respect of planning application 09/4351 was made publically available last week and was attached to the Agenda for the 7th July Planning Committee meeting (Item No. 03) however, this does not include an explicit recommendation to approve the planning application. Following on from telephone conversations held with you last week, a further Officer's Report to the Planning Committee was to be prepared on Monday 5th July, in advance of Wednesday's Planning Committee meeting, which would confirm that the amended plans submitted to your Council on 24th June 2010 were considered acceptable to Officers and that you stated that you were to recommend the planning application for approval to the Planning Committee.

With the exception of the need to address residents' concerns relating to potential anthrax soil contamination, we understand that all matters in connection with the prospective residential-led development of the application site have now been addressed to your satisfaction, subject to completion of a Section 106 Legal Agreement and subject to appropriate planning conditions.



I would appreciate it if you could confirm that the above is a correct interpretation of the recommendation which the Development Manager was to make to Planning Committee on 7th July 2010 prior to the ground contamination issue being raised on 2nd July 2010 which, as identified above, is currently being addressed.

Yours faithfully,



Helen Hodgson
Senior Planner

cc. Philip Court - Taylor Wimpey
Steve Rossiter - Taylor Wimpey

05

10/03633/FUL
6 October 2010

Mr And Mrs C Gay
New Manor Farm, Bath Road, West Harptree,
Bristol, Bath And North East Somerset
Erection of an extension to existing tea rooms
(resubmission).

Mendip

Victoria
Griffin

REFUSE

**REPORT OF THE DEVELOPMENT MANAGER OF PLANNING AND TRANSPORT
DEVELOPMENT ON APPLICATIONS FOR DEVELOPMENT**

Item No: 01

Application No: 09/04351/FUL

Site Location: Parcel 4200, Parkhouse Lane, Keynsham, Bath And North East Somerset



Ward: Keynsham South

Parish: Keynsham Town Council

LB Grade: N/A

Ward Members: Councillor Alan Hale

Councillor A W Inker

Application Type: Full Application

Proposal: Hybrid planning application for a housing led mixed use development comprising 285 dwellings, retail accommodation, flexible

business/employment floor space, affordable housing, formation of new vehicular, pedestrian and cycle accesses, pedestrian and cycle improvements to Parkhouse Lane, formal and informal public open space including junior playing pitch and associated changing rooms and parking facilities, together with landscaping and tree planting and ancillary works including drainage (Full Application) and extension to Castle Primary School (Outline Application, All Matters Reserved)

Constraints: Agric Land Class 1,2,3a, Agric Land Class 3b,4,5, Forest of Avon, General Development Site, Greenbelt, Housing Development Boundary, Public Right of Way,
Applicant: Taylor Wimpey UK Ltd
Expiry Date: 24th February 2010
Case Officer: Geoff Webber

REPORT

1. INTRODUCTION AND REASON FOR REPORTING APPLICATION TO COMMITTEE

1.1 This application relates to the eastern portion of a site allocated within the Bath and North East Somerset Local Plan, and seeks permission for a mixed use (but principally residential) scheme that is generally in line with the Local Plan allocation. In normal circumstances, and notwithstanding the substantial scale of the proposals, this is not an application that would have been expected to have been reported to Committee, as the process that has led to the allocation of a site by the Council in the Local Plan should be interpreted as having addressed the principles of the development, leaving the Planning application process to deal with the design and layout details. Such details are typically determined by Officers acting under Delegated Authority.

1.2 However, this particular case is extremely unusual in that not only is the local community still questioning the principle of the site having been allocated for development, but in particular the proposed vehicular access arrangements, which rely upon a less than ideal access from the southern end of Park Road, have attracted a very high level of objection. This in spite of the Council's Local Plan Policy for the site specifically confirming Park Road as the designated access route. Furthermore, whilst the Local Plan anticipates that this site will come forward for development on a co-ordinated basis in tandem with the western portion of the larger allocated site, the Council (which is the owner of the western portion) has elected not to submit proposals for development at this stage, and this has restricted the current Applicants' ability to fully comply with the provisions in the Local Plan. For very much these reasons, Councillor Adrian Inker has formally requested that this application be reported to Committee.

1.3 The scope and principles of the proposed development will be described by Officers during the meeting by reference to plans and other documents, but it must be emphasised that this is a Hybrid application, in which Detailed permission is being sought for the majority of the development proposals, whilst the Castle Primary school extension (required by the Local Plan, and incorporated into the submitted application site) remains in Outline only, pending a future design exercise by the Council and the School Governors. The absence of detailed information about the school extension is not an issue that can properly be argued as a defect in the current scheme, and your Officers can confirm that the Applicant has responded positively to discussions about facilitating the

future extension of the school. A further application will be needed for the school scheme, and that will be determined on its own merits at the appropriate time.

1.4 Negotiations with the Applicants have generally proceeded very positively, but there remain a number of important elements of the overall scheme which have yet to be finalised, and we are not yet at a stage where a formal determination of the application can be made. In particular, the terms of the necessary S106 Agreement still remain to be negotiated, and in association with that work, the list of appropriate Conditions will need to be formulated.

1.5 That said, the negotiating process has been frustrated by the significant lack of certainty regarding the final resolution of the contentious access issue. The Applicant wishes to establish that the proposals are supported in principle, in spite of the opposition, as more typically a site's allocation in the Local Plan creates a strong presumption in favour of development going ahead. In this case, further detailed negotiations of the optimum Planning contributions from the scheme require the confidence that will come from the knowledge that Permission can be anticipated. Not only the Applicant, but your Officers too, will benefit from the knowledge that the contentious access issue has been resolved. If the principles cannot be supported by Committee, it seems inevitable that an Appeal will follow.

1.6 In addition to the Park Road vehicular access issue, a number of other significant matters have arisen during the life of the application, and these too will benefit from consideration by the Committee because of the extent of public interest. These additional matters include site drainage and alleged site contamination, and these will also be addressed in this report.

1.7 On the basis set out above, this Report does not seek to deal with the full range of detailed design issues which can be expected to arise in connection with any scheme of this sort, but instead seeks Delegated Authority from the Committee to for your Officers to complete the negotiations and to issue the most appropriate Planning Permission for the development of this allocated site, once the necessary S106 Agreement has been completed, and subject to appropriate Conditions.

1.8 By the time of the Committee meeting Members will have had an opportunity to visit the site as a group, and to view the most important elements of this site for themselves.

2. THE 2007 BATH AND NORTH EAST SOMERSET LOCAL PLAN - K2 SITE ALLOCATION

2.1 In the 2007 Bath and North East Somerset Local Plan, this site forms the eastern portion of site K2, which is allocated for development within Policy GDS.1. The site-specific Local Plan Policy is set out in full below, and the current application site is referred to as "Part B":

"K2. SOUTH WEST KEYNSHAM - site area 20.2 ha

Development Requirements:

Site in two sections: Part A - 8.5 ha east of Charlton Road and Part B - 11.7 ha west of St. Clement's Road

Site requirements are for A and B combined and development of either site will only be allowed to proceed on the basis of a co-ordinated strategy for a mixed use development in accordance with the following principles:

1. *Up to 700 dwellings (about 500 delivered in the Plan period) with the final capacity to be decided by a comprehensive masterplan approach.*
2. *At least 1.5 ha of land for business uses (Use Class B1), including the replacement of existing workshops.*
3. *Vehicular access from Charlton Road (Site A) and Park Road (Site B). A new pedestrian and cycle route to be provided along Parkhouse Lane. This will also serve as an emergency access.*
4. *Pedestrian links to the adjoining Woodland Trust woodland and countryside and between sites A & B.*
5. *General traffic management measures to mitigate impact on surrounding road network.*
6. *Enhancement of pedestrian and cycle routes to Keynsham town centre and railway station.*
7. *A contribution towards improvements to Keynsham railway station of an appropriate scale and kind.*
8. *A contribution towards improvements to bus services between the two parts of the site, Keynsham Town Centre, Bristol and Bath of an appropriate scale and kind.*
9. *Improvements to Castle Primary School to meet the demand arising from the K2 development.*
10. *Provision of a community meeting place located adjacent to school together forming a community focal point.*
11. *Provision of at least two small scale local convenience shops provided with residential accommodation above; and to form part of the community focal point.*
12. *Provision of direct pedestrian/cycle access from Site A to shops at Holmoak Road.*
13. *Retention of existing hedgerows where possible, especially along Parkhouse Lane.*
14. *Provision of children's playing space on both A and B.*
15. *Provision of a playing field.*
16. *Protection of the Woodland Trust woodland.*
17. *Incorporation into the layout of a scheme to accord with the Forest of Avon guidelines, to include the provision of on and off site planting."*

2.2 In allocating this site for development in the 2007 Local Plan, the Council also signalled the removal of the development land from the designated Green Belt which surrounds this part of Keynsham. The allocation of the site followed detailed consideration of the associated issues during the Local Plan Inquiry, where the site was proposed for development by intending developers, and where the Inspector concluded that development should be allowed to proceed, subject to a detailed schedule of requirements that was consequently incorporated into the Local Plan by the Council.

2.3 In your Officers' experience, this schedule of requirements and provisions is unusually detailed, and it reflects an intention on the Inspector's part to ensure that the development principles were fully established in the light of the Council's preference that the site should not be allocated. The Policy specifically sanctions the use of the Park Road access and plainly does not use the terminology that might have been expected had it been considered by the Council when adopting the Local Plan in 2007 that the access would need to be improved. In such circumstances, the Policy would have been stated to be "subject to the inclusion of additional land to provide an improved access" (or similar), or even "subject to it being demonstrated that an adequate access can be provided". The absence of any such conditionality in respect of the access gives the Developer of this land a strong indication that planning permission will be granted.

2.4 Significantly, at the Council meeting in 2007 when the Local Plan was finally adopted, Keynsham Ward Members secured an amendment to the K2 Policy, with the phrase "...with the final capacity to be decided by a comprehensive masterplan approach" being introduced in the Policy's first development principle at their request in order to ensure that the number of dwellings on the site could be adjusted in order to take account of the access constraints.

2.5 There are a number of other relevant policies in the Local Plan, and these are set out later in this report.

3. KEY CONSIDERATIONS FOR COMMITTEE

3.1 The Draft Masterplan for K2

3.1.1 The current application is supported by a Draft Masterplan that has been the subject of extensive negotiation between Taylor Wimpey and the Council's Property Services team (in effect the owners of Part A), and Officers within the Planning Service. In these negotiations, particular care has been taken to ensure that the LPA has addressed both site owners on an equal footing, and that no preference has been shown for the proposals or views emerging from Property Services.

3.1.2 Initially, these negotiations appeared to make substantive progress, but they stalled at the point where a joint Draft Masterplan had been agreed, showing how the various proposed uses would be deployed across the combined Parts A and B. The Draft Masterplan incorporates the majority of the important requirements of the Local Plan policy, and your Officers indicated to both owners that the LPA would wish the Masterplan to be incorporated into any Planning permission through the vehicle of a S106 Agreement. This would ensure that the phasing of the development could be controlled, but most importantly would secure a joint commitment to the provision and financing of the main infrastructure requirements (including the school extension, the provision of playing field facilities, and off-site connections designed to promote accessibility and linkages with the existing developed areas to the north).

3.1.3 It became clear that such an agreement was extremely unlikely to be secured, in part because the Council's Property Services team have appeared reluctant in the present market conditions to commit the substantial financial resources that would be necessary to bring their site forward, and also because Taylor Wimpey was apparently unwilling to enter into a site value equalisation agreement with the Council.

3.1.4 The result is an agreed Draft Masterplan that is not capable of achieving its full status through a joint commitment from both owners in a S106 Agreement. Extensive efforts by your Officers have failed to break the deadlock, and in these circumstances, Taylor Wimpey took the decision to go ahead with its own Planning application, supported by the Draft Masterplan that had been agreed with Property Services and (in principle) with the LPA's Officers. Taylor Wimpey's Agents made it clear on a number of occasions that their Client would pursue their proposal at Appeal if necessary, and it is common in cases such as this, where a prospective developer has secured an Option agreement to purchase the land, for the terms of the Option agreement to include a requirement to appeal if planning permission is not granted by the LPA. The terms of the Option

agreement are also likely to have been material to the failure to secure a site value equalisation agreement.

3.1.5 The current application nevertheless accords with the principles incorporated into the Draft Masterplan, and it is now for the LPA to determine the application on its merits, having regard to all material considerations. In these circumstances, the Committee is advised that the material considerations begin with the details of the relevant Local Plan policies, and extend to not only include the Draft Masterplan, but also the Planning Implications of the current decision of the Council's own Property Services team not to bring the western part of the allocated site forward for consideration. In addition, of course, comments and objections received by the LPA in respect of the application must also be properly taken into account as material considerations.

3.1.6 Members will be aware that whilst the Council's own Development Plan policies are the starting point for the determination of any application, a proposal which falls short of 100% compliance with the Local Plan can still be approved, if it is the view of the LPA that such a decision is appropriate following a balanced consideration of the scheme's Planning merits. Your Officers' advice is that there is no sustainable reason for refusing the current application based upon the failure of the Draft Masterplan to have been progressed to a fully-agreed status, and further advice on this will be given later in this report. It is important to note that the Local Plan requires the two parts of K2 to come forward on a co-ordinated basis (that is the role of the required Masterplan) but does not require them to come forward at the same time.

3.1.7 The masterplanning process required by the Local Plan is clearly intended to assess the development potential and capacity of the K2 site both as a whole, and in terms of each of its two constituent parts. Thus, for the current site, it can reasonably be interpreted as a mechanism for ensuring that the number of housing units proposed is reduced by an appropriate amount below what might normally be expected on a site of this size, having regard to the limitations of the access arrangements.

3.1.8 The current site has an area of 11.7 Ha (28 acres), which as a guide to Members could historically have been expected to accommodate around 350-400 dwellings (at a density of between 12 and 15 per acre - similar to the existing development to the north), or more recently would be expected to achieve something of the order of 500 dwellings at a typical density of about 20 per acre.

3.1.9 The Local Plan policy anticipates around 700 dwellings for the combined parts of K2, but this overall density (of around 35 per Ha (14 per acre)) is unusually low by current standards because the Policy also requires the overall site to contribute 1.5 Ha of employment land, as well as a substantial school extension and recreational facilities.

3.1.10 The current application proposes 285 dwellings, plus the school extension, a community football pitch, retail units and other elements, and this represents a significant reduction from what might otherwise have been expected on this site. In accordance with advice from the Highways Development Control Team Leader at the pre-application stage, the site's potential capacity was significantly reduced in order to reflect the access constraints. In detailed negotiations regarding the then emerging Masterplan for K2, the figure of 285 dwellings was agreed between your Officers and the Applicant's Agents as the realistic maximum for the Taylor Wimpey part of the K2 site. The Council's part of the

K2 land is not constrained to the same extent, and (notwithstanding the requirement for employment land to be provided) can be expected to be developed at a substantially higher residential density when detailed plans eventually come forward incorporating a new roundabout access from Charlton Road.

3.2 The Proposed Vehicular Access from Park Road

3.2.1 Members will note that the Local Plan policy allocating this site for development specifies that the vehicular access to Part B shall be from Park Road (and that Part A will be accessed from Charlton Road).

3.2.2 During the Local Plan inquiry, the adequacy of the access from Park Road was considered by the Inspector, and the promoters of the site were able to produce correspondence from the Council's Highways Development Control team which not only confirmed that the available access from the southern end of Park Road would be acceptable as the sole vehicular access to Part B of the then proposed allocation site, but included a plan showing how the access might best be configured.

3.2.3 At the Local Plan Inquiry, the Council's Highways Development Control Team Leader appeared on behalf of the Council and expressed the view that Part B of the K2 site (i.e. the current application site) might be better accessed from Charlton Road, using a link across Abbott's Wood (which separates Part A and Part B). However, the Abbotts Wood area was not included in the areas being considered for allocation in the Local Plan, and its formal use as part of the allocation would have required additional land to be allocated. Abbotts Wood was also not taken out of the designated Green Belt and retains that designation in the eventually adopted Local Plan.

3.2.4 The Inspector's reasoning is publicly available, and it is evident that the Inspector regarded the arguments promoted by the intending developer as convincing, as there was (and still is) no other immediately available alternative access. All the potential alternatives require the inclusion of additional land in other ownerships: the route across from Charlton Road would need the inclusion of land owned by the Woodland Trust; the possible access from St Clement's Road would need allotment land; and, a potential access from Newlands Road would need to incorporate some of the existing Castle primary school site.

3.2.5 If the Inspector had considered that the access from Park Road would need to be widened, that would have necessitated the inclusion of a strip of land currently forming part of the existing residential properties fronting on to the access. However, there is nothing in the relevant documents to suggest that the Inspector felt that to be necessary. Similarly, there is nothing in the available documents to suggest that the Inspector considered that other alternative access options needed to be explored.

3.2.6 Whatever the Inspector had in mind, the end result conclusively supports the principle of Part B of Site K2 being accessed solely from the southern end of Park Road. If the Inspector had significant doubts about the acceptability of the available access, then either the site would not have been recommended for allocation at all, or alternatively, the allocation would have been specifically subject to the securing of an acceptable vehicular access arrangement, or as a further possibility, the recommended site allocation would have included additional land (such as all or part of Abbott's Wood), in order to direct the

design process to an alternative access route. The Council could have rejected the Inspector's recommendations and decided to allocate another site, elsewhere, instead. However, the Inspector's recommendations were agreed by the full Council, leading directly to the site being allocated in the 2007 Local Plan.

3.2.7 Thus, in bringing the current application forward, the Applicant is legitimately utilising the principles assessed and determined through the statutory procedures associated with the preparation of the Local Plan. The Council adopted the Local Plan as its formal Planning policy framework in October 2007, and the document must now be regarded as establishing a strong presumption in favour of the proposed development, especially insofar as it relates to the question of the use of the vehicular access from Park Road.

3.2.8 In response to the current application, the Council's Highways Development Control Team Leader has given further careful consideration to the access arrangements, and has concluded that they can be supported. His detailed comments (which are reproduced in full later in this report) also address aspects of internal site design that in some regards remain the subject of on-going discussions, but in respect of the access arrangements, he comments that:

"The proposed means of access to the site from Park Road, combined with the proposed emergency access, whilst far from ideal, provides a workable solution and is considered to be the optimum attainable solution given current constraints. Unfortunately, the Local Plan Inspector, in allocating the SW Keynsham sites, did not enable us to require a direct highway carriageway linkage from this site to Charlton Road via the other part of the allocated sites, as per our preferred solution."

3.2.9 Your Officers therefore conclude that significant weight must be given to the decision of the Local Plan Inspector to recommend the site's allocation incorporating the access from Park Road. In addition, even greater weight should be attached to the decision of the Council in October 2007 to allocate the site within a Policy which specifies that the access to K2 Part B shall be from the end of Park Road. Your Officers have re-assessed the submitted proposals in the light of the considerable local opposition to the access as proposed, but have concluded that whilst an alternative route might be technically better, such a route would not be compliant with the Council's own Local Plan policy, and is in any event not available to the Applicant without the acquisition of additional land. In discussions with the Applicant's Agents, they have made it clear to your Officers that because of the very clear endorsement in the Council's Local Plan, neither they nor the Applicants can see any legitimate reason why they should be expected to secure any other vehicular access into the site.

3.2.10 Your Officers will explain the details of the access proposal and of the objections to it at the meeting, by reference to the submitted details and to photographs of the access location, but Members are reminded that planning applications must be determined on their own merits, rather than with regard to the merits of potential alternative proposals that are not before the LPA for determination. In addition, the Council has adopted its Local Plan, which specifically requires the access to this site to be from Park Road, and that adoption inescapably confers formal status.

3.2.11 Your Officers will advise at the meeting that the points set out above would make it very unlikely that a rejection of the application on the basis of the perceived inadequacy of the proposed Park Road access could be sustained in an Appeal.

3.3 Alleged Site Contamination

3.3.1 Just before this application was scheduled to be considered by the Committee at its July 2010 meeting, written objections received from a small number of local residents raised an unexpected issue in the form of unsubstantiated allegations that the site had been used to dispose of the bodies of "anthrax victims" around the time of the end of the First World War. Subsequent enquiries by Councillor Alan Hale identified a published local history based upon collected word-of-mouth evidence, in which land in the general vicinity of the current application site was indicated to have been used for the burial - in lime pits - of anthrax-infected mule carcasses in 1918 or thereabouts.

3.3.2 Acting on this unsubstantiated, but potentially important information, your Officers immediately involved the Council's Contaminated Land officers, within the Environmental Health (EH) team, who took the lead in determining how best to proceed. The EH team's preliminary advice was that Planning permission should not be granted until an appropriate investigation had been undertaken on the site, and only then in accordance with detailed advice from them following analysis of the results of that investigation. As a result of that advice, the application was removed from the agenda for the July meeting.

3.3.3 The Applicants appointed Hydrock Consulting to undertake the necessary work, and Hydrock then sought detailed guidance from the EH team in respect of the methodology to be used. The Council's Scientific Officer, who has substantial public health experience, in turn liaised with the two national public-sector organisations working in this field - the Health and Safety Executive (HSE) and the Health Protection Agency (HPA) - and devised a programme of investigation. That was then agreed with (and implemented by) Hydrock, who in turn produced a detailed report of their findings, which confirmed that they had found no evidence of anthrax infection.

3.3.4 The Council's Scientific Officer recently commented following his analysis of the report produced by Hydrock, and confirmed that he is "...satisfied that the investigation, analysis and subsequent interpretation has been carried out in a robust and appropriate manner as far as is reasonable to expect." His advice is reproduced in full later in this report, but on the basis of that advice, Members are advised that there is now no contamination-related reason why Planning permission should not be granted, as long as appropriate provision is made (using Conditions) to ensure that appropriate care is taken throughout the construction work on the site (and, where appropriate, in connection with off-site drainage construction works).

3.3.5 Members are, however, advised that a small number of objecting members of the public remain unconvinced by this investigation of the site, and their concerns are reported later in this report.

3.4 Site Drainage Considerations

3.4.1 Notwithstanding the Council's allocation of the site for development in the adopted 2007 Bath and North East Somerset Local Plan, a number of drainage issues remain to be fully addressed, and have been the subject of detailed discussions between the Applicant's team, the Environment Agency, and the Council's drainage engineers.

3.4.2 Virtually all development proposals of any substance raise drainage questions that are typically addressed through the Building Regulations or other more specific legal provisions. The Government's advice to local planning authorities is that the Planning system should not be used in order to duplicate other statutory provisions. However, if drainage matters are potentially so fundamental that they impact upon the question of whether a site is suitable for development at all, then they can be material Planning considerations. In addition, the adopted Local Plan includes requirements for sustainable drainage systems to be utilised.

3.4.3 In the case of the current application site, evidence from local residents, Keynsham Town Council and from Ward Councillors has consistently suggested that there is a general drainage problem in the south-west Keynsham area. Reports of blocked drains and even of untreated sewage being discharged from drains onto roadways in the area paint a picture of an area with a high water table and an inadequate drainage system. A number of objecting local residents have suggested that development should not be permitted unless drainage matters are first resolved, and in addition, concerns have been raised by the Environment Agency and by the Council's drainage engineers. Residents have also referred to an alleged letter from Wessex Water, which is said to have indicated that they object to development on this site because of a lack of sewerage capacity.

3.4.4 Your Officers are not aware of the contents of the alleged letter from Wessex Water, but have received written confirmation from Wessex Water to the effect that, as planned improvement works will have taken place in advance of the current development, they have no objections to the current proposals.

3.4.5 With regard to surface water drainage, the Environment Agency (EA) and the Council's Drainage Engineers originally raised objections to the proposed scheme, principally on the basis that it did not have the capacity to deal adequately with run-off from the site, especially when the effects of run-off entering the site from adjoining land are taken into account. The applicants' consultant engineers have recently proposed significant enhancements to the proposed development, increasing its capacity to control flows of water and to control the speed of discharge into the off-site drainage system so that the existing situation is improved rather than worsened. This is by the introduction of additional SUDS features, which are not only functionally beneficial, but which also bring the scheme into closer alignment with the sustainability requirements of the Local Plan.

3.4.6 The final comments of the EA and the Council's engineers are still awaited, but it is anticipated that any further required amendments will be minor and can be addressed through minor scheme changes either before the scheme is permitted, or through the use of appropriate Conditions. On the basis of your Officers' current understanding, Members are advised that there is no drainage-related reason why Planning permission should not be granted.

4. CONSULTATION RESPONSES AND REPRESENTATIONS

4.1 **Contaminated Land Officer:** Originally made detailed comments regarding a precautionary approach to the development of the site, and recommended a combination of pre-permission assessment and the imposition of appropriate Conditions to address detailed matters.

He subsequently made further comments following the investigation of alleged anthrax contamination on the site, confirming that he was:

"... satisfied that the investigation, analysis and subsequent interpretation has been carried out in a robust and appropriate manner as far as is reasonable to expect. I would make a recommendation that any further works carried out at locations within or to supply services to or from the development site should have a form of condition attached that would require any contractor to carry out any "appropriate investigation, analysis, interpretation and validation" as required by the council to ensure the safety of public health for residents and workers involved with the development."

In response to objections made by a member of the public concerned about the scope and perceived lack of independence of the contamination investigation, the Contaminated Land Officer made yet further detailed comments as follows:

(1) The independence of the consultant:

The method statement provided by them prior to any investigation was constructed under guidance from ourselves the HPA and the HSE and was in effect peer reviewed by myself and the Health Protection agency prior to works beginning and was considered more robust than guidance from agencies such as WHO, required.

It must also be noted that any consultancy, let alone one of the standing of Hydrock, has a reputation to be preserved and as such would be unlikely to jeopardise it for one small investigation. In addition, my role is to ensure that all investigations carried out for any form of contamination, are carried out in a robust and professional manner.

2) Potential risk of Anthrax across the remainder of the site:

We required Taylor Wimpey to act on information received regarding the potential burial site of anthrax infected carcasses in an area that falls within the boundary of a potential development and their consultants "Hydrock" were to carry out the investigation.

In most cases environmental investigations work on a risk based analyses and as such the HSE (The main agency for dealing with biological contamination) considered the risk from Anthrax contamination as extremely/very low due to the length of time that the carcasses had been buried and the ground conditions on site.

Taylor Wimpey are only required to investigate the land to be developed that may have carcasses buried and have no responsibility for investigating outside of the area in question. Again, a risk analysis would be undertaken and if required, further investigation would be required on the development site should information be received that any potential for Anthrax exists.

As the anecdotal and literary information received suggests that the mules were buried in a former lime quarry it would be reasonable to expect that they would be in one of 5 quarries identified and if any of the quarries fall within the development area they would be required to be investigated. As such only one potential burial site was identified within the site development boundary and has been demonstrated to have no evidence of anthrax contamination.

3) In conclusion:

The investigation has been carried out in a professional, robust and scientific manner by a well respected consultancy and their method statement was peer reviewed by the main agencies involved with public protection to ensure that any risks to workers and residents were as low as possible.

The risk from anthrax if exposed across any of the potential burial sites is considered as very low by the HSE due to the length of time the carcasses have been buried so any risk from undisturbed ground is considered as even lower.

Mechanisms will be in place to ensure that any works carried out in the future will safeguard residents and workers should any potential risk from anthrax, or any other contaminants, be perceived."

4.2 A representative from the Council's Contaminated Land team will attend the Committee meeting in order to assist Members with any site contamination matters.

4.3 The Highways Development Control Team Leader originally raised concerns regarding the detailed design of the estate road within the eastern end of the site, and also the traffic circulation within the main part of the site. These issues were the subject of detailed discussions that led to the submission of an amended site layout. The access from Park Road was not affected by the changes, but following assessment of the revised plans, he commented as follows:

"The [revised] proposed site layout is acceptable in principle subject to the whole development achieving the standards required for a 20mph zone, in the interests of highway safety, due to the location of some accesses and limited visibility for some vehicles entering the public highway. Further details are therefore required regarding the design of on-site measures to restrict vehicle speeds.

It is unclear how vehicles are to access parking spaces 64, 65 & 66 - no verge crossing has been detailed.

The extent of the adoptable highway needs to be agreed in order to ensure that each dwelling is adequately served by an adoptable highway, albeit some will be restricted to pedestrian access along an adoptable highway footway (2m minimum width required).

The proposed means of access to the site from Park Road, combined with the proposed emergency access, whilst far from ideal, provides a workable solution and is considered to be the optimum attainable solution given current constraints. Unfortunately, the Local Plan Inspector, in allocating the SW Keynsham sites, did not enable us to require a direct highway carriageway linkage from this site to Charlton Road via the other part of the allocated sites, as per our preferred solution.

The proposed drainage information supplied is inadequate to give drainage approval and gives some rise to concerns. Additional information is required in respect of the global variable used for the purpose of the calculations; a topographical study to enable CL & IL to be checked; a MH schedule sufficient to enable backdrops to be checked; and, proof of confirmation from Wessex Water that they will accept a discharge rate of 60 l/s.

Further, regarding drainage, pipe gradients should be more consistent/uniform and would be better if all are designed to moderate gradients, minimum pipe velocities should not be less than 1 l/s, nor exceed 60 l/s, some pipe diameters are wrong, some pipes have too steep a gradient for the design, whilst others are too flat, some specified pipes and gradients will result in connections problems (e.g. connecting a pipe with a gradient of 1 in 700 to a pipe with a gradient of 1 in 5). Further, pipe diameters should be more consistent and less dysfunctional.

Finally, regarding drainage, information is required as to why no soft SUDS have been

incorporated into the design - and it should be noted that attenuation tanks are no longer classified as SUDS.

On the matter of the Construction Management Plan, the routing of vehicles along High Street is unacceptable and takes no account of the existing weight restriction. Furthermore, no indication has been given as to how daily vehicle movements will be controlled so as to ensure the stated maximums are not exceeded.

Whilst it is stated that articulated vehicles will need to access the site, no tracking has been carried out to demonstrate such vehicles can access/negotiate the highways leading to the site. Further, the need for temporary TRO's on access routes to and from the site must be considered in order to ensure adequate access.

Notwithstanding the details shown on the submitted plans, apart from road crossings, which should be square across the carriageway, all statutory undertakers plan should be located outside the highway carriageway. Regarding sewers, foul and surface water, the manholes must be so located that the sewer runs do not cross the centreline of carriageway in order that future maintenance can be assured without full road closure, thus ensuring access can be maintained at all times.

Regarding the proposed emergency access, tracking diagrams are required to demonstrate the acceptability of the proposed route.

Regarding pedestrian and cycling linkages, the applicant must use all reasonable endeavours to secure a combined cycleway/footway between the site and Newlands Road alongside the western boundary of Castle Primary School. Whilst failure would not be a reason for refusal, so no potential ransom situation, there are strong benefits arising from such a link for both the school and future residents of this development so delivery must be pursued at the applicants expense.

As part of a comprehensive development, pedestrian links into the Woodland Trust land are considered inadequate to ensure good accessibility between this site and the other South West Keynsham allocated site adjacent to Charlton Road. Further, neither is a gravel surface adequate for highway needs, nor the substandard width of 2.0 metres. A high standard pedestrian and cycling link of 3.0 metres minimum width should be provided with a bound surface and lighting in order to ensure safety, etc. However, it is appreciated that the need for such a link does not exist, for highway purposes, until the other part of the South West Keynsham allocation comes forward for development and would best be conditioned as part of the latter development. In such circumstances, therefore, only the ability for such a connection to be made, and the method of control to prevent access by unauthorised vehicles, need be considered as part of this application together with securing a minimum paved width of 3.0 metres within the development site. Finally, unless the above linkages were set out, constructed and lit to highway specifications, and formed through linkages between this development and other public highway, they would not be considered for adoption as public highway and would merely function as recreational routes.

Finally, care must be taken regarding boundary planting in order to ensure vehicles entering the public highway have adequate visibility of pedestrians, including young children. In this respect, planting on either side of an access to the back of footway should not exceed 0.6 m in height within the limits of such splays.

In summary, the highway response is one of NO OBJECTION in principle, subject to the submission of additional information to resolve the above matters and the completion of a S106 Agreement in respect of Developer Contributions bearing in mind the principles set

out in the Council's adopted SPD."

4.4 The Highways Development Control Team Leader will attend the Committee meeting in order to assist Members with any Highways-related matters.

4.5 The Pedestrian and Cycling Traffic Engineer has been involved in detailed discussions with the applicant and has confirmed that an agreement in principle has been reached regarding off-site enhancements to the footpath and cycle network in order to facilitate the movement between the site and the town centre.

4.6 The Public Rights of Way Officer has commented as follows:

"Public footpaths BA27/15 and BA27/16 run through the application site as shown in purple on Plan A. A section of public footpath BA27/16 would be obstructed if the development was carried out as proposed. The section of footpath shown in red on Plan B would have to be partially diverted and partially extinguished to avoid obstructing the public right of way. The developer would therefore have to apply for the necessary Orders and the Orders would have to come into effect prior to the works on site being substantially completed.

The Highway Adoption plan shows a number of routes which are to be dedicated as public highway. The plan does not however appear to specify what status of highway each route would be. The Public Rights of Way Team would like to see the routes shown in yellow on Plan B become public footpaths and the routes shown in orange on Plan B become 3 metres wide public bridleways, thus facilitating bicycle use. The proposed bridleway to the east of Castle Primary School would require a Section 26 Creation Order, as the land doesn't appear to be in the ownership of the developer. For this, the PROW Team would require an undertaking from the developer to pay the costs of processing the Order, the costs of bringing the new path into a fit condition for use by the public and the costs of any compensation which may become payable as a result of the Order coming into operation. In order for a 3 metre bridleway to be created running adjacent to the current and proposed boundary of Castle Primary School the school's boundary fence would have to be moved back further into the school's playground. This appears reasonable on the grounds that a substantial section of public footpath BA27/16 would have to be extinguished to allow for the building of the school extension and that the Council has an adopted policy stating that; "The Council does not generally support applications for extinguishment orders unless they are part of a wider package with compensating public benefit." These additional footpaths and bridleways would help to off-set the additional pressure on the public rights of way network created as a result of the development."

4.7 These comments have been the subject of a recent detailed correspondence with the Applicant's Agent that is now under consideration. However, issues relating to the diversion or extinguishment of public rights of way fall to be considered under the relevant legislation as a matter arising from the granting of a Planning permission. They do not, therefore, need to be addressed in detail at the present time. However, Members will be advised if any further comments are received in time for the meeting.

4.8 As has already been indicated, **Wessex Water** has confirmed the following:

- (i) The existing foul drainage system in the area of the site is unable to deal with the additional demands of this development or of K2 Site A;
- (ii) The foul drainage and sewage treatment provision in the wider area is being upgraded where necessary on a programmed basis in order to meet the needs

of the development that has been allocated in the Local Plan, as that development progresses;

- (iii) The current applicant has requisitioned the provision of a new off-site sewer that will link remotely into the existing system, bypassing the inadequacies of the local network. This new connection will be designed and constructed in time for the development to connect into it, meaning that the new development will improve and not worsen the existing situation;
- (iv) On the basis of the above, Wessex Water raises no objections to the current application; and
- (v) Existing apparent defects in local drains and sewers will be addressed by Wessex Water, in discussion with local Councillors, and independently of the current development proposals.

4.9 The **Environment Agency (EA)** originally objected to the proposed development on the basis that the drainage scheme proposed lacked sufficient capacity to deal adequately with run-off from the site, especially when the effects of run-off entering the site from adjoining land are taken into account. The applicants' consultant engineers have recently proposed significant enhancements to the proposed development, increasing its capacity to control flows of water and to control the speed of discharge into the off-site drainage system so that the existing situation is improved rather than worsened, and the EA has provisionally withdrawn its objections subject to final confirmation that all elements of the scheme are now acceptable. Members will be updated in the event that further comments are received in time for the meeting.

4.9 The recent amendments to the scheme in order to address the concerns raised by the EA have the effect of improving the SUDS profile of the scheme, and in doing so also address concerns raised by the **Council's Drainage Engineers** (included in the Highways comments set out in the next paragraph). The EA and B&NES' engineers are now working closely together on a shared analysis of detailed aspects of the scheme, and the Council's engineers' current position is identical to that of the EA. Once again, Members will be updated in the event that further comments are received in time for the meeting.

4.10 **Education:** Detailed discussions have taken place regarding the basis upon which a contribution will be made towards the provision of an extension to the Castle Primary School in accordance with the Local Plan policy. A provisional agreement has been reached, although the School Organisation Manager remains concerned that the bringing forward of only this part of the K2 allocated site will not provide sufficient funds to allow the school extension to proceed.

4.11 **Ecological Officer and Natural England:** Inter-related comments are made raising no over-riding objections but requiring further work in respect of bats and other ecological issues.

4.12 **Waste Services** require further information regarding bin store locations and capacities.

4.13 The **Urban Design** officer comments on the revised proposals, confirming that the amended site layout produces a better relationship between the residential units and other uses on the site, and that the balance of layout considerations is now acceptable.

4.14 The **Arboricultural Officer** raises concerns regarding the proposed development on the grounds that further detailed information is needed with regard to the protection and maintenance of trees within (or immediately adjoining) the development site.

4.15 The **Police Crime Prevention Officer** objects as there is insufficient detail in the Design and Access statement to show that crime prevention has been considered in any great detail. There is no mention of complying with Secured by Design, and he has concerns over the layout, excessive permeability and lack natural surveillance over cars parking and some footpaths, and access to rear gardens.

4.16 **Councillor Alan Hale** objects, saying that:

"I believe that this is the most ill conceived development I have ever known of. It has generated a bonding of community action that is very rarely witnessed.

NOISE

The area will be subjected to much noise from the additional traffic and indeed the HGVs that will be involved in the construction.

RESIDENTIAL AMENITY

This will be the biggest cul-de-sac in the country. The residential amenity of those who live close by, on the further reaches of the approach roads and in particular those houses that form the very close barrier of the road edging in the lane at the end of Park Road will be so adversely affected as to completely change their life style. From being on the edge of a country lane they will suddenly become part of a busy approach road. They will step out of their door to be faced with not a quiet lane but onto a road that will have to be littered with traffic calming jumble and the vehicles that it is trying to calm. The residential amenity of many other residents will be also severely affected negatively with the additional traffic.

TRAFFIC & HIGHWAYS

The increase in traffic movement that this development will bring with it will be significant on an infrastructure of roads that are wholly unsuitable. The town is at a critical stage now at certain times of the day and can only get worse. Despite a letter that states the junction is adequate any degree of common sense applied to the situation will show that a road designed to serve a farm, a few commercial units and some ten homes as well as some allotments is not designed or suitable to serve a very significant development of houses and all of the vehicles that go with it. As a road safety professional in my day job I have to express severe concerns for the movement of HGVs both accessing and leaving the site using estate roads. The roads all form part of a home to school and return route for two schools in the area. HGVs that are likely to be on a payment per load will not be too concerned about observing either legal speed limits or safe speed limits that at times, probably most of the time need to be nearer 20 than 30mph.

I do most strongly object to this ridiculous development."

4.17 **Keynsham Town Council** objects to the application on the following grounds:

- Lack of master plan
- Only one vehicular route in and out of site along a road that is very congested at the moment
- Some trees and the hedgerows on the site need to be protected
- No plans for dealing with surface flooding in flood risk assessment
- No thought given to crime prevention in design of site, many of the car parking areas are not easily visible

- The need for allotment provision
- No consistency on adoption of parking spaces
- Existing roads not suitable for heavy site traffic
- Density of homes too high (due to lack of master plan)
- Will lead to further congestion in the town centre and increase air pollution

4.18 **Keynsham Civic Society** objects on the grounds that the roads leading to the site are inadequate to serve the proposed number of dwellings and that an alternative access route needs to be found. The society is also concerned that this development will exacerbate congestion in the town centre and will overload parking facilities, when combined with the effects of other proposed developments in Keynsham.

4.19 **The Woodland Trust** has made detailed comments regarding the current proposal. These are not presented as an objection, but rather as a range of detailed issues that the Trust considers should be addressed. The Trust considers that Abbotts Wood will be threatened by becoming an isolated area of woodland flanked by what is described as "hostile development", and seeks a Green Spaces strategy for the whole area. In addition, requirements include the defending of all the boundaries of the woodland, even though only Site B has currently come forward, and a financial commitment to the future maintenance of the woodland in the face of the increased usage that will arise from the new development. Access to toilet facilities is also a priority.

4.20 The headteacher of **Castle Primary School** has written on behalf of the school and makes a number of balanced and detailed comments. He notes that the current application will not on its own deliver the school expansion and expresses the view the current application will prejudice the proper delivery of the strategy for the school and that the whole of K2 should come forward together. He indicates that the school would welcome an opportunity to manage the proposed community football pitch and that consideration should be given to encouraging non-car access to the school. He also raises the need for pre-school facilities to be given weight in the planning of the school extension.

4.21 The headteacher has also (in discussion with the School Development Manager) co-operated with the applicants in reaching a preliminary agreement for the off-site public footway running up the western school boundary to be widened using a strip of school land so as to provide a more appropriate pedestrian access from the proposed development to the existing school gate.

4.22 Over 140 **Individual Objections** have been received, with objectors' comments referring to a wide range of issues. The issues mentioned are listed below in summary form, but by far the most frequently-stated objection relates to the inadequacy of the vehicular access from Park Road. The full range of objection comments is as follows:

- The access from Park Road is poor at present and will be made worse by the development;
- The access is inadequate and lacks pedestrian facilities;
- Access should be provided from St Clements Road or across the Abbott's Wood land;
- The existing roads in south-western Keynsham are all inadequate to take the additional traffic from this site;

- Local roads such as Dunster Road will become rat-runs;
- Park Road is already busy and suffers from problems caused by on-street parking - this will result in chaos, congestion and danger from additional traffic;
- The development will threaten trees and verges in Park Road;
- The Applicant's traffic assessment is inadequate and is not independent;
- Weight restrictions are already in place on many local roads;
- The additional traffic will disrupt bus routes and delay services;
- Improvements to rail station will be a waste of time;
- The two parts of K2 should be developed together, with access to Site B being provided from Charlton Road to the west;
- The development of K2 on a piecemeal basis will prejudice the school expansion proposals which should also include pre-school facilities and a new school access;
- Contractor parking must be provided on site if chaos is to be avoided;
- Lorry routes cannot be enforced;
- The ambulance station and medical centre in Park Road will be adversely affected, with emergency vehicles being delayed by additional traffic;
- The proposed emergency access is inadequate;
- The existing school already causes congestion and coaches park in Park Road. The combination of additional dwellings and a larger school will not work - the new school should be located on the Somerdale site;
- The school should be located next to Abbots Wood;
- The proposed development will pose a security risk to children using Abbots Wood;
- Toilet facilities should be provided to serve Abbots Wood;
- The development will threaten the future of Abbots Wood;
- No respect for the amenities and privacy of existing residents;
- No consideration has been given to crime prevention;
- Inadequate provision has been made for waste recycling;
- Inadequate provision for wildlife;
- Inadequate use of SUDS drainage features;
- A buffer zone should be retained between existing houses and the new development;
- The cottages at the site entrance have cellars/basements which will be liable to collapse if the access is more heavily used;
- The allotment gates at the site entrance are kept locked, and vehicles parked whilst the gates are unlocked or re-locked will obstruct the site access;
- Threat to allotment security;
- No additional allotment provision;
- No acceptable access if the road has to be closed for any reason;
- Too many houses being served off a single cul-de-sac;
- Development will take several years to implement - nuisance and congestion from construction vehicles will be intolerable;
- Noise and pollution throughout Keynsham will be an even bigger problem;
- The site should remain as Green Belt;
- The new development will overwhelm Keynsham - no facilities, and inadequate road system. More joined-up thinking is required;
- New residents will commute out of Keynsham, so why build here at all?

- New houses should be built adjoining Keynsham by-pass and nearer to town centre;
- Houses would be better located between Keynsham and Bristol or between Keynsham and Salford;
- Bus services should enter the site ' existing bus routes are too far away, especially for disabled passengers;
- Comments made at public consultation exhibitions have been totally ignored;
- The views of the Local Plan Inquiry Inspector have been given too much weight by the Council;
- The Council's adoption of the proposals for this site was undemocratic;
- The high water table in the area means that flooding is a problem - the development will make this worse;
- Abbotts Wood should be provided with a security fence to prevent unacceptable access;
- Proposed cycle facilities are inadequate;
- Proposed employment area should remain in Site B, reducing residential density;
- Proposed shops will prejudice existing shops;
- Footpath facilities will be a waste of time - no-one will use them;
- Proposed estate roads and on-site parking are poorly designed;
- A non-car development would be preferable;
- What provision is being made for relocation of existing businesses?
- Proposed drainage system is inadequate - why should Keynsham suffer the effects of a second-rate drainage system?
- Decontamination of the site will create a risk for existing residents;
- Site used for the disposal of the bodies of anthrax victims;
- Anthrax investigation inadequate and not independent;
- No guarantee that anthrax is absent from the whole site;
- No guarantee that off-site drainage works will not be affected by anthrax;
- Council officers will have blood on their hands when a child is killed/injured using the access;
- Council officers have refused to release documents in spite of Freedom of Information Act;
- Council officers have refused to meet objectors on site;
- Council officers have exceeded their authority;
- Council officers biased.

4.22 Given the extent of the above list, it seems unlikely that any genuinely new and additional issues will be raised, but any further representations received will be reported at the meeting.

5. RELEVANT PLANNING POLICIES

5.1 The Joint Replacement Structure Plan remains relevant, and is the principle vehicle for establishing the Bristol-Bath Green Belt, for example. However, the high-level policies in that document become less directly significant in a case such as this where the site has been allocated for development in the current Local Plan, as the over-riding principle is that the Local Plan must be in accordance with the provisions of the Structure Plan.

5.2 In the 2007 Bath and North East Somerset Local Plan, the site is allocated as Site K2 within Policy GDS.1, and the full policy requirements relating to this site have already been set out in Paragraph 2.1 of this report. These site-specific requirements will take precedence over more general provisions elsewhere in the Local Plan. Policy GDS.1 is a general policy providing a formal means of allocating specific General Development Sites. It has already been noted that in tandem with the allocation of the two parts of Site K2, the Council's Local Plan removed these areas from the designated Green Belt, whilst leaving the Abbots Wood land and the open agricultural land to the south and south-east within the Green Belt. Accordingly, whilst the adjoining Green Belt is part of the context for the current development, the Local Plan's Green Belt Policies (and their national equivalents) do not apply to this current application.

5.3 Other relevant Local Plan policies are as follows:

- IMP.1 Provides for appropriate Contributions to be sought from developers. This has been made operational through the Council's more recently adopted Planning Contributions SPD;
- Policies D.2 and D.5 relate to general urban design and townscape requirements;
- ES.5 and ES.15 seek to ensure that development does not take place where there is no adequate drainage or without necessary decontamination works, and requires the use of appropriate Sustainable Drainage System elements (SuDS);
- NE.11 and NE.12 seek to safeguard the most important ecological elements of development sites;
- T.1 establishes a strategic approach to transport issues;
- T.12 establishes the general intention of improving access and interchange facilities associated with the bus and rail networks, including reference to Keynsham. However, the Council has not yet finalised detailed proposals associated with Keynsham town centre and railway station;
- T.14 promotes the use of traffic management measures including road narrowing, chicanes, etc in residential areas;
- T.24, T.25 and T.26 establish design criteria for access to and within new developments;

5.4 Members are again reminded that this is an allocated site, and that in deciding to allocate any site for development in the Local Plan the Council has already in effect confirmed the principle that the development of that site can proceed subject only to detailed considerations.

6. OFFICER ASSESSMENT

6.1 Much of the Officer assessment of this scheme (in terms of the key matters that fall to be considered by Committee) has already been set out earlier in this report. It has been made clear that a wide range of detailed issues remain to be finalised, and your Officers will give Members an overview of these issues during the meeting with reference to the submitted plans. However, the resolution of these detailed issues is inevitably prejudiced where, as here, there are fundamental matters that have become of great concern to members of the public.

6.2 Accordingly, this report recommends that the Committee establishes a firm position regarding the principle of the development of this allocated site including the use of the access arrangements specifically required by the Council's adopted Local Plan. In this

manner, your Officers can then be equipped to negotiate and agree the remaining internal design and contribution details in accordance with Council policies and requirements, against a backdrop of more certainty for the Applicant.

6.3 The Draft Masterplan for the combined K2 site should ideally form a firm platform from which the two individual parts of the composite allocated sites can each come forward for development. The Local Plan does not require the two sites to come forward simultaneously, but instead seeks to establish a degree of co-ordination and comprehensiveness using the Masterplan as the delivery mechanism. Your Officers are of the view that although it has not been possible to secure a fully shared commitment from the Council's Property Services team and from Taylor Wimpey, the Draft Masterplan has sufficient weight and merit to enable the current application to be permitted. In reaching this conclusion, your Officers are giving substantial weight to the likelihood that if Taylor Wimpey were to appeal the current application, then the Council would be criticised for not having contributed fully to the implementation a site that is a specific allocation in its own (recently adopted) Local Plan.

6.4 The Draft Masterplan addresses the majority of the Local Plan policy requirements, and those that rely upon Site A (i.e. upon the Council's own land) can be managed through the Development Management process, as and when an application is submitted for development on Site A. For example, as the Draft Masterplan has been prepared by Property Services and Taylor Wimpey together, it can be assumed that provision for employment will in due course be incorporated into the Council's proposals for its land, and that the Council's land will contribute its share of contributions to required elements such as the school extension. It is noted that Property Services have not raised objections to the use of by Taylor Wimpey of this jointly-prepared Draft Masterplan.

6.5 The proposed development will undeniably have an effect upon the amenities and character of the existing residential area to the north. Dwellings that are currently on the southern edge of Keynsham will lose their open outlooks to the south; existing roads will need to accommodate substantial additional traffic; the school will need to expand and in doing so will have to accommodate its own increased access and servicing demands; the residents of the cottages adjacent to the Park Road access will find that more traffic will be passing their front doors (albeit further away than at present, because of the creation for the first time of a proper footway across the frontages of these dwellings, alongside a reconfigured carriageway).

6.6 All these things are inevitable and inescapable consequences not of the current application, but of the Council's decision in 2007 to allocate the site for development with a specific requirement for its access to be from Park Road. That formal Council decision led directly to the publication of an adopted Local Plan which has statutory weight within the UK Planning system, and in its role as local planning authority the Council must now have full regard to the consequences of its policy-making. The long list of objections received in connection with the current application (and set out above) is almost totally in relation to matters that relate to the decision to allocate this site for development.

6.7 There are a number of detailed matters that have arisen from concerns raised by members of the public that need to be addressed here.

6.8 The first of these is a well-articulated concern from a local resident regarding the integrity and propriety of the events that led to the Local Plan Inspector recommending that the site should be allocated for development and that the access should be from Park Road. The technical judgements made by the Highways officer who advised the developer that the access could be made acceptable did not amount to a formal decision to that effect. As with all advice given by your officers, the judgement made was an informal professional opinion by an officer specifically employed by the Council to give advice of that nature. As with all advice given by your officers, that opinion would have been subject to ratification in a formal decision taken by the local planning authority at a later date. And as with all advice given by your officers, that opinion would have been given in the full knowledge that it would be open to review and scrutiny. In most cases, such an opinion is tested through the Planning application process, where (as now) local residents are able to voice their opinions and to have them taken into account. In this particular case, however, the subsequent formal review came in the Local Plan Inquiry, and then in the Council's formal decision to accept the Inspector's recommendation and to allocate the site in the Local Plan. Those two events were the opportunities for the issue to be scrutinised, and both were held in public, with opportunities for representations to be made by members of the local community. Once a Local Plan has been formally adopted, it is neither appropriate nor possible (other than through the Courts) to attempt to unpick its provisions. Even that legal opportunity has now passed, as it is now too late for the 2007 Bath and North East Somerset Local Plan to be the subject of a Judicial Review.

6.9 The second issue relates to the alleged potential for the proposed development to lead to damage to the basements of the cottages adjoining the access from Park Road. As a result of the representations made by local residents, two of the properties have been inspected by your Officers and it has been clarified that whilst they do have basements, these do not project in front of the above-ground building line (as suggested by the objectors), but are in fact set substantially back behind the building line. The Highways Development Control Team Leader has confirmed informally that it is always the responsibility of the developer to satisfy the Highway Authority that any new highway construction intended for adoption will not result in an unacceptable liability to the Council associated with the risk of damage to third party property. However, given the very substantial setback of the basements behind the above-ground building line of the cottages, and also the fact that the proposed carriageway alignment would be further away from the cottages than the existing arrangement, there would appear to be no material difficulty in the manner suggested by the objectors. It is therefore not a Planning matter, and can be addressed as appropriate as part of the highway adoption process. The Applicant's Agents have also indicated that they see no potential problem in this respect.

6.10 The next issue relates to the school extension. It is evident that the current application will not deliver the school extension, but will provide a substantial contribution towards it, in the form of the necessary land, and (subject to the final negotiation of a S106 Agreement) a possible financial element as well. The balance of the cost of the school extension will be contributed by the future development of the Council's part of the K2 site. The school Headteacher has expressed concerns that the two sites should come forward together so that the school extension can be properly facilitated, but your Officers' view is that as there has currently not even been a start on the school design process, there is every likelihood that the Council's land will come forward for development in time to make

its contribution without delaying the school extension project, particularly at a time when public sector finances are under extremely close review.

6.11 A number of objectors have raised concerns about the impact of the application site's construction phase upon the adjoining residential area, in terms of traffic movements, in terms of on-street parking, and in terms of general noise and disturbance. Many have raised a concern that the Applicant's intention to build in phases over a six-year period is simply too long. The speed at which a Planning permission is implemented is entirely a matter for the developer to determine in any particular case, and there is no means available within the statutory UK Planning system to force a developer to build faster than he wishes. As a general comment, the allocation of any substantial site for development will inevitably lead to concerns of this sort.

6.12 However, steps can be taken through the careful use of Planning Conditions to minimise disturbance, and in this case the applicant has confirmed that on-site parking will be provided for all employees and contractors, that the entire development can be the subject of a Condition-led Construction Management regime, that no development-related vehicles will need to park on existing roads in the vicinity of the site, and that lorries delivering to and then driving away from the site can be channelled along agreed routes. A Draft proposal has been submitted following preliminary discussions with Highways officers, which would result in lorries using a circular one-way route designed to avoid conflict with buses, and to minimise the disruption that might otherwise result. The proposed regime needs further negotiation, especially as some relaxation of weight restrictions may prove to be necessary, and it is anticipated that an agreed route can be secured prior to the granting of any planning permission.

6.13 The adequacy of the proposed emergency access has been questioned. This is an element that is directed by the Local Plan policy, which specifies the use of Parkhouse Lane (to the west of the site and accessed from Charlton Road) as an emergency access route. This will be improved as part of the current proposals so that it can be negotiated by emergency vehicles. However, the Applicant has also demonstrated that the likelihood of the access from Park Road being closed can be reduced significantly by means of the careful routing of services under the new footway leading from Park Road, meaning that any future repairs or enhancement to services can be undertaken without impacting upon the carriageway at the critical pinch-point at the site entrance. The detailed design of this will be a matter for future discussion with the Highway Authority and is not a matter for consideration at the Planning stage.

6.14 Affordable Housing within the site can be expected to be provided in accordance with the Council's adopted requirements, and negotiations are under way that will lead to a S106 Agreement that will be completed prior to the granting of any Planning permission.

6.15 The relationship with Abbott's Wood is an issue that has been raised by objectors. The wood is not an integral part of the development site, and is excluded from the adopted Local Plan's allocation, but is linked to the development site by public rights of way. Thus, whilst limited access to and fencing of the wood can be provided as part of the current proposals, it is not possible to use the Planning process to secure benefits for the Woodland Trust, who remain principally responsible for their own property. The details of these arrangements will be the subject of further discussions.

6.16 Finally, the attention of Members is drawn to one specific element in the Local Plan policy for the K2 site - the issue of improvements to Keynsham rail station. Unfortunately, the Local Plan policy is extremely vague, and as there is currently no scheme for the improvement of the rail station, your Officers advise that it is not possible for a contribution in that regard to be secured from this application. A section 106 Agreement cannot legitimately be used to secure arbitrary contributions towards a non-existent (and therefore non-quantifiable) scheme for off-site works on land outside the Applicant's control. Members are therefore advised that no such contribution will be sought from Taylor Wimpey. The Applicants have confirmed that they are prepared to contribute to the cost of improving cycle routes to the town centre.

7. CONCLUSION

7.1 Your Officers consider that the current application not only accords with the provisions of the Draft Masterplan for Site K2, but also proposes a development that will deliver (on a pro rata basis) a realistic contribution to the substantial list of requirements in the Local Plan policy for the site as a whole. There are a wide range of detailed issues still to be resolved, but whilst the main principles are sound, the detailed negotiations are unlikely to be successfully concluded unless the current uncertainty is removed in connection with the access from Park Road.

7.2 It has been demonstrated to the satisfaction of the Council's Contaminated Land Officer that the site is not contaminated by anthrax, and the Highways Development Control Team Leader is satisfied that the access from Park Road can be regarded as acceptable on the basis of the significantly reduced residential capacity of the site, and subject to detailed on- and off-site highway design and traffic management. The very large number of objections to this application demonstrates a widespread concern about its effects upon the local residential environment. However, almost all the concerns arise not because of this specific application, but as a direct result of the Council's decision to allocate the site in the 2007 Local Plan.

7.3 Your Officers are of the view that on balance, and having regard to all the representations received, this application can be recommended for approval, but only subject to the conclusion of detailed discussions regarding a range of issues including (but not limited to) design and layout details, drainage, the provision of affordable housing, the making of appropriate contributions in accordance with the provisions of the Local Plan and the Council's Planning Contributions SPD, and the management of off-site traffic particularly during the construction period. Many of these matters will need to be the subject of a S106 Agreement, whilst others may be best addressed by the use of appropriate Conditions.

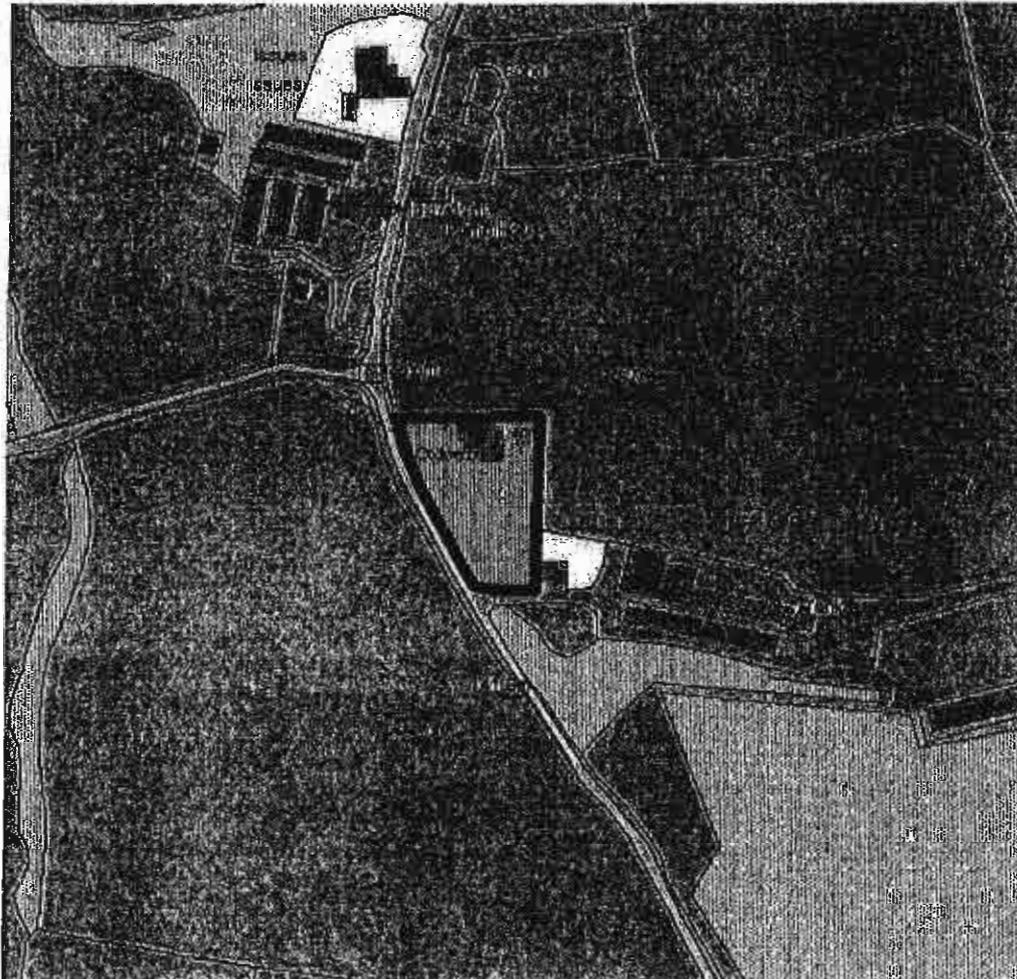
8. RECOMMENDATION

8.1 That the Development Manager be **Delegated to PERMIT** subject to:

- (i) the prior completion of negotiations on detailed design issues including the provision of satisfactory site drainage;
- (ii) the prior completion of an agreement under S106 of the Town and Country Planning Act 1990 (as amended) on such terms as the Development Manager and the Planning and Environmental Law Manager may determine; and

- (iii) such Conditions as the Development Manager may determine to be appropriate, having regard to the site-specific provisions of the 2007 Bath and North East Somerset Local Plan; and
- (iv) the drafting of appropriate reasons for granting permission once the proposals are in an acceptable form, having regard to all material considerations.

Item No: 02
Application No: 09/02416/FUL
Site Location: Oxleaze Farm, Greenhouse Lane, Nempnett Thrubwell, BS40 7UZ



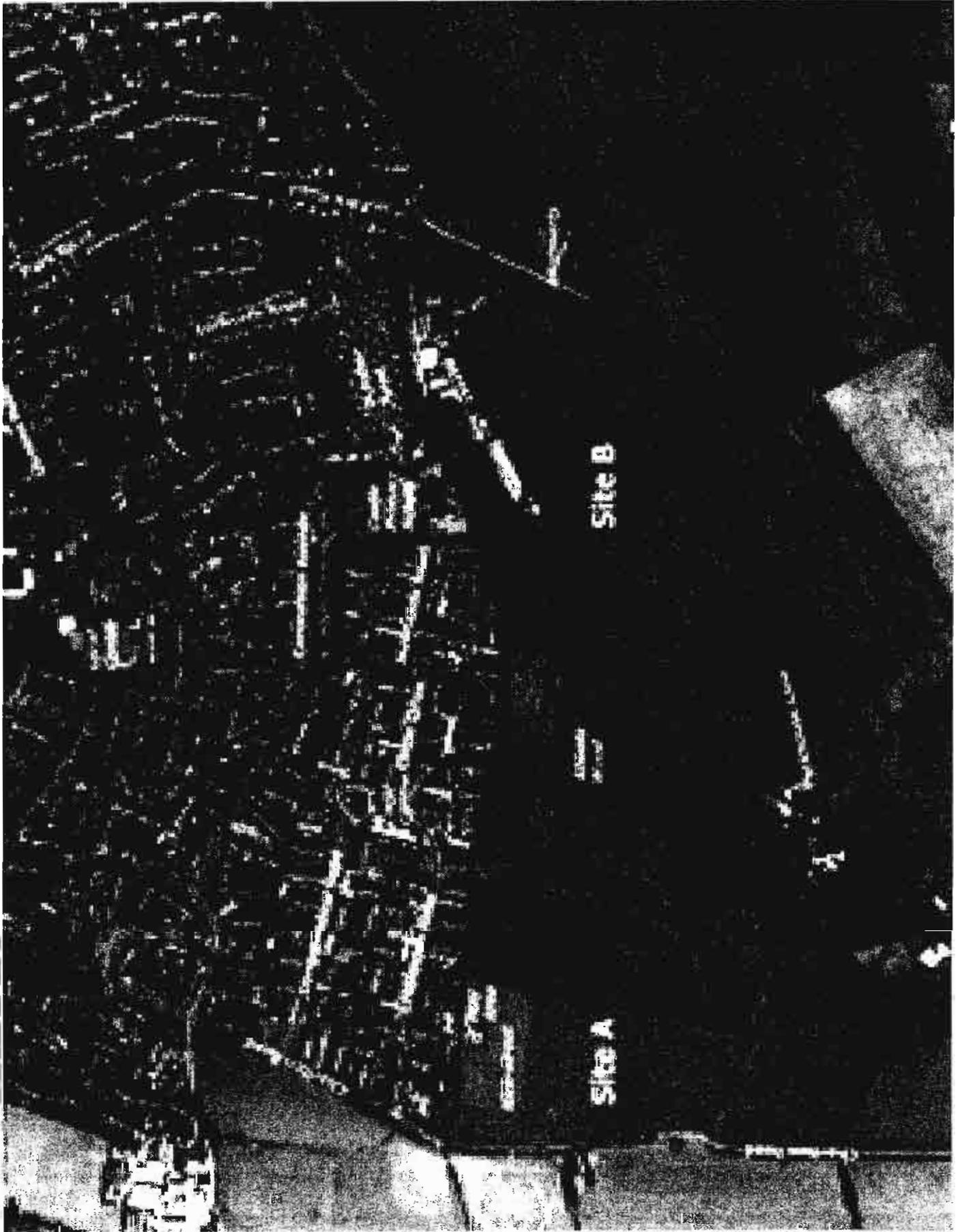
Ward: Chew Valley South **Parish:** Nempnett Thrubwell **LB Grade:** N/A
Ward Members: Councillor Vic Pritchard
Application Type: Full Application
Proposal: Erection of a replacement dormer bungalow (Resubmission)

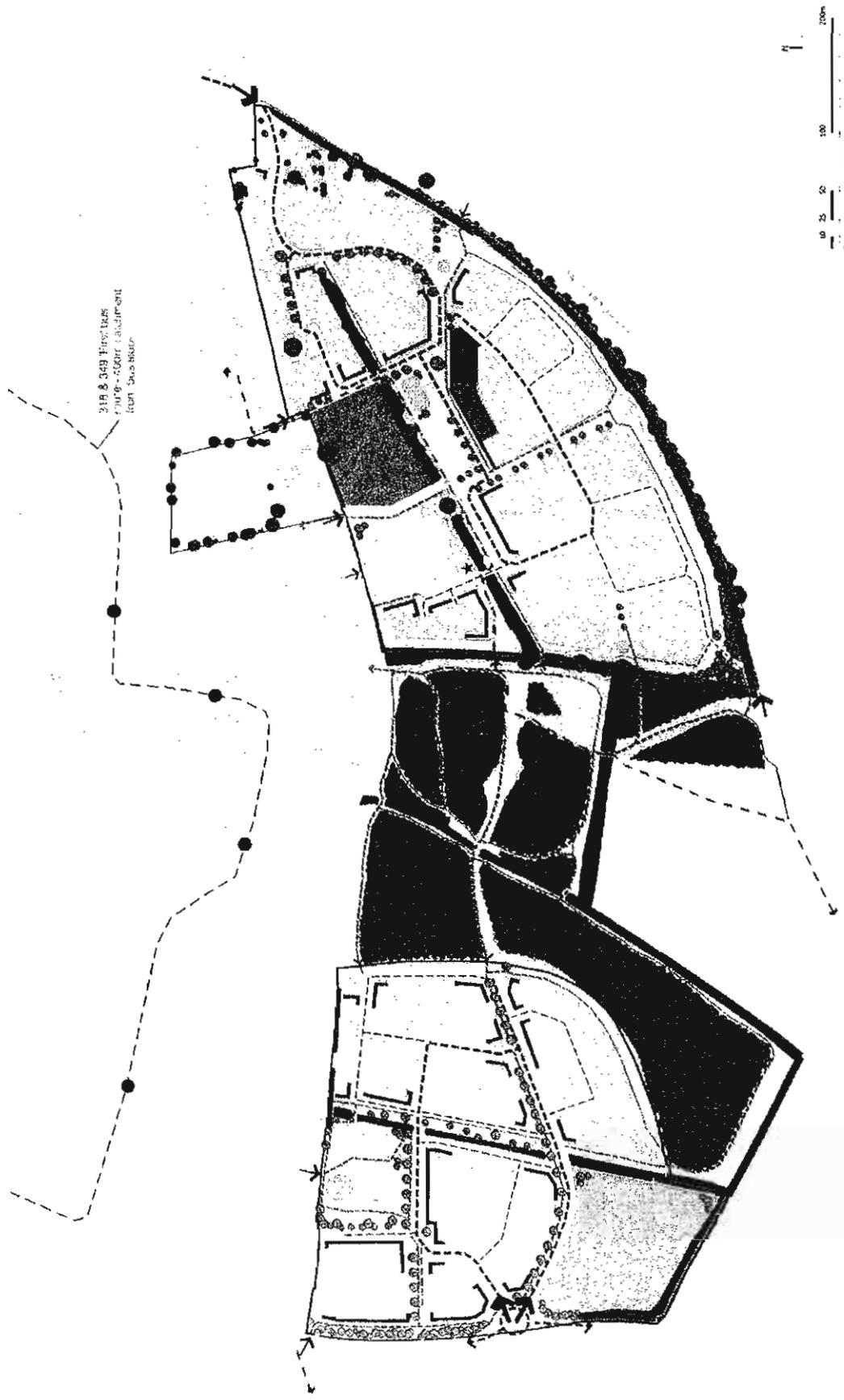
Planning Item no. 1 09/04351/FUL

Proposal: Hybrid planning application for a housing led mixed use development comprising 285 dwellings, retail accommodation, flexible business/employment floor space, affordable housing, formation of new vehicular, pedestrian and cycle accesses, pedestrian and cycle improvements to Parkhouse Lane, formal and informal public open space including junior playing pitch and associated changing rooms and parking facilities, together with landscaping and tree planting and ancillary works including drainage (Full Application) and extension to Castle Primary School (Outline Application, All Matters Reserved)

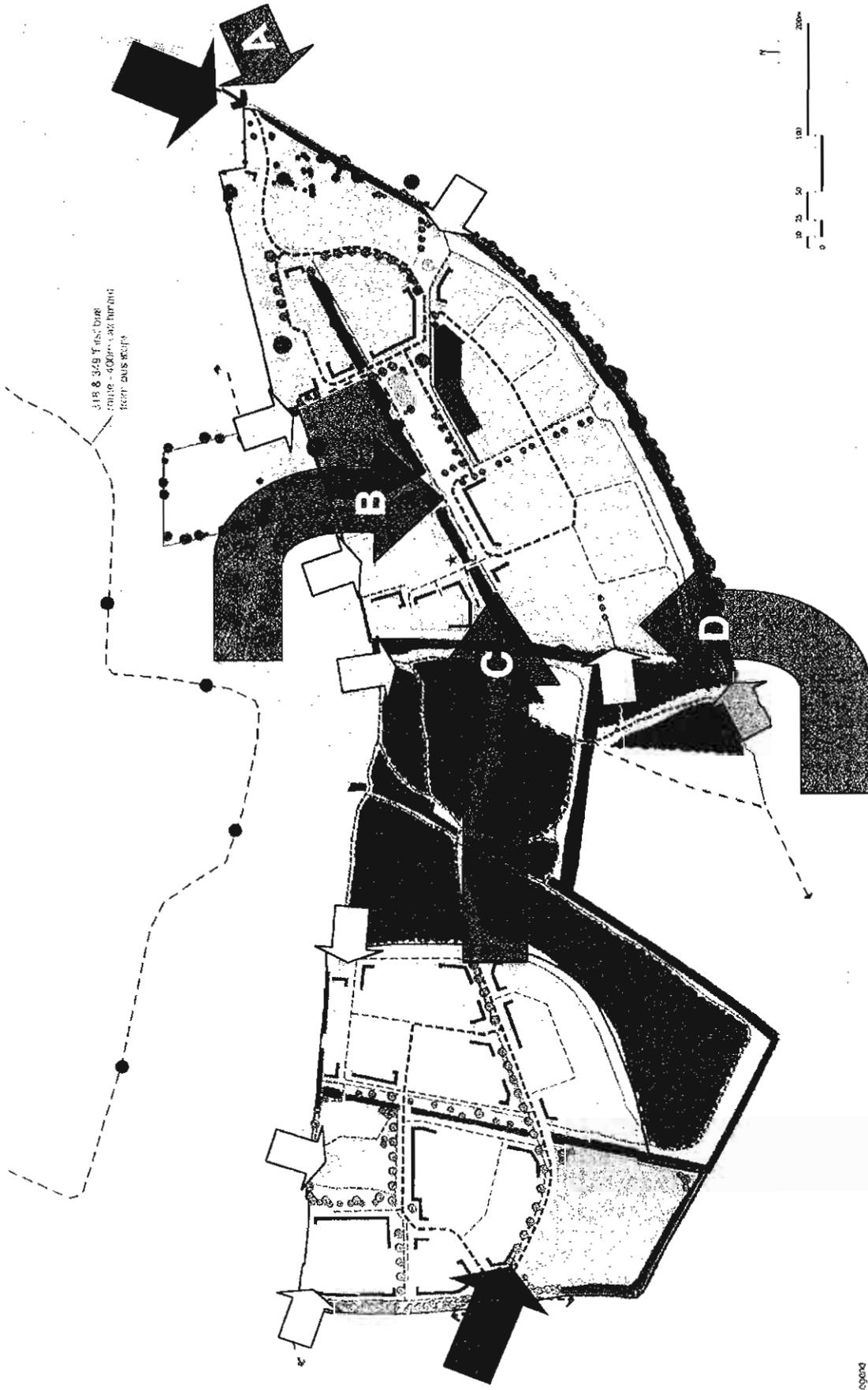
Site: Parcel 4200 Parkhouse Lane Keynsham

Ward: Keynsham South





- Legend**
- Site Boundary
 - Residential
 - Employment
 - Live / Work / Employment
 - Retail
 - School Extension Area
 - Land reserved for future link
 - Key Frontage
 - Square / Shared Surface
 - Public Open Space
 - Existing Woodland
 - Existing Hedgerow with Root Protection Area
 - Existing Tree with Root Protection Area
 - New Tree Planting
 - Undeveloped Route
 - Indicative LEAP Play Area
 - Indicative LAP Play Area
 - Indicative Position of Changing Facilities
 - Indicative Position of SUDS ponds
 - Existing Footpaths
 - Public Right of Way
 - Public Right of Way - restricted
 - Main Access Road
 - Access Road
 - Potential Pedestrian Access Points
 - Vehicular Access Points
 - Emergency Access Point
 - Emergency Route



319 & 329 Trunk route - 600m - 400m - 400m from bus stops

- Legend**
- Site Boundary
 - Residential
 - Employment
 - Live / Work / Employment
 - Retail
 - School Extension Area
 - Land reserved for future link
 - Key Frontage
 - Square / Shared Surface
 - Public Open Space
 - Existing Woodland
 - Existing Hedgerow with Root Protection Area
 - Existing Tree with Root Protection Area
 - New Tree Planting
 - Landscaped Route
 - Indicative LEAP Play Area
 - Indicative LIP Play Area
 - Indicative Position of Changing Facilities
 - Indicative Position of SUOS ponds
 - Existing Footpaths
 - Public Right of Way
 - Public Right of Way redrafted
 - Main Access Road
 - Access Road
 - Potential Pedestrian Access Points
 - Vehicular Access Points
 - Emergency Access Point
 - Emergency Route

1. All buildings shown on this plan are to be constructed in accordance with the provisions of the Building Code of the City of Los Angeles, California, and the applicable provisions of the California Building Code, 1991 Edition, as amended.

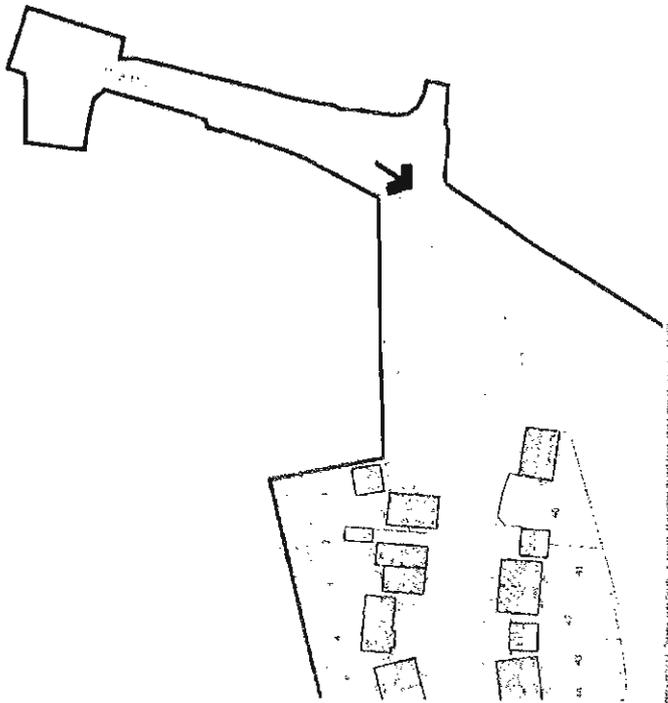
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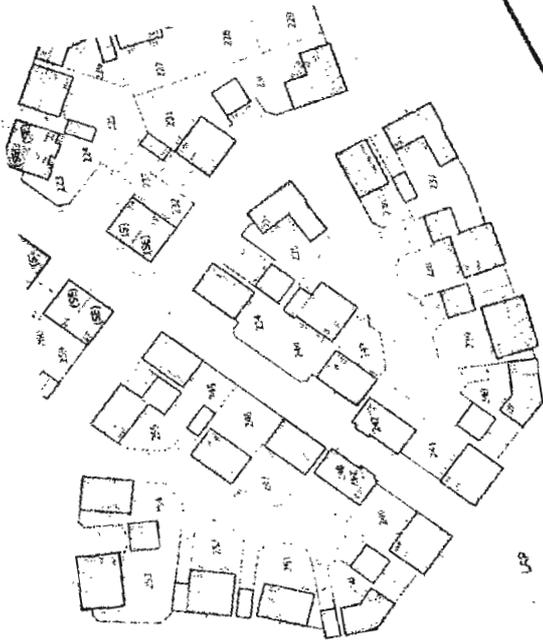
1/16/13
See PL-03-01

VEHICULAR ACCESS



Project: 13549
Date: 1/16/13
Sheet: 3 of 3

BARSTON WILKINS
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1000 N. ...
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WWW.BARSTONWILKINS.COM



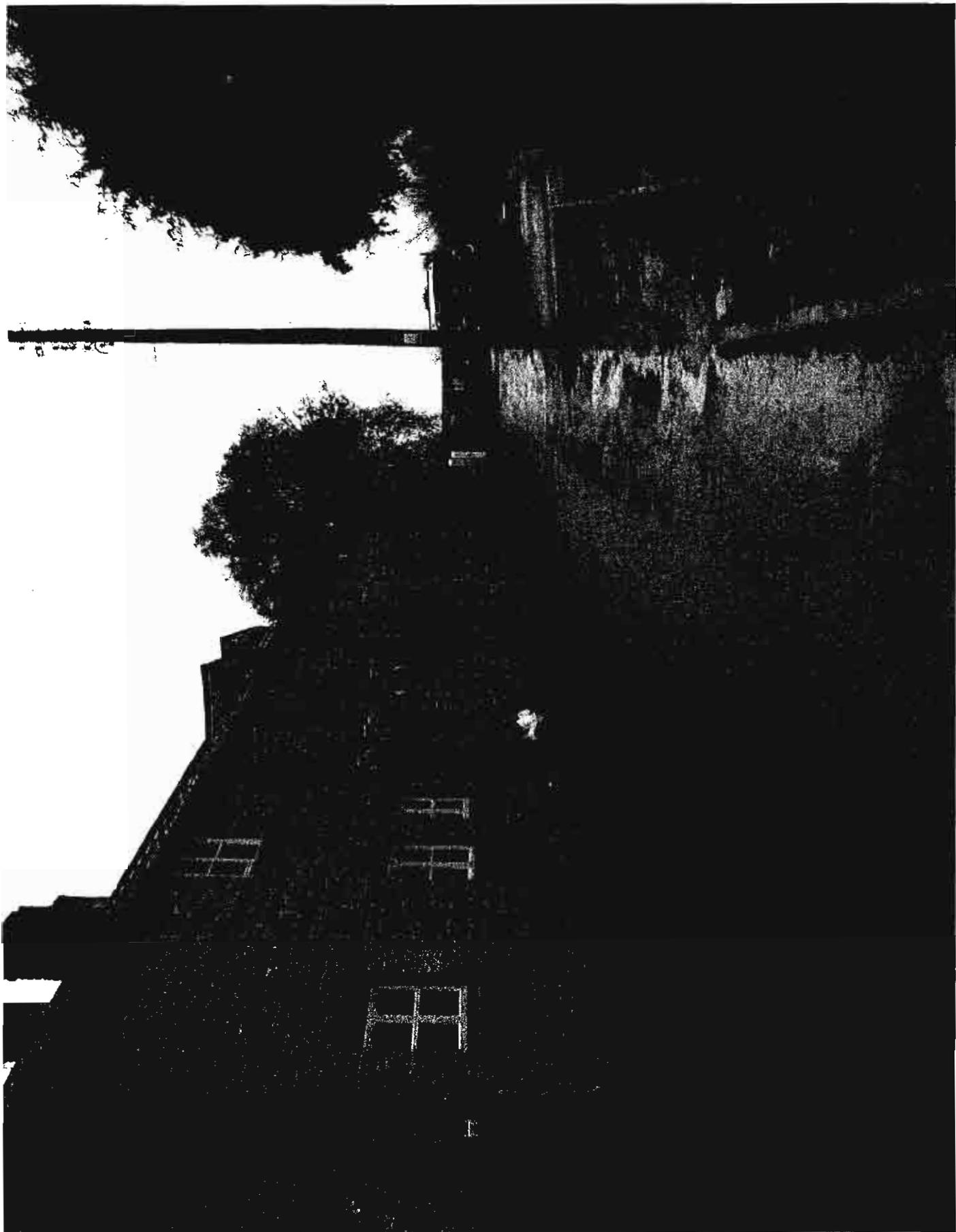
See PL-10-11

Project: Land off Park Road
 South West Monahan
 Planning Layout
 Sheet 2 of 3
 Date: 22.03.99
 Scale: 1:500
 Author: J. J. J.
 10/99

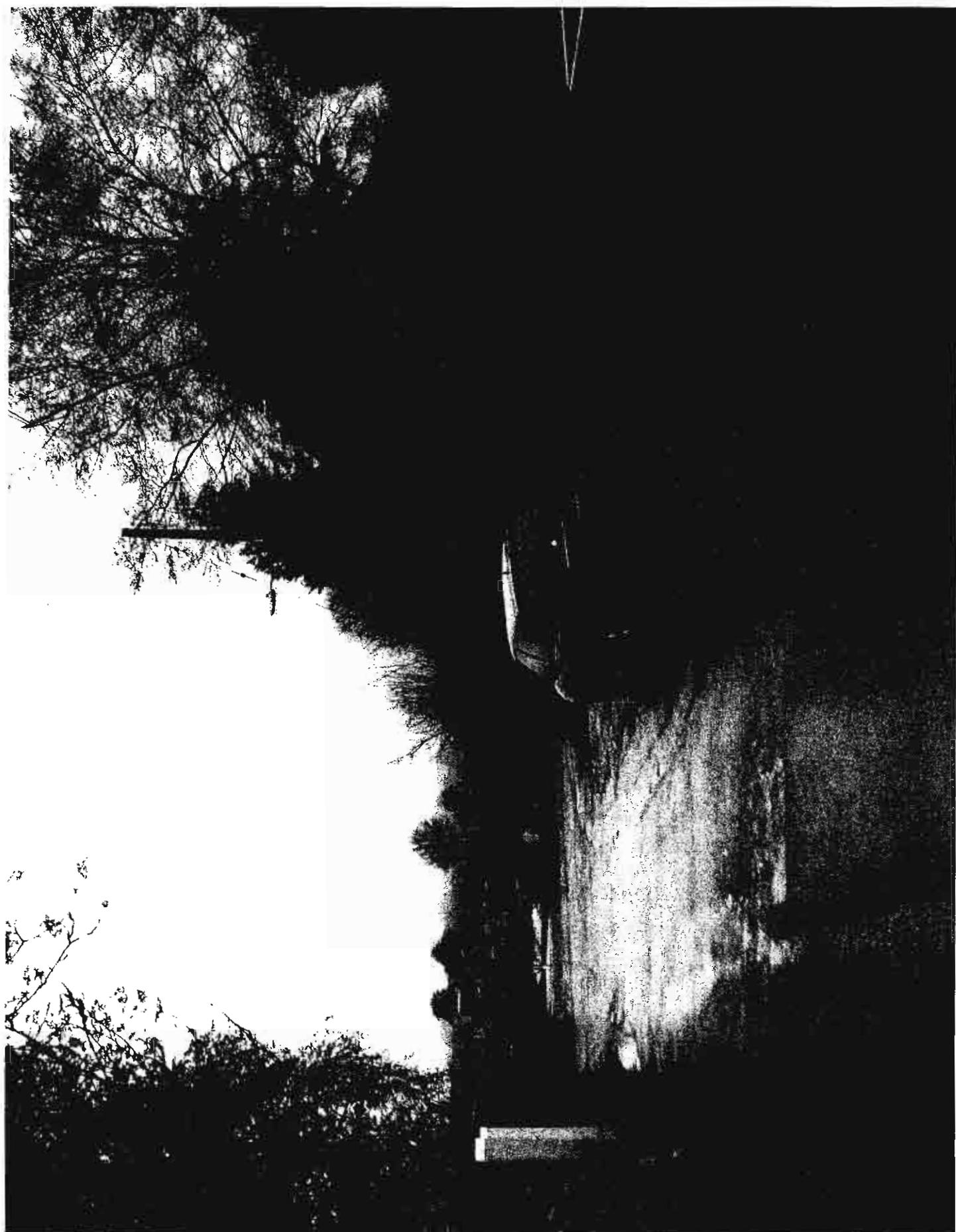
BARTON WILLMORE
 ARCHITECTS
 100, Park Road, South West Monahan, NSW 2322
 Phone: (067) 422 1111
 Fax: (067) 422 1112
 Email: bartonwillmore@bigpond.com



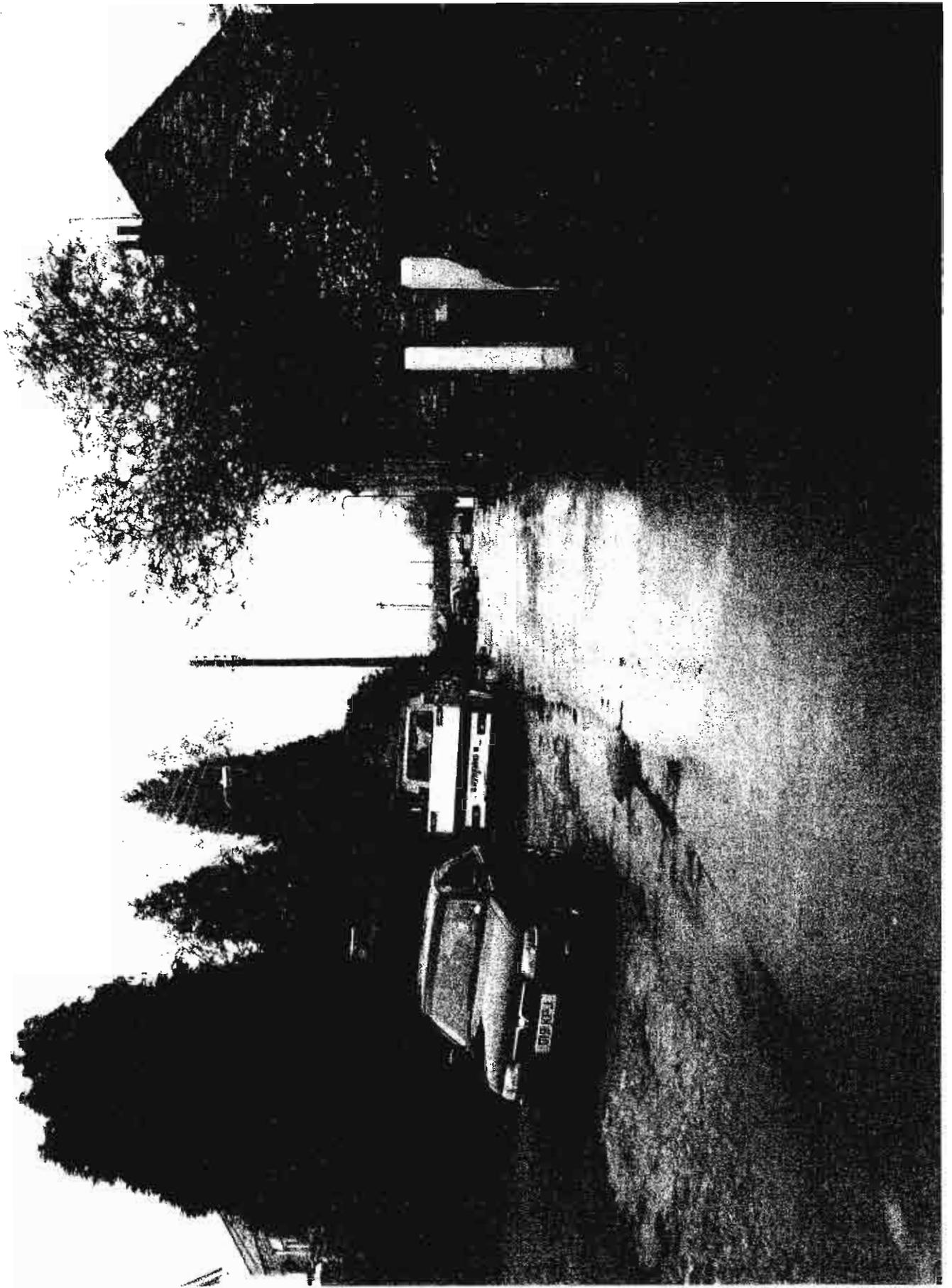


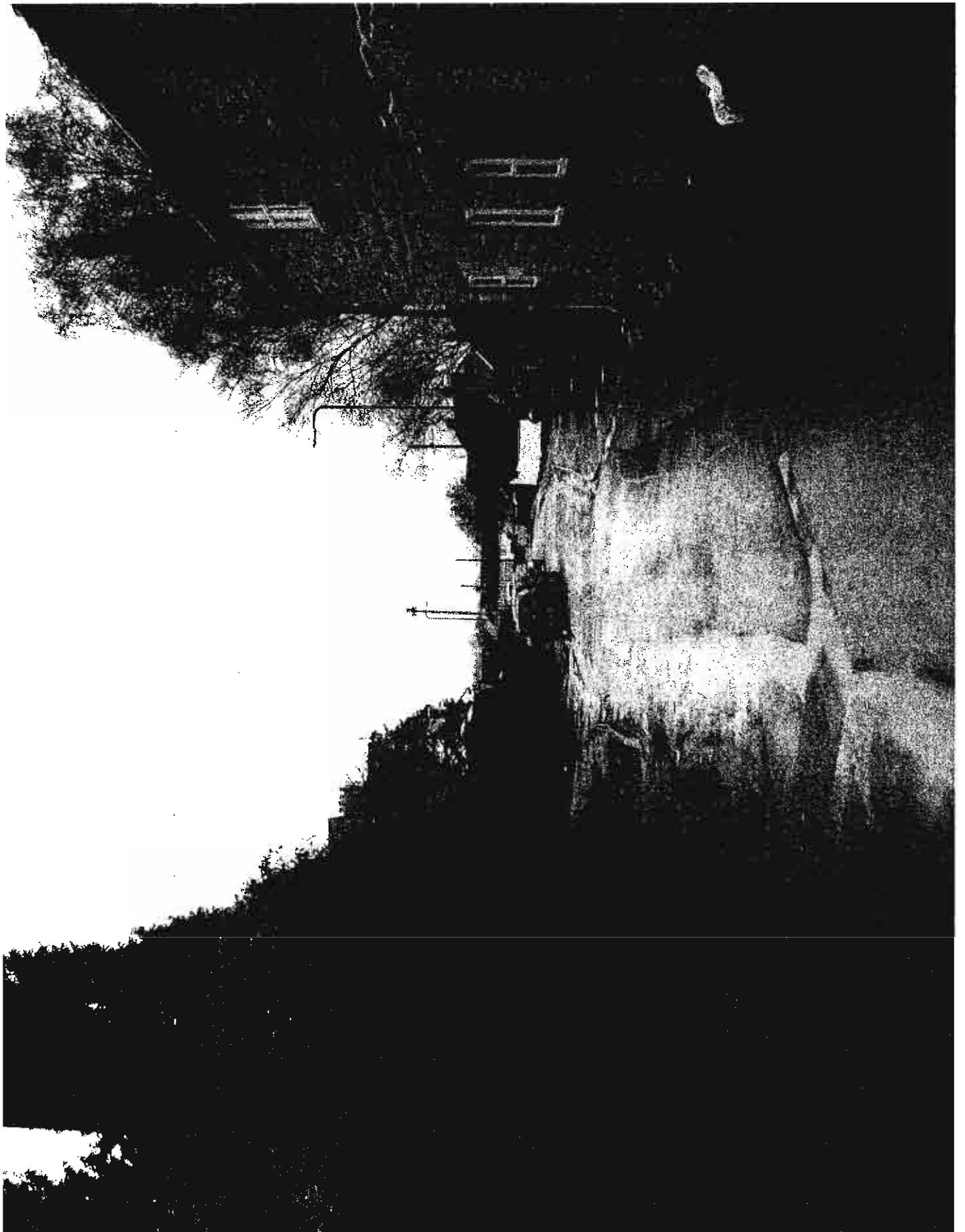












BATH AND NORTH EAST SOMERSET

MINUTES OF DEVELOPMENT CONTROL COMMITTEE

Wednesday, 27th October, 2010

Present:- Councillor Les Kew in the Chair

Councillors John Bull, Neil Butters, Nicholas Coombes, Gerry Curran, Colin Darracott, Eleanor Jackson, Malcolm Lees, Bryan Organ (In place of Richard Maybury), Brian Webber, John Whittock and Stephen Willcox

Also in attendance: Councillors Charles Gerrish, Alan Hale, Adrian Inker and Martin Veal

59 EMERGENCY EVACUATION PROCEDURE

The Committee Administrator drew attention to the emergency evacuation procedure as set out on the Agenda.

60 ELECTION OF VICE CHAIRMAN (IF DESIRED)

There was no Vice Chairman elected.

61 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

An apology for absence was received from Councillor Richard Maybury whose substitute was Councillor Bryan Organ.

62 DECLARATIONS OF INTEREST

There were no declarations of interest.

63 TO ANNOUNCE ANY URGENT BUSINESS AGREED BY THE CHAIRMAN

There were no items of urgent business.

64 ITEMS FROM THE PUBLIC - TO RECEIVE DEPUTATIONS, STATEMENTS, PETITIONS OR QUESTIONS

The Committee noted that there were various members of the public etc wishing to make statements on planning applications and that they would be able to do so when reaching those items in Reports 10 and 11.

65 ITEMS FROM COUNCILLORS AND CO-OPTED MEMBERS

There were none.

66 MINUTES: WEDNESDAY 29TH SEPTEMBER 2010

RESOLVED that the Minutes of the previous meeting held on Wednesday 29th September 2010 be approved as a correct record and signed by the Chairman

67 MAJOR DEVELOPMENTS

The Senior Professional – Major Development updated Members on the Bath Western Riverside proposals and Bath Spa Railway Station. Members asked questions, including the position on the Norton Radstock Regeneration development to which the Officer replied that the developers had withdrawn but that the Regeneration Co were seeking another developer for the scheme.

68 SITE VISIT LIST - APPLICATIONS FOR PLANNING PERMISSION ETC FOR DETERMINATION BY THE COMMITTEE

The Committee considered

- A report by the Development Manager on a planning application at Parcel 5882, Tynning Lane, Stanton Drew
- Oral statements by members of the public etc, the Speakers List being attached as *Appendix 1* to these Minutes

RESOLVED that, in accordance with their delegated powers, the application be determined as set out in the Decision List attached as *Appendix 2* to these Minutes.

NOTES: A decision was made by the Committee as per the Officer's recommendation as set out in the Report with the Agenda, and was carried unanimously or without dissension unless stated otherwise. Where the Officer's recommendation was overturned, or there were amendments whether lost or carried, or there were decisions on matters other than this planning application, these are listed below.

Parcel 5882, Tynning Lane, Stanton Drew – Construction of an earth bank lagoon (Resubmission) – The Case Officer reported on this application and her recommendation to Permit with conditions. The public speakers made their statements against and in favour of the proposal.

Councillor Steve Willcox spoke in support of the application. He sympathised with objectors but considered that the proposal was appropriately located and would not be detrimental to adjoining residents in terms of smell. He therefore moved the recommendation to Permit with conditions which was seconded by Councillor Bryan Organ.

Councillor Gerry Curran expressed his support for the proposal after which the motion was put to the vote. Voting: 11 in favour and 0 against with 1 abstention. Motion carried.

69 MAIN PLANS LIST - APPLICATIONS FOR PLANNING PERMISSION ETC FOR DETERMINATION BY THE COMMITTEE

The Committee considered

- The report of the Development Manager on various applications for planning permission etc

- Oral statements by members of the public etc on Item Nos 1 – 5, the Speakers List being attached as *Appendix 1* to these Minutes
- An Update report by the Development Manager on Item Nos 1 – 4, a copy of which is attached as *Appendix 3* to these Minutes

RESOLVED that, in accordance with their delegated powers, the applications be determined as set out in the Decisions List attached as *Appendix 4* to these Minutes.

NOTES: Decisions were made by the Committee as per the Officers' recommendations set out in the Report with the Agenda, and were carried unanimously or without dissension unless stated otherwise. Where the Officer's recommendation was overturned, or there were amendments whether lost or carried, or there were decisions on matters other than on planning applications, these are listed below.

Item 1 Parcel 4200, Parkhouse Lane, Keynsham – Hybrid planning application for a housing-led mixed use development comprising 285 dwellings, retail accommodation, flexible business/employment floor space, affordable housing, formation of new vehicular, pedestrian and cycle accesses, pedestrian and cycle improvements to Parkhouse Lane, formal and informal public open space including junior playing pitch and associated changing rooms and parking facilities, together with landscaping and tree planting and ancillary works including drainage (Full application) and extension to Castle Primary School (Outline application, All Matters Reserved) – The Senior Professional - Major Development reported on this application and his recommendation that the Development Manager be Delegated to Permit subject to (i) the prior completion of negotiations on detailed design issues including the provision of satisfactory site drainage; (ii) the prior completion of an Agreement under S106 of the Town and Country Planning Act 1990 (as amended) on such terms as the Development Manager and the Planning and Environmental Law Manager may determine; (iii) such conditions as the Development Manager may determine to be appropriate having regard to the site-specific provisions of the 2007 Bath and North East Somerset Local Plan; and (iv) the drafting of appropriate reasons for granting permission once the proposals are in an acceptable form having regard to all material considerations. He took Members through the main aspects of the proposals and informed Members of the potential development of an adjoining site (Site A) which was Council-owned and linked to this proposal by the Local Plan. He identified potential alternative access routes to the site and explained why each had been discounted in favour of the Park Road access during the preparation of the Local Plan. He referred to the Update Report which covered various additional issues but which didn't affect the recommendation. He highlighted additional comments made by the Applicants' Agent regarding the shortfall in housing land availability within the District. Members were advised that the Council's Planning Policy Team had confirmed that the development of this site was essential in order that the Council could meet its obligation to provide a minimum of 5 years' supply of housing land. The proposal was considered by Officers to be in accordance with the Local Plan and that the allocation of the site in the Local Plan followed detailed consideration of the associated issues during the Local Plan Inquiry. The Policy specifically sanctions the use of the Park Road access. The inclusion of the site within the Local Plan created a strong presumption in favour of the development going ahead.

He introduced the Highway Development Control Team Leader who circulated a copy of the access road plan and gave advice on access and highway issues. He responded to Members' queries on this aspect. The Contamination Officer gave advice on the issues of alleged contamination of the site and confirmed that, after a thorough assessment, the land was found to be clear of any contamination.

The public speakers made their statements against and in support of the proposals. This was followed by statements by the Ward Councillors Adrian Inker and Alan Hale and a statement by Councillor Charles Gerrish, Cabinet Member for Customer Services and local Councillor, all expressing their concerns about this development.

Councillor Bryan Organ stated that this was a controversial development and he felt that there should have been an overall development plan for both sites. He considered that the access roads to the site were very poor and that there were too many aspects of the proposals that were not firmed up and were left to be determined by Officers. He therefore moved that the recommendation be overturned and permission be refused. This was seconded by Councillor Steve Willcox who reminded Members of the high number of objections and referred to the Inspector's decision from the Local Plan Inquiry in 2006 which he felt was now outdated and unrealistic.

Members debated the motion and asked questions to which Officers responded. Members discussed the issues of no Master Plan being available, traffic, highways, employment, drainage, design, construction disruption to residents etc. The Officers responded to some of the points raised. The Development Manager referred to the Local Plan designation and the Emerging Core Strategy. She advised that the Local Plan was the Development Plan for the District and Officers had recently received confirmation from the Secretary of State that the majority of the policies, including the site allocation policy for the site, had been "saved". This was necessary to avoid a policy vacuum until the Core Strategy was adopted. It was therefore necessary to consider the proposals in light of the adopted policy of the Council and not in respect of the draft Core Strategy which has very limited weight. A Draft Master Plan was available and had been referred to in the Officer Report. A decision on the application needed to be made based on its individual merits and it should be noted that the Highway Development Officer had considered the details of the details of the access and had raised no objection. She pointed out that a decision to Refuse and any associated application for costs against the Council would be difficult to defend on appeal. The Chairman requested the mover of the motion to clarify the reasons for refusing. Councillor Bryan Organ stated that no details were submitted on various aspects including the school, access, traffic, drainage and surface water run-off (Policies ES5 and ES15), sewerage and impact on adjoining roads around the site. Further reasons were added by other Members relating to underdevelopment, lack of traffic management measures, the Master Plan only having draft status, delay in providing alternative land for business uses displaced by the development, no improvements proposed for Keynsham Railway Station, townscape not being in accord with best practice (Policies D2 and D5). It was generally felt that the application was deficient in many areas. The Senior Professional – Major Development responded to the issue of low density and referred Members to the Draft Master Plan which covered both sites, explaining how the Master Plan provided a mechanism for the 2 sites to work together in order to deliver the requirements of the Local Plan Policy. He also advised that Members' references to prematurity

should be set aside as the site was already allocated for development. The Development Manager commented that the loss of the employment units was not a sustainable reason for refusal as the development was in accordance with an adopted Local Plan Policy and that alternative employment provision would in due course be made on the Council's associated site. It was essentially a lease issue and a matter for the individual businesses to seek alternative accommodation. The Officers also expressed concerns regarding the alleged underdevelopment of the site but the mover did not amend his motion. The amended motion to Delegate to Refuse permission was then put to the vote. Voting: 10 in favour and 1 against with 1 abstention. Motion carried. (Note: After this decision at 4.45pm, there followed an adjournment for a natural break for 10 minutes.)

Item 2 Oxleaze Farm, Greenhouse Lane, Nempnett Thrubwell – Erection of a replacement dormer bungalow (Resubmission) – The Case Officer reported on this application and his recommendation to Refuse permission. The Update Report amended the wording of Reason for Refusal 3 in the recommendation. The applicant's Agent spoke in support of the proposal.

Councillor Stephen Willcox gave an example of the problem of bat roosts and considered that there was no problem that could not be overcome in this instance. He therefore moved Delegate to Permit subject to appropriate conditions. This was seconded by Councillor John Whittock. Members debated the motion. Some Members felt that the 2 derogation tests in the Habitats Directive in respect of the bat roosts had not been met and were also concerned that the proposal was contrary to Green Belt policy. However, most Members were of the view that the proposal was acceptable and stated that there were only a small number of bats that would be affected and therefore would not be detrimental to the bat population and this had to be balanced against the need to replace a substandard building. The Planning and Environmental Law Manager gave advice on the protection afforded to European Protected Species (EPS) under the Habitats Directive/Conservation Regulations 2010 as applying to this application and referred to advice from Natural England which was given to the applicants on making applications to them for licences. She advised that Officers had considered that the applicants had provided insufficient evidence to support their assertions that they had met the 2 outstanding derogation tests on the bat roost. The Development Manager advised that Members could make a judgement on the basis of evidence submitted by the applicant as to whether or not the derogation tests had been met and also requested that reasons be provided for overturning the recommendation. Councillor Steve Willcox stated that the building needed to be replaced and that there was an agricultural need for someone to live on the site and that this met the outstanding derogation tests required under the European Directive. With regard to the Green Belt, he considered that the proposal was not materially larger than the existing dwelling and would not therefore have a materially greater impact on the countryside or the openness of the Green Belt or be visually detrimental to the appearance of the area.

The motion to Delegate to Permit with conditions was put to the vote. Voting: 9 in favour and 3 against. Motion carried.

Item 3 Upper Langridge Farm, Access Road to Upper Langridge Farm, Charlcombe – Erection of new house (replacement dwelling) following demolition of some existing buildings – The Case Officer reported on this application and his recommendation to Refuse permission. The Update Report

31 March 2011

The Chief Planning Officer
Local planning authorities in England

Dear colleague

PLANNING FOR GROWTH

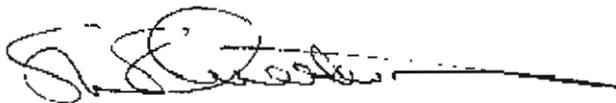
I am writing to draw your attention to the important announcements made in support of last week's Budget. The Growth Review contains ambitious proposals for further planning reform, to ensure that planning supports the sustainable development that we need as the country emerges from recession. A useful summary of the announcements can be found at:

<http://www.communities.gov.uk/newsstories/planningandbuilding/1872022> which you may find helpful for wider briefing.

These objectives need to inform the decisions that local planning authorities are taking now – through plan production as well as development management. The Minister for Decentralisation issued a Written Ministerial Statement on 23 March (**Annex A** to this letter) to emphasise this point and this statement is capable of being regarded as a material planning consideration. Your attention is drawn especially to the weight that the Secretary of State will give to this statement in cases that come before him for decision. I have also attached on **Annex B** further advice on planning obligations. I last wrote to you in May 2009 on this issue and in the light of the written Ministerial Statement take this opportunity to bring this advice up to date.

The Growth Review also announced important changes relating to previously-developed land and buildings. The Government will, through the National Planning Policy Framework, localise choice about the use of previously developed land by removing the national target for the amount of housing development that should take place on previously developed land (the 'Brownfield target').

Finally we will also begin consultation very shortly on the Government's proposals to change the Use Classes Order so that it is easier to convert vacant commercial premises to housing.



STEVE QUARTERMAIN
Chief Planner

Steve Quartermain, Chief Planner
Department for Communities and Local Government
Zone 1/J2 Eland House
Bressenden Place
London SW1E 5DU

Annex A Written Ministerial Statement: Planning for Growth (23 March 2011)

The Minister of State for Decentralisation (Mr. Greg Clark):

The Chancellor of the Exchequer has today issued a call to action on growth, publishing an ambitious set of proposals to help rebuild Britain's economy. The planning system has a key role to play in this, by ensuring that the sustainable development needed to support economic growth is able to proceed as easily as possible. We will work quickly to reform the planning system to achieve this, but the Government recognises that many of these actions will take some months to deliver, and that there is a pressing need to ensure that the planning system does everything it can to help secure a swift return to economic growth. This statement therefore sets out the steps the Government expects local planning authorities to take with immediate effect.

The Government's top priority in reforming the planning system is to promote sustainable economic growth and jobs. Government's clear expectation is that the answer to development and growth should wherever possible be 'yes', except where this would compromise the key sustainable development principles set out in national planning policy.

The Chancellor has today set out further detail on our commitment to introduce a strong presumption in favour of sustainable development in the forthcoming National Planning Policy Framework, which will expect local planning authorities to plan positively for new development; to deal promptly and favourably with applications that comply with up-to-date plans and national planning policies; and wherever possible to approve applications where plans are absent, out of date, silent or indeterminate.

Local planning authorities should therefore press ahead without delay in preparing up-to-date development plans, and should use that opportunity to be proactive in driving and supporting the growth that this country needs. They should make every effort to identify and meet the housing, business and other development needs of their areas, and respond positively to wider opportunities for growth, taking full account of relevant economic signals such as land prices. Authorities should work together to ensure that needs and opportunities that extend beyond (or cannot be met within) their own boundaries are identified and accommodated in a sustainable way, such as housing market requirements that cover a number of areas, and the strategic infrastructure necessary to support growth.

When deciding whether to grant planning permission, local planning authorities should support enterprise and facilitate housing, economic and other forms of sustainable development. Where relevant - and consistent with their statutory obligations - they should therefore:

- (i) consider fully the importance of national planning policies aimed at fostering economic growth and employment, given the need to ensure a return to robust growth after the recent recession;
- (ii) take into account the need to maintain a flexible and responsive supply of land for key sectors, including housing;
- (iii) consider the range of likely economic, environmental and social benefits of proposals; including long term or indirect benefits such as increased consumer choice, more viable

communities and more robust local economies (which may, where relevant, include matters such as job creation and business productivity);

(iv) be sensitive to the fact that local economies are subject to change and so take a positive approach to development where new economic data suggest that prior assessments of needs are no longer up-to-date;

(v) ensure that they do not impose unnecessary burdens on development.

In determining planning applications, local planning authorities are obliged to have regard to all relevant considerations. They should ensure that they give appropriate weight to the need to support economic recovery, that applications that secure sustainable growth are treated favourably (consistent with policy in PPS4), and that they can give clear reasons for their decisions.

To further ensure that development can go ahead, all local authorities should reconsider, at developers' request, existing section 106 agreements that currently render schemes unviable, and where possible modify those obligations to allow development to proceed; provided this continues to ensure that the development remains acceptable in planning terms.

The Secretary of State for Communities and Local Government will take the principles in this statement into account when determining applications that come before him for decision. In particular he will attach significant weight to the need to secure economic growth and employment.

Benefits to the economy should, where relevant, be an important consideration when other development-related consents are being determined, including heritage, environmental, energy and transport consents. The Secretary of State for Culture, Olympics, Media and Sport, the Secretary of State for the Environment, Food and Rural Affairs, the Secretary of State for Energy and Climate Change and the Secretary of State for Transport have consequently agreed that to the extent it accords with the relevant statutory provisions and national policies, decisions on these other consents should place particular weight on the potential economic benefits offered by an application. They will reflect this principle in relevant decisions that come before them and encourage their agencies and non departmental bodies to adopt the same approach for the consents for which those other bodies are directly responsible.

Annex B Planning Obligations

There is a need to ensure that existing planning permissions are built out to help deliver growth and support local economies.

Planning obligations (also known as 'section 106 agreements') are contractual agreements between developers and Local Planning Authorities to deliver what is necessary to make a development acceptable in order to obtain planning consent. Where they are asked to do so, Local Planning Authorities should carefully review planning obligations to ensure that they accord with all the policy tests set out in Circular 5/05. For planning consents for buildings granted after 6 April 2010, the statutory tests set out in Community Infrastructure Levy Regulations 2010 must be met.

Understanding the impact of planning obligations on the viability of development will be an important consideration when obligations are reviewed, particularly where they were reached in different economic circumstances. An appropriate review of obligations, which takes account of local planning priorities, could allow development to proceed on stalled schemes.

The Homes and Communities Agency can provide guidance on best practice (<http://www.homesandcommunities.co.uk/qualityandinnovation>). The HCA is also able to offer advice as a critical friend to local authorities, for example where they may be facing renegotiation of large or complex developments. Where local authorities identify the need for this support as a high local priority, it will be available through the HCA's local teams. The HCA is launching a new Development Appraisal Tool in early April 2011. Local Authorities may find this and other available models to be helpful in considering viability.

The New Homes Bonus will provide a significant additional incentive for Local Authorities to consider development opportunities in their area and ensure stalled proposals come forward for completion. Commencing in April 2011, the New Homes Bonus will match fund for 6 years the additional council tax raised for new homes and long term properties brought back into use, with a premium for affordable homes. The Bonus will sit alongside national planning policy and Local Planning Authorities will continue to be bound by this.

Scale back of planning obligations

For current and future planning obligations negotiations, you will be aware that planning obligations are being scaled back through the Community Infrastructure Levy Regulations 2010. Two key features of the scale back apply to all new planning obligations whether or not CIL is introduced in an area. The first is to impose statutory tests on planning obligations for planning permissions for buildings given after 6 April 2010. Obligations must be:

- necessary to make the development acceptable;
- directly related to the development; and
- fairly and reasonably related in scale and kind to the development.

Second, after 2014, or the adoption of CIL whichever is sooner, Local Authorities will no longer be able to pool more than 5 planning obligations to a single project which could be funded by CIL. This will make S106 tariffs which fund such projects inoperable. The appropriate mechanism for pooled contributions will be the Community Infrastructure Levy, a fairer, more transparent and predictable mechanism where viability is properly assessed at an early stage during preparation of the charging schedule.

Transparency

It is important that planning obligations are made available to the general public to assist in understanding those measures which will address the impact of the development. Article 36 of the Town and Country Planning (Development Management Procedure) (England) Order 2010 requires that a copy of any planning obligation is kept on the planning register (either in paper or electronic form), together with details of any modification or discharge of the obligation.

The Chief Planning Officer
Local Planning Authorities in England

6 July 2010

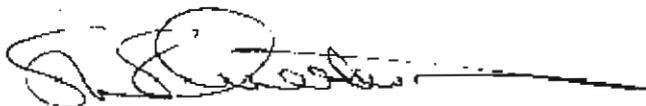
Chief Planning Officer Letter:

REVOCATION OF REGIONAL STRATEGIES

Today the Secretary of State announced the revocation of Regional Strategies with immediate effect.

I have attached some 'questions and answer' advice on immediate issues that may arise from this announcement. It will be important for local planning authorities to carry on delivering local development frameworks and making decisions on applications and the attached document focuses on how to continue taking these forward.

Please address any queries to Eamon Mythen at CLG in the first instance (Eamon.Mythen@communities.gsi.gov.uk).



STEVE QUARTERMAIN
Chief Planner

Guidance for Local Planning Authorities following the revocation of Regional Strategies

The Secretary of State for Communities and Local Government confirmed today that Regional Strategies will be revoked (see the attached copy of the Parliamentary Written Statement). In the longer term the legal basis for Regional Strategies will be abolished through the "Localism Bill" that we are introducing in the current Parliamentary session. New ways for local authorities to address strategic planning and infrastructure issues based on cooperation will be introduced. This guidance provides some clarification on the impact of the revocation; how local planning authorities can continue to bring forward their Local Development Frameworks (LDFs); and make planning decisions in the transitional period.

1. Under what powers are Regional Strategies being revoked?

Regional Strategies have been revoked under s79(6) of the Local Democracy Economic Development and Construction Act 2009 and no longer form part of the development plan for the purposes of s38(6) of the Planning and Compulsory Purchase Act 2004. This guidance covers the period between revocation of Regional Strategies and legislation to abolish them altogether.

2. Do Planning Policy Statements (PPSs) remain in force?

Yes. The Policy Statement on Regional Strategies (February 2010) is cancelled, and references to Regional Strategies in other Policy Statements are no longer valid. But all other PPSs will continue to apply until they are replaced by the National Planning Framework.

3. Will this affect the London Plan?

The London Plan will continue to provide the planning framework for London boroughs. As part of a wider process of decentralisation in London, we are reviewing how powers and discretion can be shifted downwards from central government to the Mayor and Assembly, to London Boroughs and to local neighbourhoods. This will include reviewing the scope for devolving power from the Greater London Authority down to the Boroughs and below.

The following sections provide advice on some of the issues likely to arise following revocation of Regional Strategies, until the "Localism Bill" and the new National Planning Framework are in place. This guidance should be regarded as a material consideration by local planning authorities and the Planning Inspectorate in their decisions.

4. How will this affect planning applications?

In determining planning applications local planning authorities must continue to have regard to the development plan. This will now consist only of:

- Adopted DPDs;
- Saved policies; and

- Any old style plans that have not lapsed.

Local planning authorities should also have regard to other material considerations, including national policy. Evidence that informed the preparation of the revoked Regional Strategies may also be a material consideration, depending on the facts of the case.

Where local planning authorities have not yet issued decisions on planning applications in the pipeline, they may wish to review those decisions in light of the new freedoms following the revocation of Regional Strategies. The revocation of the Regional Strategy may also be a material consideration.

5. Should we continue preparing LDF documents?

Yes – the revocation of Regional Strategies is not a signal for local authorities to stop making plans for their area.

Local planning authorities should continue to develop LDF core strategies and other DPDs, reflecting local people's aspirations and decisions on important issues such as climate change, housing and economic development.

These local plans will guide development in their areas and provide certainty for investors and communities. Local authorities may wish to review their plans following the revocation of Regional Strategies. We recommend reviews should be undertaken as quickly as possible.

6. How does this affect adopted local plans / LDFs?

Adopted DPDs and saved policies will continue to provide the statutory planning framework. Local authorities may decide to review these now that Regional Strategies have been revoked. There is no need to review the whole LDF, only those issues or policies which local authorities wish to revisit. When undertaking consultation and sustainability appraisal on their draft policies, authorities should take an approach that considers the stage reached, the extent of work already undertaken and the scope of the policy changes they are making.

7. What if my LDF document is still being prepared?

Where local planning authorities are currently bringing forward development plan documents they should continue to do so. Authorities may decide to review and/or revise their emerging policies in the light of the revocation of Regional Strategies. Where authorities decide to do this they will need to ensure they meet the requirements for soundness under the current legislation. When undertaking consultation and sustainability appraisal on their draft policies, authorities should take an approach that considers the stage reached, the extent of work already undertaken and the scope of the policy changes they are making.

8. Will Examinations in Public continue for DPDs?

Yes – where local planning authorities are bringing forward new development plan documents or reviewing adopted plans they should present evidence to support their plans. The examination process will continue to assess the soundness of plans, and Inspectors will test evidence put forward by local authorities and others who make representations.

9. Will data and research currently held by Regional Local Authority Leaders' Boards still be available?

Yes. The regional planning function of Regional LA Leaders' Boards – the previous Regional Assemblies – is being wound up and their central government funding will end after September this year. The planning data and research they currently hold will still be available to local authorities for the preparation of their local plans whilst they put their own alternative arrangements in place for the collection and analysis of evidence. Notwithstanding, the new Government regards the Regional Leaders' Boards as an unnecessary tier of bureaucracy.

Clarification on policy issues

There are a number of areas where Regional Strategies supplemented the national policy framework. Further clarification on these areas is set out below.

10. Who will determine housing numbers in the absence of Regional Strategy targets?

Local planning authorities will be responsible for establishing the right level of local housing provision in their area, and identifying a long term supply of housing land without the burden of regional housing targets. Some authorities may decide to retain their existing housing targets that were set out in the revoked Regional Strategies. Others may decide to review their housing targets. We would expect that those authorities should quickly signal their intention to undertake an early review so that communities and land owners know where they stand.

11. Will we still need to justify the housing numbers in our plans?

Yes – it is important for the planning process to be transparent, and for people to be able to understand why decisions have been taken. Local authorities should continue to collect and use reliable information to justify their housing supply policies and defend them during the LDF examination process. They should do this in line with current policy in PPS3.

12. Can I replace Regional Strategy targets with “option 1 numbers”?

Yes, if that is the right thing to do for your area. Authorities may base revised housing targets on the level of provision submitted to the original Regional Spatial Strategy examination (Option 1 targets), supplemented by more recent information as appropriate. These figures are based on assessments undertaken by local authorities. However, any target selected may be tested during the examination process especially if challenged and authorities will need to be ready to defend them.

13. Do we still have to provide a 5 year land supply?

Yes. Although the overall ambition for housing growth may change, authorities should continue to identify enough viable land in their DPDs to meet that growth. Strategic Housing Market Assessments and Strategic Housing Land Availability Assessments can help with this. Local planning authorities should continue to use their plans to identify sufficient sites and broad areas for development to deliver their housing ambitions for at least 15 years from the date the plan is adopted. Authorities should also have a five year land supply of deliverable sites. This too will need to reflect any changes to the overall local housing ambition.

14. How do we determine the level of provision for travellers' sites?

Local councils are best placed to assess the needs of travellers. The abolition of Regional Strategies means that local authorities will be responsible for determining the right level of site provision, reflecting local need and historic demand, and for bringing forward land in DPDs. They should continue to do this in line with current policy. *Gypsy and Traveller Accommodation Assessments (GTAAs)* have been undertaken by all local authorities and if local authorities decide to review the levels of provision these assessments will form a good starting point. However, local authorities are not bound by them. We will review relevant regulations and guidance on this matter in due course.

15. How do we establish the need for minerals and aggregates supply without Regional Strategy targets?

Minerals planning authorities will have responsibility for continuing to plan for a steady and adequate supply of aggregate minerals to support economic growth. They should do this within the longstanding arrangements for minerals planning. Technical advice provided by the Aggregate Working Parties, including their current work in sub-apportioning the CLG guidelines for 2005-2020 to planning authority level will assist with this.

Planning authorities in the South East should work from the apportionment set out in the "Proposed Changes" to the revision of Policy M3, published on 19 March 2010.

Planning authorities can choose to use alternative figures for their planning purposes if they have new or different information and a robust evidence base. We will work with the minerals industry and local government to agree how minerals planning arrangements should operate in the longer term.

16. How do we establish the need for waste management without Regional Strategy targets?

Planning Authorities should continue to press ahead with their waste plans, and provide enough land for waste management facilities to support the sustainable management of waste (including the move away from disposal of waste by landfill). Data and information prepared by partners will continue to assist in this process. For the transitional period this will continue to be the data and information which has been collated by the local authority and industry and other public bodies who

currently form the Regional Waste Technical Advisory Bodies. We intend for this function to be transferred to local authorities in due course.

17. Does the abolition of the hierarchy of strategic centres mean the end of policies on town centres?

No. Local authorities must continue to have regard to PPS 4: *Planning for Sustainable Economic Growth* in preparing LDFs and, where relevant, take it into account in determining planning applications for retail, leisure and other main town centre uses.

In assessing any planning applications proposing unplanned growth in out of town shopping centres, particularly those over 50,000 sqm gross retail floor area, local authorities should take account of the potential impacts of the development on centres in the catchment area of the proposal.

18. What about regional policies on the natural environment?

Local authorities should continue to work together, and with communities, on conservation, restoration and enhancement of the natural environment – including biodiversity, geo-diversity and landscape interests. Authorities should continue to draw on available information, including data from partners, to address cross boundary issues such as the provision of green infrastructure and wildlife corridors.

19. What about regional policies on Flooding and Coastal Change?

Local authorities should continue to work together across administrative boundaries to plan development that addresses flooding and coastal change. For flooding matters local authorities already have a duty to co-operate under the Floods and Water Management Act. The Environment Agency will continue to work with local authorities individually and/or jointly to provide technical support on these matters. The Coalition agreement is clear that we should prevent unnecessary building in areas of high flood risk.

20. What about regional policies on Renewable and Low Carbon Energy?

Through their local plans, authorities should contribute to the move to a low carbon economy, cut greenhouse gas emissions, help secure more renewable and low carbon energy to meet national targets, and to adapt to the impacts arising from climate change. In doing so, planning authorities may find it useful to draw on data that was collected by the Regional Local Authority Leaders' Boards (which will be made available) and more recent work, including assessments of the potential for renewable and low carbon energy.

21. What about regional policies on Transport?

Local authorities should continue to ensure their land use and local transport plans are mutually consistent, and deliver the most effective and sustainable development for their area. Local authorities should work with each other and with businesses and communities to consider strategic transport priorities and cross boundary issues.

22. Does the end of Regional Strategies mean changes to Green Belt?

No. The Government is committed to the protection of the Green Belt and the revocation of Regional Strategies will prevent top-down pressure to reduce the Green Belt protection. Local planning authorities should continue to apply policies in PPG2. As part of their preparation or revision of DPDs, planning authorities should consider the desirability of new Green Belt or adjustment of an existing Green Belt boundary, working with other local planning authorities as appropriate.

Parliamentary Statement Revoking Regional Strategies

Today I am making the first step to deliver our commitment in the coalition agreement to *"rapidly abolish Regional Spatial Strategies and return decision-making powers on housing and planning to local councils"*, by revoking Regional Strategies.

Regional Strategies added unnecessary bureaucracy to the planning system. They were a failure. They were expensive and time-consuming. They alienated people, pitting them against development instead of encouraging people to build in their local area.

The revocation of Regional Strategies will make local spatial plans, drawn up in conformity with national policy, the basis for local planning decisions. The new planning system will be clear, efficient and will put greater power in the hands of local people, rather than regional bodies.

Imposed central targets will be replaced with powerful incentives so that people see the benefits of building. The coalition agreement makes a clear commitment to providing local authorities with real incentives to build new homes. I can confirm that this will ensure that those local authorities which take action now to consent and support the construction of new homes will receive direct and substantial benefit from their actions. Because we are committed to housing growth, introducing these incentives will be a priority and we aim to do so early in the spending review period. We will consult on the detail of this later this year. These incentives will encourage local authorities and communities to increase their aspirations for housing and economic growth, and to deliver sustainable development in a way that allows them to control the way in which their villages, towns and cities change. Our revisions to the planning system will also support renewable energy and a low carbon economy.

The abolition of Regional Strategies will provide a clear signal of the importance attached to the development and application of local spatial plans, in the form of Local Development Framework Core Strategies and other Development Plan Documents. Future reform in this area will make it easier for local councils, working with their communities, to agree and amend local plans in a way that maximises the involvement of neighbourhoods.

The abolition of Regional Strategies will require legislation in the "Localism Bill" which we are introducing this session. However, given the clear coalition commitment, it is important to avoid a period of uncertainty over planning policy, until the legislation is enacted. So I am revoking Regional Strategies today in order to give clarity to builders, developers and planners.

Regional Strategies are being revoked under s79(6) of the Local Democracy Economic Development and Construction Act 2009 and will thus no longer form part of the development plan for the purposes of s38(6) of the Planning and Compulsory Purchase Act 2004.

Revoking, and then abolishing, Regional Strategies will mean that the planning system is simpler, more efficient and easier for people to understand. It will be firmly

rooted in the local community. And it will encourage the investment, economic growth and housing that Britain needs.

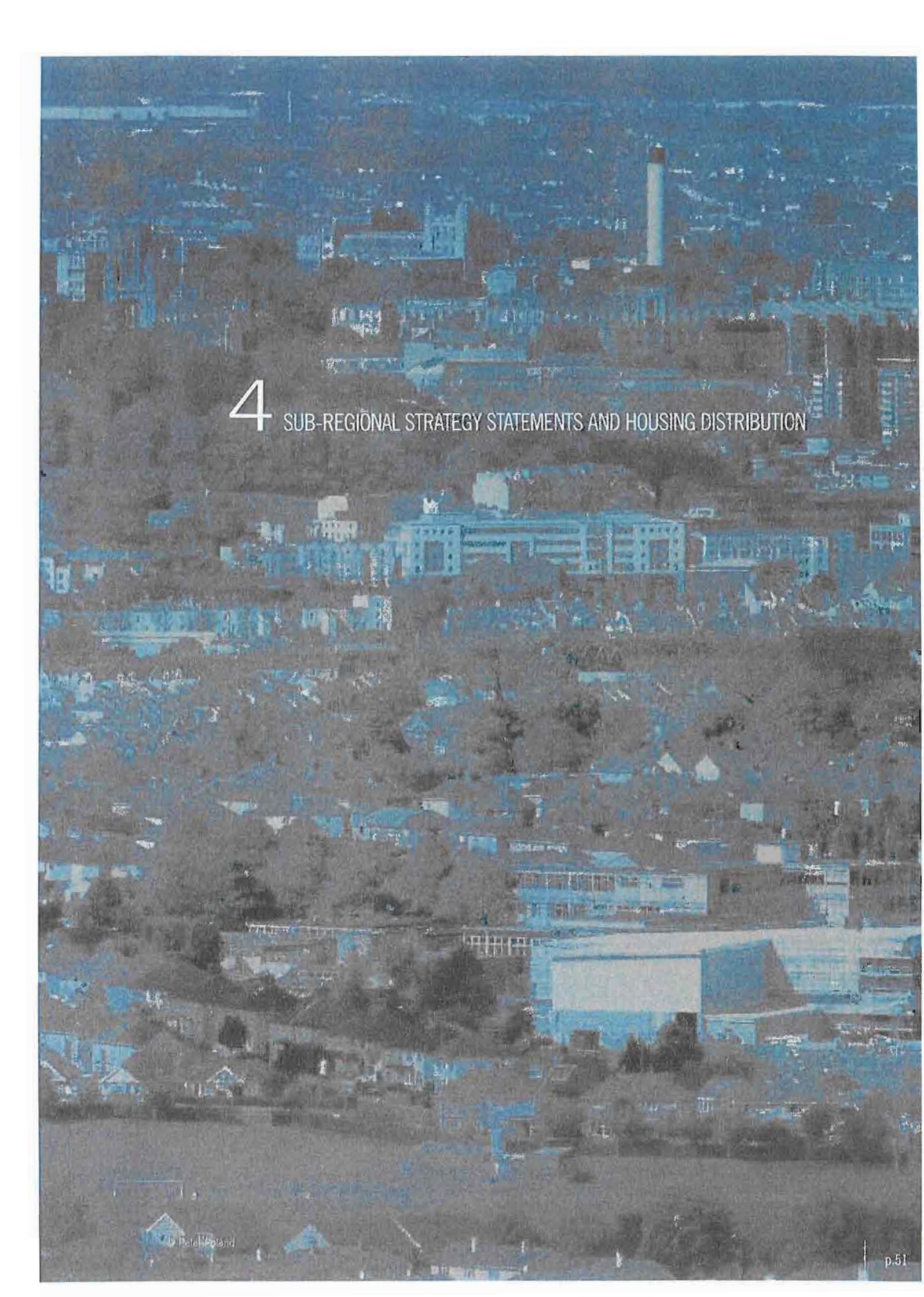
We will be providing advice for local planning authorities today and a copy has been placed in the house library.

RSS

The Draft Regional Spatial Strategy
for the South West 2006 - 2026

THE DRAFT REGIONAL SPATIAL STRATEGY

South West
England

An aerial photograph of a city, likely in Poland, showing a dense urban area with a prominent tall chimney stack. The city is surrounded by greenery and trees. The text '4 SUB-REGIONAL STRATEGY STATEMENTS AND HOUSING DISTRIBUTION' is overlaid on the image.

4 SUB-REGIONAL STRATEGY STATEMENTS AND HOUSING DISTRIBUTION

4.1 Sub-Regional Emphases

- 4.1.1 An important feature of this Draft RSS is the way in which development in different parts of the region is to be guided in the future, recognising that the region is not uniform, that differing pressures and opportunities will arise in different parts of the region, and that one approach to development will not necessarily fit the circumstances across the whole of the South West.
- 4.1.2 As outlined in paragraph 2.5.9., the varied characteristics of the region, combined with the results of public consultation during autumn 2004 and functional analysis, has led to a Spatial Strategy with three distinct emphases set out in the Spatial Strategy Statement. These are not separate sub-regions for which separate strategies have been produced. They do not have 'hard boundaries' based on administrative units or discrete issues but rather have 'fuzzy boundaries' recognising that the issues which have influenced these strategy emphases are evident across the region but represented with varying degrees of prominence in the three broad areas identified.
- 4.1.3 In this Section of the Draft RSS, more locationally specific policies are grouped within each of the three distinct Strategy Emphases. SSCTs are covered together with associated towns in the nearby rural area which will be subject to Development Policy B, but for which some strategic guidance is required to assist LDD preparation and investment decisions by regional agencies.

Places identified in Section 4

- **The north and centre of the region:** the West of England (Bath, Bristol, Weston-super-Mare and associated towns), Swindon and the associated town of Cirencester, Gloucester and Cheltenham and the associated towns of Stroud and Tewkesbury, the main towns of the Forest of Dean, Exeter and the associated town of Newton Abbot, Taunton and Bridgwater and the associated town of Wellington, and Trowbridge, Chippenham and Yeovil
- **The south east of the region:** the South East Dorset conurbation (of Bournemouth and Poole and Christchurch, and associated towns), Weymouth, Dorchester and Salisbury
- **The western peninsula:** Plymouth, Torbay, the main Cornish Towns of Camborne-Pool-Redruth, Falmouth-Penryn and Truro and the associated towns of Penzance, Newquay and St Austell, Barnstaple and the associated town of Bideford/Northam

The Joint Study Areas

- 4.1.4 Nine detailed sub-regional studies have been completed (Map 4.1), led by the strategic authorities, which reported during 2005 and formed the basis for the strategic authorities' 'First Detailed Proposals'. In all cases, growth scenarios were tested to develop a strategy for the urban area, which applied the sequential approach of identifying capacity for development within the existing urban area and then seeking sustainable urban extensions if appropriate. **In the text which follows, all references to the named cities and towns are the actual urban areas and not the administrative boundaries of specific authorities.** The housing numbers quoted in the following sub-regional policies therefore relate to the actual urban areas, including urban extensions where appropriate. An illustration of housing distribution by local authority administrative boundaries for each JSA is given in the figures at the end of each sub-section. The allocation of housing by district (and Housing Market Areas) is given in Table 4.1, and for SSCTs in Table 4.2. The job figures quoted relate to Travel to Work Areas (TTWAs).

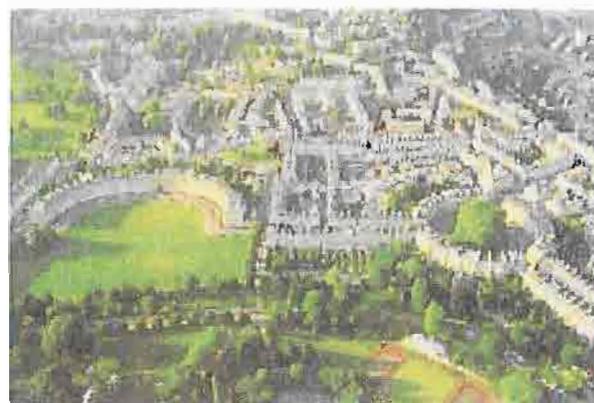


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Urban Capacity and Urban Extensions

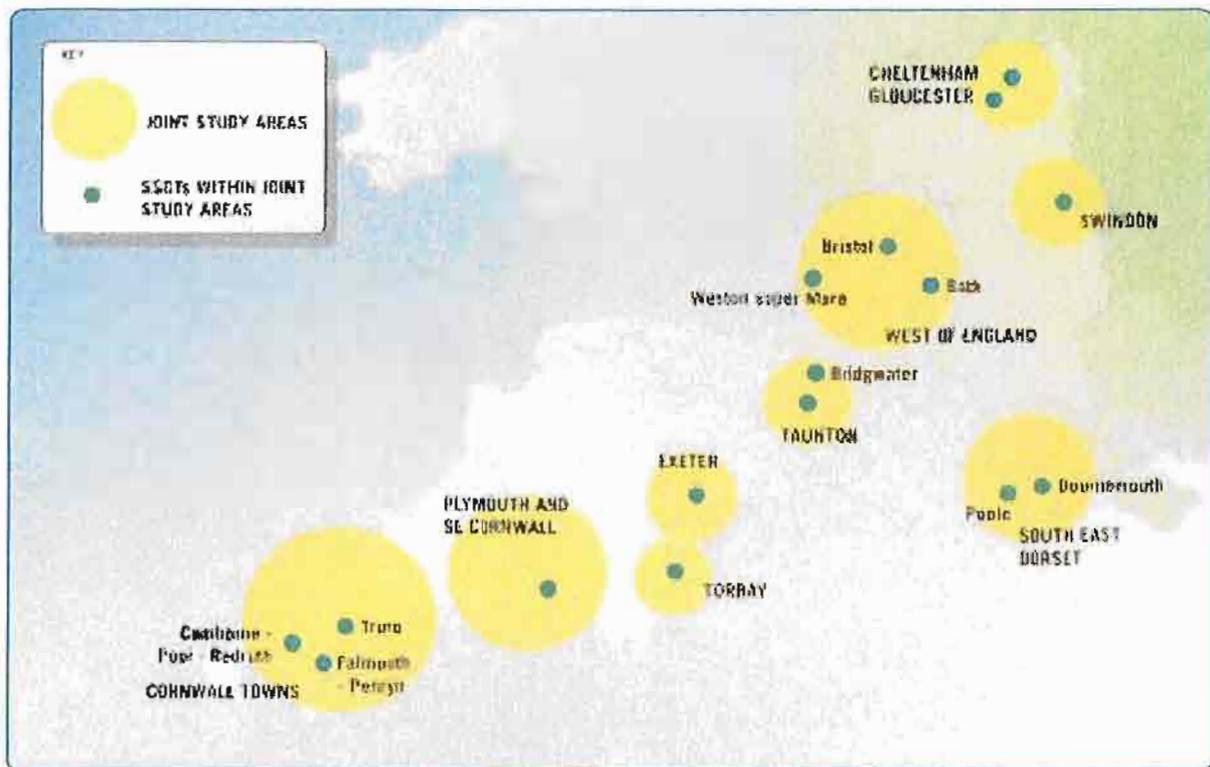
4.1.5 Each of the JSA studies has looked carefully at the capacity to accommodate development within the established urban boundaries of the SSCTs. The extent of available capacity for redevelopment varies across the region. The reuse of brownfield land presents a major challenge for authorities and developers. Given the growth levels being contemplated, the studies show that brownfield sites at the SSCTs will be insufficient to cater for all needs over the 20 year period. There will be a need for urban extensions to be identified and phased in a way which does not undermine the development of brownfield sites. This will vary across the SSCTs and is reflected to some extent in the proposals contained in this Section. In all cases, a broad indication of the scale and location of the urban extensions is given in policies, and reproduced in the Inset Diagrams as 'Areas of Search', which are not meant to be precise representations of location or siting. Further technical work is being

undertaken by the strategic authorities and the Regional Planning Body to refine the scale of urban extensions, reflecting a more detailed analysis of the constraints and opportunities that may exist. A consequence of this further technical work may be that scale of the urban extensions could vary from the current proposals during post-submission, either upwards or downwards, whilst maintaining the overall broad scale of growth.



© NVA - Regionale Plan

Map 4.1 RSS Studies for Sub-Regional Planning



4.2 The North and Centre of the Region

4.2.1 The SSCTs of the northern and central parts of the region are sited along the main corridors of communication running through the core of the region and have strong economic potential, to some extent reflecting their relatively good links with London and the South East (particularly Swindon and Bristol). The strategy emphasis here is to realise the economic potential and provide for a continuance of relatively strong economic growth to help maintain the relative prosperity of the region and to enable some localised regeneration needs to be addressed. Realisation of growth in accordance with the strategy principles will require the maintenance and improvement of connectivity by road and rail, the management of demand for car access to these cities and towns and the provision of sufficient housing linked with job growth at the named places. This will be complemented by allowing sufficient balanced development elsewhere to ensure the service role of the market towns and other settlements, to be identified in LDDs, is maintained.

4.2.2 Future growth of the SSCTs in the northern and central parts of the region has to be managed carefully, because the settings of these cities and towns include sensitive assets of environmental and heritage importance, and there are areas of potential flood risk. In particular, the 'Core City' and prospective national growth centre of Bristol, together with Exeter, Gloucester and Cheltenham, should be encouraged to continue to expand economically and further develop as major service and cultural centres. A similar approach is advocated for Swindon, another potential national growth centre, although here, potential water supply and waste water treatment issues will need to be taken into account. The World Heritage Site status of Bath and its importance to the tourism and retail economy of this part of the region is recognised and this, combined with its links to surrounding towns in western Wiltshire and northern Somerset, will influence the scale and pattern of development. Transport planning in the centre and north of the region should focus on a step change in public transport patronage, demand management and a more resilient transport system, focusing on reducing the need to travel by car.

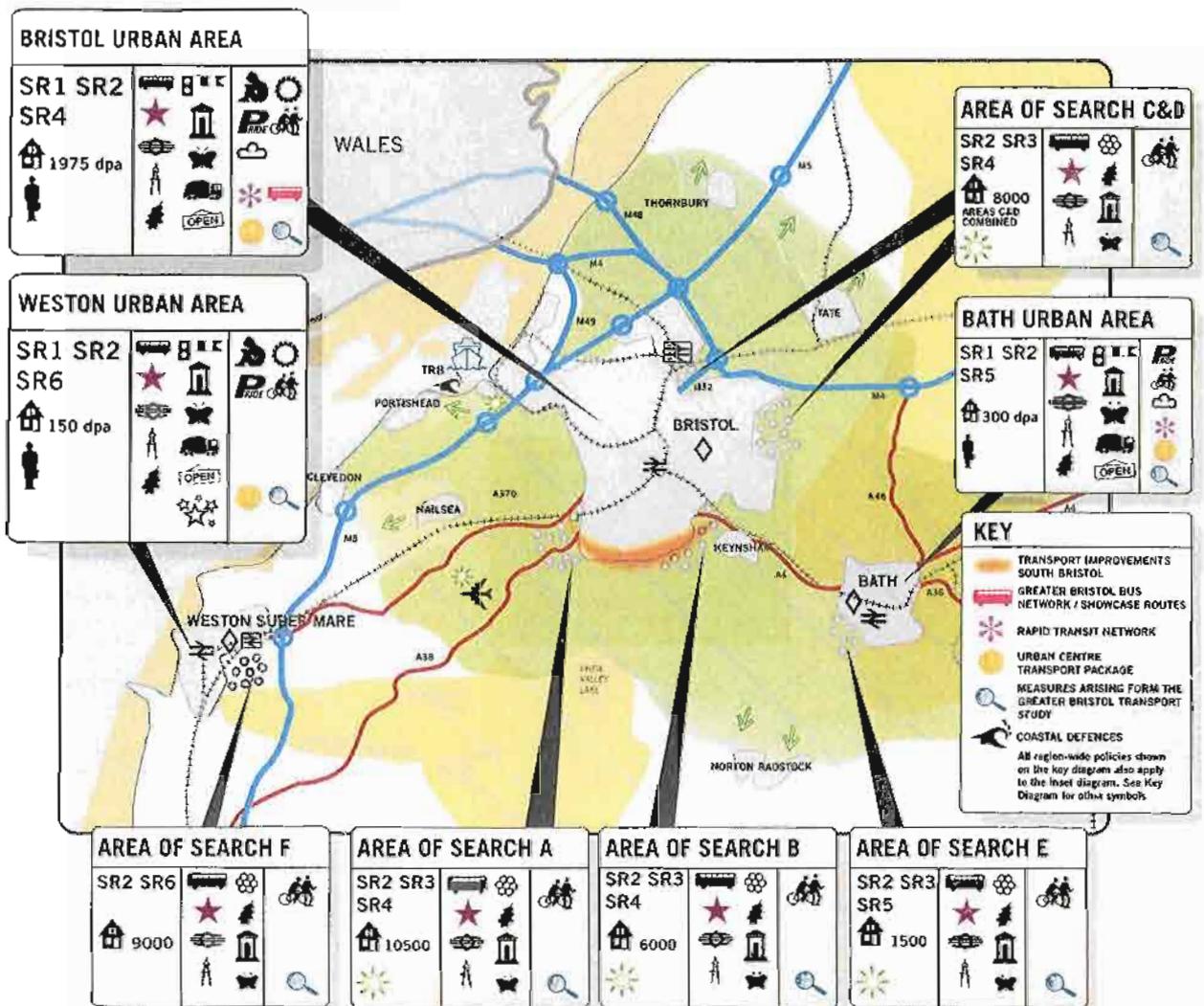
SR1 In the north and central part of the region, the strategic emphasis is to realise economic potential by enabling the SSCTs to develop, maintain and improve their roles as service and employment centres, with a view to enhancing regional prosperity and addressing regeneration. Sufficient housing will be provided to complement this role and to meet the needs of a growing population.

West of England Spatial Strategy

4.2.3 Bristol (population 551,000), the largest urban area in the South West and a national 'Core City' complemented by Bath (population 90,000) and Weston-super-Mare (population

80,000), is the economic hub of the South West region. Realising their economic potential, individually and collectively, whilst also seeking to achieve a high quality lifestyle for all members of the community is not only critical to their future success, but also to the success of the regional/national economy. To deliver this strategy will require the four unitary authorities to work together, particularly where there are cross administrative boundary issues that require resolution. Investment in critical transport infrastructure and services in this part of the region will have important implications for the delivery of other aspects of the Draft RSS including redressing long-term imbalances in prosperity and improving connectivity of the peninsula. In addition,

Inset Diagram 4.1 West of England



improved coastal defences are expected to be necessary to enable the economic potential of Avonmouth and Royal Portbury Docks to be realised, and new waste management facilities will be required to reduce landfill dependency, achieve greater local self-sufficiency and respond to economic and population growth.

- 4.2.4 A major transport study, the Greater Bristol Strategic Transport Study (GBSTS), has been running in parallel with sub-regional planning work, and its interim findings suggest that, even with the interventions included in the Draft RSS, growth at the level identified will result in significant congestion.

SR2 Bath and North East Somerset, Bristol City, North Somerset and South Gloucestershire Councils should plan for the balanced growth of the three urban areas of Bath, Bristol and Weston-super-Mare, maximising the use of previously developed land and buildings, and within a revised green belt make provision for significant urban extensions, for mixed-use development, to meet the longer-term needs. This will require continued cooperation, particularly at cross-boundary locations, through joint work on LDDs addressing the distribution of financial contributions arising from Section 106 agreements and other funding mechanisms to deliver key infrastructure.

- 4.2.5 Green belt is a key feature in planning for the West of England, preventing the coalescence of settlements (principally Bristol, Bath and Weston-super-Mare) as well as 'urban sprawl'. It is important that the primary role of the green belt in preventing the joining up and loss of character of settlements is reinforced. Recognising that the capacity of the existing urban areas to accommodate development is lower than the overall requirement, well-planned urban extensions will be needed to meet this shortfall, incorporating the conclusions of the 'Strategic Green Belt Review'¹³. With a complex delineation of administrative boundaries it will be essential for all the Unitary Authorities (as identified in Policy SR2) to work jointly in defining the precise green belt boundaries to accommodate, where appropriate, the identified urban extensions and needs of ports and airports through joint LDDs.

¹³ Colin Buchanan and Partners (February 2006).

¹⁴ Department for Transport (November 2000).

Bristol Airport

- 4.2.6 The Airports White Paper forecasts growth at Bristol International Airport catering for eight million passengers in the short/medium term, and 12 million by 2030. Bristol International Airport Ltd, as the airport operator, has produced a Draft Airport Master Plan which identifies a series of measures to incorporate this scale of growth. Whilst this Draft Master Plan recognises the uncertainties in planning for the period 2016 to 2030, including the possibility of development south of the runway, it is expected that the greater part of Bristol International Airport's future development requirements that will require express planning permission to raise the capacity of the Airport to nine million passengers per year, will be located to the north of the northern taxiway, within the Airport boundary, where any effect on the visual amenities of the green belt and wider landscape would be minimised.
- 4.2.7 The exclusion of land from the green belt, the general extent of which is specified in Policy SR3, would define an area where all development that would require express planning permission would take place. This would ensure that the Airports White Paper and Green Belt Policy are not in conflict, and that the potential of the airport to the local economy can be realised.

Royal Portbury Dock

- 4.2.8 'Modern Ports: A UK Policy'¹⁴ (November 2000) acknowledges that ports should remain able to handle current trade levels and meet future needs by investing in new facilities and potential development efficiency and sustainably. The Bristol Port Company, the port operator, has identified a requirement for additional land across the plan period, to ensure that it can meet the changing needs of the industry. To support this requirement, yet still ensure that the criteria of PPG2 are retained, land to the south of the Royal Portbury Dock up to the M5 should be excluded from the green belt designation, whilst land to the east adjoining Portishead should be designated as green belt to ensure that the undeveloped 'gap' between the settlement and the Royal Portbury Dock is retained.

SR3 Around the built up areas of Bristol (including contiguous built up areas within North Somerset and South Gloucestershire) and Bath, the inner boundary of the green belt shall generally follow the limits of existing development or that already committed. The general extent of the Bristol and Bath green belt is maintained subject to changes in boundaries that will be defined in LDDs to:

- Accommodate the urban extensions required for the longer-term development of Bristol and Bath at locations identified in Policies SR4 and SR5, with the revised inner boundary coterminous with the edge of the urban extensions
- Exclude land at Bristol International Airport, which lies north of the northern taxiway and within the airport boundary
- Exclude land to the south of Royal Portbury Dock and the coastal zone to the south east
- Include land to the north of Thornbury and Yate/Chipping Sodbury; south west of Nailsea and south east of Clevedon; south west of Bath towards Norton Radstock; and land to the west of the Royal Portbury Dock; whilst accommodating development needs; with the inner edge of the revised green belt, coterminous with the outer boundary of the existing green belt designation

Unitary and District Authorities should, in preparing LDDs, define the detailed green belt boundaries taking into account these changes.

Bristol

4.2.9 The Bristol area contains 7.7% of the region's population contributes approximately 12% of regional GVA, and its wider TTWA provides employment for 400,000 people. Bristol's urban area has benefited from considerable regeneration and investment over recent years. Bristol is the region's principal retail and office centre as Section 8 indicates. Significant redevelopment has taken place in the City centre, alongside newer development continuing in the north fringe within South Gloucestershire, with decentralisation of offices and some retailing from the centre. Bristol is highly self-contained but also draws

in labour from a wide area and this has placed increasing pressure on the motorways around the urban area. Evidence indicates that the scale of employment growth currently being achieved at Bristol is set to continue throughout the plan period. It is essential that to maintain its national and regional economic status economic growth is planned for positively, harnessing the benefits. Growth forecasts undertaken suggest an increase in employment in the Bristol TTWA of between 73,900 to 91,800 jobs.

4.2.10 For Bristol, sustainable growth means ensuring a sufficient supply of economic development opportunities come forward in the plan period. The Universities and the knowledge and technology-based industries are a great strength, with Bristol International Airport and the Port having a key role to play in assisting the delivery of economic success. A major strategic objective is to revitalise the south Bristol area which will require concerted action and investment across a number of policy fields including education and health as well as transport infrastructure. Housing provision needs to be in step with economic growth and of a sufficient scale to ensure a better balance between jobs and homes creating greater opportunities for journeys to work by public transport, walking and cycling.

4.2.11 A key priority for Bristol will be to maintain and improve the attractiveness of the urban area as a place in which people wish to live, work, visit and invest. This should take place through a process of identifying opportunities for urban renaissance, in particular the redevelopment of the central area and near centre sites, to maximise their potential for office, retail and other city centre uses in line with Policy TC1 and the achievement of high density residential development throughout the urban area. Improvements to public transport, coupled with more effective demand management and parking measures will be required. In addition, opportunities for redevelopment in the Cribbs Causeway retail area on the north west edge of the urban area will need to be investigated to enhance its role as a centre for local communities in the light of planned development.

4.2.12 Well-planned urban extensions will be needed throughout the plan period and their release should be carefully phased so as not to impede the development of more difficult brownfield sites. They should contribute towards other important objectives, in particular the priority for the integrated provision of infrastructure and development to improve communications within and around south Bristol and to provide new links between the M4, south Bristol, the airport, the M5 and Weston-super-Mare. The conclusions of the *'Greater Bristol Strategic Transport Study'* should be taken into account (when finalised).

SR4 Bristol will maintain its role as a 'Core City' and to ensure that it remains the economic hub of the South West, provision will be made for job growth in the Bristol TTWA to accommodate at least 92,000 jobs over the plan period complemented by provision for an average of about 3,200 dwellings per annum within and adjoining Bristol's urban area over the plan period.

Development at Bristol will focus on the reuse of previously developed land and buildings within the urban area, maximising densities, to provide about 40,000 dwellings complemented by the provision of urban extensions planned and developed as sustainable communities to deliver a high quality of life through high standards of design and green infrastructure, protecting and maintaining environmental assets and landscape setting. Authorities will cooperate in master planning and phasing to accommodate mixed-use development at the following broad locations, and as shown in the Inset Diagram:

- South west of Bristol, about 10,500 dwellings (Area of Search A);
- South east of Bristol, about 6,000 dwellings (Area of Search B); and
- North and north east of Bristol, about 8,000 dwellings (Areas of Search C and D).

Investment will be made in key infrastructure to enable the achievement of the development proposed in this Policy.

4.2.13 Key infrastructure required will be identified through the Implementation Plan and will include:

- Greater Bristol Bus Network/showcase bus routes along strategic corridors
- Major Park and Ride improvements
- Strategic rapid transit network (Hengrove/ North Fringe, Ashton Vale/ Emerson's Green, Bath/Cribbs Causeway)
- Improvements to the roads in South Bristol, including the South Bristol Ring Road, improving access to the Airport and facilitating investment for regeneration of south Bristol
- Selective additional strategic highway capacity to serve business investment and selective additional strategic links to motorways and other trunk route networks, including investigation of a new River Avon crossing and Bristol Parkway link
- Coastal defences expected to be necessary to enable the economic potential of Avonmouth and Severnside to be realised
- Improvements to the Greater Bristol Rail Network, such as additional turn-round facilities and platform capacity to allow increases in cross Bristol local services

Bath

4.2.14 Bath, benefiting from World Heritage Site status, is recognised as being of international significance for its historic environment. Bath also has an international reputation as a cultural centre and tourist destination, founded upon its architecture, public realm, retail 'niche' market, cultural activity and surrounding high quality countryside. Bath's labour force is drawn from a number of surrounding smaller towns as well as the city and Bristol. The quality and character of this environment, and the City's intimate relationship with the surrounding natural landscape means the strategy focus is on protecting and enhancing the environment, whilst enabling the City to continue its economic, social and cultural development.

- 4.2.15 The strong economic performance of Bath is expected to continue (overall employment in the Bath TTWA is expected to rise by about 16,000-20,200 jobs over the plan period) as long as land and labour availability can be maintained. It is expected the key sectors of professional and business services, retailing and tourism will provide the majority of new jobs on previously developed land and buildings (largely through redevelopment of city centre and off-centre sites). There is also a need to diversify the local economy, building on emerging strengths in other sectors, such as ICT, environmental technologies and creative industries, and to develop links with the University. The need for housing should be accommodated primarily through the re-use of urban sites, but a strategic urban extension will be needed.
- 4.2.16 Growth in jobs in Bath could outstrip the delivery of homes, particularly affordable homes. Many people currently commute from lower-cost housing locations. The key strategic development issue for Bath is how best to accommodate sufficient housing to help meet future needs, within and close to the City, rather than relying on a more dispersed provision in settlements beyond the green belt, including places in Mendip and West Wiltshire. By containing growth within and adjacent to its urban area, there are more opportunities for sustainable transport, maximising the potential of walking, cycling and public transport. In this context, growth in nearby towns to meet local needs and a continuation of regeneration policies at Norton Radstock will be consistent with an urban extension to Bath.
- 4.2.17 A well planned urban extension is proposed to meet the City's housing needs, incorporating the conclusions of the Green Belt Review, which has identified a location where land could be removed from the green belt while retaining the integrity of the green belt. This is particularly important at Bath as this will enable a more sustainable pattern of development to be pursued, rather than a more dispersed option which could result in an increase in car-borne commuting. Innovative design techniques that can respond to the existing architecture, yet increase densities and maximise redevelopment opportunities will be required. Careful choice of materials, the scale of buildings, their proximity and visual intrusion will all need to be sensitively addressed in a master plan and development brief.
- 4.2.18 The long-term development of Bath will need further careful evaluation through the LDD process of how a high quality planned extension of the urban area can be achieved without detracting from Bath's World Heritage Site status.

SR5 Bath will continue to realise economic opportunities, respecting the World Heritage Site status of its internationally significant historic environment, with provision for job growth in the Bath TTWA for between 16,000 to 20,200 jobs over the plan period, complemented by provision for an average of about 375 dwellings per annum within and adjoining Bath's urban area over the plan period.

Development at Bath will focus on the reuse of previously developed land and buildings within the urban area, maximising densities, reflecting the impact on the historic environment and its setting, complemented by the provision of an urban extension to accommodate up to 1500 dwellings to the south/south west of Bath in Area of Search E, as shown on the Inset Diagram. The design and quality of the urban extension will require the highest standards to ensure that the environmental assets, both urban and rural, as well as landscape setting, are protected and maintained, thereby minimising the impact on Bath's World Heritage Site status. The urban extension should also provide an appropriate level of physical and social infrastructure, well integrated into the City through sustainable means of movement, avoiding areas susceptible to flooding from the River Avon, to ensure that it will maximise the ability to be a sustainable community, incorporating green infrastructure.

Investment will be made in key infrastructure to enable the achievement of the development proposed in this Policy.

- 4.2.19 Key infrastructure required will be identified through the Implementation Plan and will include:
- Bath public transport package, including longer-term Rapid Transit measures

Weston-super-Mare

4.2.20 Weston-super-Mare has undergone major changes through the loss of industries and restructuring in the tourism sector, developing more of a dormitory relationship with Bristol through significant housing development in recent years. The proximity to the M5 Motorway and links to Bristol, particularly the large increase in employment opportunities along the M5 and the readily accessible north fringe of Bristol, taking account of the mainline rail link, has resulted in increased levels of out-commuting, largely by car. This has placed greater pressure on the strategic road network and has culminated in a less sustainable pattern of development in the western part of the sub-region.

4.2.21 Initiatives to regenerate the town centre and increase the concentration of employment opportunities at Weston-super-Mare are underway through the RAF Locking, Weston airfield redevelopment and the creation of the Weston Area Development Framework. A concerted effort by the Local Authority and investment by the RDA is laying the foundations to strengthen the economic base of the town and increase its self-containment (overall employment in the Weston-super-Mare TTWA is expected to rise by about 8,500 to 10,000 jobs over the plan period). Weston-super-Mare has a concentration of deprivation in certain wards recognised in Section 9, and initiatives to boost local job growth should assist in redressing these imbalances.

4.2.22 The strategy for Weston-super-Mare is to continue with an approach designed to attract new investment and jobs to the town and redress previous imbalances between employment and housing, thereby reducing out-commuting flows to Bristol. Strong policies will be required in the LDD to phase the release of sites for housing to ensure that the balance between jobs and housing does not worsen and is brought more into equilibrium. These concerns should also be reflected in the planning of development in the remainder of North Somerset which should address strictly local requirements and not stimulate further commuting to Bristol or Weston-super-Mare. Successful economic regeneration at Weston-super-Mare, and further investigation of housing capacity, could lead to a reduced housing requirement in the remainder of the district. This will be kept under close review.

SR6 Development at Weston-super-Mare will be economy led, focusing on regenerating the town centre and increasing the provision of employment opportunities with provision for job growth in the Weston-super-Mare TTWA for between 8,500 and 10,000 jobs over the plan period. Development of housing will be phased and linked directly to economic performance. Strategic releases of new housing areas should only be provided when it can be demonstrated that an increasing rate of employment provision has brought employment and housing more closely into balance.

Provision should be made for an average of about 600 dwellings per annum within and adjoining Weston-super-Mare's urban area over the plan period. The focus for housing provision will be on the reuse of previously developed land and buildings within the urban area, maximising densities, complemented by the provision of an urban extension accommodating up to 9,000 dwellings to the east of Weston-super-Mare, Area of Search F, as shown on the Inset Diagram.

Investment will be made in key infrastructure to enable the achievement of the development proposed in this Policy.

4.2.23 Key infrastructure required will be identified through the Implementation Plan and will include:

- Weston-super-Mare package including improvements to motorway junction
- Significantly enhanced interchange facilities

Figure 4.1 An Illustration of Housing Distribution by Local Authority at the West of England

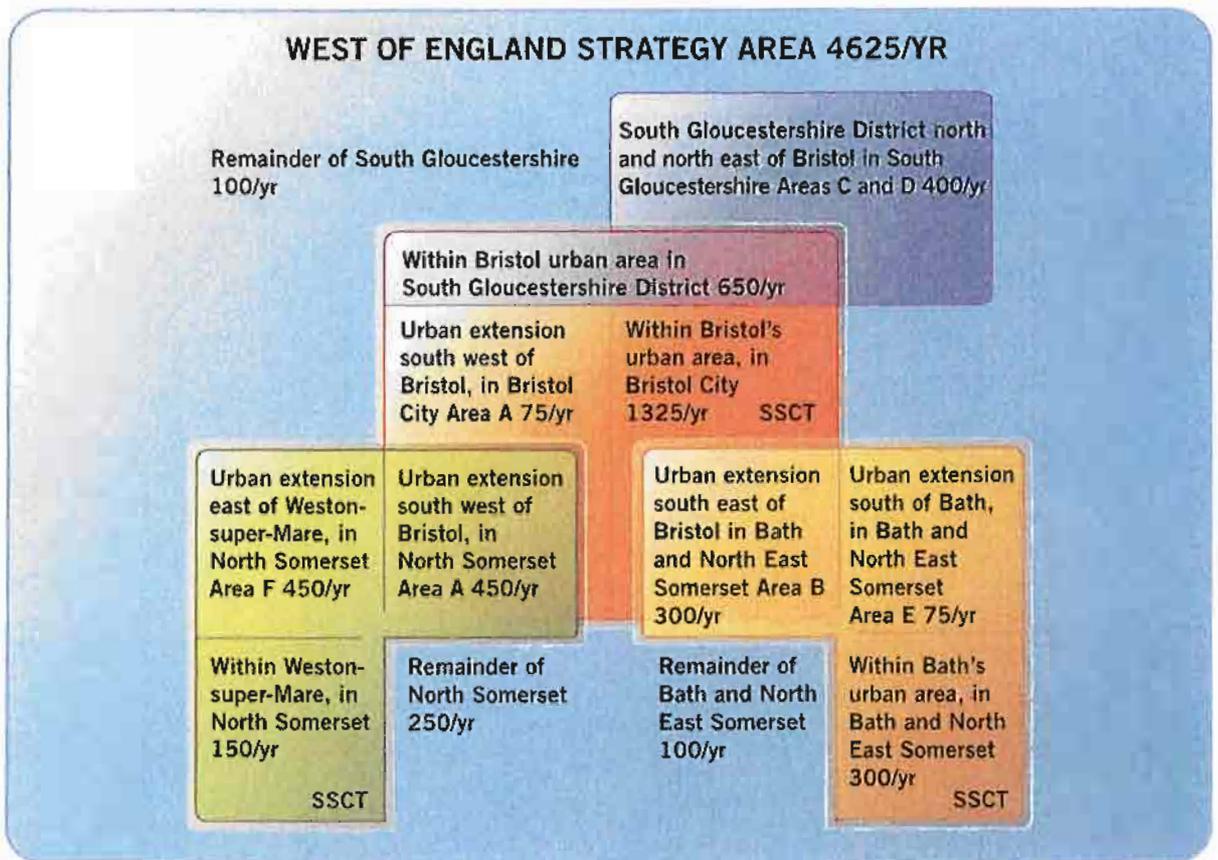


Table 4.1 Housing Market Areas, Unitary Authorities and Districts: Housing Totals and Phasing (Cont)

	2006-2026 Overall Annual Average Net Dwelling Requirement	2006-2016 Annual Average Net Dwelling Requirement	2016-2026 Annual Average Net Dwelling Requirement
ISLES OF SCILLY*	5	5	5
POLYCENTRIC DEVON & CORNWALL HOUSING MARKET AREA	1,025	1,035	1,015
NORTH CORNWALL	380	400	360
TORRIDGE	240	240	240
NORTH DEVON **	405	395	415
EXETER CITY HOUSING MARKET AREA	1,920	1,870	1,970
EXETER CITY	525	525	525
EAST DEVON	570	515	625
ELSEWHERE IN EXETER CITY JSA (Exeter City/East Devon/Teignbridge)	75	0	150
TEIGNBRIDGE ***	430	480	380
MID DEVON***	320	350	290
PLYMOUTH HOUSING MARKET AREA	2,255	2,130	2,380
PLYMOUTH CITY	1,225	1,000	1,450
SOUTH HAMS ***	550	650	450
CARADON	290	290	290
WEST DEVON***	190	190	190
DARTMOOR NATIONAL PARK*	50	50	50
TORBAY UNITARY AUTHORITY HOUSING MARKET AREA	500	500	500
SOUTH SOMERSET DISTRICT HOUSING MARKET AREA	680	730	630
TAUNTON HOUSING MARKET AREA	1,395	1,395	1,395
TAUNTON DEANE	865	825	905
SEDGEMOOR	420	460	380
WEST SOMERSET**	110	110	110
EXMOOR NATIONAL PARK*	20	20	20
TOTAL	22,895 – 23,060	23,770	22,020 – 22,350

Notes * Estimated strictly local needs provision only
 ** Excludes part in Exmoor National Park
 *** Excludes part in Dartmoor National Park

Table 4.1 Housing Market Areas, Unitary Authorities and Districts: Housing Totals and Phasing

	2006-2026 Overall Annual Average Net Dwelling Requirement	2006-2016 Annual Average Net Dwelling Requirement	2016-2026 Annual Average Net Dwelling Requirement
WEST OF ENGLAND HOUSING MARKET AREA	5,510	5,795	5,225
BATH & NORTH EAST SOMERSET	775	775	775
BRISTOL CITY	1,400	1,600	1,200
NORTH SOMERSET	1,300	1,300	1,300
SOUTH GLOUCESTERSHIRE	1,150	1,150	1,150
WEST WILTSHIRE	525	550	500
MENDIP	360	420	300
GLOUCESTER & CHELTENHAM HOUSING MARKET AREA	2,430	2,600	2,260
CHELTENHAM	425	425	425
GLOUCESTER	575	575	575
TEWKESBURY	525	525	525
COTSWOLD	300	340	260
FOREST OF DEAN	270	300	240
STROUD	335	435	235
SWINDON HOUSING MARKET AREA	2,450	2,595	2,305
SWINDON	1,700	1,770	1,630
NORTH WILTSHIRE	500	550	450
KENNET	250	275	225
SALISBURY DISTRICT HOUSING MARKET AREA	460	460	460
BOURNEMOUTH & POOLE HOUSING MARKET AREA	1,925 – 2,090	2,285	1,565 – 1,895
BOURNEMOUTH	680-780	720	640-840
POOLE	450-500	700	200-300
CHRISTCHURCH	165-180	200	130-160
EAST DORSET IN JSA	260	260	260
ELSEWHERE IN EAST DORSET DISTRICT	10	10	10
PURBECK	105	105	105
NORTH DORSET	255	290	220
WEYMOUTH & DORCHESTER HOUSING MARKET AREA	690	690	690
WEST DORSET	410	410	410
WEYMOUTH & PORTLAND	280	280	280
WEST CORNWALL HOUSING MARKET AREA	1,580	1,610	1,550
KERRIER	410	410	410
CARRICK	500	500	500
PENWITH	240	240	240
RESTORMEL	430	460	400



South West EIP

DRAFT REGIONAL SPATIAL STRATEGY
FOR THE SOUTH WEST

Examination in Public
April – July 2007 Exeter

Panel Report

December 2007

Section 1: Main Report

Section 2: Appendices A, B & C

Section 3: Appendices D, E & F



**Draft Regional
Spatial Strategy for
the South West**

4/1 West of England HMA Sub-Regional Strategy

Matter 4; 4/1

Policies SR2, SR3, SR4, SR5, SR6, SR23 (Trowbridge)

Introduction

- 4.1.1 In this section we consider the strategic elements of the draft RSS spatial strategy; namely the housing market areas and sub regional strategy, particularly with regard to the West of England.
- 4.1.2 Bristol, with a population of 551,000 is the largest urban area in the South West. It forms part of a complex city region, which includes Bath with a population of 90,000 and Weston-super-Mare with a population of 80,000. The city region includes a wide range of planning issues, including the need for urban regeneration within Bristol and the special requirements of the World Heritage Site at Bath. The resolution of these issues will not only be important for the quality of life within the city region, but will have implications for the rest of the wider region. Investment in critical transport infrastructure for the city region will have important implications for the delivery of other aspects of the draft RSS, including redressing long-term imbalances in prosperity and improving connectivity of the peninsula.
- 4.1.3 Bristol and the West of England is recognised in *The Way Ahead* as one of a number of sub regions in the South West whose continued growth is fundamental to the region's sustainable growth and the West of England Partnership is designated as a New Growth Point.

Issues

- 4.1.4 Our consideration of the issues identified for this part of the EiP and the questions discussed at the EiP indicates that the topics that need to be addressed can be grouped under the following headings:
- The Sub-Regional Approach;
 - Role and Function;
 - Economic Activity;
 - Housing Provision;
 - Green Belt;
 - Infrastructure.

The Sub-Regional Approach

- 4.1.5 As Map 4.2 in the draft RSS demonstrates, the West of England HMA does not just include the areas of the four unitary authorities that make up the West of England Partnership. It was clear to us that while Bath is an important part of the Greater Bristol city region it has strong linkages both east and south into West Wiltshire and Mendip districts. The residents of these areas look to both Bristol and Bath for higher-level

services and for employment. Some participants noted that past planning policies, which supported dispersal, had generated unsustainable patterns of commuting. It was also suggested that shortages of housing in the centre of the city region had encouraged house buyers to consider more peripheral locations.

- 4.1.6 We are aware that the West of England Partnership questions the concept of the West of England HMA and doubts the benefits of including Mendip and West Wiltshire. We note that paragraph 4.2.16 acknowledges in relation to Bath that *'many people currently commute to lower-cost housing locations'* and refers to the city *'relying on a more dispersed provision in settlements beyond the Green Belt including places in Mendip and West Wiltshire'*. In our view these peripheral areas are part of the city region and the planning policies in the draft RSS need to address the whole city region and have to consider these relationships and set out the role of each part of the wider Bristol city region more clearly.
- 4.1.7 We consider that Policy SR2 does not adequately reflect our above findings. We note for example that the District Councils of West Wiltshire and Mendip are not mentioned. It was pointed out at the EiP that there is a need for cross-border working on the question of rail services between West Wiltshire and the remainder of the city region and clearly consideration has to be given to the linkages from the Policy B and C settlements to the higher order services in the heart of the city region. We recommend that Policy SR2 should be deleted and replaced with a new Policy SR1.1.

Recommendation 4.1.1

- Delete Policy SR2 in the draft RSS and replace with new Policy SR1.1 with wording as indicated in Appendix C.

Role and Function

The core city

- 4.1.8 Chapter 3 reflects the wider regional role played by the Bristol Urban Area. Within the HMA it is appropriate to ensure that Bristol maintains its role as a 'Core City' and remains the economic hub of the South West. We note that the vision set out by the West of England Partnership seeks to make the Bristol sub-region one of Europe's fastest growing and most prosperous sub-regions. Bristol City is the focal point of the sub-region's transport network and will have to play a critical role in achieving this vision. A key priority for Bristol will be to maintain and improve the attractiveness of the urban area as a place in which people wish to live, work, visit and invest. It was put to us that the growth on the north fringe of the city had diverted investment away from the more sustainable central areas. In our view the draft RSS should ensure confidence in the centre of the city region as the most appropriate location for the growth of higher order facilities and services such as 'the cultural attractions that are the envy of competitor city regions' as referred to in the vision set out by the West of England Partnership.

Strategic Regeneration

- 4.1.9 Bristol City Council advocated the need to give priority to the regeneration of the existing urban area. Our Panel Tours allowed us to confirm that continued regeneration of the older urban areas will be required within the core city. Many representations were made on the need to revitalise the south Bristol area and highlighted the problems of deprivation in the area. Other participants referred to the need to re-balance the city in view of the growth that has already taken place in the northern fringe. We were informed by Bristol City Council that, with regard to regeneration in South Bristol, a programme board has been established comprising key funding partners: Bristol City Council, English Partnerships and SWRDA. It was indicated that the current arrangements may lead to the establishment of a formal CDC, URC or UDC. During the period of the EiP we became aware that commitments had been made for the development of a new hospital in the area as part of the regeneration process.
- 4.1.10 The City Council sought modifications to Policy SR4, which would introduce the concept of prioritising regeneration in relation to the proposed urban extensions. As noted above we believe that brownfield and greenfield opportunities should be regarded as complementary rather than competitive and that both are required. We agree with the City Council that further efforts are required to achieve regeneration within the city as part of the efforts to make the city a more desirable place to live and work in. We also believe that the process should seek to maximise the contribution regeneration can make to the provision of new dwellings within the city.

Suburban Developments

- 4.1.11 The suggested modification to Policy SR4 by Bristol City Council referred to the provision of urban extensions planned as balanced and sustainable communities. We agree that this will require the provision of employment and commercial developments as well as local services. It is clear from the material provided to us that there are ambitions to include significant commercial and business development in some of these urban extensions. It was put to us that such developments could contribute to improving the overall quality of life in south Bristol. It is important however that the draft RSS ensures that these developments complement the function of the city centre and do not threaten the major regeneration initiative.
- 4.1.12 Paragraph 4.2.11 of the draft RSS refers to investigating opportunities for redevelopment in the Cribbs Causeway retail area on the north-west edge of the urban area as a means to enhance its role as a centre for local communities in the light of planned development. This statement is not reflected in any of the draft RSS policies, but a number of participants clearly regarded it as an indication of planning intent. We heard evidence that the area had become the focus of bus services but that it still lacked some of the attributes of a town centre. It was clarified by the Regional Assembly that it was not the intent to promote the retail centre as a 'town centre' in PPS6 terms, but that paragraph 4.2.11 was dealing with further development as a centre for the local community.
- 4.1.13 The scale of redevelopment opportunity at the Cribbs Causeway retail area was discussed at the EiP and we conclude that there are substantial potential opportunities ranging from the redevelopment of retail "sheds" adjoining the mall complex to the

intensification of the ground level car parking areas associated with the mall itself. We are aware from the evidence provided and from visits by Panel members that the mall itself is a major retail complex with a wide catchment area and that it is supplemented by retail discount stores and supermarket facilities. In our view the scale of retailing at Cribbs Causeway is more than adequate to meet the needs of the north west of the city. We are of the opinion that consideration should be given to utilising the additional commercial demand generated by the new housing to establish a more even distribution of suburban retailing centres around the city and thereby reduce the need to travel.

Other SSCTs

- 4.1.14 Bath functions as an international cultural and tourist centre and a growing centre for further education. No evidence was led as to the future requirements of those sectors. The strong economic growth associated with these functions also allows the city to act as a focal point in the sub-regional labour market and as a centre for the provision of services to a wide catchment area. The ability of the city to respond to the pressures generated by these functions and diversify the local economy is constrained by its designation as a World Heritage Site and its topography. Significant urban renewal opportunities have been identified and expansion of the University has been accepted, but there is a need for the draft RSS to confirm the role of the city.
- 4.1.15 Weston-super-Mare has undergone major changes through the loss of industries and the restructuring of the tourism sector. As a result it has developed a dormitory relationship with the core of the city region generating problems for the M5 Motorway. Initiatives to regenerate the town centre and increase the concentration of employment opportunities at Weston-super-Mare are under way. A concerted effort by the Local Authority and investment by the RDA is laying the foundations to strengthen the economic base of the town. It was put to us that the strategy should be to ensure that a balance is struck between housing and employment growth in order to achieve a higher level of self-containment within the sub-region.
- 4.1.16 The development interests associated with the major development areas in Weston-super-Mare stressed that the viability of the economic projects including the town centre regeneration was linked to the housing development. It was claimed that a too stringent approach could jeopardise the overall recovery of the town. It was also pointed out at the EiP that Weston-super-Mare offers an attractive residential environment to people working in the core of the region. We were advised that the turnover in the existing stock would continue to allow such preferences to be expressed and that self containment may be difficult to achieve through the phasing proposed. As noted earlier, we do not believe that self containment is a practical objective but we are of the opinion that the role of the town as the major population centre in the south of the HMA will be reinforced by the integrated delivery of the development package.
- 4.1.17 Trowbridge is a sub-regionally significant employment, administrative and service centre. The town has strong functional links with Bradford-on-Avon, Frome, Melksham, Warminster and Westbury. Much potential exists for town centre expansion at Trowbridge and this should be managed through the Transforming Trowbridge initiative.

The Remainder of the HMA

- 4.1.18 It was put to us that the accommodation of housing demand related to economic growth in the major urban areas in the smaller towns and villages in the more peripheral parts of the HMA would be contrary to Policies SD1-4. The RDA highlighted regeneration opportunities at Norton Radstock to the south of Bath as a justification for additional residential allocations. In our view the role of the settlements in these peripheral parts of the HMA must be as the focal points of local growth and that priority should be given in directing that growth to the regeneration opportunities.
- 4.1.19 In our view our conclusions in the paragraphs above should be expressed in policy terms in a new Policy SR1.2.

Recommendation 4.1.2

- Insert new Policy SR1.2 with wording as indicated in Appendix C.

Economic Activity

- 4.1.20 Although the employment growth forecasts used in the draft RSS are based on Travel to Work Areas (TTWA) the Regional Assembly subsequently provided projections by HMA. In the case of the West of England HMA these projections suggest a growth in employment of 110,800 at the overall regional GVA growth rate of 2.8% and 137,200 at the 3.2% growth rate. This implies a growth in employment within the HMA of between 15.13% and 18.74%. The forecasts also indicate a significant shift in the balance of employment with the main growth arising in the service sector and a contraction in the manufacturing sector.

Bristol City

- 4.1.21 The Bristol area contains 7.7% of the region's population and contributes approximately 12% of the regional GVA. The draft RSS indicates that growth forecasts for the Bristol TTWA suggest an increase in employment of between 73,900 and 91,800 jobs. It must be assumed from the HMA figures that most of this growth will arise in the service sector of the economy. In the past a significant proportion of the growth in this sector of the wider city's economy arose in the north fringe of Greater Bristol, which is not the most sustainable location. The city centre is clearly the most sustainable location for employment growth and therefore there is a need for the planning of the city centre to make provision for substantial growth. We were encouraged to identify a growth area adjoining the city centre by SWRDA and others, but we consider that this is a matter for the LDF process.
- 4.1.22 It was put to us that the growth of employment in the north fringe of the wider city had unbalanced the conurbation in terms of employment opportunity and was generating unsustainable commuting patterns. It would not be practical for the city centre to seek to accommodate the entire service sector growth given the varied nature of that sector. As accepted above it is also desirable that the urban extensions should be planned as

balanced communities incorporating, where appropriate, employment opportunities to encourage a reasonable degree of self-containment. The establishment of local services such as health and education will generate some of the anticipated service sector growth as will the provision of shopping facilities in the urban extensions. Nevertheless it can be expected that the planning of these areas will incorporate some employment sites. It is important that the planning of these areas does not seek to replicate the north fringe and in the process challenge the role of the city centre.

- 4.1.23 Participants suggested that the urban extensions to the south of the city would not only assist in this wider balancing of economic opportunity in the city, but would also contribute to the regeneration of the south of the city. While we accept that the urban extensions could play such a role we also believe that it is important that the urban renewal initiatives within the urban areas in the south of the city should be supported. The recent decision on the location of a new hospital within the area demonstrates the ability of wider public sector investment to support the regeneration process and rebuild confidence in the future of the area. Given the scale of employment growth projected, we do not consider that it is necessary to impose any sequential priority on behalf of the urban renewal process. Nevertheless we are of the opinion that the employment proposals in the master-plans for the adjoining urban extensions should be considered in the light of the urban renewal proposals to ensure integration.

Bath

- 4.1.24 The Bath TTWA employment projections suggest a growth in employment of about 16,000 to 20,200 jobs. The draft RSS indicates that the key sectors of professional and business services, retail and tourism will provide the majority of new jobs, but also refers to an ambition to diversify the local economy including the development of links with the University. The Regional Assembly anticipate that many of the new jobs will be provided on previously developed land and buildings arising from the redevelopment of city centre and off-centre sites. SWRDA supported the view that Bath is seen as a desirable business location, but suggested that this role is constrained by a lack of available employment land and sought an increase in supply.
- 4.1.25 Bath and North East Somerset Council (BANES) indicated in its Statement to the EiP that urban capacity work suggests that around 8,500 jobs can be accommodated within Bath. While BANES claims that this is nearly equivalent to trend based job growth, it is significantly less than the draft RSS projections. The Council acknowledge in paragraph 8 of its Statement that the provision of an urban extension to Bath would help to ensure that economic growth could be achieved, but the urban extension environmental capacity appraisal that it submitted indicates that there is no capacity for such an extension on the edge of Bath.
- 4.1.26 BANES contends that the draft RSS fails to demonstrate a satisfactory response to the international importance and value of Bath and its surroundings. The Council cautions that the strategy for the city risks UNESCO considering the removal of the World Heritage Site (WHS) designation. We note that the environmental capacity appraisal referred to above suggests that developments on the southern edge of the city would extend the city by a significant degree out of the landscape hollow in which the World Heritage Site currently sits and would have a very significant detrimental impact on the character of the edge of the World Heritage Site. We note from the Statement on Matter

4/1 by the Regional Assembly that a study was carried out by BANES to consider how WHS status could impact on future development.

- 4.1.27 The Regional Assembly point out that the location identified by the study as having least impact on WHS status lies against the urban edge adjoining Twerton on the south side of the city. We examined this edge during our Panel Tours and note that the development of Bath has already extended out of the original hollow and much of the current edge of the city comprises fairly ordinary suburban development. In our view the critical area in terms of the WHS designation is the compact city set in the hollow in the hills. This area cannot be seen from the southern edge of the city and the southern edge cannot be seen from within the hollow in the hills. We agree with the Regional Assembly when it states in paragraph D8 of its Statement that it is inappropriate that all locations are ruled out and consider that there is some scope for development that would not threaten the special character of the city. Bath is a living city and needs to be planned accordingly. We conclude that consideration should be given to the provision of employment land on the southern edge of Bath.

Weston-super-Mare

- 4.1.28 Weston-super-Mare has experienced significant re-structuring of its economic base. Our attention was drawn to the acquisition of Royal Air Force Locking by SWRDA and the emerging Area Action Plans by North Somerset Council (NSC) as signs of the commitments to the economic-led regeneration of the town. We were advised that, in addition to the development of the major economic sites, initiatives are addressing the regeneration of the seafront and the town centre. Paragraph A9 of the Regional Assembly Statement on Matter 4/1 indicates that it may be necessary for some initial housing to ‘pump prime’ the employment and regeneration initiatives and this was reiterated by the development interests involved in the major housing and employment projects in the town. The same paragraph states that the delivery of housing should be closely linked to the delivery of increased employment activity.
- 4.1.29 We have no doubt that further economic regeneration initiatives are justified in Weston, but note that while Policy SR6 in the draft RSS allocates 8,500 – 10,000 jobs to Weston SWRDA advocate that it should be expressed as a minimum of 10,000 jobs. NSC highlights the fact that using the latest population/workforce projections it is estimated that the 10,000 job figure would allow the current imbalance in the town to be reduced. It also points out that using the ratio of homes to jobs within the West of England as allocated in the draft RSS some 15,650 jobs could be required. Given the uncertainties we note the general acceptance of the need to phase the residential development and will consider it later in this chapter.
- 4.1.30 SWRDA pointed out that a business survey had found that Weston-super-Mare is highly rated as a location by its existing businesses and noted that this was more pronounced than for any of the other strategic centres in the sub-region. However the Agency did draw our attention to the fact that this perception is not shared by businesses currently outside of the town. Our Panel Tours along the M5 Motorway allowed us to observe the significant amount of employment development at nearby locations on the motorway. Given the relationship to the motorway and the availability of mainline trains we consider that the attraction of 10,000 jobs is feasible. We therefore propose that the job target should be set at 10,000 jobs.

Trowbridge

- 4.1.31 It is expected that the Trowbridge TTWA will create between 9,400 jobs and 11,700 jobs over the plan period. The TTWA covers the wider network of smaller towns that are functionally linked to Trowbridge. The public transport linkages with other centres provides Trowbridge with the opportunity to grow as a sub-regionally important service centre.

Bristol Port

- 4.1.32 SWRDA pointed out that Bristol Port is of both regional and national significance. We were advised that the port forms part of the strategic infrastructure of the South West region and plays a particularly important role within the economy of the Bristol city region. The Agency expressed concern that the land released from the Green Belt by Policy SR3 does not adequately reflect the needs of the port and argued that the Policy should be amended to establish a more positive framework for the future development of the Port.
- 4.1.33 We are aware that this proposal by the Agency relates to land to the west of the Royal Portbury Dock, which is in the ownership of the Bristol Port Company and that the land in question had been the subject of detailed consideration during the North Somerset Replacement Local Plan Inquiry. The draft RSS reflects the finding of the Inspector at that Inquiry and we do not consider that the evidence before us can be regarded as raising significantly different circumstances from that already considered. We note that the Port Authority considers that the land released to meet the needs of Royal Portbury is not as effective, but we conclude that it will allow scope for further development associated with the dock. The next longer term development of the port will occur on the north side of the River Avon and therefore we conclude that further decisions on the longer-term land needs of the Port require that wider context and should be a subject of the next RSS review. We will deal with the Green Belt implications of this matter later in this part of the Report and the future of the port is dealt with as part of our consideration of transport issues in Chapter 5.

Sevenside

- 4.1.34 SWRDA sought clarification on the role of the Avonmouth/Sevenside area. The Agency pointed out that the area already performs an important role in terms of the manufacturing and distribution services and noted the juxtaposition of the port as another factor. GOSW also indicated that the draft RSS should clarify the proposed role for this area. The only reference in the draft RSS to this area is in paragraph 4.2.13 which states that '*coastal defences are expected to be necessary to enable the economic potential of Avonmouth and Sevenside to be realised*'.
- 4.1.35 The Environment Agency explained that the area was at risk from tidal flooding and climate change would exacerbate the situation. It was also pointed out that the existing flood defences fell below the standard required by PPS25. The Highways Agency indicated that the development of the area would pose problems for the adjoining motorway network, but other participants pointed to the proximity of the port and the rail connections to the area. A number of participants drew our attention to the

existence of planning permissions for the development of 700 ha. and claimed that the only sensible alternative to incremental development of those planning consents was to look at the area comprehensively.

- 4.1.36 The area falls into both Bristol City and South Gloucestershire and the West of England Strategic Authorities indicated that the area is an important strategic location. It was accepted that the area should be the subject of long term planning. The Regional Assembly suggested that the solution should be an Area Action Plan approach and that this should be identified as a priority in the draft RSS. We conclude that the draft RSS should be modified to identify the need for a Joint Area Action Plan for the area.

Recommendation 4.1.3

- Policy SR1.1 should be extended to require the preparation of a Joint Area Action Plan for the Avonmouth and Severnside area.

Remainder of the Region

- 4.1.37 In the remainder of the sub-region, there are a range of market towns with varying degrees of accessibility, facility provision and economic base. As noted in Chapter 3 the draft RSS accepts that such settlements will continue to experience a certain level of economic growth, but it leaves the specification of provision to the LDF process. Mention was made at the EiP and in the evidence submitted to the opportunities at Norton Radstock in relation to the needs of Bath. In our view the formal dispersal of provision from Bath would run counter to the principles set out in Policies SD1-4 and the regeneration of the small towns in the hinterland of the city region should be based on local growth.
- 4.1.38 We recommend that an additional new Policy SR1.3 be added to deal with the economic development issues in the city region.

Recommendation 4.1.4

- Insert new Policy SR1.3 with the wording as indicated in Appendix C.

Housing Provision

Strategic Assessment

- 4.1.39 As noted earlier we have concluded that the 2003-based DCLG projection should be the main basis for our considerations. Appendix A (ii) sets out a comparison between the draft RSS level of dwelling provision for the District Council areas within the HMA and that implied by the 2003-based household projection. The comparison demonstrates the overall scale of the HMA shortfall as 16,155 dwellings. This deficiency is largely due

to the refusal of the Regional Assembly to recognise and plan for the consequences of the new household formation rates.

- 4.1.40 We note that a deficiency is identified in South Gloucestershire despite the location of a number of the proposed urban extensions in that area. We presume that this is due in part to the fact that the 2003 projections reflect strong past inward migration to this part of the city region as well as the effect of the additional household formation. The deficiencies in West Wiltshire and Mendip can also be explained in part by the extrapolation of past dispersal from the Bristol area and Bath. Nevertheless, the new household formation rates also apply to these areas and are part of the explanation.
- 4.1.41 We conclude from this assessment that further provision is required within the HMA to meet the deficiency. We are of the opinion that recognition needs to be given to the impact of additional households in West Wiltshire and Mendip on the basis of meeting housing needs where they arise. As noted in paragraph 4.0.10 we have allowed an increase of 15% of the draft RSS level of provision to meet this additional demand. This additional provision does not eliminate the deficiency and we conclude that the balance of the deficiency should be reallocated towards the SSCT areas in order to reflect the main strategic thrust of the draft RSS.

Urban Renewal

- 4.1.42 Many participants argued for a greater emphasis on brownfield opportunities within the urban areas. At the EiP we sought to ensure that adequate recognition had been given to such opportunities. Taking into consideration all the evidence submitted and the discussions at the EiP we are generally satisfied that the draft RSS reflects the capacity available within the urban areas. The evidence suggested a few areas where further capacity might be identified.
- 4.1.43 Some of the development industry representatives argued that there was further scope for brownfield development within Bristol City due to the on-going rationalisation of activities in that area. In addition to the continuing search for institutional efficiencies, we note that the employment forecasts indicate a contraction of industry. On this basis we accept the estimate by Barton Willmore that the capacity of the Bristol City area should be increased by 2,000 dwellings.
- 4.1.44 Our attention was drawn to the South Bristol Regeneration Initiative. We sought to identify the housing implications of this initiative, but could not establish this from the evidence available. We understand from the discussions at the EiP that decisions have not yet been made. We conclude that the additional capacity proposed above represents the best estimate of the urban area capacity.
- 4.1.45 Evidence was put to us prior to the EiP that there was additional capacity in the Filton area of South Gloucestershire District Council. At the EiP discussions it was established that several significant areas of vacant/under-utilised land within the urban area had not been included as part of the urban area capacity for South Gloucestershire. It was agreed with South Gloucestershire Council that the land could be considered for housing development. The total capacity of the areas was estimated to be 2,500 dwellings. We are of the opinion therefore that the capacity of the District area should be increased by that amount.

- 4.1.46 It was put to us in relation to Bath that there was further scope within the urban area. It was suggested that more effective use of vacant upper floors could provide additional accommodation. We note that the urban capacity of Bath has been the subject of several studies and conclude that without more substantive evidence we should not increase the estimated capacity of the city. We also established that there was some doubt over the availability of M.O.D. sites that were discussed.

Bath

- 4.1.47 The draft RSS proposes an Urban Extension to the south-east of Bath. Despite the fact that BANES contributed to and presumably agreed to the 4/4 Joint Strategy Area submission to the Regional Assembly, we heard evidence from the BANES representative that the authority had carried out a further evaluation of the proposal, which was no longer supported. It was claimed that the new evaluation showed that the proposed urban extension conflicted with landscape and environmental factors and in particular could threaten the designation of Bath as a World Heritage Site. Other participants argued that it was possible to achieve development that would reflect the environmental limitations.
- 4.1.48 The discussions at the EiP focussed on the issue prompted by the Regional Assembly in paragraph D8 of the EiP Statement. We considered to what extent it was appropriate that all potential locations for further development at Bath should be ruled out, particularly in view of the fact that the best available evidence suggested that economic growth can be expected to continue. Our attention was drawn to an approach developed for the Saltaire World Heritage Site to evaluate the scope for further development in the vicinity, and we conclude that the approach may be suitable for local planning, but is much less relevant to the strategic issues raised at a city scale at Bath. As noted above in the section dealing with economic development, we are not convinced that development on the southern edge of the city adjoining normal suburban development threatens the integrity of the historic, high density city within the hollow in the hills. The location cannot be seen from within the hollow and the core of the city cannot be seen from the southern edge of the city. In our view it should not therefore threaten the World Heritage Site designation.
- 4.1.49 It was also suggested that the question of housing provision at Bath should be the subject of a subsequent “mini” review. In our view it is difficult to see what further evidence would be available for such a review after the extensive work that had already been carried out for the review of the draft RSS and the EiP. We are also of the opinion that it would not be practical to divorce decisions on Bath from the rest of the HMA provision. As noted before, the life of the region will not end in 2026 and given the attractiveness of Bath the growth issue will face the next RSS review. It is essential that by that time any further clarification of urban capacity should be available to allow an assessment of the appropriate response. In the meantime we do not regard the consideration of an urban extension as a ‘quick fix’ solution, but rather as part of the on-going evolution of the city and its environs.
- 4.1.50 During the discussions it was suggested by the BANES representative that the Area of Search should be widened to include land to the west of Bath, which had not been considered as available during the JSA work. It was also suggested by English Heritage

that the special circumstances at Bath may justify a reconsideration of the AONB boundary as well as the Green Belt boundary. Other participants drew our attention to a location on the southern edge of the city which lies within the AONB and suggested that it should be included in the area of search. This proposal generated a considerable reaction from neighbouring residents, but a Panel Tour visit found that the location concerned did not give the impression of being part of an Area of Outstanding Natural Beauty and was distinctly separate both physically and visually from the adjoining parts of the AONB. We do not wish to become involved in a local planning matter but we believe that, in the particular circumstances at Bath, the boundary of the AONB in areas such as this must not be regarded as inviolable. A suggestion was made that the area of search should be widened to take into consideration the whole environs of the city, but that in our opinion would negate the JSA work that clearly pointed to the south side of the city as the most acceptable. We conclude therefore that the area of search should be widened to include the location to the west and the location within the AONB to the east of the existing area of search.

- 4.1.51 We have already concluded that there is a need for additional employment land and the draft RSS indicates a requirement for 1,500 dwellings. It is clear from our strategic assessment of demand against the draft RSS provision that there is a need for additional provision around the SSCTs. In those circumstances we conclude that provision for 1,500 dwellings should be sought within the widened area of search.

Weston-super-Mare

- 4.1.52 As noted above, concerns were expressed about the need to ensure a linkage between housing provision and employment growth. GOSW made the point that Weston-super-Mare is a large town similar in size to Bath and as a result there should be opportunities for greater self-containment. GOSW also stressed that starting with the existing imbalance and just synchronising jobs and housing provision will not improve the situation and welcomed the Inspector's recommendations for the Replacement Local Plan. It was suggested that this approach should be extended beyond 2011. The Highways Agency (HA) also expressed concern over the highway implications of a continuing lack of self-containment.
- 4.1.53 We have already supported the provision of 10,000 jobs within the TTWA as a response to the economic re-structuring the town has experienced. We have also noted the linkage between the employment provision and regeneration initiatives and the housing proposals and accept that some level of housing provision will have to be made to support the other measures. SWRDA highlighted the contribution the development proposals could make to the alleviation of flooding and transport problems and indicated that an entirely employment led approach would create a funding problem.
- 4.1.54 North Somerset Council drew our attention to the approach already in place in the Local Plan process. It was explained that the Local Plan was based on a 2011 time-horizon and was using five year phases to programme development. Pegasus supported the extension of this five year phasing approach to the remainder of the draft RSS period up to 2026 and highlighted the need to avoid shorter phases due to the normal variations in the development process. North Somerset Council indicated that it would intend to extend the existing approach of creating mixed-use projects with employment linked to housing provision to the larger employment sites. The Inspector's final report on the

North Somerset Replacement Local Plan illustrates the detailed consideration that has already been given to an appropriate policy framework.

- 4.1.55 We support the extension of the approach developed for the Replacement Local Plan to the remainder of the plan period as a contribution to achieving a more balanced community. Given the scale of the town and the opportunities available through the turnover of the existing stock we believe that it would be wrong to assume that the employment led approach to the new development will transform the level of self-containment. In our view the planning of infrastructure should allow for a significant level of inter-action with the Greater Bristol area. This conclusion would support some modification of the motorway junction on safety grounds and improvements to the public transport links to Bristol.
- 4.1.56 We accept the view expressed by the Regional Assembly that the draft RSS as a strategic document should not aspire to the detail of the local plan policies and support the suggestion that the draft RSS policy provides an adequate framework for the LDF process.

Trowbridge

- 4.1.57 The strategic assessment set out in Appendix A (ii) shows a deficiency of over 8,000 dwellings between the draft RSS allocation for West Wiltshire and the dwelling requirement implied by the DCLG 2003-based projections. The allowance for additional household formation in the remainder of the district does not bridge the gap. While we accept that the projections do reflect past dispersal from the larger urban areas we are of the opinion that further provision should be made at Trowbridge. As the town is designated as a SSCT we propose an additional 1,000 dwellings to fully reflect the impact of the additional household formation i.e. about 20%. We note the proximity of the Green Belt and more highly sensitive environmental areas to the north-west, but we are content that capacity exists to the east of the town.

Urban Extensions

- 4.1.58 As noted in paragraph 4.0.28 we conclude that the draft RSS proposals for urban extensions are soundly based. As a result the strategic assessment has taken the dwelling implications of the proposed urban extensions within the HMA into account. While we accept that there may be scope within the designated search areas to exceed the draft RSS targets, we do not believe that it is wise to assume any higher output within the plan period. It is clear from Appendix A (ii) that the additional housing provision referred to in the previous paragraphs will not meet the HMA deficiency of over 16,000 dwellings and that there is a need for further allocations within the HMA.
- 4.1.59 In seeking further locations to accommodate additional development we have placed the emphasis on sustainable development principles. As a result we have looked for locations that are well supported by public transport facilities and which can offer an existing range of local services and employment opportunities. In addition we have taken into account the available information on environmental constraints and the main purposes of the Green Belt. We also had regard to the advice submitted by developers and their assessment of the sustainability implications of their proposals and the impact

of the proposals on the Natura 2000 sites. The output of our considerations was the identification of opportunities at Yate and Keynsham.

- 4.1.60 The settlement of Yate has an existing population of 21,800 and adjoins Chipping Sodbury giving a combined population of 35,000. There is a considerable range of existing facilities in terms of education, shopping and leisure facilities and employment opportunities. We note that 44% of Yate/Chipping Sodbury residents work within the town. The proximity to the M4 and the links to Bristol support the views put to us that the area would be attractive to commercial and business investors should business development opportunities be released in conjunction with residential development in the area. This would offer the prospect of widening the range of local employment opportunities.
- 4.1.61 The settlement is also well linked to other parts of the conurbation by public transport. The town has a bus station with a number of bus services linking the area to other parts of the city region. There is also a rail service to Bristol and an opportunity to achieve an upgrade to the city region rail system through the release of development. A turn-back facility at Yate station would facilitate a half-hourly cross-Bristol service and could be linked to the release of additional development. We note that further development could generate problems on the road links to the city, M4 and M5.
- 4.1.62 There is no brownfield opportunity of any significance and therefore any development would involve the loss of greenfield land. It would appear that the area to the north of Yate and east of the railway line is mainly arable land and of low significance for wildlife, while land to the east of Chipping Sodbury is constrained by the setting of the AONB. We are of the view that substantial opportunity exists to accommodate development without significant environmental impact. A number of representatives of the development industry highlighted this area as a sustainable location. A Strategic Sustainability Assessment was submitted as a supporting document. This document was submitted in relation to a proposal for 2,000 dwellings and 15 ha of employment development, but in our view there is considerably more scope for development and we propose a total of 5,000 dwellings.
- 4.1.63 The area to the north of Yate does not fall within the existing Green Belt, but the draft RSS proposes an extension of the Green Belt which would cover this area. In paragraph 4.0.30 we conclude that the proposed extensions to the Green Belt have not been justified. We are of the opinion that development in this area could be planned as an integrated extension of the existing community, would not result in urban sprawl and represents an opportunity for the sustainable development of the HMA.
- 4.1.64 The other strong transport corridor within the HMA is the Bath to Bristol corridor where there is access to a number of bus routes and rail services. Many participants drew our attention to the particular need to support economic growth in the Bath TTWA by ensuring that sufficient housing was available. As noted above Bath is relatively constrained and so we looked at areas that might be able to meet this need in a sustainable way. Keynsham was identified by a number of developers including Barton Willmore in paragraph 9.3 and Appendix B of the Statement on Matter 4/1. It was put forward as an appropriate solution as Keynsham's location also allows development to serve the wider needs of the conurbation.

- 4.1.65 Keynsham can provide a wide range of community services for the new development and we are confident that it would also be an attractive location for associated employment development. In our opinion the combination of these factors make Keynsham a sustainable location. We recognise that development at Keynsham could be seen as threatening one of the main roles of the Green Belt in ensuring the separation of Bristol and Bath. We believe that there is sufficient scope for development around Keynsham to allow development to proceed without threatening the integrity of the separation. On this basis we propose a total of 3,000 dwellings at this location.
- 4.1.66 We recommend that Policy SR4, Policy SR5, Policy SR6 and Policy SR23 should be deleted and a replaced with a new Policy SR1.4 to deal with the strategic housing allocations within the HMA. Appendix A (iii) sets out the consequences of the conclusions in the above paragraphs by District Council area.

Recommendation 4.1.5

- Delete Policies SR4, SR5, SR6 and SR23 in the draft RSS and replace with new Policy SR1.4 with the wording as indicated in Appendix C.

- 4.1.67 In order to reflect the new Policy SR1.4, the supporting text and Inset Diagram 4.1 will require modification. We consider that our Report provides sufficient material for the amendments to the text and therefore we propose the following recommendation.

Recommendation 4.1.6

- The supporting text and Inset Diagram 4.1 should be amended to reflect new Policy SR1.4.

Green Belt

General extensions

- 4.1.68 The draft RSS proposes three major extensions of the approved Green Belt. The first extends the boundary in South Gloucester District to the north, extending from the Thornbury area eastwards to the Yate area. The second major extension extends the boundary in North Somerset District to the south-west of Nailsea and the third extends the boundary in Bath and North Somerset District to the south, to the edge of Norton Radstock. The Regional Assembly provided a modified version of Policy SR3, which included descriptions of the general extent of these changes. We deal with the matter of Green Belt extensions in paragraph 4.0.30 above and conclude that the draft RSS provides no justification for extensions. As a result the three major extensions in this HMA are not supported and as a result Inset Diagram 4.1 will have to be modified to delete the proposed extensions and revert to the approved Green Belt Boundary.

Royal Portbury Dock

- 4.1.69 When dealing with the future requirements of Bristol Port in an earlier section of this chapter, we noted that the Port Authority development ambitions conflicted with the proposed Green Belt extension at Portishead. We concluded that we could find no grounds to reverse the decision by the Inspector dealing with the North Somerset Replacement Plan that the Green Belt should be extended between the existing dock area and Portishead. We therefore support the extension in this location. We note that the draft RSS also includes a proposal to exclude land to the south of Royal Portbury Dock to provide amongst other things further scope for the activities associated with the dock. This proposal also reflects the more detailed consideration of this area at the North Somerset Replacement Plan Inquiry. There have been no material changes of circumstance since the Inquiry and so we support the exclusion.
- 4.1.70 The amended Policy SR3 which was submitted by the Regional Assembly deals with these changes. In our opinion the proposed amendment lacks clarity. It refers to the need to remove land from the Green Belt, but does not specifically refer to the extension between Portishead and the dock area. This is resolved through recommendation 4.1.7.

Bristol International Airport

- 4.1.71 A number of participants argued that the acceptance of the expansion of the airport was contrary to emerging national policy and inconsistent with Policies SD 1-4. Our attention was drawn to the fact that the Government had up-dated its view of the Air Transport White Paper (ATWP) recently and must have taken climate change matters into account. In our view the ATWP provides the exceptional circumstances required to justify the alteration to the Green Belt. We accept that North Somerset have already responded to the needs up to 2011, but the plan period goes to 2026.
- 4.1.72 A representation from Bristol International Airport (BIA) expressed concern that the proposed Policy SR3 in the draft RSS fails to provide for the airport's immediate or long term future. It was suggested that the proposed wording of Policy SR3 would require repeated changes to the Green Belt to conform to the ATWP requirements. An amended version of SR3 was submitted by the Regional Assembly, which includes a more general approach to this Green Belt issue. At the EiP discussion of the amended policy the BIA representative maintained that a clause requiring consideration of the need to prevent encroachment into the open countryside, unrestricted sprawl and the setting and character of surrounding settlements would be in conflict with national policy as expressed by the ATWP. The Regional Assembly suggested a further alteration to the policy substituting the disputed words with the last part of paragraph 4.2.6 of the draft RSS. In our opinion the ATWP does not over-ride other planning considerations or justify any departure from paragraph 1.7 of PPG2.

Urban Extensions

- 4.1.73 We concluded earlier that we had identified the exceptional circumstances required to justify the alteration of the Green Belt to accommodate the required urban extensions. We also concluded that the identification of the areas of search had been conducted in a reasonably sound manner. As a result we support the general thrust of the final paragraph of the Regional Assembly's submitted amendment to Policy SR3. We note

however the reference to including land to serve development needs in the longer term. The Regional Assembly indicated that the Areas of Search should provide the long-term direction of growth. We have already concluded that there is no justification for any formal allowance for such long term needs. We did accept that opportunity should be taken for sustainable and sensible additions to the capacities of the Areas of Search.

- 4.1.74 We recommend that policy SR3 should be deleted and replaced by new Policy SR1.5 and re-worded to deal with Green Belt Matters.

Recommendation 4.1.7

- Delete Policy SR3 in the draft RSS and replace with new Policy SR1.5 re-worded to deal with Green Belt Matters as indicated in Appendix C.

- 4.1.75 The text of the draft RSS does not reflect the proposed amendment to new Policy SR1.5. We consider that our report provides the necessary material. Inset Diagram 4.1 also needs to be modified to reflect the deletion of the general extensions, the widened search area at Bath and the additional search areas at Keynsham and Yate. We propose the following recommendation.

Recommendation 4.1.8

- The supporting text and Inset Diagram 4.1 should be modified to reflect new Policy SR1.5.

Infrastructure

- 4.1.76 A list of key infrastructure is set out in paragraph 4.2.13 of the draft RSS. The list indicates a need for substantial investment in public transport. The measures contained in the list include those required to support the urban extensions recommended earlier in this section such as the showcase bus routes, the strategic rapid transit network and the improvements to the Greater Bristol Rail Network. The Greater Bristol Strategic Transport Study indicates that these public transport measures will also reduce the pressure on the Strategic Road Network.
- 4.1.77 The list includes improvements to the roads in South Bristol including the South Bristol Ring Road. A number of participants questioned the merits of this proposal on the grounds that it conflicts with Policies SD1 and SD4. We accept that any improvement in road capacity of a strategic nature is likely to have the propensity to increase the level of traffic, particularly private car traffic. The case put forward for the road is much wider than the improvement of traffic conditions, although that is part of the case. It was put to us that the road is also required to improve the movement of public transport along the Bristol/Bath corridor. The road is also linked to the regeneration of South Bristol and to the development of the two urban extensions to the south of the city. It was pointed out that the implementation of the road would facilitate movement to the airport, particularly the public transport connections. The Eddington Report places

great stress on transport projects that contribute to a number of objectives and we are of the opinion that this road proposal fits that description. On this basis we are of the opinion that it should be retained in the list.

- 4.1.78 Many of the proposals in the list feature in the RFA advice to Ministers and most of the major public transport proposals are given high priority. We therefore support the list and the inclusion of the proposals in the separate Implementation Plan.
- 4.1.79 In order to inform the consideration of Section 5, Regional Approach to Transport, of the RSS and the Implementation Plan, we recommend that the Key Infrastructure Lists for the sub-region in the draft RSS should be combined and restructured to separately identify the transport component.

Recommendation 4.1.9

- That the Key Infrastructure List for the West of England should be incorporated in the draft RSS as shown in Appendix C and carried over into the Implementation Plan.

List of Panel Modifications to Policies and New Policies

Panel Report Chapter/label	Panel Modifications to Policies, New Policies and /or supporting text, diagrams, maps and figures	Recommendation in Panel Report
	<p>The Local Authorities within the HMA should plan for the balanced growth of the city region, maximising the use of previously developed land and buildings and ensuring that housing and employment opportunities are reasonably in balance. This will require provision to be made, within a revised green belt, for significant urban extensions at the designated SSCTs for mixed-use development to meet the longer-term needs of those areas. In the more peripheral parts of the HMA the emphasis should be on provision for locally generated needs. Co-operation between the local authorities will be required on sub-regional issues such as transportation and where development has cross-border implications involving joint work on LDDs addressing the distribution of financial contributions arising from Section 106 agreements and other funding mechanisms to deliver key infrastructure. In particular a Joint Area Action Plan should be prepared for the Avonmouth and Severnside area.</p>	Delete Policy SR2 and replace with new Policy SR1.1.
SR1.2	<p>Policy SR1.2 Role and Function</p> <p>Within the Housing Market Area the main strategy directions should be as follows:</p> <ol style="list-style-type: none"> 1. The central areas of Bristol are regarded as the most appropriate locations for the accommodation of the growth of higher order services and facilities. 2. Increased efforts should be made to maximise the regeneration opportunities within the urban areas. 3. Urban extensions around Bristol should be planned as balanced and sustainable communities within a revised green belt. These developments should be planned to complement the functions of the city centre and to avoid damage to major renewal initiatives. 4. An increase in local services at the Cribbs Causeway retail centre will be provided to serve the local communities, but not to the scale of a formal town centre. 5. The role of Bath as an international cultural and tourist centre should be reinforced and provision should be made to accommodate its continuing role as the focal point for higher level services for the surrounding area. An urban extension should be provided to allow the city to accommodate growth in a sustainable way. 6. Priority should be given to economic development at Weston-super-Mare to encourage its development as a more balanced community, but recognition should be given to the integrated nature of the development requirements. 7. The planning of Trowbridge should give priority to the potential of the town centre and its role as the functional centre for the surrounding network of towns. 8. The planning of the peripheral parts of the HMA should be based on the accommodation of locally generated growth. 	4.1.2 New Policy SR1.2
	<p>Policy SR1.1 Addition</p> <p>Policy SR1.1 should be extended to require the preparation of a Joint Area Action Plan for the Avonmouth and Severnside area.</p>	4.1.3 Policy Addition
SR1.3	<p>Policy SR1.3 Employment Provision</p> <p>Provision should be made for growth of 137,200 jobs within the HMA. In order</p>	4.1.4 New Policy SR1.3.

List of Panel Modifications to Policies and New Policies

Panel Report Chapter/label	Panel Modifications to Policies, New Policies and /or supporting text, diagrams, maps and figures	Recommendation in Panel Report
	<p>to accommodate the economic growth potential of the sub-region in a sustainable way the following measures are required:</p> <ol style="list-style-type: none"> 1. To maintain Bristol's role as the economic hub of the South West, provision will be made for job growth in the Bristol TTWA to accommodate at least 92,000 jobs over the plan period. 2. In order to accommodate this level of jobs in a sustainable manner, consideration should be given to ensuring that Bristol city centre can accommodate continuing growth. 3. In order to ensure that the proposed urban extensions are balanced communities and that job opportunities are more evenly distributed around the city region consideration should be given to economic development in the urban extensions. The level of provision should reflect existing employment opportunities and should not put at risk the strategy set out in any approved Local Development Document for the city centre or the Master Plan for the South Bristol Regeneration area. 4. As part of the efforts to provide a more balanced distribution of employment opportunities provision should be made to encourage new employment opportunities within the South Bristol Regeneration Area. 5. To ensure that Bath can continue to realise economic opportunities, provision should be made to accommodate between 16,000 and 20,200 jobs within the Bath TTWA over the plan period. In addition to the opportunities expected to arise within the urban area consideration should be given to the provision of a further economic development opportunity at the southern edge of the city. 6. To enable development at Weston-super-Mare to be economy led provision should be made for 10,000 jobs in the Weston-super-Mare TTWA over the plan period. In addition to the regeneration of the town centre and the sea front provision should be made to increasing the provision of employment opportunities. 7. The planning of Trowbridge should focus on the growth potential of its town centre. 8. In order to establish the longer term potential of the Avonmouth and Severnside area a Joint Area Action Plan should be carried out by Bristol City Council and South Gloucester Council. 9. In order to accommodate the growth in employment that is expected to arise in the more peripheral parts of the HMA consideration should be given to the adequacy of the economic development opportunities. 	
SR1.4	<p>Policy SR1.4 Housing Provision</p> <p>Provision should be made within the HMA for 126,950 dwellings to meet the requirements of the HMA. Within the HMA the dwellings should be provided as follows:</p> <ol style="list-style-type: none"> 1. Within Bristol City and the adjoining urban area within South Gloucestershire development will focus on the re-use of previously developed land and buildings, providing 44,000 dwellings. 2. Around Bristol the following urban extensions will be provided: 	<p>4.1.5</p> <p>Delete Policies SR4, SR5, SR6, SR23 and replace with New Policy SR1.4</p>

List of Panel Modifications to Policies and New Policies

Panel Report Chapter/label	Panel Modifications to Policies, New Policies and /or supporting text, diagrams, maps and figures	Recommendation in Panel Report
	<ul style="list-style-type: none"> • South West of Bristol, about 10,500 dwellings (Area of Search A). • South East of Bristol, about 6,000 dwellings (Area of Search B). • North and North East of Bristol about 8,000 dwellings (Areas of Search C and D). • Yate to the north-east of Bristol about 5,000 dwellings. <p>3. Development within the remainder of South Gloucestershire will amount to 2,300 dwellings.</p> <p>4. Development within Bath will focus on the re-use of previously developed land and buildings within the urban area, maximising densities, reflecting the impact on the historic environment and its setting and providing about 6,000 dwellings.</p> <p>5. Development at Bath will take the form of an urban extension to accommodate 1,500 dwellings to the south/south west of Bath (Area of Search E).</p> <p>6. An urban extension will be provided at Keynsham to accommodate about 3,000 dwellings.</p> <p>7. Development within the remainder of Bath and North East Somerset District will amount to 2,300 dwellings.</p> <p>8. Development within and adjoining Weston-super Mare urban area will amount to 3,000 dwellings.</p> <p>9. An urban extension will be provided to the east of Weston-super-Mare accommodating 9,000 dwellings (Area of Search F).</p> <p>10. Development within the remainder of North Somerset will amount to 5,750 dwellings.</p> <p>11. Development at Trowbridge will amount to 6,000 dwellings.</p> <p>12. Development within the remainder of West Wiltshire District will amount to 6,300 dwellings.</p> <p>13. Development within Mendip District Council area will amount to 8,300 dwellings.</p>	
	<p>Modify Text and Diagram</p> <p>The supporting text and Inset Diagram 4.1 should be amended to reflect new Policy SR1.4.</p>	<p>4.1.6</p> <p>Modify Text and Diagram</p>
<p>SR1.5</p>	<p>Policy SR1.5 Green Belt</p> <p>Around the built-up areas of Bristol (including contiguous built-up areas within North Somerset and South Gloucestershire) and Bath, the inner boundary of the Green Belt will follow generally the limits of existing development or that already committed. The outer boundary of the approved Green Belt will be retained. The general extent of the Bristol and Bath Green Belt is maintained subject to the following alterations:</p> <p>1. Between the Royal Portbury Dock and the M5 motorway the Green Belt will be removed, the detailed boundary to be established through the Local Development Framework process having regard to the development needs of the Royal Portbury Dock.</p>	<p>4.1.7</p> <p>Delete policy SR3 and replace with new Policy SR1.5</p>

List of Panel Modifications to Policies and New Policies

Panel Report Chapter/label	Panel Modifications to Policies, New Policies and /or supporting text, diagrams, maps and figures	Recommendation in Panel Report
	<p>2. Between the Royal Portbury Docks and Portishead the Green Belt will be extended to ensure the separation of the two areas and the maintenance of a green corridor to the coast.</p> <p>3. Land at Bristol International Airport will be removed from the Green Belt, the detailed boundary to be established through the Local Development Framework process having regard to the development needs of the Airport and the need to maintain the openness of the Green Belt and the purposes of its designation.</p> <p>4. Land within the areas of search identified in Policy SR1.4 for urban extensions at Bristol and Bath will be removed from the Green Belt, the detailed boundary to be established through the Local Development Framework process. Opportunities should be taken for sustainable and sensible additions to the capacities set out in new Policy SR1.4 for the areas of search to reflect their role as the direction of longer-term growth.</p>	
	<p>Modify Text</p> <p>The supporting text and Inset Diagram 4.1 should be modified to reflect new Policy SR1.5.</p>	<p>4.1.8</p> <p>Modify Text and Diagram</p>
	<p>Modify Text</p> <p>The key infrastructure will be identified in the Implementation Plan and should include the following transportation component:</p> <ul style="list-style-type: none"> • Greater Bristol Bus Network/ showcase bus routes along strategic corridors; • Major Park and Ride improvements; • Strategic rapid transit network (Hengrove/ North Fringe, Ashton vale/Emerson's Green, Bath/Cribbs Causeway); • Improvements to the roads in South Bristol, including the South Bristol Ring Road, improving access to the airport and facilitating investment for the regeneration of South Bristol; • Selective strategic highway capacity to serve business investment and selective strategic links to motorways and other trunk route networks including investigation of a new River Avon crossing and Bristol Parkway link; • Improvements to the Greater Bristol Rail Network, such as additional turn-around facilities and platform capacity to allow increases in cross Bristol local services; • Weston-super-Mare package including improvements to motorway junction; • Significantly enhanced interchange facilities at Weston-super-mare; and • Bath public transport package including longer-term Rapid Transit measures <p>In addition the following other infrastructure will be required:</p> <ul style="list-style-type: none"> • Coastal defences expected to be necessary to enable the economic potential of Avonmouth and Severnside to be realised. 	<p>4.1.9</p> <p>Modify Text</p>
Chapter 4/2	Swindon HMA Sub-Regional Strategy: Policy/Text	Rec. No
SR2.1	<p>Policy SR2.1 Sub-Regional Approach</p> <p>Strategic growth should be concentrated at Swindon and Chippenham.</p>	<p>4.2.1</p> <p>New Policy SR2.1</p>

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Sub-Regional Policies and Housing Distribution

4.1.2 The sub-region is generally prosperous with high skill and wage levels but has some substantial concentrations of deprivation, both in inner city areas and outer suburbs. House prices are generally high and there is a significant affordability gap.

4.1.3 The green belt will continue to maintain the separate identities of Bristol and Bath by keeping land open between and around them. However, necessary provision for new homes and to fulfil the SSCTs' economic potential cannot be met within the existing urban areas. The most sustainable solution is to provide for urban extensions to the SSCTs, including at six locations that have been subject to a review of the green belt. Bristol International Airport is by far the largest airport in the region and is of considerable importance to its economy. Forecasts set out in the Air Transport White Paper point to a three-fold increase in passenger numbers by 2030 and there is need to improve the runway and passenger facilities to accommodate this growth. Bristol Port is of regional and national significance and, while the most significant area of expansion will be to the north of the Avon, some expansion to the south of Portbury Dock will also enhance its contribution to the economy. To address these exceptional circumstances, the RSS makes changes to the general extent of the green belt, removing the designation from the areas required to accommodate the proposed urban extensions.

4.1.4 The corridors linking Bristol with Weston-super-Mare and Yate (including proposed urban extensions) will experience growth in movement and it will be important to ensure that these corridors work effectively to avoid local journeys taking place on the M4 and M5. South Bristol experiences severe congestion on the highway network and is poorly connected to other parts of Bristol, particularly the employment areas in the North Fringe. The Greater Bristol Transport Study concluded that accessibility would be enhanced by improving orbital movement around South Bristol, reducing delays, better connecting the area to the rest of the SSCT and supporting regeneration.

Bristol SSCT

4.1.5 Bristol is the main focus in the HMA for employment, shopping, and other high-order services. Its status as both a 'core city' and a 'science city' reflects the importance of its regional and national roles. The Bristol area contains 7.7% of the region's population and contributes approximately 12% of regional GVA. The SSCT is the focus for journeys for work, shopping, education and other purposes from a wide area and this has placed increasing pressure on transport corridors around the urban area, particularly the motorways. The economic success of the sub-region is underpinned by knowledge and technology based industries and the Universities, with Bristol International Airport and the Port also playing key roles. Evidence indicates that the strong employment growth currently being achieved at Bristol is set to continue throughout the period to 2026.

4.1.6 Positive planning is essential if Bristol is to fulfil its strong economic potential. Housing provision needs to be in step with economic growth in both scale and timing. While the city will continue to be the economic hub for a wide hinterland, a key aim is to achieve a better

Sub-Regional Policies and Housing Distribution

balance between jobs and homes. The key strategic development issue for Bristol is to provide for growth while improving the attractiveness of the urban area as a place where people want to live, work, visit and invest.

4.1.7 A major strategic objective is to revitalise the South Bristol area which is characterised by some of the most significant concentrations of multiple deprivation in the region. This will require concerted action and investment across a number of policy fields including education and health, as well as transport infrastructure.

4.1.8 There is significant potential to develop the capacity of Bristol city centre for housing, employment and retail services, and a need to extend the centre so that its potential can be more fully realised.

4.1.9 The cluster of retail uses at Cribbs Causeway serves both the northern part of the city as well as a wide catchment reliant on access by motorway. The current scale of retail facilities is sufficient to meet the needs of planned population growth in the northern part of the SSCT and the opportunity should be taken to use additional demand arising from growth to support a more even distribution of local centres around the urban area.

4.1.10 The Bristol North Fringe is an important area of economic activity, much of it having been attracted by proximity to a skilled workforce and by motorway-based accessibility. This area will continue to play an important role in the economy of the sub-region, including proposals for a science park. The northern part of the urban area is also a focus for aerospace and advanced engineering businesses. The importance of sustaining this nationally and internationally significant sector should play an integral part in the planning of the SSCT.

4.1.11 The Avonmouth/Sevenside area performs an important role in terms of manufacturing and distribution activity and, given its proximity to the port, has potential to develop its role further. However, much of the extensive area of land subject to a planning permission dating from the 1950s is at risk of tidal flooding, and development could also have a significant impact on the strategic road network. The area needs to be planned carefully and comprehensively to secure the most sustainable solution.

4.1.12 Substantial amounts of new housing will be required, provided for both within the existing urban area and at a number of urban extensions. These should be sustainable communities, within a revised green belt, fully integrated into the existing urban area. There is considerable potential for urban extensions to the south west and south east of Bristol, including land in the City of Bristol administrative area, which can support and complement the regeneration of South Bristol. In South Gloucestershire two areas are identified for urban extensions.

4.1.13 Although physically detached from the main urban area, the towns of Yate and Keynsham have strong functional relationships with Bristol and form part of the SSCT. There are opportunities at both towns for housing and employment growth to strengthen their roles, so they can better serve their own populations and that in the surrounding areas

Sub-Regional Policies and Housing Distribution

Bath SSCT

4.1.14 Bath is recognised as being of international significance for its historic environment, recognised by its World Heritage Site status. The city also has an international reputation as a cultural centre and tourist destination, founded on its architecture, public realm, shopping centre and setting. Bath's labour force is drawn from a wide catchment, resulting in strong commuting patterns between Bath and Bristol and with the towns and villages in north and east Somerset and the west part of Wiltshire that have put considerable traffic pressure on the city.

4.1.15 The quality of the city and its surroundings means that a careful balance must be struck between protecting and enhancing important environmental and cultural assets, and enabling the city to continue its economic, social and cultural development, including meeting housing needs. The key strategic development issue for Bath is to support continuing economic prosperity while accommodating sufficient housing to meet future needs at the city itself, rather than relying on dispersed provision in settlements beyond the green belt. This will assist in tackling damaging commuting patterns. To meet housing needs, the reuse of existing sites and buildings in the urban area will need to be accompanied by an urban extension. The highest standards of design will be essential to ensure that this can be achieved without detracting from Bath's World Heritage Site status.

Weston-super-Mare SSCT

4.1.16 Weston-super-Mare has experienced major restructuring in local industry and the tourism sector, and its economic decline is reflected in the relatively poor state of the town centre's retail and leisure offer. Major housing development has not been accompanied by commensurate employment growth and the imbalance between homes and jobs in the town is such that Weston-super-Mare is the least self-contained SSCT in the region. Job growth in Bristol city centre and at Bristol North Fringe has resulted in significant levels of unsustainable out-commuting from the town with significant congestion impacts on Junction 21 of the M5.

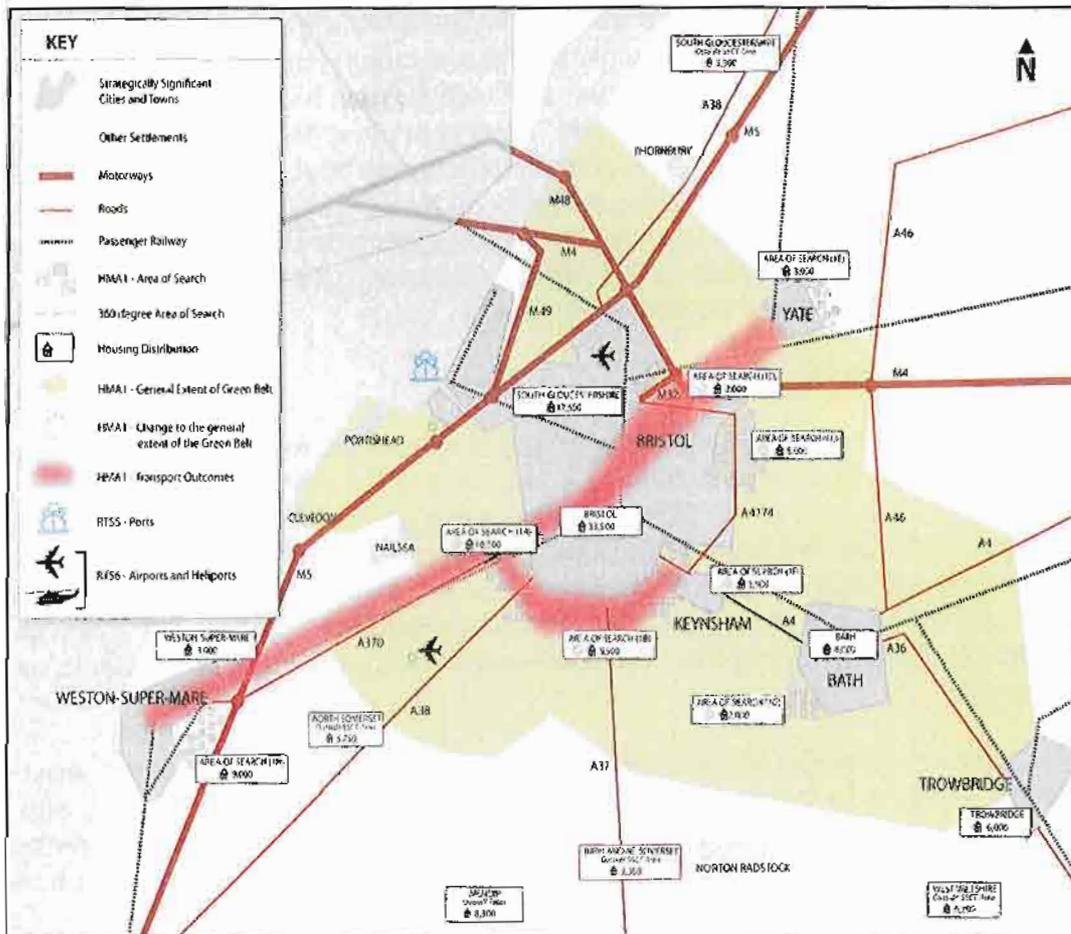
4.1.17 The key strategic development issue for Weston-super-Mare is to attract new investment and jobs to the town to address imbalances between employment and housing and the resulting out-commuting flows to Bristol. New development, both in the centre of town and in an urban extension, should be closely linked to job growth so that additional housing is not provided out of step with expansion of the economy and local employment. Revitalisation of the town centre is also essential, by improvements to and modernisation of retail and leisure facilities and enhancement of public realm and the town's network of green infrastructure.

Sub-Regional Policies and Housing Distribution

Trowbridge

4.1.18 Trowbridge has a strong commuting relationship with Bristol and Bath but retains an important role as an employment, administration and service centre in its own right. Significant potential exists for town centre expansion including opportunities for comprehensive redevelopment. The key strategic development issue is to build critical mass, taking advantage of development opportunities to secure greater self containment and to provide an enhanced service centre role for the surrounding area including the towns of Bradford-on-Avon, Frome, Melksham, Warminster and Westbury with which Trowbridge already has functional links.

Key Diagram Inset 1 West of England Housing Market Area



Picture 4.2 West of England Inset Diagram



Sub-Regional Policies and Housing Distribution

HMA 1

HMA1: West of England HMA

In the West of England HMA provision will be made for:

- growth of about 137,200 jobs
- growth of at least 137,950 homes, distributed between the local authorities as:

Bristol	36,500
South Gloucestershire	32,800
North Somerset	26,750
Bath and North East Somerset	21,300
West Wiltshire	12,300
Mendip	8,300

HMA 1

Bristol SSCT

Bristol will realise its potential as a major driver of the regional economy at the centre of a wider city region, increasing its importance both nationally and internationally while safeguarding the integrity of environmental and habitat designations by providing for:

- a better balance between homes and jobs to reduce the need to travel
- strategic employment sites to meet the needs of business, broaden the economic base and develop the economy
- expansion of the employment, service, retail and cultural roles of the city centre, including through redevelopment and regeneration
- a focused programme of regeneration initiatives at South Bristol to broaden the housing stock, improve the quality and diversity of retail, employment and service provision and improve accessibility
- the continuing role of the North Fringe as an economic centre of regional and national importance, including the nationally significant advanced engineering/aerospace cluster
- expansion of Yate and Keynsham to strengthen their roles as service centres

Sub-Regional Policies and Housing Distribution

- port-related development and a range of employment uses at Avonmouth/Sevenside while managing flood risk
- an increase in local services at Cribbs Causeway retail centre to serve local communities but not to the scale of a formal town centre.

Provision for sustainable housing growth will comprise:

- 51,000 new homes within the existing urban area of Bristol (33,500 in Bristol and 17,500 in South Gloucestershire)
- 10,500 new homes at Area of Search 1A (9,000 within North Somerset and 1,500 in Bristol)
- 9,500 new homes at Area of Search 1B (of which 8,000 within Bath and North East Somerset and 1,500 in Bristol)
- 8,000 new homes at Area of Search 1C (South Gloucestershire)
- 2,000 new homes at Area of Search 1D (South Gloucestershire)
- 3,000 new homes at Area of Search 1E at Yate (South Gloucestershire)
- 3,000 new homes at Area of Search 1F at Keynsham (Bath and North East Somerset)

Planning for employment will provide for about 92,000 jobs in the Bristol TTWA including the provision of about 352 ha of employment land.

Bath SSCT

Bath will develop its role as an economic, service, tourism and cultural centre, respecting its World Heritage Site status, by providing for:

- expansion of the employment, service, retail and cultural roles of the city centre
- reuse of existing sites and buildings within the urban area.

Provision for sustainable housing growth will comprise:

- 6,000 new homes within the existing Bath urban area
- 2,000 new homes at Area of Search 1G to the south west of Bath (Bath and North East Somerset).

Planning for employment will provide for about 20,200 jobs in the Bath TTWA including the provision of about 39 ha of employment land.

Weston-super-Mare SSCT

Weston-super-Mare will secure concerted employment-led regeneration, while safeguarding the integrity of environmental and habitat designations by providing for:



Sub-Regional Policies and Housing Distribution

- revitalisation of the town centre and sea-front through improved retail, leisure and cultural facilities and public realm
- a better balance between homes and jobs, with an emphasis on significantly improving the employment offer of the town and reducing the impacts of car-based commuting
- housing growth to be phased and linked directly to job growth.

Provision for sustainable housing growth will comprise:

- 3,000 new homes within the existing Weston-super-Mare urban area (North Somerset)
- 9,000 new homes at Area of Search 1H to the south east of Weston-super-Mare (North Somerset)

Planning for employment will provide for about 10,000 jobs in the Weston-super-Mare TTWA including the provision of about 34 ha of employment land.

Trowbridge SSCT

Trowbridge will enhance its role as an employment and service centre to meet the needs of a growing population and increase its self-containment, including provision to expand the town centre.

Provision for sustainable housing growth at the Trowbridge SSCT will be made for at least 6,000 new homes.

Planning for employment will provide for about 11,700 jobs in the Trowbridge & Warminster TTWA including the provision of about 37 ha of employment land.

Bristol and Bath Green Belt

The general extent of the Bristol and Bath Green Belt will be maintained subject to the following alterations:

- removal of the green belt between the Royal Portbury Dock and the M5 motorway, having regard to development needs of the Royal Portbury Dock
- removal of the green belt at Bristol International Airport, having regard to the development needs of the airport
- removal of the green belt to accommodate urban extensions at Areas of Search 1A, 1B, 1C, 1D, 1F and 1G.

Sub-Regional Policies and Housing Distribution

Transport outcomes

Action should be taken to:

- tackle congestion on the corridors between Yate and Bristol and between Weston-super-Mare and Bristol and reduce use of the M4 and M5 for local journeys
- to improve access for all to and from South Bristol and to provide for orbital movement, supporting regeneration and employment growth.

This should comprise:

- demand management measures
- sustainable travel measures; and
- if necessary, targeted new infrastructure investment to unlock pinch points.

Swindon HMA

4.1.19 The Swindon HMA covers the urban area of Swindon and extends to include North Wiltshire and Kennet districts. It has good accessibility to London and the South East and Bristol. Swindon itself (population 155,000) is important to the region's economy, with new businesses forming and the labour force increasing at a faster rate than nationally. The surrounding settlements play important roles in their own right - Chippenham (population 33,000) is the largest and provides local employment and services - but some settlements, such as Wootton Bassett, Wroughton, Highworth, Cricklade, Purton and Lyneham, have strong dormitory relationships with Swindon.

4.1.20 The corridors linking Swindon town centre to the north west, west and east parts of the town (including proposed urban extensions) will experience growth in movement and it will be important to ensure that these corridors work effectively to avoid local journeys taking place on the M4 and A419.

Swindon SSCT

4.1.21 Swindon will continue to grow in order to realise its considerable economic potential. The challenge is to capitalise on growth to transform the town, particularly the centre, and to strengthen its role in a sub-region that extends into the neighbouring South East region. Swindon also needs to achieve a better balance of housing and jobs to help reduce levels of commuting into the town from the surrounding area and further afield.

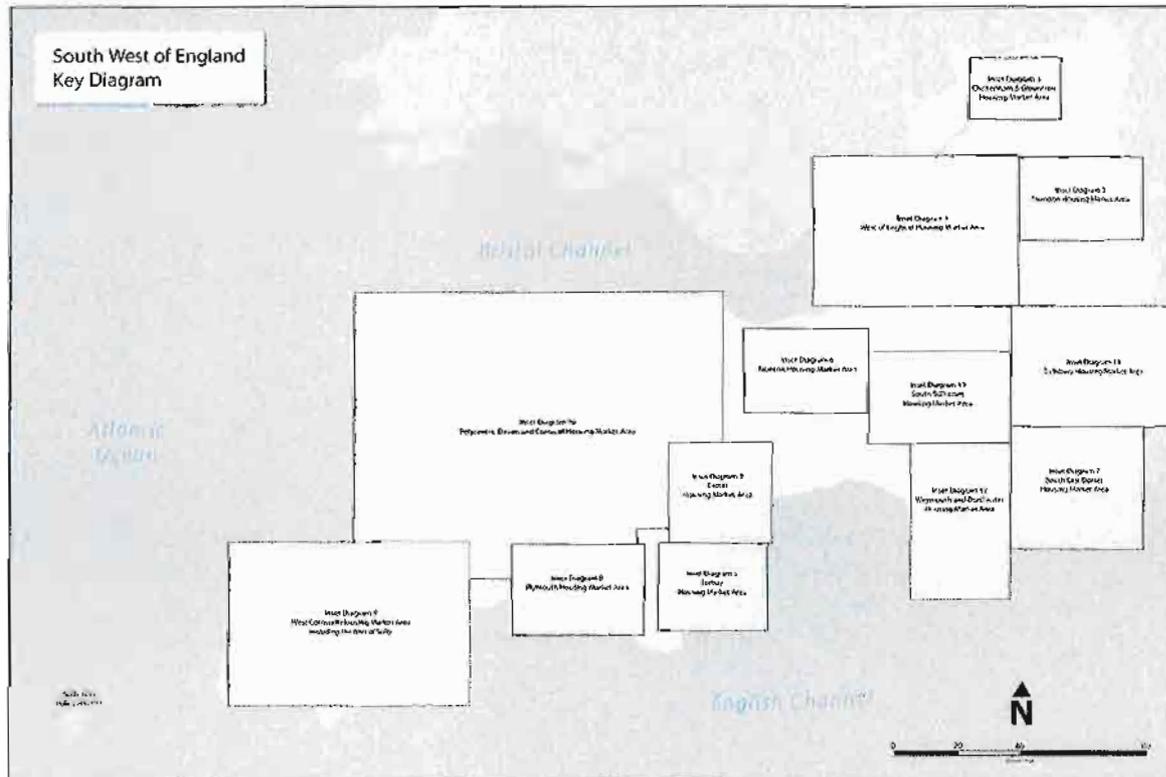
4.1.22 Swindon will need a significant number of new homes. Urban extensions underway north and south of Swindon will be supplemented by a major urban extension east of the A419 and a further extension westwards beyond the Borough's boundary. Here the challenge is to deliver new neighbourhoods of high quality and sustainable design where facilities and critical infrastructure are provided in step with development.

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4.1 Sub Regional Policies



West of England HMA

4.1.1 The West of England HMA is home to over a million people and includes the SSCTs of Bristol, Bath, Weston-super-Mare and Trowbridge, as well as many smaller towns and villages. The HMA exhibits many of the characteristics of a 'city region', with Bristol at its centre and strong links to the other SSCTs and an extensive hinterland. Bristol (population 551,000) is a key driver of the regional economy, with an economic influence that extends over a wide area, including as a centre for higher order services. Bath (population 90,000) has a complementary role to Bristol as a centre for employment, a cultural centre and an important tourist destination. Weston-super-Mare (population 80,000) is heavily influenced by its proximity to Bristol which has resulted in significant commuting flows. Between and around these SSCTs are a number of towns and villages which, historically, have accommodated significant housing growth for the sub-region and which, consequently, have strong commuting relationships with Bristol and Bath in particular. This is also a characteristic of the western part of Wiltshire, which is part of the HMA, and includes Trowbridge.

Sub-Regional Policies and Housing Distribution

4.1.2 The sub-region is generally prosperous with high skill and wage levels but has some substantial concentrations of deprivation, both in inner city areas and outer suburbs. House prices are generally high and there is a significant affordability gap.

4.1.3 The green belt will continue to maintain the separate identities of Bristol and Bath by keeping land open between and around them. However, necessary provision for new homes and to fulfil the SSCTs' economic potential cannot be met within the existing urban areas. The most sustainable solution is to provide for urban extensions to the SSCTs, including at six locations that have been subject to a review of the green belt. Bristol International Airport is by far the largest airport in the region and is of considerable importance to its economy. Forecasts set out in the Air Transport White Paper point to a three-fold increase in passenger numbers by 2030 and there is need to improve the runway and passenger facilities to accommodate this growth. Bristol Port is of regional and national significance and, while the most significant area of expansion will be to the north of the Avon, some expansion to the south of Portbury Dock will also enhance its contribution to the economy. To address these exceptional circumstances, the RSS makes changes to the general extent of the green belt, removing the designation from the areas required to accommodate the proposed urban extensions.

4.1.4 The corridors linking Bristol with Weston-super-Mare and Yate (including proposed urban extensions) will experience growth in movement and it will be important to ensure that these corridors work effectively to avoid local journeys taking place on the M4 and M5. South Bristol experiences severe congestion on the highway network and is poorly connected to other parts of Bristol, particularly the employment areas in the North Fringe. The Greater Bristol Transport Study concluded that accessibility would be enhanced by improving orbital movement around South Bristol, reducing delays, better connecting the area to the rest of the SSCT and supporting regeneration.

Bristol SSCT

4.1.5 Bristol is the main focus in the HMA for employment, shopping, and other high-order services. Its status as both a 'core city' and a 'science city' reflects the importance of its regional and national roles. The Bristol area contains 7.7% of the region's population and contributes approximately 12% of regional GVA. The SSCT is the focus for journeys for work, shopping, education and other purposes from a wide area and this has placed increasing pressure on transport corridors around the urban area, particularly the motorways. The economic success of the sub-region is underpinned by knowledge and technology based industries and the Universities, with Bristol International Airport and the Port also playing key roles. Evidence indicates that the strong employment growth currently being achieved at Bristol is set to continue throughout the period to 2026.

4.1.6 Positive planning is essential if Bristol is to fulfil its strong economic potential. Housing provision needs to be in step with economic growth in both scale and timing. While the city will continue to be the economic hub for a wide hinterland, a key aim is to achieve a better

Sub-Regional Policies and Housing Distribution

balance between jobs and homes. The key strategic development issue for Bristol is to provide for growth while improving the attractiveness of the urban area as a place where people want to live, work, visit and invest.

4.1.7 A major strategic objective is to revitalise the South Bristol area which is characterised by some of the most significant concentrations of multiple deprivation in the region. This will require concerted action and investment across a number of policy fields including education and health, as well as transport infrastructure.

4.1.8 There is significant potential to develop the capacity of Bristol city centre for housing, employment and retail services, and a need to extend the centre so that its potential can be more fully realised.

4.1.9 The cluster of retail uses at Cribbs Causeway serves both the northern part of the city as well as a wide catchment reliant on access by motorway. The current scale of retail facilities is sufficient to meet the needs of planned population growth in the northern part of the SSCT and the opportunity should be taken to use additional demand arising from growth to support a more even distribution of local centres around the urban area.

4.1.10 The Bristol North Fringe is an important area of economic activity, much of it having been attracted by proximity to a skilled workforce and by motorway-based accessibility. This area will continue to play an important role in the economy of the sub-region, including proposals for a science park. The northern part of the urban area is also a focus for aerospace and advanced engineering businesses. The importance of sustaining this nationally and internationally significant sector should play an integral part in the planning of the SSCT.

4.1.11 The Avonmouth/Sevenside area performs an important role in terms of manufacturing and distribution activity and, given its proximity to the port, has potential to develop its role further. However, much of the extensive area of land subject to a planning permission dating from the 1950s is at risk of tidal flooding, and development could also have a significant impact on the strategic road network. The area needs to be planned carefully and comprehensively to secure the most sustainable solution.

4.1.12 Substantial amounts of new housing will be required, provided for both within the existing urban area and at a number of urban extensions. These should be sustainable communities, within a revised green belt, fully integrated into the existing urban area. There is considerable potential for urban extensions to the south west and south east of Bristol, including land in the City of Bristol administrative area, which can support and complement the regeneration of South Bristol. In South Gloucestershire two areas are identified for urban extensions.

4.1.13 Although physically detached from the main urban area, the towns of Yate and Keynsham have strong functional relationships with Bristol and form part of the SSCT. There are opportunities at both towns for housing and employment growth to strengthen their roles, so they can better serve their own populations and that in the surrounding areas

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Bath SSCT

4.1.14 Bath is recognised as being of international significance for its historic environment, recognised by its World Heritage Site status. The city also has an international reputation as a cultural centre and tourist destination, founded on its architecture, public realm, shopping centre and setting. Bath's labour force is drawn from a wide catchment, resulting in strong commuting patterns between Bath and Bristol and with the towns and villages in north and east Somerset and the west part of Wiltshire that have put considerable traffic pressure on the city.

4.1.15 The quality of the city and its surroundings means that a careful balance must be struck between protecting and enhancing important environmental and cultural assets, and enabling the city to continue its economic, social and cultural development, including meeting housing needs. The key strategic development issue for Bath is to support continuing economic prosperity while accommodating sufficient housing to meet future needs at the city itself, rather than relying on dispersed provision in settlements beyond the green belt. This will assist in tackling damaging commuting patterns. To meet housing needs, the reuse of existing sites and buildings in the urban area will need to be accompanied by an urban extension. The highest standards of design will be essential to ensure that this can be achieved without detracting from Bath's World Heritage Site status.

Weston-super-Mare SSCT

4.1.16 Weston-super-Mare has experienced major restructuring in local industry and the tourism sector, and its economic decline is reflected in the relatively poor state of the town centre's retail and leisure offer. Major housing development has not been accompanied by commensurate employment growth and the imbalance between homes and jobs in the town is such that Weston-super-Mare is the least self-contained SSCT in the region. Job growth in Bristol city centre and at Bristol North Fringe has resulted in significant levels of unsustainable out-commuting from the town with significant congestion impacts on Junction 21 of the M5.

4.1.17 The key strategic development issue for Weston-super-Mare is to attract new investment and jobs to the town to address imbalances between employment and housing and the resulting out-commuting flows to Bristol. New development, both in the centre of town and in an urban extension, should be closely linked to job growth so that additional housing is not provided out of step with expansion of the economy and local employment. Revitalisation of the town centre is also essential, by improvements to and modernisation of retail and leisure facilities and enhancement of public realm and the town's network of green infrastructure.

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HMA 1

HMA1: West of England HMA

In the West of England HMA provision will be made for:

- growth of about 137,200 jobs
- growth of at least 137,950 homes, distributed between the local authorities as:

Bristol	36,500
South Gloucestershire	32,800
North Somerset	26,750
Bath and North East Somerset	21,300
West Wiltshire	12,300
Mendip	8,300

HMA 1

Bristol SSCT

Bristol will realise its potential as a major driver of the regional economy at the centre of a wider city region, increasing its importance both nationally and internationally while safeguarding the integrity of environmental and habitat designations by providing for:

- a better balance between homes and jobs to reduce the need to travel
- strategic employment sites to meet the needs of business, broaden the economic base and develop the economy
- expansion of the employment, service, retail and cultural roles of the city centre, including through redevelopment and regeneration
- a focused programme of regeneration initiatives at South Bristol to broaden the housing stock, improve the quality and diversity of retail, employment and service provision and improve accessibility
- the continuing role of the North Fringe as an economic centre of regional and national importance, including the nationally significant advanced engineering/aerospace cluster
- expansion of Yate and Keynsham to strengthen their roles as service centres

Sub-Regional Policies and Housing Distribution

- port-related development and a range of employment uses at Avonmouth/Sevenside while managing flood risk
- an increase in local services at Cribbs Causeway retail centre to serve local communities but not to the scale of a formal town centre.

Provision for sustainable housing growth will comprise:

- 51,000 new homes within the existing urban area of Bristol (33,500 in Bristol and 17,500 in South Gloucestershire)
- 10,500 new homes at Area of Search 1A (9,000 within North Somerset and 1,500 in Bristol)
- 9,500 new homes at Area of Search 1B (of which 8,000 within Bath and North East Somerset and 1,500 in Bristol)
- 8,000 new homes at Area of Search 1C (South Gloucestershire)
- 2,000 new homes at Area of Search 1D (South Gloucestershire)
- 3,000 new homes at Area of Search 1E at Yate (South Gloucestershire)
- 3,000 new homes at Area of Search 1F at Keynsham (Bath and North East Somerset)

Planning for employment will provide for about 92,000 jobs in the Bristol TTWA including the provision of about 352 ha of employment land.

Bath SSCT

Bath will develop its role as an economic, service, tourism and cultural centre, respecting its World Heritage Site status, by providing for:

- expansion of the employment, service, retail and cultural roles of the city centre
- reuse of existing sites and buildings within the urban area.

Provision for sustainable housing growth will comprise:

- 6,000 new homes within the existing Bath urban area
- 2,000 new homes at Area of Search 1G to the south west of Bath (Bath and North East Somerset).

Planning for employment will provide for about 20,200 jobs in the Bath TTWA including the provision of about 39 ha of employment land.

Weston-super-Mare SSCT

Weston-super-Mare will secure concerted employment-led regeneration, while safeguarding the integrity of environmental and habitat designations by providing for:

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- revitalisation of the town centre and sea-front through improved retail, leisure and cultural facilities and public realm
- a better balance between homes and jobs, with an emphasis on significantly improving the employment offer of the town and reducing the impacts of car-based commuting
- housing growth to be phased and linked directly to job growth.

Provision for sustainable housing growth will comprise:

- 3,000 new homes within the existing Weston-super-Mare urban area (North Somerset)
- 9,000 new homes at Area of Search 1H to the south east of Weston-super-Mare (North Somerset)

Planning for employment will provide for about 10,000 jobs in the Weston-super-Mare TTWA including the provision of about 34 ha of employment land.

Trowbridge SSCT

Trowbridge will enhance its role as an employment and service centre to meet the needs of a growing population and increase its self-containment, including provision to expand the town centre.

Provision for sustainable housing growth at the Trowbridge SSCT will be made for at least 6,000 new homes.

Planning for employment will provide for about 11,700 jobs in the Trowbridge & Warminster TTWA including the provision of about 37 ha of employment land.

Bristol and Bath Green Belt

The general extent of the Bristol and Bath Green Belt will be maintained subject to the following alterations:

- removal of the green belt between the Royal Portbury Dock and the M5 motorway, having regard to development needs of the Royal Portbury Dock
- removal of the green belt at Bristol International Airport, having regard to the development needs of the airport
- removal of the green belt to accommodate urban extensions at Areas of Search 1A, 1B, 1C, 1D, 1F and 1G.

Sub-Regional Policies and Housing Distribution

Transport outcomes

Action should be taken to:

- tackle congestion on the corridors between Yate and Bristol and between Weston-super-Mare and Bristol and reduce use of the M4 and M5 for local journeys
- to improve access for all to and from South Bristol and to provide for orbital movement, supporting regeneration and employment growth.

This should comprise:

- demand management measures
- sustainable travel measures; and
- if necessary, targeted new infrastructure investment to unlock pinch points.

Swindon HMA

4.1.19 The Swindon HMA covers the urban area of Swindon and extends to include North Wiltshire and Kennet districts. It has good accessibility to London and the South East and Bristol. Swindon itself (population 155,000) is important to the region's economy, with new businesses forming and the labour force increasing at a faster rate than nationally. The surrounding settlements play important roles in their own right - Chippenham (population 33,000) is the largest and provides local employment and services - but some settlements, such as Wootton Bassett, Wroughton, Highworth, Cricklade, Purton and Lyneham, have strong dormitory relationships with Swindon.

4.1.20 The corridors linking Swindon town centre to the north west, west and east parts of the town (including proposed urban extensions) will experience growth in movement and it will be important to ensure that these corridors work effectively to avoid local journeys taking place on the M4 and A419.

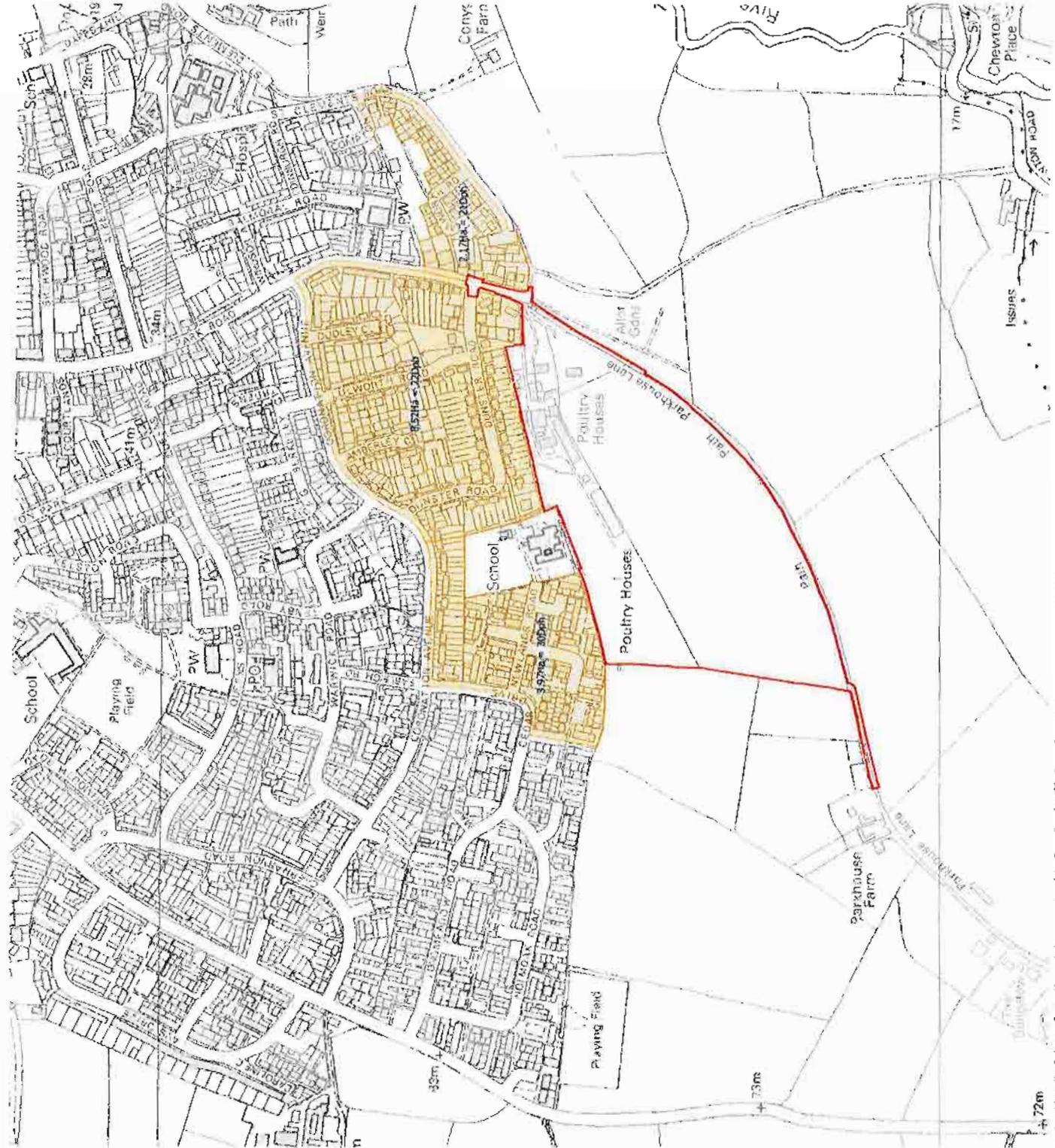
Swindon SSCT

4.1.21 Swindon will continue to grow in order to realise its considerable economic potential. The challenge is to capitalise on growth to transform the town, particularly the centre, and to strengthen its role in a sub-region that extends into the neighbouring South East region. Swindon also needs to achieve a better balance of housing and jobs to help reduce levels of commuting into the town from the surrounding area and further afield.

4.1.22 Swindon will need a significant number of new homes. Urban extensions underway north and south of Swindon will be supplemented by a major urban extension east of the A419 and a further extension westwards beyond the Borough's boundary. Here the challenge is to deliver new neighbourhoods of high quality and sustainable design where facilities and critical infrastructure are provided in step with development.

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Revision	Date	Drawn by	Checked by
01	05.04.11	PT	KP
02	19.07.11	PT	KP



Project
South West Keynsham

Drawing Title
Surrounding Density Plan

Date	Scale	Drawn by	Check by
05.04.11	1:5000@A3	PT	KP
Project No	Drawing No	Revision	
19764	01		



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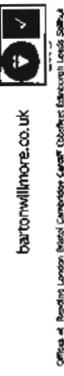
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