



## NOTE DEALING WITH INSPECTOR'S MATTERS AND ISSUES FOR EXAMINATION: MATTER 7 – SUSTAINABLE TRANSPORT: QUESTION 1:

1. Document ID/3: 'Matters and Issues for Examination' lists the matters and issues the Inspector wishes to address in the Examination due to commence on 13 September 2016.

### Matter 7 – Sustainable Transport: Question 1

2. **The Issue:** "*Whether policies for supporting sustainable transport are soundly based.*"
3. **Question 1:** "*Why is it no longer necessary to safeguard routes for the Whitchurch bypass and Temple Cloud/Clutton bypass and studies to assess the Saltford bypass and an A46/A36 link?*"
4. This representation is made on behalf of Robert Hitchins Limited. It is concerned with draft Policy ST3 and primarily with the A37 Whitchurch bypass. Table 3 of Appendix 1 forming Part 6 of the suite of documents states Policy ST3 will replace Policy T.17 in the adopted Local Plan<sup>1</sup>. Unlike the extant Policy, the proposed Policy does not list the schemes, however elsewhere in the Plan reference is made to safeguarding the route of the A37 Whitchurch bypass.
5. The safeguarding of land for the A37 Whitchurch bypass was examined at the local plan inquiry held in Spring 2005<sup>2</sup>. The draft Local Plan contained Policy T.17 which listed a number of schemes that were being safeguarded. The Inspector in his report commented that the schemes listed in Policy T.17 were inherited from the former Avon County Council and that the Whitchurch bypass had been included in Development Plans from before 1974<sup>3</sup>. The Inspector commented on a joint study carried out in 2003 with Bristol City Council regarding the economic case for the Whitchurch bypass; it concluded there was not a strong case at that time. He also commented that Policy T.17 did not comply with the provisions of paragraph 5.22 of PPG12<sup>4</sup>. This allowed for safeguarding assuming the proposals were sufficiently advanced and there is a clear commitment and need for the road scheme. This was not the case for the A37 Whitchurch bypass.
6. The Inspector recommended the plan should be modified by deleting Policy T.17<sup>5</sup>.
7. The Council rejected that recommendation; in respect to the A37 Whitchurch bypass, it stated in its Statement of Decisions in the lead up to the Plan's adoption:

"Since the inquiry there are new proposals for a South Bristol Ring Road in the Final Joint Local Plan (JLTP)<sup>6</sup> and these are recognised in the Government's Regional Funding Allocation in 2006. It is therefore inopportune to release land that has long been safeguarded for the Whitchurch bypass until the precise land needs of the Ring Road are known."
8. The adopted Local Plan retained Policy T.17, and it is currently a 'saved' policy.

<sup>1</sup> Local Plan adopted May 2007

<sup>2</sup> Bath and North East Somerset Local Plan Inquiry February to May 2005

<sup>3</sup> Inspector's Report dated May 2006 paragraph 13.86 page 491

<sup>4</sup> Planning Policy Guidance 12 'Development Plans' published December 1999

<sup>5</sup> Inspector's Report dated May 2006 page 492

<sup>6</sup> West of England Joint Local Transport Plan 3 2011- 2026 dated March 2011

9. The matter was raised in the Core Strategy<sup>7</sup> adopted in July 2014. Paragraph 5.44 deals with Infrastructure. The paragraph stated:

“Land identified in the Local Plan at Whitchurch and Temple Cloud/Clutton for the purposes of potential village bypasses will remain safeguarded. These schemes will be reviewed through the Placemaking Plan.”

10. At the time of the preparation of the Core Strategy the relevant guidance concerning safeguarding land for infrastructure such as road schemes was set out in PPS12<sup>8</sup>. Paragraph 4.10 states:

“the test should be whether there is a reasonable prospect of provision.”

11. Paragraph 4.11 required the infrastructure planning for the core strategy to include the specific infrastructure requirements of any strategic sites which are allocated in it. The allocated site under Policy RA5 ‘Land at Whitchurch’ sets out the Placemaking Principles. Principle 7 deals with Transport; there is no reference to the A37 Whitchurch bypass.
12. Another reference is made to the Whitchurch bypass at paragraph 6.94 of the Core Strategy dealing with Core Policy 6f. This states the Council will continue to safeguard routes for the Whitchurch bypass and Temple Cloud/Clutton bypass. Paragraph 6.95 states this approach follows on from the five key goals of the emerging JLTP3.
13. JLTP3 had been informed by the Greater Bristol Strategic Transport Study<sup>9</sup>, commissioned by the regional government office. This recommended construction of a new southern route around Bristol to tackle congestion. In effect it sought to complete the Avon Ring Road. It described it as “an indicative alignment from the junction with the A4 at Hicks Gate following a new alignment to the south west of Whitchurch to the A37, then running south of Hengrove before heading north to junction with Hartcliffe Way and Hengrove Way and finally, following an on-line alignment through Withywood before skirting Highridge Common to the A38.” This was proposed in conjunction with a second scheme known as the ‘A38 – A370 link’ forming an extension of the South Bristol Ring Road from the A38 through to the A370 Long Aston Bypass.
14. A number of additional schemes for highway capacity improvement were examined but not included in the GBSTS strategy. These included the A37 Whitchurch bypass and the Callington Road Link. These two schemes were identified as providing local relief to the highway network rather than having a strategic impact.
15. The West of England Local Enterprise Partnership has progressed work on developing the South Bristol Ring Road; it is now known as the ‘South Bristol Link’ and comprises a 4.5 mile long link road incorporating an express MetroBus route for travel between the A370 Long Ashton bypass and Hengrove Park. The link has cycling and pedestrian paths along its whole length. Construction is in progress and it is due to open by the end of 2016.
16. Bristol City Council is understood to have confirmed that the section between A4 Hicks Gate and Hengrove known as the ‘missing link’ will now not be pursued. This acknowledges the difficult terrain through which the route would pass.
17. It is pertinent to point out that planning permission was allowed on appeal for residential development on land at Sleep Lane, Whitchurch<sup>10</sup>. This was land that was safeguarded for the

<sup>7</sup> Bath and North East Somerset Core Strategy Part 1 adopted July 2014

<sup>8</sup> Planning Policy Statement 12 ‘Local Spatial Planning’ published June 2008.

<sup>9</sup> Greater Bristol Strategic Transport Study Final Report dated 13 June 2006

<sup>10</sup> Appeal Reference APP/F0114/A/12/2171418 dated 29 November 2012

Whitchurch bypass. In reaching his decision the Inspector concluded there was no realistic prospect of the A37 Whitchurch bypass being delivered in a timely fashion, and therefore it was reasonable to consider the site for housing

18. As a consequence of this decision and the emerging allocation in the Placemaking Plan for 200 dwellings on land to the east of Sleep Lane, the potential for a bypass to the east of the A37 as it passes through Whitchurch is greatly diminished, and this alone renders the safeguarding of the remainder as superfluous.
19. The JLTP in 2011 listed the A37 Whitchurch Bypass as a scheme under a category “Future ideas to 2026” (reference: sub-section 11.7 page 132). The supporting text states:

“as the core strategies develop the list of schemes may alter.”
20. The Core Strategy has developed and it is clear the A37 Whitchurch bypass is not required to support the strategic allocation at Whitchurch. It is not identified as critical infrastructure to widen transport choice.
21. The National Planning Policy Framework (NPPF) sets out the extant policy regarding safeguarding at paragraph 41. It states:

“Local planning authorities should identify and protect, where there is robust evidence, sites and routes which could be critical in developing infrastructure to widen transport choice.”
22. The Planning Practice Guidance<sup>11</sup> (PPG) provides guidance on the preparation of a robust evidence base which includes viability and deliverability. The evidence available concluded there was not a strong economic case, the road would serve a local not strategic function and the scheme is not identified in the forward programme of the LTP3 nor in the Infrastructure Delivery Programme.
23. In the light of the progress made with the South Bristol Link, the declaration by Bristol City Council over the ‘missing link’, the approval on appeal for development on land previously safeguarded, the abandonment of a large scale urban extension at Whitchurch, the lack of funding and taking into account the requirements of the NPPF and the PPG, there is now no justification for the A37 Whitchurch Bypass and consequently there is no need to safeguard the route.

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<sup>11</sup> Planning Practice Guidance ID: 54-002-20141010