

SHF/CIR.H.0282

18th December 2013

Planning Policy
Core Strategy Amendments
B&NES Council
PO Box 5006
Bath
BA1 1JG

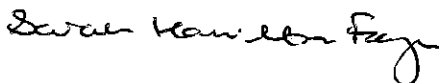
Dear Sir

Bath and North East Somerset Core Strategy Schedule of Core Strategy Amendments November 2013 - Respondent Number 170

Pegasus Planning Group has been instructed by Robert Hitchens Ltd to respond to the above consultation. I enclose 13 completed representation forms on the Schedule of Core Strategy Amendments, together with supporting evidence in respect of land off Stockwood Lane, Whitchurch, a review of landscape visual matters and a transport assessment.

Should you have any queries or would like to discuss the representations further please do not hesitate to contact me.

Yours faithfully



Sarah Hamilton-Foyn
Director
Sarah.hamilton-foyn@pegasuspg.co.uk

cc Andy Hill, Robert Hitchens Ltd
Phil Hardwick, Robert Hitchens Limited
Mervyn Dobson, Pegasus Group

Enc

**Core Strategy Amendments
November 2013
Comment Form Part 1**

*For official use only:
Received:
Acknowledged:
Respondent No.:
Agent No.:*

**For guidance on filling in this form, see note on our website: www.bathnes.gov.uk/corestrategy
Text in blue indicates a hyperlink that will open the relevant document, website or email.**

Please return this form to Planning Services by **5pm on 20th December 2013** ideally by email to core_strategy@bathnes.gov.uk or, if you do not have access to email, by post to:
Planning Policy Core Strategy Amendments, B&NES Council, PO Box 5006, Bath, BA1 1JG.

The Core Strategy is being examined by an independent Inspector and your comment(s) will be considered as part of this process. Please comment on the amendments only. These are available on the above website. **Using this form will help ensure your comments are valid.**

This form (Part 1) need only be completed once, but should accompany each submission of Part 2 of the Comment Form. The Schedule of Core Strategy Amendments, the Comment Form Part 1 and Part 2, and the Guidance Note can be downloaded from the website above. Please contact Planning Policy on 01225 477548 if you do not have internet access.

Part1: Contact details

Please note that email is the Council's preferred method of communication and enables us to contact you quickly and efficiently. Please also provide a postcode with details of your address.

Personal Details		Agent Details (if applicable)	
Title		Title	Mrs
First Name		First Name	Sarah
Surname		Surname	Hamilton-Foy
Job Title <i>(only if applicable)</i>		Job Title	Director
Organisation <i>(only if applicable)</i>	Robert Hitchins Ltd	Organisation	Pegasus Group
Email		Email	Sarah.hamilton-foyn@pegasuspg.co.uk
Address		Address	Pegasus House
			Querns Business Centre
			Whitworth Road
			Cirencester
Postcode		Postcode	GL7 1RT
Date		Date	18 th December 2013

Please note that names and comments will be published.

**Core Strategy Amendments
November 2013
Comment Form Part 2**

*For official use only:
Received:
Acknowledged:
Respondent No.:
Agent No.:
Representation No.:*

**For guidance on filling in this form, see note on our website: www.bathnes.gov.uk/corestrategy
Text in blue indicates a hyperlink that will open the relevant document, website or email.**

Please return this form to Planning Services by **5pm on 20th December 2013** ideally by email to core_strategy@bathnes.gov.uk or, if you do not have access to email, by post to:
Planning Policy Core Strategy Amendments, B&NES Council, PO Box 5006, Bath, BA1 1JG.

Part 2: Comments

- This form must be accompanied by Part 1 (Contact Details)
- Please use a new copy of Part 2 for each Core Strategy amendment you wish to comment on.
- Please read the guidance on completing this form which includes:
 - explanations of the key terms;
 - explanations of the Core Strategy process; and
 - information on how to make sure your comment is valid and can be considered.
- The Schedule of Core Strategy Amendments, the Comment Form Part 1 and Part 2, and the Guidance Note can be downloaded from www.bathnes.gov.uk/corestrategy. Please contact Planning Policy on 01225 477548 if you do not have internet access.
- Supporting evidence can also be attached when submitting your comments (please indicate below).

1. Name or Organisation	Pegasus Group	2. Respondent Number (if known)	170
3. Attachments included with this comment (please list them below):		Yes No	

4. Do you wish to participate at the Examination Hearings?	Yes No
If yes, please state why you consider this to be necessary:	
Pegasus Group has consistently made representations throughout the preparation of the BANES Core Strategy and has attended the Examination Hearing Sessions.	

5a. Please state the amendment reference number here that your comment relates to (comments should only relate to a proposed change listed in the Schedule Core Strategy Amendments available from www.bathnes.gov.uk/corestrategy CSA1)

5b. If your comment relates to a specific Strategic Site allocation please give the name of the location here:

6. Do you support the change?	Yes No
--------------------------------------	-------------------

This form continues on the next page

Please note that names and comments will be published.

7. Please make your comment below. It is helpful if you can also state why you consider the amendment makes the Core Strategy legally compliant/sound, or not as explained in the guidance note. In relation to the Strategic Sites allocations considered by Council, we welcome comments on both suggested and rejected sites. Please expand this box or attach a separate sheet if you require more space.

We have previously made representations to request that strategic sites are allocated in the Core Strategy in order to be consistent with the NPPF para 47 which states that the Local Plan should identify key sites which are critical to the delivery of the housing strategy over the plan period.

The Inspector expressed concern in his note ID/40 that identifying only broad locations in the Core Strategy and leaving the allocation of specific sites to the Placemaking Plan would mean that new housing would not be delivered quickly enough.

It is evident in BANES that if the Council is to maintain at least a 5 year housing land supply, then sites within the Green Belt need to be identified in the Core Strategy. The Inspector in ID/40 para 17 stated that, *“Making at least some of the strategic broad locations specific allocations in the core strategy would enable the plan to contribute directly to the 5 year supply at adoption.”*

However, the proposed amendments to the spatial strategy provide an insufficient response and an inadequate review of the Green Belt, in view of the potential scale of future housing needs in B&NES and Bristol. An objection is made to Policy RA5 strategic site allocation – see reps on CSA 44 and 45

8. Please state what change to the policy or supporting text you are requesting. Please refer to the guidance note for more details. Please expand this box or attach a separate sheet if you require more space.

**Core Strategy Amendments
November 2013
Comment Form Part 2**

*For official use only:
Received:
Acknowledged:
Respondent No.:
Agent No.:
Representation No.:*

**For guidance on filling in this form, see note on our website: www.bathnes.gov.uk/corestrategy
Text in blue indicates a hyperlink that will open the relevant document, website or email.**

Please return this form to Planning Services by **5pm on 20th December 2013** ideally by email to core_strategy@bathnes.gov.uk or, if you do not have access to email, by post to:
Planning Policy Core Strategy Amendments, B&NES Council, PO Box 5006, Bath, BA1 1JG.

Part 2: Comments

- This form must be accompanied by Part 1 (Contact Details)
- Please use a new copy of Part 2 for each Core Strategy amendment you wish to comment on.
- Please read the guidance on completing this form which includes:
 - explanations of the key terms;
 - explanations of the Core Strategy process; and
 - information on how to make sure your comment is valid and can be considered.
- The Schedule of Core Strategy Amendments, the Comment Form Part 1 and Part 2, and the Guidance Note can be downloaded from www.bathnes.gov.uk/corestrategy. Please contact Planning Policy on 01225 477548 if you do not have internet access.
- Supporting evidence can also be attached when submitting your comments (please indicate below).

1. Name or Organisation	Pegasus Group	2. Respondent Number (if known)	170
3. Attachments included with this comment (please list them below):		Yes No	

4. Do you wish to participate at the Examination Hearings?	Yes No
If yes, please state why you consider this to be necessary: Pegasus Group has consistently made representations throughout the preparation of the BANES Core Strategy and has attended the Examination Hearing Sessions.	

5a. Please state the amendment reference number here that your comment relates to (comments should only relate to a proposed change listed in the Schedule Core Strategy Amendments available from www.bathnes.gov.uk/corestrategy CSA3)

5b. If your comment relates to a specific Strategic Site allocation please give the name of the location here:
--

6. Do you support the change?	Yes No
--------------------------------------	-------------------

This form continues on the next page

Please note that names and comments will be published.

7. Please make your comment below. It is helpful if you can also state why you consider the amendment makes the Core Strategy legally compliant/sound, or not as explained in the guidance note. In relation to the Strategic Sites allocations considered by Council, we welcome comments on both suggested and rejected sites. Please expand this box or attach a separate sheet if you require more space.

The Council has not 'undertaken an assessment of the needs of development within the District during the plan period' as described in CSA3 (paragraph 1.19a) to comply with paragraph 47 of the NPPF. An objection is therefore made to the Council's assessment of needs within the district during the plan period, which is reported as assessing the space needed for economic growth, housing, retail provision and social needs whilst also taking into account the Council's objective of promoting 'a higher value economy rather than only volume growth.'

The geography of the SHMA was discussed at the Hearing Session on 17th September and while the plan has proceeded, there are still significant issues regarding the reliance which can be placed on the SHMA, as amended by Addenda 1a to 1c, and these have been addressed in the Hearing Statement submitted for the Examination Hearing Session on 10th and 11th December 2013.

Even if it is accepted that a SHMA can be prepared for just the District, it is still necessary to consider the implications of housing needs of neighbouring areas and especially Bristol, which have not been fully considered (contrary to the assertion in paragraph 1.18).

8. Please state what change to the policy or supporting text you are requesting. Please refer to the guidance note for more details.

Please expand this box or attach a separate sheet if you require more space.

A more robust assessment is required of future housing requirements, recognising the underlying demographic, social and economic forces for change, based on a long-term view of trends in migration, household formation and economic activity and taking account of the impacts of housing demand in adjoining districts – in particular Bristol.

**Core Strategy Amendments
November 2013
Comment Form Part 2**

*For official use only:
Received:
Acknowledged:
Respondent No.:
Agent No.:
Representation No.:*

For guidance on filling in this form, see note on our website: www.bathnes.gov.uk/corestrategy
Text in blue indicates a hyperlink that will open the relevant document, website or email.

Please return this form to Planning Services by **5pm on 20th December 2013** ideally by email to core_strategy@bathnes.gov.uk or, if you do not have access to email, by post to:
Planning Policy Core Strategy Amendments, B&NES Council, PO Box 5006, Bath, BA1 1JG.

Part 2: Comments

- This form must be accompanied by Part 1 (Contact Details)
- Please use a new copy of Part 2 for each Core Strategy amendment you wish to comment on.
- Please read the guidance on completing this form which includes:
 - explanations of the key terms;
 - explanations of the Core Strategy process; and
 - information on how to make sure your comment is valid and can be considered.
- The Schedule of Core Strategy Amendments, the Comment Form Part 1 and Part 2, and the Guidance Note can be downloaded from www.bathnes.gov.uk/corestrategy. Please contact Planning Policy on 01225 477548 if you do not have internet access.
- Supporting evidence can also be attached when submitting your comments (please indicate below).

1. Name or Organisation	Pegasus Group	2. Respondent Number (if known)	170
3. Attachments included with this comment (please list them below):		Yes No	

4. Do you wish to participate at the Examination Hearings?	Yes No
If yes, please state why you consider this to be necessary: Pegasus Group has consistently made representations throughout the preparation of the BANES Core Strategy and has attended the Examination Hearing Sessions.	

5a. Please state the amendment reference number here that your comment relates to (comments should only relate to a proposed change listed in the Schedule Core Strategy Amendments available from www.bathnes.gov.uk/corestrategy CSA6)

5b. If your comment relates to a specific Strategic Site allocation please give the name of the location here:
--

6. Do you support the change?	Yes No
--------------------------------------	-------------------

This form continues on the next page

7. Please make your comment below. It is helpful if you can also state why you consider the amendment makes the Core Strategy legally compliant/sound, or not as explained in the guidance note. In relation to the Strategic Sites allocations considered by Council, we welcome comments on both suggested and rejected sites. Please expand this box or attach a separate sheet if you require more space.

An objection is made to changes proposed to paragraph 1.26 a – d entitled “the scale and location of growth.”

The Council’s approach to housing requirements as now set out in CSA6 appears to be different from the approach taken in the Proposed Changes and explained in the Council report of 4 March and in BNES/48 (undated, but produced in mid September, following the SHMA seminar on 2 August) which purports to explain SHMA Addenda 1a, 1b, and 1c.

There are several relatively insignificant changes in the overall housing figure: from 12,722 in the Council Report of March 2013 or 12,274 to 12,749 in Table 4 of Annex 1 of that Report; to 12,700 in the Proposed Changes to 12,749 in BNES/48; to 12,956 in CSA6 (paragraph 1.26b) of the Schedule of CS Amendments (which should be 12,936 unless the affordable housing figure is meant to be 3,310 rather than 3,290); and to ‘around 13,000 homes’ in Policy DW1 (CSA14).

However the more significant change is what seems to be an attempt to present the headline figure of 12,956 (or 12,936) or ‘around 13,000’ as an estimate of housing land supply in Table 1B of CSA6, rather than a requirement on the demand side of the equation, as explained in the earlier documentation.

This change of ‘interpretation’ appears to be a sleight of hand to avoid assessing 5-year housing land requirements on the basis of the headline figure for total housing requirements. It requires far more explanation and justification than is presented in CSA6 or BNES/52, which was promised to provide further explanation but is not at all clear.

There are several errors in BNES/52 that make it difficult to follow, including 2.1, 3.34, the following table and Table A2ii (not including spelling errors that we consider to be de minimis). Having ‘read with precision the construction of NPPF paragraph 157’ we are unable to see how it supports a ‘more refined approach’ to housing land supply based on disaggregating market and affordable housing. It is misleading to separate the requirements for market and affordable housing when the delivery of most affordable housing is dependent on planning obligations linked to market housing.

The answers to 3.34 in BNES/52 (p 27ff) confuse requirements and supply; they appear to say that 12,956 is simply a forecast of supply, which fortuitously delivers (exactly) the requirement for affordable housing (3,310) by ‘over-supplying’ market housing (by 9,646 rather than 5,437). The basis for 12,956 as a supply figure and its relationship to the headline requirement figure included in the Proposed Changes require a full explanation from the Council.

Among the many contradictions that are not explained is how the apparent ‘over-supply’ of market housing (by 9,646 rather than 5,437) can be delivered – if there is no demand/requirement for this number of market homes. BNES/52 offers ‘smoke and mirrors’ rather than an explanation for the housing figures in Tables 1A and 1B of CSA6.

The NPPF expects Local Plans to meet the full, objectively assessed needs across their housing market area. Emerging Government Guidance confirms that needs should be assessed first, and independently of possible constraints to meeting them.

Please note that names and comments will be published.

The Core Strategy had included a housing requirement of 12,700 dwellings in Policy DW1, this figure is proposed to be replaced by a table which sets out that the objectively assessed housing requirement comprises: - market housing 5,437 plus affordable housing 3,290 dwellings giving a total of 8,727 dwellings. The amendment CSA6 states that it is against these figures that the implementation of the plan will be monitored. *“A five year land supply of specific deliverable sites will be maintained against this disaggregated District wide requirement for both market and affordable housing....”*

The Inspector’s note ID 40 at paras 14 and 15 clearly states that the housing land supply should be assessed against the housing requirement in the Plan i.e. 12,700 dwellings.

Para 14 states that:

“NPPF paragraph 47 refers to identifying sufficient deliverable sites to provide 5 years’ worth of housing against the housing requirement, plus an appropriate buffer. In my view, the housing requirement is the requirement that has been (or, in this case, is proposed to be) identified in a Council’s up-to-date, adopted development plan. It is the scale of housing that the Council is proposing to deliver.”

Para 15 states that:

“... the council’s approach is not justified. It seeks to calculate the 5 year supply on the basis of the selected household projection (plus front-loaded local plan backlog) rather than the headline requirement which will be set out in the Core Strategy....More importantly the Council has concluded that 12,700 new homes are necessary and should be delivered over the plan period. This is what the council is promising to do and therefore this is the figure against which its delivery should be judged in calculating the 5 year supply.”

BNES 51 states that the Council has proposed amendments to Policy DW1 but the full explanation of this *“will be more helpfully set out as part of the Council’s broader response to ID/42.”* In other words the justification will not be available until the Council have prepared and submitted their Hearing Statements on 22nd November. BNES 52 which responds to the Inspector’s questions in ID/42 was published after 22nd November during the consultation period on the Core Strategy Schedule of Amendments.

The objective assessment of housing need now only indicates a figure of 8,727 dwellings for the plan period when previously the figure included in the plan was 8,637 dwellings (source: BANES 48 para 20) The justification for this appears to be based on the revised SHMA and sensitivity testing. Pegasus Group have commented on this and prepared a Hearing Statement for the examination sessions on 10th and 11th December. Without repeating our Hearing Statement, in summary we object to the revised housing provision as proposed in the Schedule of Core Strategy Amendments November 2013.

Whilst the SHMA has been revised since the Core Strategy Proposed Changes was produced and considered by the Council on 4th March, it is widely accepted and also evident in various documents produced by the Council that there has been an undersupply of housing and that there is a significant affordability issue in BANES, (Proposed Change CSA 3 to new para 1.19b states that in terms of affordable housing need, Bath has one of the widest house price to earnings ratios outside of London and affordability varies across the district.)

National guidance states that, *“the assessment will need to reflect the consequences of past under delivery of housing. As household projections do not reflect unmet housing need, local planning authorities should take a view based on available evidence of the extent to which household formation rates are or have been constrained by supply.”*

Please note that names and comments will be published.

The SHMA for Bath and North East Somerset (with its addenda) does not fulfil the requirements of the NPPF (para 158), the DCLG Practice Guidance of March 2007 or the draft NPPG.

The Council's reasoning about the need for additional market housing to deliver the required quantum of affordable housing is full of contradictions. If the additional housing is justified and capable of delivery, it must be part of the planning requirement and must form the basis for calculating the 5 year housing land supply with the addition of the backlog and a buffer as stated in ID/40, paragraph 13 – 15.

There is no justification for a disaggregated district wide housing requirement for both market and affordable housing, the concept is fraught with difficulties in terms of transparency and monitoring. The plan seems to be contradictory stating that the supply of market housing has been boosted to enable the delivery of the total affordable housing requirement. However, the next paragraph 1.26c states that *"much of the supply of market housing is on sites that will not yield any affordable housing"* so in order to attempt to monitor the supply of housing the Council have devised this disaggregated requirement, however, in practice it is not clear how the delivery of affordable housing will be monitored.

Table 1A Housing Requirement has a figure for affordable housing of 3,290 dwellings this also happens to the same figure in Table 1B Housing Land Supply.

Table 9 Meeting the need for market and affordable housing in BNES 48 explains how the total of 12,749 dwellings is calculated but this table should be reproduced to show how latest figures in the plan in para 1.26a – d area calculated (Change ref CSA6 in the Schedule of Core Strategy Amendments Nov 2013). Table 9 the figure for total housing is 8,637 which is from Table 2c based on Draft SHMA adjusted 2008 headship rates low trend migration. The figure for affordable housing is from Table 8 Draft SHMA adjusted 2008 headship rates low trend migration. (However, BNES 48 para 34 refers to 3,110 affordable units plus a further 90 units), therefore should the total be 3,200 affordable in Table 1A of the Schedule of Core Strategy Amendments Nov 2013.

8. Please state what change to the policy or supporting text you are requesting. Please refer to the guidance note for more details.

Please expand this box or attach a separate sheet if you require more space.

It is considered that the plan continues to fail to meet objectively assessed needs in accordance with the NPPF, this failure could have significant social, economic and environmental consequences., acting as a brake to economic recovery and growth and in terms of housing, under provision could displace demand to other locations and encourage higher levels of commuting and increase the need for affordable housing provision.

The housing requirement plus an appropriate buffer should be included in the plan; this is the figure which should be used in assessing the housing land supply. A disaggregated approach is fraught with difficulties in terms of assessing housing land supply and is unsound.

Tables 1A and 1B in paragraph 1.26 should be revised to show a full objective assessment of housing requirements to meet market and affordable housing needs. The basis for Table 1B should be explained in term of housing requirements and not labelled, confusingly, housing land supply. It should also be consistent with the terminology used in Policy DW1 (CSA14) The total in Table 1B should be consistent with its component parts (which may mean correcting the affordable housing figure).

**Core Strategy Amendments
November 2013
Comment Form Part 2**

*For official use only:
Received:
Acknowledged:
Respondent No.:
Agent No.:
Representation No.:*

**For guidance on filling in this form, see note on our website: www.bathnes.gov.uk/corestrategy
Text in blue indicates a hyperlink that will open the relevant document, website or email.**

Please return this form to Planning Services by **5pm on 20th December 2013** ideally by email to core_strategy@bathnes.gov.uk or, if you do not have access to email, by post to:
Planning Policy Core Strategy Amendments, B&NES Council, PO Box 5006, Bath, BA1 1JG.

Part 2: Comments

- This form must be accompanied by Part 1 (Contact Details)
- Please use a new copy of Part 2 for each Core Strategy amendment you wish to comment on.
- Please read the guidance on completing this form which includes:
 - explanations of the key terms;
 - explanations of the Core Strategy process; and
 - information on how to make sure your comment is valid and can be considered.
- The Schedule of Core Strategy Amendments, the Comment Form Part 1 and Part 2, and the Guidance Note can be downloaded from www.bathnes.gov.uk/corestrategy. Please contact Planning Policy on 01225 477548 if you do not have internet access.
- Supporting evidence can also be attached when submitting your comments (please indicate below).

1. Name or Organisation	Pegasus Group	2. Respondent Number (if known)	170
3. Attachments included with this comment (please list them below):		Yes No	

4. Do you wish to participate at the Examination Hearings?	Yes No
If yes, please state why you consider this to be necessary:	
Pegasus Group has consistently made representations throughout the preparation of the BANES Core Strategy and has attended the Examination Hearing Sessions.	

5a. Please state the amendment reference number here that your comment relates to (comments should only relate to a proposed change listed in the Schedule Core Strategy Amendments available from www.bathnes.gov.uk/corestrategy CSA 9)
--

5b. If your comment relates to a specific Strategic Site allocation please give the name of the location here:

6. Do you support the change?	Yes No
--------------------------------------	-------------------

Please note that names and comments will be published.

This form continues on the next page

7. Please make your comment below. It is helpful if you can also state why you consider the amendment makes the Core Strategy legally compliant/sound, or not as explained in the guidance note. In relation to the Strategic Sites allocations considered by Council, we welcome comments on both suggested and rejected sites. Please expand this box or attach a separate sheet if you require more space.

Whilst the principle of releasing land from the Green Belt at Whitchurch is supported, an objection is made to the proposed allocated site (see reps on CSA 45) and also that the issue of safeguarding land from the Green Belt has not been addressed in the schedule of Core Strategy Amendments.

The NPPF at para 83 states that *“In reviewing Green Belt boundaries LPAs should consider the Green Belt boundaries having regard to their intended permanence in the long term, so that they should be capable of ensuring beyond the plan period.”*

Para 85 of the NPPF provides advice on defining boundaries, local planning authorities should:...

- *“where necessary identify in their plans areas of safeguarded land between the urban area and the Green Belt, in order to meet longer-term development needs stretching well beyond the plan period;*
- *make clear that the safeguarded land is not allocated for development at the present time. Planning permission for the permanent development of safeguarded land should only be granted following a Local Plan review which proposes the development;*
- *satisfy themselves that Green Belt boundaries will not need to be altered at the end of the development plan period; and*
- *define boundaries clearly, using physical features that are readily recognisable and likely to be permanent.”*

The Inspector’s note ID 36 “Concerns in relation to evidence on the Strategic Locations and questions on Green Belt Matters Schedule of Proposed Amendments” states that the issue of safeguarded land is a strategic matter which the Core Strategy should be addressing so that the Place Making Plan has a clear outcome to delivery.

In para 16 the Inspector emphasises that when Green Belt boundaries are reviewed they should endure beyond the plan period and that he could not see the evidence basis for the Council concluding that there is no scope to identify safeguarded land. (The Proposed Changes March 2013 para 6.64A stated that the issue of safeguarded land will be considered in the Place Making Plan – this is included in the Policies on SW Keynsham and also Whitchurch. In ID 36 the Inspector commented that the plan needed to provide a strategic steer, and that the issue of safeguarded land is a strategic matter which the Core Strategy should be addressing so that the Place-making Plan has a clear outcome to delivery.

The Schedule of Amendments only indicates that land will be safeguarded at East Keynsham.* For Whitchurch the issue is postponed until the review of the plan. For South West Keynsham the amendments state that it is not considered that there is any scope to identify safeguarded land. It is not clear what the justification for this approach is.

The Sustainability Appraisal Addendum Report does not provide any analysis of safeguarding land in any location. It does however, acknowledge in paragraph 4.2 in the context of Policy DW1 that: *“Safeguarded land for future development would have major positive effects on meeting social and economic objectives in that it gives a degree of certainty about continuity of housing provision.”*

It is noted that the Site Appraisals, (Annex O) have helped to identify more specifically the areas with good potential to link to existing communities to promote vibrant and cohesive communities. They also help to

Please note that names and comments will be published.

avoid the areas without physical links or good potential to be linked by public transport or areas with disproportionality high infrastructure costs. However, this has not translated into any land being safeguarded apart from at East Keynsham and even this area the justification appears to be weak as it is reliant on necessary transport improvements in the A4 corridor - only when these have been secured will development be permitted.

Annex O the Green Belt Site Allocations Sustainability Appraisal is an addendum to the SA Report Annex L. However, it does not consider the issue of safeguarded land in the Green Belt. Consequently the schedule of amendments fails to address the strategic matter of safeguarded land.

The Council only identify land at East Keynsham to be safeguarded. The Council have indicated in some areas that the safeguarding issue will be addressed in a review of the Core Strategy, however there is no certainty over the timing of this review i.e. when it will be undertaken, particularly as the Council indicate that the first review will be timed to enable co-ordination with the review of the core strategies of adjoining authorities in the West of England. Whilst the Duty to Co-operate appears as a standing item on the West of England Planning Housing and Communities Board agenda, there is no commitment to any timetable for the review of Core Strategies and much will depend on the outcomes of the Joint SHMA which has been commissioned, but it is not expected to report until autumn 2014, and even then these will only be draft findings.

The Inspector indicates in ID 36 para 18 that given that the Council is proposing much less development than explored in the Arup Concept Options Reports there seems potential scope for major subsequent debate about what areas the policies apply to and how broad the areas of search should be.

The safeguarding of land from the Green Belt should be addressed in the Core Strategy for BANES; this was previously referred to in the Proposed Changes March 2013 and delegated to the Place-making Plan. In the Proposed Changes each of the policies on the broad locations recognised that there would be a need to identify safeguard land to meet longer term development needs. However, this is now dismissed until a review of the Core Strategy. This approach is not consistent with the NPPF para 85 or indeed the Inspector's advice in ID 36.

The Inspector continues to raise concerns about safeguarded land in ID 40 para 24 – 25. The Council acknowledges in BNES 51 para 3.5 *“that its proposed approach could be dependent on an external trigger for additional housing land such as the need to accommodate needs from Bristol. Such a requirement may not be forthcoming leaving the issue of safeguarded land in BANES unaddressed. It has therefore given the matter further consideration in the BANES context as part of the assessment of the allocation of sites below.”*

However, it should be noted that the Proposed Schedule of Amendments only refer to safeguarded land at East Keynsham in the plan period. The issue of safeguarded land is dismissed at South West Keynsham and at Whitchurch it is “put on hold” until the review.

At Odd Down no safeguarded land is identified - the Council consider 300 dwellings constitutes the capacity limit and that development at a higher level would be harmful and dismiss the area for safeguarded land on the basis that Bath is the “more sustainable location and it would be inappropriate to safeguarded land in a sustainable location if it available now to meet development needs.” The safeguarding of land however should be for the longer term.

The Proposed Schedule fails to address the issue of safeguarded land; it is unsound in the context of the NPPF and provides no flexibility in order to meet longer term requirements stretching beyond the plan

period.

8. Please state what change to the policy or supporting text you are requesting. Please refer to the guidance note for more details.

Please expand this box or attach a separate sheet if you require more space.

The issue of safeguarded land should be addressed in accordance with the NPPF para 85 see comments on Change ref CSA 44 and 45.

**Core Strategy Amendments
November 2013
Comment Form Part 2**

*For official use only:
Received:
Acknowledged:
Respondent No.:
Agent No.:
Representation No.:*

**For guidance on filling in this form, see note on our website: www.bathnes.gov.uk/corestrategy
Text in blue indicates a hyperlink that will open the relevant document, website or email.**

Please return this form to Planning Services by **5pm on 20th December 2013** ideally by email to core_strategy@bathnes.gov.uk or, if you do not have access to email, by post to:
Planning Policy Core Strategy Amendments, B&NES Council, PO Box 5006, Bath, BA1 1JG.

Part 2: Comments

- This form must be accompanied by Part 1 (Contact Details)
- Please use a new copy of Part 2 for each Core Strategy amendment you wish to comment on.
- Please read the guidance on completing this form which includes:
 - explanations of the key terms;
 - explanations of the Core Strategy process; and
 - information on how to make sure your comment is valid and can be considered.
- The Schedule of Core Strategy Amendments, the Comment Form Part 1 and Part 2, and the Guidance Note can be downloaded from www.bathnes.gov.uk/corestrategy. Please contact Planning Policy on 01225 477548 if you do not have internet access.
- Supporting evidence can also be attached when submitting your comments (please indicate below).

1. Name or Organisation	Pegasus Group	2. Respondent Number (if known)	170
3. Attachments included with this comment (please list them below):		Yes / No	

4. Do you wish to participate at the Examination Hearings?	Yes / No
If yes, please state why you consider this to be necessary:	
Pegasus Group has consistently made representations throughout the preparation of the BANES Core Strategy and has attended the Examination Hearing Sessions.	

5a. Please state the amendment reference number here that your comment relates to (comments should only relate to a proposed change listed in the Schedule Core Strategy Amendments available from www.bathnes.gov.uk/corestrategy CSA 13)

5b. If your comment relates to a specific Strategic Site allocation please give the name of the location here:

6. Do you support the change?	Yes / No
--------------------------------------	---------------------

Please note that names and comments will be published.

This form continues on the next page

7. Please make your comment below. It is helpful if you can also state why you consider the amendment makes the Core Strategy legally compliant/sound, or not as explained in the guidance note. In relation to the Strategic Sites allocations considered by Council, we welcome comments on both suggested and rejected sites. Please expand this box or attach a separate sheet if you require more space.

Although the possibility of an early review in 2016 in conjunction with other West of England Core Strategies is referred to in paragraph 1.36 (CSA13), Policy DW1 (CSA14) and paragraph 7.05d (CSA53), there is no clear commitment to a review programme related to the West of England SHMA, with clear target dates for preparation and adoption.

In earlier Examination sessions we have heard reference to working with the West of England authorities, but there is no timetable and evidence of joint working apart from a standing item on the West of England Partnership Planning, Housing and Communities Board.

The Bristol Core strategy Inspector's Report (March 2011) states that a review of the provision of new homes will be reviewed within 5 years of adoption.

Bristol City should be considering a review as recommended by the Inspector in his report i.e. within 5 years. Apparently they will be amending their LDS next year and setting out a programme to review the Core Strategy (it will be referred to as the strategic policies of the Local Plan). The timescale will be set out ahead of the SHMA (a draft SHMA is still anticipated in autumn 2014). There is no joint timetable and the issue of the duty to co-operate is addressed under the headings in the West of England Duty to Co-operate Schedule.

From looking at the Bristol City website it seems that all work will be focussing on the Site Allocations and Development Management Policies DPD, which has been submitted to the Secretary of State (July 2013) and the Bristol Central Area Plan publication which will take their time in 2014. There is no timetable for a review if it is to be completed within 5yrs of adoption.

BNES 51 states that the amendments to the Core Strategy set out "more specifically the Council's proposal for the review of the Core Strategy in light of the Inspector's comments in ID 39 para 15 and 16."

There is no clear programme for a review of the BANES Core Strategy. Para 1.36 of the Schedule of Core Strategy Amendments refers to the first review of the Core Strategy being programmed for around 2016 to co-ordinate with the other West of England districts. Policy DW1 para 9 refers to reviewing the Core Strategy around five yearly intervals and when necessary, making changes to ensure the objectives are being achieved i.e. delivery of the housing and work space targets set out in Table 9 to ensure that there remains a flexible supply of deliverable and developable land and "*the first review will be timed to co-ordinate with the review of the west of England Core Strategies in around 2016.*"

Para 7.05 also refers to the review being programmed to take place about every 5 years to enable a flexibility in response to changing circumstances. "*In light of the duty to Co-operate the first review will be timed to enable co-ordination with the review of the Core Strategies of adjoining authorities in the West of England.*" However, from a search and review of information on the LPA websites and also the LEP there is no clear programme for a co-ordinated review, much seems to wait until the outcome of the SHMA which will not be produced in its final form until late 2015 (according to the pre-production brief consultation in March 2013, interim findings are anticipated in winter 2014/2015).

The BANES plan period has changed in the Proposed Changes in March 2013 from 2006 - 2026 to 2011 –

Please note that names and comments will be published.

2029. Once adopted Local Plans should provide for 15 years post adoption. If adopted next year it will only just provide for the 15 years and hence is not taking a longer term view of requirements (NPPF para 157) i.e. *“be drawn up over an appropriate time scale, preferably a 15 year time horizon, take account of longer term requirements , and be kept up to date.”* There is also a concern that any review is delayed while preparation of the Place Making Plan continues, in which case the longer term strategy is not addressed and the Council has failed to have regard to planning guidance which places a responsibility on local planning authorities to consider the longer term development needs when preparing local plans in order to avoid having to alter Green Belt boundaries at the end of plan period (NPPF para 85)

The issue of identifying safeguarding land as a possible pre-cursor to meeting future development needs is particularly appropriate given the commitment of the authorities in the former West of England to undertake a SHMA. The Inspector in considering the South Gloucestershire Plan acknowledged that the outcome of the study can be expected to have implications for future plan policies because it will provide the latest objective assessment of housing need. *“In these circumstances it seems to me that there is a distinct possibility that a further assessment of Green belt boundaries will be necessary as part of a wider plan review which I believe should be undertaken.”*

8. Please state what change to the policy or supporting text you are requesting. Please refer to the guidance note for more details.

Please expand this box or attach a separate sheet if you require more space.

Given the time taken to prepare the Core Strategy (the process was started in 2007), and in the absence of any quantification of unmet housing needs from Bristol City there is clearly a need to keep the Core Strategy under review and consider the interaction between Bath and North East Somerset and neighbouring housing market areas. Consideration of these interactions is closely tied to the “duty to co-operate,” which is a policy requirement of the NPPF paragraphs 178 – 181. It implies additional provision to meet the demands of Bristol, in particularly, to avoid a shortfall against the needs of Bath and North East Somerset.

There is no reason why the review of the Core Strategy should be dependent on the review programme of its neighbouring authorities. There was, in this current round of preparation of plans, an opportunity to consider the implications of proposed housing figures but this was not auctioned. The Inspector for the South Gloucestershire Core Strategy concluded, in paragraph 87 of his report:

‘The outcome of the SHMA process also provides an opportunity for the Council to work with the other West of England Unitary Authorities in identifying future needs and pursuing complementary strategies capable of delivering and supporting economic and social growth across the sub-region. While the authorities are at different stages in plan-making and plan review activities I do not consider this invalidates such an approach, particularly as each authority will have to have regard to the Duty to Cooperate.’

The plan should state that a review/replacement plan should be in place by end of 2018 and this will enable it to take account of the implications of the West of England SHMA. A date is necessary for monitoring purpose and to ensure that the review is not delayed as a result of other factors as has happened elsewhere when the Inspector has stated that an early review should be undertaken.

Please note that names and comments will be published.

**Core Strategy Amendments
November 2013
Comment Form Part 2**

*For official use only:
Received:
Acknowledged:
Respondent No.:
Agent No.:
Representation No.:*

**For guidance on filling in this form, see note on our website: www.bathnes.gov.uk/corestrategy
Text in blue indicates a hyperlink that will open the relevant document, website or email.**

Please return this form to Planning Services by **5pm on 20th December 2013** ideally by email to core_strategy@bathnes.gov.uk or, if you do not have access to email, by post to:
Planning Policy Core Strategy Amendments, B&NES Council, PO Box 5006, Bath, BA1 1JG.

Part 2: Comments

- This form must be accompanied by Part 1 (Contact Details)
- Please use a new copy of Part 2 for each Core Strategy amendment you wish to comment on.
- Please read the guidance on completing this form which includes:
 - explanations of the key terms;
 - explanations of the Core Strategy process; and
 - information on how to make sure your comment is valid and can be considered.
- The Schedule of Core Strategy Amendments, the Comment Form Part 1 and Part 2, and the Guidance Note can be downloaded from www.bathnes.gov.uk/corestrategy. Please contact Planning Policy on 01225 477548 if you do not have internet access.
- Supporting evidence can also be attached when submitting your comments (please indicate below).

1. Name or Organisation	Pegasus Group	2. Respondent Number (if known)	170
3. Attachments included with this comment (please list them below):		Yes / No	

4. Do you wish to participate at the Examination Hearings?	Yes / No
If yes, please state why you consider this to be necessary:	
Pegasus Group has consistently made representations throughout the preparation of the BANES Core Strategy and has attended the Examination Hearing Sessions.	

5a. Please state the amendment reference number here that your comment relates to (comments should only relate to a proposed change listed in the Schedule Core Strategy Amendments available from www.bathnes.gov.uk/corestrategy CSA 14 Policy DW1

5b. If your comment relates to a specific Strategic Site allocation please give the name of the location here:
--

6. Do you support the change?	Yes / No
--------------------------------------	---------------------

Please note that names and comments will be published.

This form continues on the next page

7. Please make your comment below. It is helpful if you can also state why you consider the amendment makes the Core Strategy legally compliant/sound, or not as explained in the guidance note. In relation to the Strategic Sites allocations considered by Council, we welcome comments on both suggested and rejected sites. Please expand this box or attach a separate sheet if you require more space.

The expression of Policy DW1 is confusing and appears to differ from paragraph 1.26 (see comments on CSA6). If 13,000 homes are required to deliver the requirement for affordable housing, then that is the total housing requirement: calling it an increase in housing supply rather than a requirement does not change the facts: the total requirement is 13,000 and that is the basis on which the 5-year housing land supply should be assessed. These figures are, in any event, still subject to examination in the light of hearings on 10th and 11th December and statements have been submitted making the case for a much higher figure.

An objection is made to the proposed changes to Policy DW1 instead of an overall total housing provision of 12,700 dwellings for the plan period; this is disaggregated to a table providing figures for market housing and affordable housing, giving a total housing requirement of 8,727 dwellings.

The policy also includes new wording that the overall strategy for B&NES is to promote sustainable development by making provision to accommodate *“an increase in the total housing supply to around 13,000 homes to enable the delivery of the affordable housing requirement”*.

It is not clear in Policy DW1 how the 5 year housing land supply will be assessed.

BNES/48 states at paragraph 39 that the Council considers that in respect of the actual housing requirement it is judged for the purposes of 5 year land supply the figure of 8,727 is used as this is its adopted overall aggregate headline dwellings requirement, even though the Plan will actually deliver more than this.

The Inspector has already commented on this issue in ID/40 paragraph 14 which states that *“NPPF paragraph 47 refers to identifying sufficient deliverable sites to provide 5 years’ worth of housing against the housing requirement, plus an appropriate buffer. In my view, the housing requirement is the requirement that has been (or, in this case, is proposed to be) identified in a Council’s up-to-date adopted development plan. It is the scale of housing that the Council is promising to deliver.....Once a plan is adopted; the calculation of the 5 year supply should not require interrogation of any background evidence to identify the housing requirement.”*

Para 15 goes on to state that “the council has concluded that 12,700 new homes as necessary and should be delivered over the plan period. This is what the Council is promising to do and therefore is the figure against which its delivery should be judged in calculating the 5 year supply.”

Policy DW1 includes a new sentence *“the first review will be timed to co-ordinate with the review of the west of England Core Strategies in around 2016.”*

Comments have been made in response to Change ref CSA13. It is not clear from the new text proposed whether the review will commence in 2016, and if so what its timetable will be for preparation and when a complete review will be published to replace the Core Strategy. It is questionable what progress will be made on a review while the Placemaking/Site Allocations DPD is being prepared; the initial consultation on this document took place last month.

Please note that names and comments will be published.

Although not a proposed change the policy gives priority to the use of brownfield opportunities, whereas BNES/ 52 page 27 states that brownfield sites are scheduled for later in the plan period and that it is the Green Belt sites that are envisaged “...to come forward in the first half of the plan period, including in the next 5 years.” This demonstrates the lack of a coherent strategy when it comes to addressing the housing requirement.

It appears that the Council’s disaggregate approach to assessing housing land supply is simply to avoid the need to allocate more market housing. The Council acknowledges in BNES/ 52 that to apply the Sedgfield approach to the calculation of housing land supply results in a need to deliver 977 dwellings per annum (para j page 29 of BNES/52) and that the step up to achieve this given that the average for the last 3 years will be 507 is phenomenal. However, it should be noted that past delivery has been constrained by the allocation of sites that have been difficult to bring forward and the Council even refused an application on an allocated site in the adopted Local Plan which then had to go to appeal.

8. Please state what change to the policy or supporting text you are requesting. Please refer to the guidance note for more details.

Please expand this box or attach a separate sheet if you require more space.

Policy DW1 should be amended to include a single housing requirement which can then be used to assess the 5 year housing land supply.

**Core Strategy Amendments
November 2013
Comment Form Part 2**

*For official use only:
Received:
Acknowledged:
Respondent No.:
Agent No.:
Representation No.:*

**For guidance on filling in this form, see note on our website: www.bathnes.gov.uk/corestrategy
Text in blue indicates a hyperlink that will open the relevant document, website or email.**

Please return this form to Planning Services by **5pm on 20th December 2013** ideally by email to core_strategy@bathnes.gov.uk or, if you do not have access to email, by post to:
Planning Policy Core Strategy Amendments, B&NES Council, PO Box 5006, Bath, BA1 1JG.

Part 2: Comments

- This form must be accompanied by Part 1 (Contact Details)
- Please use a new copy of Part 2 for each Core Strategy amendment you wish to comment on.
- Please read the guidance on completing this form which includes:
 - explanations of the key terms;
 - explanations of the Core Strategy process; and
 - information on how to make sure your comment is valid and can be considered.
- The Schedule of Core Strategy Amendments, the Comment Form Part 1 and Part 2, and the Guidance Note can be downloaded from www.bathnes.gov.uk/corestrategy. Please contact Planning Policy on 01225 477548 if you do not have internet access.
- Supporting evidence can also be attached when submitting your comments (please indicate below).

1. Name or Organisation	Pegasus Group	2. Respondent Number (if known)	170
3. Attachments included with this comment (please list them below):		Yes No	

4. Do you wish to participate at the Examination Hearings?	Yes No
If yes, please state why you consider this to be necessary: Pegasus Group has consistently made representations throughout the preparation of the BANES Core Strategy and has attended the Examination Hearing Sessions.	

5a. Please state the amendment reference number here that your comment relates to (comments should only relate to a proposed change listed in the Schedule Core Strategy Amendments available from www.bathnes.gov.uk/corestrategy CSA 44)	
5b. If your comment relates to a specific Strategic Site allocation please give the name of the location here:	
6. Do you support the change?	Yes No

This form continues on the next page

Please note that names and comments will be published.

7. Please make your comment below. It is helpful if you can also state why you consider the amendment makes the Core Strategy legally compliant/sound, or not as explained in the guidance note. **In relation to the Strategic Sites allocations considered by Council, we welcome comments on both suggested and rejected sites.** *Please expand this box or attach a separate sheet if you require more space.*

Whilst the principle of releasing land from the Green Belt at Whitchurch is supported, an objection is made to the site allocated in Policy RA 5 and also to the fact that any safeguarded land is to wait to be considered as part of the Core Strategy Review. This approach is inconsistent with the NPPF para 83 and 85 which states that “Green Belt boundaries should only be altered in exceptional circumstances, through the preparation or review of the Local Plan. At that time, authorities should consider the Green Belt boundaries having regard to the intended permanence in the long term, so that they should be capable of enduring beyond the plan period.” My emphasis.

“where necessary, identify in their plans areas of safeguarded land between the urban area and the Green Belt, in order to meet longer term development needs stretching well beyond the plan period.”

It is clear from BNES 47 para 2.28 that the Council accepts that 200 dwellings is not the maximum capacity of this location. The environmental and Green Belt assessments also indicate that the capacity in this location could be greater than 200 dwellings and that the capacity of 200 dwellings is not led by transport impacts/considerations.

8. Please state what change to the policy or supporting text you are requesting. Please refer to the guidance note for more details.
Please expand this box or attach a separate sheet if you require more space.

See comments on CSA 45 which should be amended and reflected in CSA 44

**Core Strategy Amendments
November 2013
Comment Form Part 2**

*For official use only:
Received:
Acknowledged:
Respondent No.:
Agent No.:
Representation No.:*

**For guidance on filling in this form, see note on our website: www.bathnes.gov.uk/corestrategy
Text in blue indicates a hyperlink that will open the relevant document, website or email.**

Please return this form to Planning Services by **5pm on 20th December 2013** ideally by email to core_strategy@bathnes.gov.uk or, if you do not have access to email, by post to:
Planning Policy Core Strategy Amendments, B&NES Council, PO Box 5006, Bath, BA1 1JG.

Part 2: Comments

- This form must be accompanied by Part 1 (Contact Details)
- Please use a new copy of Part 2 for each Core Strategy amendment you wish to comment on.
- Please read the guidance on completing this form which includes:
 - explanations of the key terms;
 - explanations of the Core Strategy process; and
 - information on how to make sure your comment is valid and can be considered.
- The Schedule of Core Strategy Amendments, the Comment Form Part 1 and Part 2, and the Guidance Note can be downloaded from www.bathnes.gov.uk/corestrategy. Please contact Planning Policy on 01225 477548 if you do not have internet access.
- Supporting evidence can also be attached when submitting your comments (please indicate below).

1. Name or Organisation	Pegasus Group	2. Respondent Number (if known)	170
3. Attachments included with this comment (please list them below):		Yes No	

4. Do you wish to participate at the Examination Hearings?	Yes No
If yes, please state why you consider this to be necessary: Pegasus Group has consistently made representations throughout the preparation of the BANES Core Strategy and has attended the Examination Hearing Sessions.	

5a. Please state the amendment reference number here that your comment relates to (comments should only relate to a proposed change listed in the Schedule Core Strategy Amendments available from www.bathnes.gov.uk/corestrategy CSA 45)	
5b. If your comment relates to a specific Strategic Site allocation please give the name of the location here:	
6. Do you support the change?	Yes No

This form continues on the next page

Please note that names and comments will be published.

7. Please make your comment below. It is helpful if you can also state why you consider the amendment makes the Core Strategy legally compliant/sound, or not as explained in the guidance note. In relation to the Strategic Sites allocations considered by Council, we welcome comments on both suggested and rejected sites. Please expand this box or attach a separate sheet if you require more space.

An objection is made to Policy RA 5 in terms of the site allocated as shown on the Key Diagram and Policies Map.

In Annex O Green Belt Site Allocations Sustainability Appraisal ref CD10/A1/3 only area F ie land off Stockwood Lane, Whitchurch relates well to the existing village and the local centre and other local facilities and services including bus routes.

An objection is made to the Sustainability Appraisal that *“Development in Areas A, F and the northern part of E would impact on the separate identity of the village and could lead to merging of the settlement which has a negative effect on promoting stronger more vibrant and cohesive communities.”*

The additional evidence provided by the addendum to the LVIA confirms that not all of Land Area F is required to maintain reasonable separation of settlements and that some of the area could be suitable for an extension to Whitchurch Village. This contradicts the key summary comments in the Sustainability Appraisal Report Annex O.

The assessment of Area E ie the area in which the proposed allocation is located is detached from the centre of Whitchurch. It is clear from the assessment summary point 3 (page 37 Annex O) that *“development in Areas B, C, D and outer parts of E and A does not relate well to the existing village and the Local Centre and other local facilities and services including bus routes.”*

Yet the Addendum to the Sustainability Appraisal (DC10/A1/1) states under Objective 1 that *“The site assessment (Annex O) helped to identify the area most accessible to facilities and services in Whitchurch.”* The site allocated is not considered to be the most accessible.

The assessment also states that the area has potential to support local charity Horseworld which is referred to as enabling development, but this should not be a justification for removing land from the Green Belt.

The proposed allocated site is too remote to provide a playing field for the Whitchurch Primary School, whereas site F allows Whitchurch Primary School to expand to respond to increasing need for primary school provision.

In the Arup Options Report, land off Stockwood Lane, Whitchurch was included in each of the 3 Options considered, whereas the proposed site was only included in 2 of the Options (i.e. Options 2 and 3).

Option 1 takes a conservative approach and clusters development at modest extensions to Whitchurch village, intended to generate critical mass at Whitchurch village and support existing infrastructure and minimise the impact on the Green Belt and retain the separation of Whitchurch from the suburbs of Bristol. Land off Stockwood Lane fits within this Option. Arup conclude that this option will have a relatively low impact on strategic infrastructure and will require limited access points which can be obtained from existing through roads.

Option 2 maximises development over a larger developable area and assumes the availability of Horseworld. Option 3 is a derivation of Option 2 and assumes that the land at Horseworld would not

Please note that names and comments will be published.

come forward for development.

Area F Land off Stockwood Lane, Whitchurch (was registered as Fields North of Orchard Park, Staunton Lane, Whitchurch) and has been subject to appeal (October 2013) ref APP/F0114/A/13/2199958.

An objection is made to the Council's assessment of site F, it is not considered to be the areas of greatest green belt harm.

A critique of the BANES Whitchurch Landscape and Visual Assessment has been prepared by MHP Chartered Landscape Architects to support the representations on behalf of Robert Hitchins Ltd. The report demonstrates that the decision making process is flawed as the outcomes reflected in proposed Policy RA5 do not reflect the logical outcomes supported by key evidence. In summary, the MHP report confirmed that the proposed allocation of the Horseworld areas (part of Land Area E) is not justified in landscape and visual terms when consideration is given to both the existing and new evidence base. The evidence base confirms that land north west of Staunton Lane (Land Area F) is more appropriate for allocation on the basis that it would result in less significant effects of development. In addition, the development of land north west of Staunton Lane (Land Area F) would maintain a strong and robust Green Belt boundary at Whitchurch. The key evidence that supports this assessment is summarised as follows:

i. The BANES Landscape and Visual Assessment Summary (August 2013 CD9/LV/6 identifies overall landscape sensitivity of Land Area F to be Medium. The overall landscape sensitivity of the Horseworld area (part Land Area E) is identified as Medium to High through to High sensitivity. New evidence provided by the Addendum to Landscape & Visual Impact Assessment: Whitchurch (October 2013 CD10/E11) does not provide reliable evidence to change the original findings.

ii. The BANES Landscape and Visual Assessment Summary identifies the main site features (hedgerows and trees) of Land Area F to be Medium Sensitivity. The hedgerow and trees of the Horseworld area (part Land Area E) are identified to be Medium to High sensitivity. New evidence provided by the Addendum to Landscape & Visual Assessment: Whitchurch (October 2013 CD10/E11) confirms the importance and sensitivity of the natural features on the Horseworld area.

iii. Land Area F and Horseworld area have not been equally reassessed on effects on or potential for strategic green infrastructure. This has led to a flawed reassessment of landscape sensitivity preventing fair site comparison and inclusion of unsupported comments in the key summary comments in the Sustainability Appraisal Report Annex O.

iv. Land Area F and Horseworld (Area E) area are not equally reassessed on impact on public rights of way. This has led to a flawed reassessment of landscape sensitivity preventing fair site comparison and resulting in a change in landscape sensitivity along an arbitrary line which is unsupported by any additional evidence.

v. The additional evidence provided by the addendum to the LVIA confirms that not all of Land Area F is required to maintain reasonable separation of settlements and that some of the area could be suitable for an extension to Whitchurch Village. This contradicts the key summary comments in the Sustainability Appraisal Report Annex O.

vi. An assessment of potential cumulative effects has not been undertaken for the proposed allocation site or alternative option sites at Whitchurch.

New evidence from BANES (the Addendum to the LVIA October 2013 ref CD10/E11) has confirmed that the retention of the existing open space between Whitchurch and Stockwood is not essential to the distinctness of the settlements and that a lesser gap would be sufficient to maintain reasonable separation thus subject to this Land Area F would be suitable for an extension to Whitchurch village.

The cumulative effects of development of the Horseworld area would create a weak boundary to the Green Belt whereas development within Land Area F would retain a strong and robust Green Belt boundary.

A transport assessment has also been prepared to support the representations.

Area F has been demonstrated to be a suitable area to be removed from the Green Belt, and will provide a new defensible boundary to the Green Belt, both through the recent inquiry and also through the Arup Concept Options Report.

8. Please state what change to the policy or supporting text you are requesting. Please refer to the guidance note for more details.

Please expand this box or attach a separate sheet if you require more space.

The allocated site should be replaced with site WH1 which is one of the alternative options. WH1 has been demonstrated through the preparation of a planning application and the evidence given at appeal to be an area suitable for removal from the Green Belt and a sustainable location to accommodate development needs in the plan period. It is available and deliverable and can contribute to meeting the 5 year land supply shortfall.

**Core Strategy Amendments
November 2013
Comment Form Part 2**

*For official use only:
Received:
Acknowledged:
Respondent No.:
Agent No.:
Representation No.:*

**For guidance on filling in this form, see note on our website: www.bathnes.gov.uk/corestrategy
Text in blue indicates a hyperlink that will open the relevant document, website or email.**

Please return this form to Planning Services by **5pm on 20th December 2013** ideally by email to core_strategy@bathnes.gov.uk or, if you do not have access to email, by post to:
Planning Policy Core Strategy Amendments, B&NES Council, PO Box 5006, Bath, BA1 1JG.

Part 2: Comments

- This form must be accompanied by Part 1 (Contact Details)
- Please use a new copy of Part 2 for each Core Strategy amendment you wish to comment on.
- Please read the guidance on completing this form which includes:
 - explanations of the key terms;
 - explanations of the Core Strategy process; and
 - information on how to make sure your comment is valid and can be considered.
- The Schedule of Core Strategy Amendments, the Comment Form Part 1 and Part 2, and the Guidance Note can be downloaded from www.bathnes.gov.uk/corestrategy. Please contact Planning Policy on 01225 477548 if you do not have internet access.
- Supporting evidence can also be attached when submitting your comments (please indicate below).

1. Name or Organisation	Pegasus Group	2. Respondent Number (if known)	170
3. Attachments included with this comment (please list them below):		Yes No	

4. Do you wish to participate at the Examination Hearings?	Yes No
If yes, please state why you consider this to be necessary: Pegasus Group has consistently made representations throughout the preparation of the BANES Core Strategy and has attended the Examination Hearing Sessions.	

5a. Please state the amendment reference number here that your comment relates to (comments should only relate to a proposed change listed in the Schedule Core Strategy Amendments available from www.bathnes.gov.uk/corestrategy CSA 46)	
5b. If your comment relates to a specific Strategic Site allocation please give the name of the location here:	
6. Do you support the change?	Yes No

This form continues on the next page

Please note that names and comments will be published.

7. Please make your comment below. It is helpful if you can also state why you consider the amendment makes the Core Strategy legally compliant/sound, or not as explained in the guidance note. **In relation to the Strategic Sites allocations considered by Council, we welcome comments on both suggested and rejected sites.** *Please expand this box or attach a separate sheet if you require more space.*

Objection is made to the allocated site. – see representations on CSA 44 and CSA 45

8. Please state what change to the policy or supporting text you are requesting. Please refer to the guidance note for more details.

Please expand this box or attach a separate sheet if you require more space.

WH1 should be allocated instead of the proposed site included on the Concept Diagram on page 63 of the Schedule of Amendments to the Core Strategy.

See representations in respect of CSA 44 and 45

**Core Strategy Amendments
November 2013
Comment Form Part 2**

*For official use only:
Received:
Acknowledged:
Respondent No.:
Agent No.:
Representation No.:*

**For guidance on filling in this form, see note on our website: www.bathnes.gov.uk/corestrategy
Text in blue indicates a hyperlink that will open the relevant document, website or email.**

Please return this form to Planning Services by **5pm on 20th December 2013** ideally by email to core_strategy@bathnes.gov.uk or, if you do not have access to email, by post to:
Planning Policy Core Strategy Amendments, B&NES Council, PO Box 5006, Bath, BA1 1JG.

Part 2: Comments

- This form must be accompanied by Part 1 (Contact Details)
- Please use a new copy of Part 2 for each Core Strategy amendment you wish to comment on.
- Please read the guidance on completing this form which includes:
 - explanations of the key terms;
 - explanations of the Core Strategy process; and
 - information on how to make sure your comment is valid and can be considered.
- The Schedule of Core Strategy Amendments, the Comment Form Part 1 and Part 2, and the Guidance Note can be downloaded from www.bathnes.gov.uk/corestrategy. Please contact Planning Policy on 01225 477548 if you do not have internet access.
- Supporting evidence can also be attached when submitting your comments (please indicate below).

1. Name or Organisation	Pegasus Group	2. Respondent Number (if known)	170
3. Attachments included with this comment (please list them below):		Yes No	

4. Do you wish to participate at the Examination Hearings?	Yes No
If yes, please state why you consider this to be necessary: Pegasus Group has consistently made representations throughout the preparation of the BANES Core Strategy and has attended the Examination Hearing Sessions.	

5a. Please state the amendment reference number here that your comment relates to (comments should only relate to a proposed change listed in the Schedule Core Strategy Amendments available from www.bathnes.gov.uk/corestrategy CSA 47)

5b. If your comment relates to a specific Strategic Site allocation please give the name of the location here:
--

6. Do you support the change?	Yes No
--------------------------------------	-------------------

This form continues on the next page

Please note that names and comments will be published.

7. Please make your comment below. It is helpful if you can also state why you consider the amendment makes the Core Strategy legally compliant/sound, or not as explained in the guidance note. **In relation to the Strategic Sites allocations considered by Council, we welcome comments on both suggested and rejected sites.** *Please expand this box or attach a separate sheet if you require more space.*

Objection is made to the allocated site – see representations on CSA 44 and CSA 45

8. Please state what change to the policy or supporting text you are requesting. Please refer to the guidance note for more details.

Please expand this box or attach a separate sheet if you require more space.

WH1 should be allocated instead of the proposed site included on the Concept Diagram on page 63 of the Schedule of Amendments to the Core Strategy.

See representations in respect of CSA 44 and 45

**Core Strategy Amendments
November 2013
Comment Form Part 2**

*For official use only:
Received:
Acknowledged:
Respondent No.:
Agent No.:
Representation No.:*

For guidance on filling in this form, see note on our website: www.bathnes.gov.uk/corestrategy
Text in blue indicates a hyperlink that will open the relevant document, website or email.

Please return this form to Planning Services by **5pm on 20th December 2013** ideally by email to core_strategy@bathnes.gov.uk or, if you do not have access to email, by post to:
Planning Policy Core Strategy Amendments, B&NES Council, PO Box 5006, Bath, BA1 1JG.

Part 2: Comments

- This form must be accompanied by Part 1 (Contact Details)
- Please use a new copy of Part 2 for each Core Strategy amendment you wish to comment on.
- Please read the guidance on completing this form which includes:
 - explanations of the key terms;
 - explanations of the Core Strategy process; and
 - information on how to make sure your comment is valid and can be considered.
- The Schedule of Core Strategy Amendments, the Comment Form Part 1 and Part 2, and the Guidance Note can be downloaded from www.bathnes.gov.uk/corestrategy. Please contact Planning Policy on 01225 477548 if you do not have internet access.
- Supporting evidence can also be attached when submitting your comments (please indicate below).

1. Name or Organisation	Pegasus Group	2. Respondent Number (if known)	170
3. Attachments included with this comment (please list them below):		Yes No	

4. Do you wish to participate at the Examination Hearings?	Yes No
If yes, please state why you consider this to be necessary: Pegasus Group has consistently made representations throughout the preparation of the BANES Core Strategy and has attended the Examination Hearing Sessions.	

5a. Please state the amendment reference number here that your comment relates to (comments should only relate to a proposed change listed in the Schedule Core Strategy Amendments available from www.bathnes.gov.uk/corestrategy CSA 50 para 6.63A)
--

5b. If your comment relates to a specific Strategic Site allocation please give the name of the location here:
--

6. Do you support the change?	Yes No
--------------------------------------	-------------------

This form continues on the next page

Please note that names and comments will be published.

7. Please make your comment below. It is helpful if you can also state why you consider the amendment makes the Core Strategy legally compliant/sound, or not as explained in the guidance note. In relation to the Strategic Sites allocations considered by Council, we welcome comments on both suggested and rejected sites. Please expand this box or attach a separate sheet if you require more space.

The changes to para 6.63A are not justified or sound when assessed against the NPPF in particular para 85.

The Sustainability Appraisal Addendum Report CD10/A1/1 does not provide any analysis of safeguarding land in any location. It does however, acknowledge in paragraph 4.2 in the context of Policy DW1 that: *“Safeguarded land for future development would have major positive effects on meeting social and economic objectives in that it gives a degree of certainty about continuity of housing provision.”*

It is noted that the Site Appraisals, (Annex O) have helped to identify more specifically the areas with good potential to link to existing communities to promote vibrant and cohesive communities. They also help to avoid the areas without physical links or good potential to be linked by public transport or areas with disproportionality high infrastructure costs. However, this has not translated into any land being safeguarded apart from at East Keynsham and even this area the justification appears to be weak as it is reliant on necessary transport improvements in the A4 corridor - only when these have been secured will development be permitted.

Annex O the Green Belt Site Allocations Sustainability Appraisal is an addendum to the SA Report Annex L. However, it does not consider the issue of safeguarded land in the Green Belt. Consequently the schedule of amendments fails to address the strategic matter of safeguarded land in a consistent manner; only land to the east of Keynsham is to be safeguarded.

For both Weston and Odd Down, on the edge of Bath the reasons for not safeguarding land is that these areas are environmentally sensitive.

The Council have indicated in some areas that the safeguarding issue will be addressed in a review of the Core Strategy, however there is no certainty over the timing of this review i.e. when it will be undertaken, particularly as the Council indicate that the first review will be timed to enable co-ordination with the review of the core strategies of adjoining authorities in the West of England. Whilst the Duty to Co-operate appears as a standing item on the West of England Planning Housing and Communities Board agenda, there is no commitment to any timetable for the review of Core Strategies and much will depend on the outcomes of the Joint SHMA which has been commissioned, but it is not expected to report until autumn 2014, and even then these will only be draft findings.

The justification for safeguarded land at east Keynsham cannot be supported in what is acknowledged to be a highly sensitive part of the Bristol Bath Green Belt i.e. the Keynsham –Saltford gap. Transport capacity limits the acceptable amount of development and there is no overriding evidence that these constraints can be overcome during the plan period. (BNES 51 para 3.46 and BNES 47 para 5.19.)

It is noted that the Site Appraisals, (Annex O) have helped to identify more specifically the areas with good potential to link to existing communities to promote vibrant and cohesive communities. They also help to avoid the areas without physical links or good potential to be linked by public transport or areas with disproportionality high infrastructure costs. However, this has not translated into any land being safeguarded apart from at East Keynsham and even this area the justification appears to be weak as it is reliant on necessary transport improvements in the A4 corridor - only when these have been secured will development be permitted.

Annex O the Green Belt Site Allocations Sustainability Appraisal is an addendum to the SA Report Annex L.

Please note that names and comments will be published.

However, it does not consider the issue of safeguarded land in the Green Belt. Consequently the schedule of amendments fails to address the strategic matter of safeguarded land.

Both in ID 36 and ID 40 the Inspector has commented on the failure of the plan to address the issue of safeguarded land. In para 16 of ID 36 the Inspector has commented that the plan needs to provide a strategic steer and that the issue of safeguarded land is a strategic matter which the Core Strategy should be addressing so that the Place-making Plan has a clear outcome to delivery.

8. Please state what change to the policy or supporting text you are requesting. Please refer to the guidance note for more details.

Please expand this box or attach a separate sheet if you require more space.

A comprehensive review of safeguarding land should be undertaken in accordance with the NPPF para 85, it is not sound to delay this issue until the review. The approach to safeguarding land should meet longer term development needs stretching beyond the plan period. Safeguarded land can only be granted following a review of the Local Plan

**Core Strategy Amendments
November 2013
Comment Form Part 2**

*For official use only:
Received:
Acknowledged:
Respondent No.:
Agent No.:
Representation No.:*

**For guidance on filling in this form, see note on our website: www.bathnes.gov.uk/corestrategy
Text in blue indicates a hyperlink that will open the relevant document, website or email.**

Please return this form to Planning Services by **5pm on 20th December 2013** ideally by email to core_strategy@bathnes.gov.uk or, if you do not have access to email, by post to:
Planning Policy Core Strategy Amendments, B&NES Council, PO Box 5006, Bath, BA1 1JG.

Part 2: Comments

- This form must be accompanied by Part 1 (Contact Details)
- Please use a new copy of Part 2 for each Core Strategy amendment you wish to comment on.
- Please read the guidance on completing this form which includes:
 - explanations of the key terms;
 - explanations of the Core Strategy process; and
 - information on how to make sure your comment is valid and can be considered.
- The Schedule of Core Strategy Amendments, the Comment Form Part 1 and Part 2, and the Guidance Note can be downloaded from www.bathnes.gov.uk/corestrategy. Please contact Planning Policy on 01225 477548 if you do not have internet access.
- Supporting evidence can also be attached when submitting your comments (please indicate below).

1. Name or Organisation	Pegasus Group	2. Respondent Number (if known)	170
3. Attachments included with this comment (please list them below):		Yes No	

4. Do you wish to participate at the Examination Hearings?	Yes No
If yes, please state why you consider this to be necessary: Pegasus Group has consistently made representations throughout the preparation of the BANES Core Strategy and has attended the Examination Hearing Sessions.	

5a. Please state the amendment reference number here that your comment relates to (comments should only relate to a proposed change listed in the Schedule Core Strategy Amendments available from www.bathnes.gov.uk/corestrategy CSA 53

5b. If your comment relates to a specific Strategic Site allocation please give the name of the location here:
--

6. Do you support the change?	Yes No
--------------------------------------	-------------------

This form continues on the next page

Please note that names and comments will be published.

7. Please make your comment below. It is helpful if you can also state why you consider the amendment makes the Core Strategy legally compliant/sound, or not as explained in the guidance note. In relation to the Strategic Sites allocations considered by Council, we welcome comments on both suggested and rejected sites. Please expand this box or attach a separate sheet if you require more space.

If there is a commitment to co-ordinate a review the Core Strategy with reviews of the Core Strategies of adjoining Authorities in the West of England, in the light of the Duty to Co-operate, and to take account of the West of England Strategic Economic Plan, the distinctions in paragraphs 7.05e and 7.05f are irrelevant as it will be necessary to make a co-ordinated response to the outputs of the updated SHMA, whatever housing market areas are defined.

The NPPF is clear that plans need to be kept up to date, *“Each local planning authority should produce a Local Plan for its area. This can be reviewed in whole or in part to respond flexibly to changing circumstances.”*

The NPPG states that *“To be effective plans need to be kept up-to-date. Policies will age at different rates depending on local circumstances, and the local planning authority should review the relevance of the Local Plan at regular intervals to assess whether some or all of it may need updating. Most Local Plans are likely to require updating in whole or in part at least every five years.”*

The issue with the wording as current proposed is that it is not clear when the review will commence (obviously a date is dependent on how long it takes to produce the plan), para 7.05 states that the Core Strategy is programmed to be reviewed about every 5 years. *“About”* is too vague and given local council elections etc the timetable for reviews slips. Recent experience of an Inspector’s report following an inquiry in summer to 2012, the Inspector produced a report in Jan 2013, the Council had agreed to an early review of the plan to address growth that should have been in the Core Strategy and to work with neighbouring authorities, they also agreed a SADPD to meet the shortfall in the CS, however both documents have been delayed until June/July - some 2 years after the Examination.

The proposed wording to para 7.05 states that in light of the Duty to Co-operate the first review will be timed to enable co-ordination with the review of the Core Strategies of adjoining Authorities in the West of England.

However, this does not have to depend on when other authorities commence their review. The Inspector for South Gloucestershire has concluded in paragraph 87 of his report:

“The outcome of the SHMA process also provides an opportunity for the Council to work with the other West of England Unitary Authorities in identifying future needs and pursuing complementary strategies capable of delivering and supporting economic and social growth across the sub-region. While the authorities are at different stages in plan-making and plan review activities I do not consider this invalidates such an approach, particularly as each authority will have to have regard to the Duty to Cooperate.”

The Inspector for South Gloucestershire has recognised that an early review is necessary in their case and has stated that South Gloucestershire should aim to adopt a replacement plan as soon as reasonably possible and given the timetable for the newly instigated SHMA process this means that the review can be brought forward so that a review/replacement plan is in place by the end of 2018.

Giving a precise date when the plan should be in place is helpful and provides some certainty in terms of the timetable and expectations.

Please note that names and comments will be published.

8. Please state what change to the policy or supporting text you are requesting. Please refer to the guidance note for more details.

Please expand this box or attach a separate sheet if you require more space.

A precise date when the review of the plan will be in place is required to provide some certainty in the plan making process and to enable monitoring of the implementation of the plan.

**Core Strategy Amendments
November 2013
Comment Form Part 2**

*For official use only:
Received:
Acknowledged:
Respondent No.:
Agent No.:
Representation No.:*

**For guidance on filling in this form, see note on our website: www.bathnes.gov.uk/corestrategy
Text in blue indicates a hyperlink that will open the relevant document, website or email.**

Please return this form to Planning Services by **5pm on 20th December 2013** ideally by email to core_strategy@bathnes.gov.uk or, if you do not have access to email, by post to:
Planning Policy Core Strategy Amendments, B&NES Council, PO Box 5006, Bath, BA1 1JG.

Part 2: Comments

- This form must be accompanied by Part 1 (Contact Details)
- Please use a new copy of Part 2 for each Core Strategy amendment you wish to comment on.
- Please read the guidance on completing this form which includes:
 - explanations of the key terms;
 - explanations of the Core Strategy process; and
 - information on how to make sure your comment is valid and can be considered.
- The Schedule of Core Strategy Amendments, the Comment Form Part 1 and Part 2, and the Guidance Note can be downloaded from www.bathnes.gov.uk/corestrategy. Please contact Planning Policy on 01225 477548 if you do not have internet access.
- Supporting evidence can also be attached when submitting your comments (please indicate below).

1. Name or Organisation	Pegasus Group	2. Respondent Number (if known)	170
3. Attachments included with this comment (please list them below):		Yes No	

4. Do you wish to participate at the Examination Hearings?	Yes No
If yes, please state why you consider this to be necessary: Pegasus Group has consistently made representations throughout the preparation of the BANES Core Strategy and has attended the Examination Hearing Sessions.	

5a. Please state the amendment reference number here that your comment relates to (comments should only relate to a proposed change listed in the Schedule Core Strategy Amendments available from www.bathnes.gov.uk/corestrategy CSA WH1)
--

5b. If your comment relates to a specific Strategic Site allocation please give the name of the location here:
--

6. Do you support the change?	Yes No
--------------------------------------	-------------------

This form continues on the next page

Please note that names and comments will be published.

7. Please make your comment below. It is helpful if you can also state why you consider the amendment makes the Core Strategy legally compliant/sound, or not as explained in the guidance note. **In relation to the Strategic Sites allocations considered by Council, we welcome comments on both suggested and rejected sites.** *Please expand this box or attach a separate sheet if you require more space.*

Land at WH1 should be allocated in Policy RA 5 in the Schedule of Amendments; this site has been demonstrated during the preparation of the planning application and at evidence at the recent inquiry to be the most appropriate location in this location to be removed from the Green Belt. The site is sustainable and can meet the housing land supply shortfall as it is available and deliverable.

8. Please state what change to the policy or supporting text you are requesting. Please refer to the guidance note for more details.

Please expand this box or attach a separate sheet if you require more space.

Land at WH1 should be included in Policy RA 5 as a site which is to be removed from the Green Belt in this plan period to meet development needs.

BANES SCHEDULE OF CORE STRATEGY AMENDMENTS

REPRESENTATION FOR LAND AT WHITCHURCH

Representation with regards to landscape and visual matters on behalf of the Pegasus Group

December 2013

Version: Final

1.0 Introduction

- 1.1 MHP Design Chartered Landscape Architects have been instructed by Pegasus Group to contribute to representations to the Bath & North East Somerset Schedule of Core Strategy Amendments for Land off Stockwood Lane, Whitchurch. This land has been subject to appeal (October 2013) ref APP/F0114/A/13/2199958 Site at Fields North of Orchard Park, Staunton Lane, Whitchurch.
- 1.2 The representation objects to the proposed site included in Policy RA 5 and to the lack of safeguarding of land from the Green Belt. This report draws on existing evidence to support our assessment that the decision making process is flawed as the outcomes reflected in proposed Policy RA5 do not reflect the logical outcomes supported by key evidence.
- 1.3 In summary, this report confirms that the proposed allocation of the Horseworld area (part of Land Area E) is not justified in landscape and visual terms when consideration is given to both the existing and new evidence base. The evidence base confirms that land north west of Staunton Lane (Land Area F) is more appropriate for allocation on the basis that it would result in less significant effects of development. In addition, the development of land off Stockwood Lane (Land Area F) would maintain a strong and robust Green Belt boundary at Whitchurch. The key evidence that supports this assessment is summarised as follows:
- i. The BANES Landscape and Visual Assessment Summary (August 2013 CD9/LV/6) identifies overall landscape sensitivity of Land Area F to be **Medium**. The overall landscape sensitivity of the Horseworld area (part Land Area E) is identified as **Medium to High through to High** sensitivity. New evidence provided by the Addendum to Landscape & Visual Impact Assessment: Whitchurch (October 2013 CD10/E11) does not provide reliable evidence to change the original findings.
 - ii. The BANES Landscape and Visual Assessment Summary identifies the main site features (hedgerows and trees) of Land Area F to be **Medium** Sensitivity. The hedgerow and trees of the Horseworld area (part Land Area E) are identified to be **Medium to High** sensitivity. New evidence provided by the Addendum to Landscape & Visual Assessment: Whitchurch (October 2013 CD10/E11) confirms the importance and sensitivity of the natural features on the Horseworld area.
 - iii. Land Area F and Horseworld area have not been equally reassessed on effects on or potential for strategic green infrastructure. This has led to a flawed reassessment of

landscape sensitivity preventing fair site comparison and inclusion of unsupported comments in the key summary comments in the Sustainability Appraisal Report Annex O.

- iv. Land Area F and Horseworld (Area E) area are not equally reassessed on impact on public rights of way. This has led to a flawed reassessment of landscape sensitivity preventing fair site comparison and resulting in a change in landscape sensitivity along an arbitrary line which is unsupported by any additional evidence.
- v. The additional evidence provided by the addendum to the LVIA confirms that not all of Land Area F is required to maintain reasonable separation of settlements and that some of the area could be suitable for an extension to Whitchurch Village. This contradicts the key summary comments in the Sustainability Appraisal Report Annex O.
- vi. An assessment of potential cumulative effects has not been undertaken for the proposed allocation site or alternative option sites at Whitchurch.

2.0 Background

- 2.1 The Schedule of Core Strategy Amendments has been produced by BANES in response to the Inspector's concerns primarily regarding Green Belt matters as expressed in his note ID 40. It was also expected that the Schedule of Core Strategy Amendments would respond to Inspectors note ID 36 with respect to safeguarding land from the Green Belt.
- 2.2 The Schedule of Core Strategy Amendments proposes Policy RA5 which removes land from the Green Belt as shown on the Core Strategy: Strategic Green Belt Site Allocations (November 2013) Concept Map: Land adjoining Whitchurch. This map proposes the removal of the 'Horseworld' area within part of land Area E as identified within the Sustainability Appraisal Report Annex O Site Appraisals document. The land at Whitchurch is identified as 6 parcels which are referred to as Area A to Area F. These areas form the basic units which are assessed in the Sustainability Appraisal.
- 2.3 Sites WH1 (Land at Staunton Lane, Whitchurch) and WH2 (Land to the south west of the A37, Whitchurch) are proposed within Annex 3 of the Schedule of Core Strategy Amendments as Alternative Options for removal of land from the Green Belt at Whitchurch. This report considers that based on the available evidence the proposed allocation site will

cause more landscape harm than development within Land Area F and that potential harm from the development of Option site WH2 would be totally unacceptable in terms of harm to the landscape and visual amenity.

3.0 Documents and context

3.1 The site selection process has used the Sustainability Appraisal Report Annex O Site Appraisals (CD10/A1/3) to inform the decision making process. This document is an addendum to the Sustainability Appraisal Report Annex L (CD9/A1/5) to which it should be read in conjunction with. New key evidence introduced to the decision making process in Sustainability Appraisal Report Annex O of relevance to landscape and visual matters includes the following documents:

- i. **Valuing people, place and nature a Green Infrastructure Strategy** (CD10/E17)
- ii. **Addendum to Landscape & Visual Impact Assessment: Whitchurch** (CD10/E11)

3.2 This additional key evidence has been used to inform decision making with particular respect to the following objectives contained within the Sustainability Assessment matrix for land at Whitchurch.

- i. **Matrix Objective 12** – Protect and enhance local distinctiveness
- ii. **Matrix Objective 13** – Protect and enhance the districts historic, environmental and cultural assets

3.3 Matrix Objectives 12 and 13 are the primary considerations in the decision making process which assess potential landscape and visual effects resulting from development options. It is therefore the evidence which informs decision making for these objectives, the matrix scores arrived at and conclusions drawn which I consider in my assessment of the robustness or otherwise of the Council's decision making process.

4.0 Landscape and visual considerations

4.1 The Sustainability Appraisal Matrix for land at Whitchurch confirms that with regards to Matrix Objective 12 (Protect and enhance local distinctiveness) and the significance criteria set out in Annex L the following impacts were assessed to the individual land areas:

- i. Land Area A- Minor negative to Major negative impact
- ii. Land Area B- Major negative impact

-
- iii. Land Area C- Minor negative to Major negative impact
 - iv. Land Area D- Minor negative impact
 - v. Land Area E- Minor negative to Major negative impact
 - vi. Land Area F- Minor negative impact
- 4.2 The above impact assessments confirm that Whitchurch Land Areas D and F have the least negative impacts on the protection and enhancement of local distinctiveness. The greatest impacts would be experienced in Land Areas A, B, C and E.
- 4.3 The Sustainability Appraisal Matrix for land at Whitchurch confirms that with regards to Matrix Objective 13 (Protect and enhance the districts historic, environmental and cultural assets) and the significance criteria set out in Annex L the following impacts were assessed to the individual land areas:
- i. Land Area A- Major negative impact
 - ii. Land Area B- Major negative impact
 - iii. Land Area C- Minor negative impact
 - iv. Land Area D- Minor negative impact
 - v. Land Area E- Minor negative impact
 - vi. Land Area F- Minor negative impact
- 4.4 The above impact assessments confirm that Whitchurch Land Areas A and B have the greatest negative impacts on the protection and enhancement of the districts historic, environmental and cultural assets. All other Land Areas have the same minor negative impact assessment.
- 4.5 The Sustainability Appraisal Annex O Site Appraisals for Whitchurch provide key summary comments of findings on page 37. With specific reference to landscape and visual matters the following key summary comments are made:
- i. 'Development in Areas A and B would have significant negative effects on contributing to protect and enhance local distinctiveness and to protect and enhance the districts historic, environmental and cultural assets, particularly taking into account the impact on the landscape character and setting of the Wansdyke and Maes Knoll Hill Fort SAMs.
 - ii. Small areas at the north part of Area A, the western part of E and F has medium significance of development effects on the landscape and visual impact.

- iii. Development in Areas A, F and the northern part of E would impact on the separate identity of the village and could lead to merging of settlement which has a negative effect on promoting stronger more vibrant and cohesive communities. Development in these areas also has greater impact on Strategic Green Infrastructure corridors.
 - iv. Development in Areas B, C, D and outer parts E and A does not relate well to the existing village.
- 4.6 The evidence for the above summary comments is provided by the BANES Landscape and Visual Assessment Summary August 2013 (CD9/LV/6) and the Core Strategy Green Belt Site Allocations, Bath WHS Setting and AONB Updates – Addendum to Landscape & Visual Impact Assessment: Whitchurch (October 2013). The BANES LVIA Summary in its Map W2 assessment summary confirms the findings that Land Areas A and B are predominately recorded as 'High Significance of development effects'. Alternative Options for removal of land from Green Belt at Whitchurch site WH2 is located within Land Area A and would therefore result in a major negative impact of development. This is confirmed in the first paragraph of the Addendum to the Landscape & Visual Impact Assessment where it confirms *'The original assessment for this area remains unchanged and the significance of development effects is high and negative'*.
- 4.7 The BANES LVIA Map W2 Whitchurch Assessment Summary confirmed that none of the land being appraised in Whitchurch was assessed with low significance of development effects. The next lowest category assessed was medium significance of development effects which included Land Area F and the north western section of Land Area E. Map W2 also confirmed that the southern section of Land Area E was assessed as being medium to high significance of development effects and the north eastern section of Land Area E as being assessed as high significance to development effects. These landscape sensitivities are reflected in the Sustainability Appraisal Report Matrix for Whitchurch which identifies Area E as falling between minor negative and major negative whilst Land Area F was identified as only being medium negativity only.
- 4.8 The Addendum to the Landscape and Visual Impact Assessment states that a more detailed assessment has been undertaken for part of Land Area E (Horseworld) and Land Area F (Land to the north west of Stockwood Lane). This additional and more detailed assessment illustrates changes to the original assessment on the accompanying Landscape and Visual Assessment Plan 3. This plan uses the same significance criteria as the original BANES LVIA

(CDg/LV/6). This reassessment identifies land along the southern section of Land Area E as having a high significance of development effects where previously medium to high was recorded. An exception to this, are a number of larger fields which have been reassessed as being medium significance of development effects. This area extends into and around the existing Horseworld property up to Staunton Lane. The summary introduction to the changes to the landscape assessment at Horseworld are justified in the addendum by the statement that they are *'primarily a reflection of the importance of the collective tree and hedgerow cover across the site. Viewed from Maes Knoll this overall area is perceived as wooded because of this density of trees. In part the tree and shrub cover is contributed by large mature gardens. Elsewhere excellent old hedgerows with large specimen trees form boundaries to long narrow mediaeval fields'*. However, this simply reflects landscape and visual characteristics identified in the original BANES assessment.

- 4.9 This reassessment does not provide new evidence as considerable detail was contained within the original BANES LVIA of August 2013. In the original LVIA the landscape features including trees, hedgerows and medieval fields are fully recognised and well recorded to the point that individual features are assessed. The visual sensitivity of Land Area E is assessed as medium to high and specific comment is made on medium and long distance views from Maes Knoll. The addendum to the BANES LVIA suggests that the site vegetation is the primary reason for the changes to the original LVIA assessment but this reflects the same findings found in the original LVIA assessment (page 20) which states *'Currently there are attractive views over the site. The predominant impression of the views is of woodland. The value is medium to high'*. It is therefore quite clear that the original assessment fully took the wooded nature of the views from Maes Knoll into account in its assessment. The addendum to the BANES LVIA provides no new evidence that supports a reduction of the landscape sensitivity of the Horseworld site but actually confirms the high quality and importance of existing landscape and features, giving considerable support to the original landscape assessment findings.
- 4.10 The additional assessment for the land at Horseworld (Land Area E) is not supported in the addendum by an assessment methodology or criteria. The additional assessment simply confirms the extent and quality of known valuable landscape features and suggests that areas of the land are less visible from Maes Knoll due to tree cover as was recognised in the original BANES LVIA. A contrasting approach appears to have been taken with the additional assessment of Land Area F (Note: the addendum makes reference to Land north west of Staunton Lane) which states that *'the site has been reassessed with particular*

attention to the need to remain separation between Stockwood and Whitchurch'. The addendum illustrates revised assessment significance scores on Plan 4 of the document.

- 4.11 The hand drawn and coloured Plan 4 of the addendum identifies that areas of the land formerly assessed in the BANES LVIA as medium sensitivity have now been reassessed as medium to high and high sensitivity. The justification for this reassessment is flawed as Plan 4 illustrates land adjoining the western area of the site which is isolated from Whitchurch settlement but is stated as providing '*vital separation between settlements*'. This is clearly not the case and therefore its high landscape sensitivity reassessment appears due to the further justification statement that the land has '*potential for contributing to the strategic green infrastructure corridor*'. This assessment criteria has not been applied to other local land areas and indeed is based on 'what could be' rather than what landscape features are present, their condition and function as was undertaken for the Horseworld area. Given the extent of notable and important vegetation, ponds and historic fields at the Horseworld area and the fact that any future green corridors between urban Bristol and the open countryside would have to pass through Land Area E, it is an undermining flaw that no assessment has been made of the Horseworld area's potential contribution and value as local green infrastructure corridor. Indeed the extent and nature of quality established vegetation that would adjoin potential development on the Horseworld area gives rise to significant doubt to the reliability of matrix outcomes stated for Objective 14 *Encourage and protect habitats and biodiversity*.
- 4.12 It is also notable that new evidence provided by the **Valuing people, place and nature a Green Infrastructure Strategy** (document CD10/E17) confirms in Section 2 Priorities for place '*Ensure new development respects and enhances existing green infrastructure and creates new components*'. This potential clearly exists within Land Area F and to which development could facilitate new areas of valuable '*new components*'.
- 4.13 The hand illustrated Plan 4 identifies a central zone of Land Area F which has been reassessed as being of medium to high sensitivity (medium to high significance of effects of development). The justification for this landscape sensitivity reassessment is again unclear as the addendum confirms that the area would be unsuitable for housing whilst confirming that area 3 could be incorporated into any future design proposals and thereby accepting that a change of landscape character would be acceptable. There is no written justification for the arbitrary line which defines the change between the reassessed medium sensitivity landscape (area 1) from the medium to high sensitivity landscape (area 3). The justification appears to strongly relate to the existing public right of way, ignoring existing physical landscape features and the topography of the land. It therefore appears that landscape

sensitivity is being reassessed at Land Area F using the existing public right of way as a criteria for consideration. No such criteria was used when the Horseworld area was reassessed even though an important public right of way extends through the land which was subject to the reassessment. It is therefore quite clear that the reassessment provided by the addendum to the BANES LVIA has not followed any logical methodology and has applied differing assessment criteria to each reassessment site. Whilst this may provide additional helpful information it does not form a sound basis for a change to the original LVIA and is a flawed process of assessment when comparison is to be made between local sites. It therefore should not have been used to inform the process for site selection.

- 4.14 Whilst the landscape reassessment of Land Area F (Land north west of Staunton Lane) cannot reliably be considered to provide new evidence on landscape sensitivity, it does assist in clarifying that the distinctiveness of the Whitchurch settlement does not rely on the extent of the present open land between Whitchurch and Stockwood and that as confirmed in para.4 of item 3 of the addendum *'The combination of area 2 and 3 on the plan give a reasonable degree of separation between the settlements of Whitchurch and Stockwood'*. However, it is clear that the area identified in Plan 4 of the addendum to the BANES LVIA is unjustified in the report and that there is scope for adjustment.
- 4.15 With reference to key summary comments made in the Sustainability Appraisal Report Annex O Site Appraisals document and as itemised in item 4.5 of this report, the existing and new evidence base confirms that Whitchurch Land Areas A and B would have significant negative effects on contributing to protect and enhance the districts historic, environmental and cultural assets. However, the statement that development in Land Area F would impact on the separate identity of the village and could lead to merging of the settlement is contradicted by the reassessment of Land Area F as illustrated in Plan 4 of the addendum to the BANES LVIA. It is also clearly unsubstantiated that development in Land Area F has greater impact on Strategic Green Infrastructure corridors as the land parcel has little high quality landscape features particularly when compared with the established landscape features to the south of Land Area E (Horseworld).
- 4.16 The presumption that impact on strategic green corridors is negative within the key summary notes of the Sustainability Appraisal Report Annex O fails to recognise that development could facilitate the creation of a high quality and practical extensions to existing strategic corridors that extend to the open countryside south of Whitchurch. Sustainability Appraisal Report Annex O Site Appraisal Matrix Objective 14 gives consideration to *'Encourage and protect habitats and biodiversity'* but the potential for the creation of a well-defined strategic green infrastructure corridor has not been given

consideration in either Land Area F or Land Area E. This is despite their strategic locations which separate the urban edge of Bristol from the open countryside to the south of Whitchurch.

5.0 Other considerations

- 5.1 The BANES Schedule of Core Strategy Amendments does not respond or address the need to safeguard land from the Green Belt for future development. The Core Strategy: Strategic Green Belt Site Allocations (November 2013) Annex 2 plan makes only a single strategic site allocation at Whitchurch which meets immediate demand. Given that high significance of development effects are predicted for Whitchurch Land Areas A, B and eastern section of Land Area E (BANES LVIA CD9/LV/6 it is reasonable to assume that pressure for development will remain at the settlement edge for further expansion.
- 5.2 A cumulative effect of the development at the Horseworld area will be the creation of a new settlement edge at the open countryside boundaries of adjoining residential properties to the south west and east of Horseworld. These existing properties do not form a robust and defensible edge to the Green Belt as they will both fall outside of the Green Belt boundary in accordance with the allocations proposal (Annex 2 map) and do not have strong physical features to form a boundary with the open countryside. In contrast, no such cumulative effect arises from the development of Land Area F as it is contained by strong boundaries including Staunton Lane, which creates separation from the open countryside found to the immediate east and south of Land Area E.

6.0 Conclusion

- 6.1 The additional landscape reassessment undertaken for Horseworld area and Land Area F is critically flawed and should be considered unreliable. However, this flawed assessment has been used to inform the decision making process resulting in the proposed allocation site at Horseworld which cannot be supported by the landscape evidence.
- 6.2 The landscape character sensitivity and visual sensitivity of Land Area F are lower than that of the Horseworld area and the development of Land Area F would result in less significant adverse effects.
- 6.3 The addendum to the BANES LVIA has confirmed that the retention of the existing open space between Whitchurch and Stockwood is not essential to the distinctness of the settlements and that a lesser gap would be sufficient to maintain reasonable separation.

- 6.4 The addendum to the BANES LVIA has confirmed that development can be accommodated within Land Area F as a suitable extension to Whitchurch village.

- 6.5 The cumulative effects of development of the Horseworld area would create a weak boundary to the Green Belt whereas development within Land Area F would retain a strong and robust Green Belt boundary.

SUMMARY OF TRANSPORT ASSESSMENT FOR LAND OFF STOCKWOOD LANE, WHITCHURCH

- 1.1. A Transport Assessment was prepared in July 2011 and updated in October 2012 to support a planning application for a proposed residential development comprising up to 295 dwellings on Land off Stockwood Lane, Whitchurch, including infrastructure, ancillary facilities open space, allotments and landscaping and construction of two new vehicular accesses from Stockwood Lane.
- 1.2. The Transport Assessment was prepared in accordance with current guidance and considers the expected travel demand of the proposed residential development, examines the transport impacts and proposes mitigation measures where appropriate.
- 1.3. The TA included a review of the planning policy framework, an examination of the existing transport conditions in the vicinity of the site and described the proposed development. It also considered the transport sustainability and accessibility of the proposed development and in particular the potential for walking, cycling and use of public transport. Trip generation from the proposed development was examined and the impact assessed utilising micro-simulation modelling software.
- 1.4. To mitigate the impact ,a number of measures were identified which included:
 - an internal site layout designed to facilitate walking and cycling;
 - a masterplan that respects the safeguarded route of the A37 Whitchurch Bypass;
 - a primary site access road suitable to function as a bus route, compatible with the future provision of the A37 Whitchurch Bypass;
 - vehicular access proposed via two points of access with the overall aim of encouraging new residents to travel via Craydon Road to the north;
 - providing capacity improvement to the Craydon Road / Stockwood Road priority junction;
 - providing cycle parking in line with Policy T.6 and T.26 of the adopted BANES Local Plan; and
 - developing and implementing a Travel Plan for the proposed development.
- 1.5. Overall, the TA addressed the transport impacts of the proposed development. It has identified mitigation measures to achieve the objectives of sustainable development and limit the impact of the predicted development traffic flows.
- 1.6. The Transport Assessment was subsequently discussed with officers of Bath and North East Somerset Council following its submission and in the lead-up to the planning inquiry held to hear the appeal in October 2013. For that inquiry a Statement of Common Ground (SoCG) was prepared and agreed between the appellant and the Council.
- 1.7. Agreement was reached over:
 - the adequacy of the traffic survey information (SoCG paragraph 2.8.2);
 - the existing mode share for journeys to work (paragraph 2.9.1);
 - the assessment year of 2017 (paragraph 2.11.1);
 - the trip generation rates and associated trip generation for the purposes of assessing the impact (2.12.1); and
 - the distribution and assignment of those trips (paragraph 2.13.1).

- 1.8. Traffic impact has been assessed in detail. It is recognised the traffic signal controlled junction between Staunton Lane and the A37 Bristol Road is already operating close to capacity. An S-Paramics micro-simulation traffic model was built to establish the impacts of development (SoCG paragraph 2.14.1) The results indicated that this existing junction would be required to accommodate more traffic however it is agreed that:
- the residual cumulative impacts of the development reach but do not exceed 100% degree of saturation (paragraph 2.14.6);
 - the impact is not severe and that planning permission should not be refused on transport grounds (paragraph 2.14.7).
- 1.9. Following the Council's request for 'further and more up-to-date' information prior to the inquiry, the accident records are agreed (paragraph 2.15.1); and it is agreed that:
- the appeal site is located in an accessible location (paragraph 2.16.1);
 - there are frequent bus services in the vicinity of the appeal site (paragraph 2.17.1);
 - the appeal site is located immediately adjacent to a 'Strategic Cycleway' (paragraph 2.18.1); and
 - accessibility could be improved by making improvements to existing pedestrian and cyclist routes and enhancing local bus services to mitigate the impacts of the development (paragraph 2.20.1).
- 1.10. The improvements to existing pedestrian and cyclist routes and enhancing local bus services are proposed in part by works covered by the application within the boundaries of the appeal site and in part by contributions paid to the Council under the terms of a planning obligation. The payment is to be known as the 'Sustainable Transport' contribution (paragraph 2.21.1).
- 1.11. The Council has submitted additional evidence to inform decisions on the Core Strategy. In its document 'Transport Access Assessment Core Strategy Greenfield Site Allocation Bath and Whitchurch' (CD10/E8) dated October 2013 and added to the Core Document list in November 2013, it concludes in respect of Whitchurch at paragraph 4.5 that:
"it is strongly recommended that a combined development of no more than 300 dwellings be permitted in Whitchurch to the east of A37".
- 1.12. The proposal for Land off Stockwood Lane was for 295 dwellings however during the course of the inquiry the Inspector was invited to consider a reduced scale scheme of 200 dwellings to be in line with the then emerging policy for an allocation of 200 dwellings. Based on the contents of CD10/E8 there appears to be scope in terms of highways, traffic and transport-related considerations to accommodate either the larger scheme on Land off Stockwood Lane (295 dwellings) or a combination of a smaller scheme on Land at Stockwood Lane (200 dwellings) and some development on Land off Sleep Lane (up to 100 dwellings).
- 1.13. In the light of the conclusions of the Transport Assessment and the matters agreed in the Statement of Common Ground, it is clear that there are no reasons why, from a highways, traffic and transport-related point of view, that land off Stockwood Lane, Whitchurch should not be allocated and developed for residential purposes.

PLSF
17 December 2013