

# NEWTON ST LOE CONSERVATION GROUP RESPONSE TO QUESTION B17 – BANES CORE STRATEGY 2009

## INTRODUCTION

Our group represents over half the population of Newton St Loe, a community that will be seriously affected by the development of an urban extension west of Twerton as laid out in Option 1 of BANES Core Strategy.

We believe the urban extension should not be built and the Core Strategy revised, and set out our objections, comments and suggestions in the following document which has been developed in consultation with members of the NSL Conservation Group and endorsed by

1. Newton St Loe Parish Council
2. Victor Clarke, ward Councillor for Newton St Loe

## LAND /HERITAGE

### World Heritage Site Setting

How can Banes advance the Core Strategy when the Bath World Heritage Site Setting Study has not yet been ratified, particularly as it will override current policy, BHI, that states "development that will have an adverse impact on the WHS of Bath or its setting will not be permitted"?

In its report last year UNESCO World heritage Centre and ICOMOS expressed care should be taken in respect of "the reinforced protection of the landscape surrounding the property (Bath) to prevent any future developments which could have an adverse and cumulative impact on the outstanding universal value of the world heritage site and its integrity (WHC-09/33.com/7B)

We believe the proposed plans to build an urban extension on the SW of Bath will seriously and negatively impact on the World heritage Status of Bath and that other options, eg use of Brownfield and MOD sites, must be exhausted before any green belt is touched. This position is validated by the support of Bath Preservation Trust:

*'Bath Preservation Trust will strongly support the views of the residents in its own response to the Core Strategy. We believe that the brownfield and regeneration sites, including the MOD sites in Bath must be developed before an urban extension is even considered, and that nationally imposed housing targets must be accompanied by nationally directed release of the MOD sites, which are very inefficiently used in terms of land use already. The green setting of Bath is part of its WHS designation and the UNESCO inspectors last year explicitly instructed that more should be done to protect that setting'. **Caroline Kay, CE, Bath Preservation Trust, Bath, commented on This is Bath 07-Jan-2010 10:46***

### Landscape Impact

It is recognised that this proposal (Urban Extension) will have a significant impact on the Bristol/Bath Green Belt as well as the Bath World Heritage site and setting of the historic village of Newton St Loe. Is the proposed development capable of providing sufficient amelioration?

The proposed development impacts on the landscape in such a way as to affect the setting of the city and will not integrate with either the city or existing communities due to natural boundaries. A buffer zone is required to maintain World heritage Status – how do the current plans ensure such a zone is maintained and protection of world heritage status is not undermined?

The green belt around Bath doesn't just divide two cities, it divides a MAJOR city and a WORLD HERITAGE SITE – an exceptional city which attracts high levels of tourism. For this reason it is a special case and should be considered as such. It is essential therefore that these two major and

distinctive cities should retain their separate identities and not be merged to form one “anywhere” conurbation. Indeed this is why green belts were established in the first place and are recognized as a “cornerstone” to land-use planning in this country.

The green hillsides as seen from the A4 form a “green gateway” to Bath city which must be maintained and enhanced as laid out in the World Heritage Strategic Site Setting Study. This entrance to the city helps to form the unique landscape setting to the city and as such is a first impression for tourists and other visitors to the city including potential investors. How can the Urban Extension be proposed before the Green Infrastructure Strategy is completed as this will be essential to define what is important and needs protecting in landscape terms?

There should be “**green gateways**” to both Bristol and Bath. These would include part of SWB1 adjacent to the A4 and are important to the approach and setting of both cities and as such contribute to the economic well-being (particularly tourism) of local communities.

The Landscape and heritage is very hilly, why would BANES build on a ridge? The Slope faces north so passive solar gain would be very difficult and diminish its ability to provide sustainable energy supply.

BANES needs to further demonstrate that the proposed build on the west of Twerton site is actually an extension of Bath and not a new town added on. This because there are natural boundaries separating west of Twerton with the fields of NSL out to the globe, including wooded areas, a brook, a steep incline from the valley down to the brook. These natural barriers suggest serious issues with integrating such a new development with Twerton as is proposed. BANES must provide evidence of how they think the urban extension, which will be separate from Twerton, can help to regenerate it.

Additional infrastructure of bridges and other links would have to be introduced which would increase costs to the development; what requirements will BANES place on the developer to ensure the integration of any new development with Twerton?

Has a montage of the proposed development been done? If yes, why has this not been either documented or made available to assist the consultation process?

### **Old Mine Workings**

We are not satisfied that a study has been undertaken to measure geophysical stress and impacts of the proposed development given the history of mining on the proposed area, including mines of up to 65 fathoms in depth from across the Globe roundabout. BANES must provide evidence of such studies.

### **Potential Flooding**

Similarly what studies have been undertaken to show that current water run off from the high slopes of the proposed option 1 area will not seriously impact on the flood plain and infrastructure if this area is cemented over? The Flood Risk Management Strategy is not due to be available until January 2010, but still not available as at todays date. BANES must provide evidence that such water management issues will not have serious impacts on the development and surrounding area. A flood attenuation infrastructure(e.g. Flood attenuation ponds,etc)will come at a considerable cost which may impact on the viability of the scheme. Also, is the Environment Agency entirely happy with the principle of the Urban Extension?

### **Economic Impact**

Impacts to World Heritage status would include loss of tourism and tourist revenues. This affects not only Bath city but also outlying B & B businesses in NSL, Corston and environs. BANES must demonstrate that it has calculated the potential loss of tourist revenue against its projected growth

gains from development in the area under the Core strategy? BANES must also demonstrate how it will mitigate loss of tourist revenue following a loss of World Heritage status for Bath. Has an economic impact assessment been prepared?

### **Ecological Impact**

The green fields and farmland surrounding Newton St Loe are natural habitat that provides feeding ground for horseshoe bats, buzzard, and other wildlife. They also provide access to nature and leisure for urban dwellers which has been shown to be vital respite for health and wellbeing. The destruction of this landscape will impact negatively on local species of flora and fauna and rob local people of their green space. How will BANES mitigate the destruction of habitat and feeding ground for Horseshoe bats in Newton Brook?

### **Loss of Farmland**

How does BANES justify the loss of valuable farmland given current global food security issues? Projected need for food production suggests that the current loss of farmland in the UK at a rate of 10,000 acres per year is unsustainable if the country is to meet its own food production needs in the longer term. What projections have BANES made to take into consideration food production capacity and needs within the area and how these could be impacted by land loss in proposed development plans?

An important part of the climate change debate is the need to ensure long term food security. A problem that is already afflicting developing countries, it will shortly impact more clearly on our own food supplies. Consequently, the loss of green fields and farmland is not a long term, sustainable strategy in the face of climate change.

The area of search in option 1 affects working farmland. Of this area, 220 acres produce approximately 3 tonnes of barley, wheat, rapeseed and maize each year. This is a total of 660 tonnes per annum able to provide an estimated 2.5 million loaves of bread each year. How have BANES calculated the balance between population growth and food requirements/production capacity in the region to be able to justify the loss of productive farmland?

The fact that the area in question does not host grade 1 farmland does not diminish the importance of this land for farming. It is highly productive (see above) and because of advances in technology has increased capacity than earlier estimations for lower grade farmland. It is also important to consider that if only Grade 1 farmland is to be protected then the UK will not meet future food production requirements (now projected to require 50% increased local food production) in the face of climate change.

### **Newton St Loe Conservation Area**

Newton St Loe is a conservation area. The proposed development Option 1 would have serious impacts on the area and the village community of Newton St Loe. An urban extension of 2000 houses represents a growth of 3000% to the NSL community, which exceeds any reasonable growth projection and is inappropriate.

As a unique example of a protected pristine 18<sup>th</sup> century Village, impacts to the setting and community of NSL should be considered more fully and views of the affected community taken more into account. A survey of the village was carried out in 2008 when over half the population of Newton St Loe demonstrated they were against the proposed the RSS plans to build on green fields around Newton St Loe.

What measures will BANES be taking to meet their statutory duty to both maintain and enhance the Newton St Loe Conservation Area and what impact will these measures have on the viability of the urban extension?

## **SUSTAINABLE/DELIVERABLE**

We are told that infrastructure and employment opportunity will precede any development and BANES have made it clear that if the infrastructure cannot be provided the development will not proceed, (paragraph 1.9 of the Spatial Options document). As residents in NSL we have been informed by the Duchy – the proposed developer for Option 1 – that an integrated community will be created where jobs are available within the development and no travel is necessary. That such a community provides a sustainable model.

However, previous models of urban extension delivered by the Duchy, such as Poundbury, have not yet demonstrated they can deliver on this model of development against any verifiable indicators. For example, Poundbury was meant to provide work and residential buildings in harmony, and within a community structure. But there is evidence to suggest that Poundbury is not a mixed community and it appears most of the residents are retired and many of those who work in Poundbury do not live there.

Additionally, given that average price for 4 bedroom houses in Poundbury is approx £375,000, this would indicate a mixed community is not viable and that job opportunities would have to be of high executive value to sustain mortgages for approximately 70% of its population ( if one assumes 30% is social housing).

The majority of jobs in Bath are low paid and retail based. This means that the majority of such a community will either need to be wealthy, retired or commuting to Bristol or London for high level jobs. Such a community does not present what can be construed as a sustainable model.

### **Carbon Footprints/ Savings Targets**

If Bath/Twerton and the new site cannot be linked, or provide sufficient high level jobs, the 'Urban extension' will actually become an 'outward commuter belt'. BANES would need to justify such a plan in relation to its carbon savings targets, and any claim that the community was carbon neutral and sustainable given:

3000 cars commuting from an urban extension to Bristol = approx 4410 tonnes of Carbon p/annum  
2000 cars commuting from an urban extension to Bristol = approx 2940 tonnes of carbon p/annum  
1000 cars commuting from an urban extension to Bristol = approx 1470 tonnes of carbon p/annum

### **Travel and Road Capacity**

The A4 is one of the most congested roads in Britain. What assessments have been made by BANES to accommodate an additional 2-3000 more cars on this road between Bath and Bristol? It is unclear how the area will sustain the growth in traffic that accompanies a development of this scale. How will BANES mitigate for carbon emission, congestion and increased road safety issues? Has a sustainable transport impact assessment been completed?

### **Jobs and Economic Growth**

BANES must provide evidence to substantiate its claim of providing 17,000 jobs and where these will be located. How can BANES and the government now justify levels of economic growth predicted by the RSS during a period of high growth when we are now in a recession with uncertain growth for the future? Surely levels of growth and job creation must now be revised downwards? Again, if jobs are mostly generated in and around Bristol then BANES must explain how carbon saving targets will be met by developing what will become a 'commuter town' on the edge of Bath.

It is unclear how the figures used to project housing need in the area have been calculated. The targets have been set by government and not the local authority. How then does BANES justify the growth rate of 17.6 % which has led to the current projected housing need in the area? Currently the growth rate is disputed as in the last fifty years. Bath population has grown by approximately

only 3%. How much of the demand is being driven by second home ownership and buy to let? More transparency, scrutiny and evidence is required to justify the projections and the demands being made on BANES in respect of housing numbers. We ask that BANES to provide more evidence and challenge the Government statistics with more rigour.

### **Viability**

Is it right to expect just one location to provide 2,000, given the above constraints? What are the proven viability thresholds for the different infra-structure and community needs? How can these questions be answered in the absence to the long awaited infrastructure studies?

Whether this site is deliverable and viable remains to be seen as neither the Infra-structure Delivery Plan nor the Strategic Housing Land Availability Assessment (SHLAA) have been completed and made fully available.

Has BANES carried out an empty properties assessment? BANES must carry out such an assessment and make it publicly available before new houses are built. This should have been made available for the consultation process.

In the RSS the areas are outlined but it does not state that the development has to happen on these areas. Since the RSS was submitted other options have evolved which affect housing numbers e.g. MOD sites, Western riverside, University builds with Multi occupancy housing freed up.

### **Flexibility**

By applying a more flexible approach in the City of Bath, and a less wasteful use of Brownfield sites, the overall 'deliverability' of providing development on Brownfield sites is improved and the target to meet 2000 additional homes doesn't fall on the need for one landowner, or the destruction of green belt. The increased flexibility should be in terms of both increased height and density at suitable locations.

We insist that Brownfield sites must be a ratified priority for BANES Core Strategy – not just a 'policy or guideline'. This should also ensure phasing of development whereby no green field sites are developed before all Brownfield options have been fully reviewed and exhausted.

It is possible that 1000 houses could be accommodated in Bath as a result of reviewing Brownfield options and empty properties; however development is likely to be constrained because of Council approach to build within Bath. Can BANES adopt a more flexible approach as described above to certain development issues? If not, why not? Can a permissive policy be developed to ensure increased Brownfield development including renovation of listed buildings and industrial sites?

### **SCALE**

If there is an incomplete INFRASTRUCTURE DELIVERY PLAN, how do BANES know that putting all the houses in one place is best? BANES must provide evidence. The lack of the infrastructure delivery plan makes it impossible to judge the viability of the site and whether a realistic "land budget" can be defined and which is capable of delivering the requisite infrastructure as well as zero carbon housing (very expensive) and employment properties. The required infrastructure to be paid for will include a new primary school, affordable housing (35%), open space and play provision, community and local centre, flood attenuation, highways improvements and sustainable transport, cycleway and footpath connections to Bath to name but a few. Is there sufficient "planning gain" from the proposed development and sufficient regional funding allocated (in view of impending public sector cuts) to pay for all of this and achieve quality development. All this must be achieved if the aspirations and vision in the SCS are to be realised . Are there more cost effective ways of providing the required housing and employment sites within the urban fabric of Bath and

outlying towns needing growth and regeneration such as Radstock and Midsomer Norton rather than greenfield development?

The options of a large scale build leave local villages with no development whereas some have infrastructure and could support small amounts of development.

As well as developing Brownfield sites within BATH, BANES should consider small increases of between 10-20 houses in every village in the region. Currently all villages have protection of green belt to constrict their expansion, so where is the logic of lifting green belt restriction to the SW of Bath to deliver a huge urban extension that could ruin the City whilst arguing green belt protection around villages to prevent small amounts of manageable village expansion?

Villagers may be more willing to accept small levels of growth as preferable to endorsing a large scale development that destroys the setting of BATH and its environs.

### **Alternatives**

We welcome the options for development laid out for Radstock and Keynsham in the Core Strategy. Radstock and Midsomer Norton have made it clear they wish their areas to be developed as they see it as a good thing to regenerate their local economies and in terms of providing affordable housing for local people, and they have a critical mass of good local services which will reduce the need to travel. BANES must explain why it has not considered more fully the building of a large housing development in one or both of these areas.

With Brownfield development in Bath of up to 1000 additional homes ( see above) plus development in Midsomer Norton, Radstock and Keynsham, a further 1000 houses can be accommodated in these areas meeting local needs as expressed by residents. Therefore the urban extension should not proceed until the case is proven through the results of the SHLAA assessment and other outstanding studies.

### **Contradictions**

In a recent meeting with the NFU, a representative for the Duchy of Cornwall explained that the Duchy planned to build 100 houses per annum (urban extension). If this is the case it would fall short of the proposed plan and does not equate with any of the figures that have so far been provided/put forward by BANES in its core strategy and other related documents. Furthermore, assuming a start date of 2012 earliest, a total of 1200 houses would be insufficient to justify the infrastructure demands (1500 minimum). Can the urban extension realistically be delivered in the time scales indicated given the ongoing recession and much reduced levels of housing starts by private developers?

BANES must explain the contradictions in numbers that are used to express housing needs: 1000, 1500, 2000, 2200. Where is the evidence for these figures? BANES has consistently sought to reduce the number of dwellings proposed. This therefore demonstrates their concern about the adverse impact of the urban extension on both the setting of the World Heritage site and the Newton St Loe Conservation Area.

The current options outlined in the Core strategy do not present any real 'options' for SW Bath. There is no third option that explores creative and imaginative alternatives to providing housing using existing infrastructure, spreading housing across a number of villages, increasing allocation to those areas who have requested more development, and maximising opportunities to use empty buildings, Brownfield and disused properties in and around Bath. At a time when the Government and this country has little resource, why is BANES not looking to optimise existing resources to meet local housing need and why is it not questioning more thoroughly the demands and targets that are being placed upon it by remote bureaucrats?

It would therefore be premature to proceed with the urban extension until these issues are more clearly defined and the case for greenfield development is properly made. To do otherwise would be contrary to the “plan, monitor and manage” approach followed by BANES and which may lead to “a review of the need for greenfield urban extension” (para 1.11 of the Spatial Options Document).

## **PROCESS**

The consultation process has been flawed and has not followed a logical time-table with the right evidence available at the right time. This has made the process difficult to follow for the local community which is contrary to one of the key principles under-pinning the LDF process as introduced by government.

Banes have failed to provide a number of important documents for the consultation process. There are a number of outstanding studies and documents yet to be provided to substantiate their proposals for the urban extension, in particular World Heritage Study ratification, studies on the landscape heritage around Newton Park and Newton St Loe, SCHLAA and the SCS (which were not readily available in print as at Nov 27<sup>th</sup>)

Banes also agreed at a public meeting in November (Corston) and in a subsequent email that its *Comments Form* was inappropriately designed for use by the general public use as it asks users to quote specific question/paragraph details etc at the top of the comments form. BANES agreed these particulars were to be removed in order to make the form more user friendly and more attractive for people to participate in the process. It has not been done.

The Statement of Community Involvement is not easily or readily available on the BANES website. It has been therefore been impossible to assess if the council has adhered to its own guidelines in the delivery of the consultation process. This undermines a transparent public process.

The Sustainable Community Strategy that drives the Core Strategy was not printed in sufficient numbers to be available for the public or groups such as ours at the start of the consultation process. The SCS and the SCHLAA should have been made available/accessible to the public at the start of the consultation period. Despite repeated phone calls to Banes (23<sup>rd</sup> Nov, 27<sup>th</sup> Nov) members of our group were told these vital documents were still not available midway through the process, and we understand only a few individuals received them. For this reason the consultation has not been carried out correctly and is therefore discriminatory and failing in its *duty to involve*.

In the Core Strategy Information Paper 6.13, Banes states that ‘the draft SCHLAA is due to be published in winter 2009 and will assess whether the high level core strategy options for a new neighbourhood in an urban extension to Bath are realistic in delivery terms’. This document, to our knowledge, has not been available until just before Christmas. Originally the consultation process was due to end on the 11<sup>th</sup> December 2009. How do Banes justify their launch of the consultation process before all necessary information was available? And, without this document, and its important analysis, how did Banes consider the public consultation process viable?

Green Belt review is still underway and until this review is completed it is impossible to ratify the Core strategy.

A final decision on the Core Strategy may also prove to be premature until the Secretary of State finally adopts the RSS. Any proposed urban extension agreed at this stage may therefore be open to legal challenge.

### **Preferred or Prescriptive? - Option 1**

BANES must demonstrate that the current approach of the Core strategy does not exceed an orientation of ‘preferred’ option towards what is potentially perceived as a ‘prescriptive’ option.

The landowner involved in option 1 is already inviting consultation and buy in from local stakeholders before the public consultation of the BANES Core Strategy is complete. For example, in recent communications with farmers in the Bath area, The Duchy of Cornwall has made speculative offers of involvement in the proposed urban extension (Option 1), SWB1, such as participation in farm shops, offers of a stake in the housing development, etc. This would seem premature and overly influencing outcomes with important stakeholders and has led to perceptions locally of a 'done deal'.

We accept that the Government has encouraged discussions at early stages, e.g. Duchy & Banes, but this appears to be overly prescriptive in terms of Option 1 landlord delivering on the Greenfield site.

### **Consultation Failures**

The initial plan by BANES for public consultation did not include any public meeting or discussion with the NSL community. This was rectified by the Newton St Loe Conservation Group who organised a meeting on the 3<sup>rd</sup> Nov in Corston and invited BANES to participate. This meeting was then added to the BANES calendar of events.

BANES have fallen short of satisfying the public with its local presentations about the Core Strategy during the public consultation process. Many villagers have been left feeling short changed with a sense that the plans are a 'fait accompli', or that the council is not being fully open and transparent in its answers and the consultation debates plagued by 'filibustering'. Additionally, a number of answers provided at local meetings/events have given cause for alarm, such as:

1. 'We admit we don't have all the evidence required as yet but are planning to *fit it* to the plan' ( BANES at South Stoke presentation Nov 09)
2. 'The urban extension will cause damage to the World heritage Site' (BANES at South Stoke presentation)
3. 'Two Duchy planning consultants have been working with BANES for several years' (BANES at Culverhay School event Nov 09)

### **In Summary**

The solution being proposed of an urban extension is the most unacceptable to local residents. BANES need to review its planning constraints and revise its approach. It needs to prioritise Brownfield development, MOD sites, and maximise use of existing empty properties.

An urban extension is likely to lead to a commute new town of largely expensive executive, retirement or second homes; it can only partially meet needs for housing for those on low incomes - which could be better accommodated within existing urban areas or shared across villages; it is likely to result in high carbon emissions for travel to jobs outside Bath, and will destroy essential farmland needed for future local food production.

We therefore urge BANES to challenge the overall RSS policy, the projected figures, and the arguments behind this Core Strategy proposal and to look at more sustainable longer term solutions that take into account future food production needs, a more manageable economic and fiscal growth policy, and focus on supply of social and low cost housing, using existing resources and infrastructures.

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