

22/02169/EOUT

Parcel 4234, Combe Hay Lane, Combe Hay, Bath, Bath And North East Somerset,

(i) Outline application for Phases 3 and 4 for up to 300 dwellings; landscaping; drainage; open space; footpaths and emergency access; all matters reserved, except access from Combe Hay Lane via the approved Phase 1 spine road (details of internal roads and footpaths reserved); (ii) Detailed application for the continuation of the spine road (from Phase 1), to and through Sulis Manor and associated works comprising: the demolition of existing dilapidated buildings and tree removal; drainage; landscaping; lighting; and boundary treatment; to enable construction of the spine road, and (iii) Detailed application for landscaping; mitigation works; allotments; including access; on the field known as Derrymans.

Objection

Principle of Development

The development of housing on land released from the Green Belt has been established through the Local Plan Inquiry to meet housing need and is not objected to in principle. Provided that housing is a mix of tenure that includes genuinely affordable housing.

In response to the series of applications that have come forward for this site, Bath Preservation Trust (BPT) has maintained its concerns regarding the increase in housing numbers proposed across the allocated site and the consequent development density and landscape impact. We previously expressed strong concern regarding the proposed development of 600 dwellings across Phases 1-4 of the Sulis Down site in response to a public consultation in 2015. We also objected to proposals for 450 dwellings across the entire development in response to a public consultation in 2016.

The policy allocation for the site specifies a residential figure of “around 300 dwellings”. Whilst this is not a definitive cap on housing numbers in this area, it clearly indicates an approximate housing quantum which would be coherent with placemaking principles, allowing for mitigatory landscaping and ecological measures. A 57% increase on the Local Plan’s housing number would be substantial, despite omission of further housing provision on the Sulis Manor site (Phase 2).

We consider that with the level of information provided, it is difficult to determine the suitability of the site for an additional 300 houses. Details about building heights, groupings, contextual elevations, wider assessment of streetscape views, assessment of landscape views through a proportionately detailed LVIA, and a comprehensive landscaping plan, are required to ensure that all placemaking principles are suitably met and adequately assess the impact to the landscape appearance and character of the Green

Belt, Cotswolds AONB, and setting of the World Heritage Site in accordance with Policy B1, BD1, and B4 of the Core Strategy and Placemaking Plan and Paragraph 177 of the NPPF.

As yet, we do NOT consider that the application provides a sufficient level of detail in relation to the sensitivity of the site in long-ranging agrarian views to the south through the AONB, and as part of a significant green buffer between Bath and surrounding villages of small-scale, low density character, the nearest of which is South Stoke to the south-east. Whilst the Built Heritage Baseline Statement indicates the site does not contribute to any of the OUVs of the World Heritage Site, this overlooks the plateau's role as part of the lip of the Bath 'bowl', in which the "compact and sustainable form of the city" is contained (See WHS Management Plan 2016-2022 and City of Bath WHS Setting SPD 2013). As part of the "open agricultural landscape around the city edges" the plateau site therefore cumulatively contributes to the Green Setting OUV of the World Heritage Site and is attributed associated significance. We therefore strongly recommend that a full planning application is submitted separately to allow for a comprehensive assessment of proposals for Phases 3 & 4.

Comprehensive Masterplan

Throughout the planning history associated with the land allocated on the Sulis Down plateau, there has been a continued absence of a consistent, comprehensive, established Masterplan. Whilst an Illustrative Comprehensive Masterplan (ICM) was provided in 2018 (see 17/02588/EFUL), this has since been superseded by a resubmitted ICM with a number of notable alterations, including:

- The omission of the school site;
- Relocation of allotments from Great Broadclose to Derrymans Field, outside of the site allocation boundary;
- Alterations to the path of the proposed spine road through the Sulis Manor site;
- Reorganisation of green landscaping and amenity space as part of Phases 3 & 4.

The Sulis Manor site (Phase 2) continues to be excluded from the ICM, due "to be developed by others", with no framework established as to the proposed layout, density, or scale of development or associated infrastructure or landscaping works. As such, its proposed use, character, grain, and form remain ambiguous and disconnected from the wider allocation site, contrary to Policies D3 and D4, and Section 8 of the NPPF.

Consequently, there is a continued failure to establish a comprehensive masterplan that sets out the extent of development on the site in its entirety. As a result, we have seen a continuous, piecemeal approach to development creep across the site, particularly in relation to the neighbouring Derrymans Field, to the ongoing detriment of the local landscape character of the Green Belt, Cotswolds AONB, and landscape setting of the World Heritage Site. The lack of a comprehensive masterplan and the ongoing, phased

development of the site raises further concerns that surrounding land will in turn come under increasing pressure in future to sustain further, rolling phases of development.

Paragraph 176 of the NPPF states that “great weight should be given to conserving and enhancing landscape and scenic beauty in [...] Areas of Outstanding Natural Beauty [...] the scale and extent of development within all these designated areas should be limited, while **development within their setting should be sensitively located and designed to avoid or minimise adverse impacts on the designated areas.**” The extent of development in this sensitive landscape setting should therefore be suitably curtailed in through the use of an agreed-upon Illustrative Comprehensive Masterplan with appropriate stakeholder and community consultation.

Moreover, it is necessary that the principles and allocations identified in the Masterplan are carried through to the individual plans in any planning application. For example, the submitted updated Masterplan (A-110/D) demands that amendments be made to the Derrymans’ drawings.

This approach fails to accord with local and national planning policy:

- Policy B3a of the Core Strategy and Placemaking Plan states that one of the key requirements that needs to be met to enable development is: *“2. Preparation of a comprehensive Masterplan, through public consultation, and to be agreed by the Council, reflecting best practice as embodied in ‘By Design’ (or successor guidance), ensuring that it is well integrated with neighbouring areas.”*
- In identifying sites suitable for large-scale development, paragraph 73 of the NPPF highlights the need to use *“appropriate tools such as masterplans and design guides or codes [...] to secure a variety of well-designed and beautiful homes to meet the needs of different groups in the community”*.

Building Heights Parameter Plan

BPT is generally supportive of the proposed reduction in maximum heights and their notional distribution throughout Phases 3 & 4, but we maintain concerns regarding the impact of development on long views of the site from the rural area to the south, particularly considering the incursions of ash die back on the southern tree belt and the long growth cycle of newly planted trees. We remind the Council of the necessity of ensuring at this stage that development will not obtrude above the tree line. In view of the importance of reducing visibility from the countryside, early augmentation of the woodland buffer is vital, on the ground not just on paper. We recommend this is secured via a pre-commencement condition to address landscape impact concerns before development is allowed to progress.

Housing Mix & Tenure

We welcome the intention to deliver a policy-compliant amount (40%) of “tenure blind” affordable housing on the site, “us[ing] the same material palette and details as the private units”. However, we note that affordable housing as part of Phase 1 was largely concentrated to the north of the site along the spine road. A greater mix of housing types and sizes are encouraged as part of this affordability quantum to ensure availability for a greater mix of residents in accordance with Policies CP9 and CP10 of the Core Strategy and Placemaking Plan, and Section 5 of the NPPF.

BPT continues to question what constitutes ‘affordable housing’, which has not yet been specified as part of this application. The definition of affordable housing set out in the NPPF (Annex 2: Glossary) is at least 20% below local market value or rents, but considering market values in Bath this would not be affordable for a large number of local residents and families. Now being delivered as part of Phase 1, 2-bed housing is available from £375,000, whereas 2-bed housing available under Help to Buy remains at a total value of £350,000, only a 6.7% reduction in market value. Affordable housing on this site needs to be sufficiently evidenced throughout the application process to ensure the scheme would not be affordable in name only.

We maintain that mechanisms should be implemented to ensure that housing remains affordable in the long-term to meet ongoing demand for lower-cost housing, both now and in the future. We strongly recommend that the mechanism for an ‘in perpetuity’ agreement (ie. a re-sale price covenant) should be outlined and agreed as part of the planning application, rather than being left to later agreement and consequently susceptible to amendment.

Highways and Access:

Despite being described as a “landscape-led proposal”, there is currently insufficient consideration of the impact of the proposed volume and density of parking on the proposed street scene and how this would be integrated with landscaping proposals and the prioritisation of sustainable transport routes. Care should be taken to appropriately merge parking and landscaping to mitigate against an overly dominant parking and highways presence in the street scene, in accordance with Policy D4 and Section 9 of the NPPF.

We maintain strong concerns regarding the continued, excessive provision of car parking across Phases 3 & 4 and the resulting highways impact on the single access off Combe Hay Lane. Whilst a finalised parking number has not yet been supplied, Phases 3 & 4 would incorporate a minimum of 300 parking spaces, or up to an estimated 408 new vehicles as based on 1.36 cars per dwelling allocation in Phase 1. Combined with the total 415 parking spaces across Phase 1 (including 35 visitor spaces), this would result in a 98% increase of parking provision across the site (at a possible total of 823 parking spaces), served by a single spine access onto Combe Hay Lane.

Whilst we are not transport experts, we recognise that this level of parking on the site would generate a significant impact on the Odd Down Roundabout and A367, as well as likely ‘bottlenecking’ of the spine road. It remains imperative that issues of increasing traffic are appropriately dealt with to ensure that the scheme connects well with its context and pre-existing infrastructure in accordance with Policies ST1, D2, D3 and D4. Section 9 of the NPPF states that “transport issues should be considered from the earliest stages of plan-making and development proposals, so that the potential impacts of development on transport networks can be addressed.” **We therefore do not consider it appropriate that both the proposed total number of on-site parking spaces and the associated traffic assessment and mitigation should be left to a Reserved Matters application.**

Within the 2018 Traffic Assessment Addendum (see 17/02588/EFUL), it was concluded that “based on standalone junction modelling both officers and WYG agree that it appears there is insufficient network capacity to accommodate 450 units on the site.” Estimates for the full masterplan (up to 450 dwellings) in the 2022 AM & PM periods found resulting congestion and queues on the A367 in the AM and at the Red Lion roundabout. In the 2022 Traffic Impact Assessment Summary as currently submitted, it is indicated that areas such as the A367 Wellsway/Combe Hay Lane and A367 Wellsway/A3062 Frome Road junctions are already reaching capacity as of 2022 (with greater queues/delays experienced at A367 Wellsway/Combe Hay Lane), and are predicted to notably worsen by 2029 with the inclusion of the “committed development and development”.

We emphasise that vehicle provision on the site should be restricted by the capacity of existing transport infrastructure, rather than the other way around. Increasing traffic congestion would **NOT** be considered appropriate justification for a potential eastern access onto Southstoke Lane in the future because of the associated harm to the setting of the South Stoke conservation area. We observe with qualms that the ‘red line’ for the application encompasses the access road from Manor Farm to Southstoke Lane; we maintain that it would not be appropriate for this road to be used as a secondary vehicular access to the site beyond identified access for emergency vehicles.

In accordance with Policy ST1, development should seek to “reduce the growth and the overall level of traffic and congestion by measures which encourage movement by public transport, bicycle and on foot, including traffic management and assisting the integration of all forms of transport” and “reduce dependency on the private car”. We therefore maintain that the continued dependency on car usage and excessive provision of on-site parking is indicative of unsustainable development; we encourage further measures to incentivise greater use of shared and sustainable travel, eg. car clubs, community share schemes for electric bikes or scooters, pedestrian/cyclist priority on primary through routes.

There continues to be a lack of appropriate consideration as to the anticipated demand for longer distance journeys into and through the city centre, with sustainability measures remaining largely focused on short-range trips within the immediate locality.

Whilst we are supportive of efforts to incorporate several pedestrian and cycle links with the Park & Ride and surrounding development, we do not feel that this yet goes far enough. The interconnectivity between Phase 1 and Phases 3 & 4 remains poor, and is restricted to the northern vehicle access or via the longer PRow BA22/3 through the southern tree belt.

Insufficient links would be provided between both the multiple phases of development across the plateau as well as with surrounding communities and infrastructure. Development would remain overly reliant on private car usage and would have an adverse impact on Bath's already-oversaturated highways and transport network, and as such is not considered to be sustainable. This scheme would therefore be contrary to Policies SD1, D1, D2, D3, D4 and ST1, and Sections 2, 5, and 9 of the NPPF.

Ecological Mitigation

The extension of the northern spine road would require the removal of 69 mature tree specimens from the Sulis Manor site, covered by a blanket TPO. The proposed offset balance would require the planting of 328 new trees, with a total of 362 new canopy trees proposed to be planted on Derrymans Field. It is unclear as to how this offset balance has been reached as it does not appear to consider the relative disparity in species richness and ecological and carbon benefit between older, established trees and newer saplings.

We welcome the provision of the skylark habitat although note that this has been relocated from Great Broadclose further south. Nevertheless, we maintain a preference that adequate footpath buffer zones are provided around Great Broadclose to prevent trespass onto existing habitat, so that locals can continue to enjoy their presence whilst improving connectivity with the Wansdyke SAM. We question the appropriateness of the 'potential field gate' to the field.

Policy B3a specifies that the site allocation should "avoid built development on this field" in reference to Great Broadclose. We emphasise that the relocation of skylark mitigation habitat should NOT be considered justifiable reason on its own to open this field up to possible future phases of development.

Allotments

We maintain our objections to increased pressures on Derrymans Field to not only meet the allotment allocation for Phase 1 (see 22/01370/FUL for our full objection response), but now Phases 3 & 4 as well. Derrymans is NOT included within the site allocation boundary within Policy B3A and remains within the Green Belt. **It also lies within the Area**

of Outstanding Natural Beauty, as does the whole of the development site. Any complementary use of Derrymans must be considered in relation to its particular landscape designation and associated additional protections.

To deliver “up to” 300 homes across Phases 3 & 4 at a density of 38.5dph, the required allotments would be pushed onto adjoining land outside of the development allocation. The Local Plan site allocation does not include a cap on development providing “all the placemaking principles can be met”. HOWEVER, these do NOT include the use of Derrymans to meet spatial shortfall; the Landscape Requirements of Policy B3a instead specifically make reference to the need to “avoid or minimise detrimental impacts on (and provide enhancements to important landscape features and significant views) the Cotswolds AONB, South Stoke Conservation area and its setting, the character of the Cam Brook valley and Sulis Manor Plateau, the character of South Stoke and Combe Hay Lanes [...]”.

Any overspill of development would result in further built encroachment and adverse impact on the open, undeveloped landscape character of the Green Belt, AONB, and setting of the World Heritage Site without suitable assessment of impact or clear justification, thus failing to meet the policy requirements of B3a.

Efforts should be made to incorporate allotments and amenity space provision WITHIN the development site, in accordance with Policy B3a. Should we set aside the above objections-in-principle, if allotments were to be considered on Derrymans a resilient management plan must be included at this stage, not be deferred as a condition. This would be required to appropriately plan and control the extent of build infrastructure on the site (eg. potting sheds, polytunnels, etc) and associated impact on the openness of the Green Belt and scenic beauty of the AONB.

We reiterate our opposition to the increased encroachment on and build-up of the Green Belt and AONB, with resulting impact on its openness and an associated detrimental shift in character, in order to release space for more housing on the development site.

This aspect of the development would fail to appropriately contribute to and enhance the natural and local environment, contrary to Section 15 of the NPPF and Policies NE2, NE2a, and CP8 of the Core Strategy and Placemaking Plan.

Energy Efficiency and Micro Renewables

We welcome the applicant’s adoption of the Council’s Sustainable Construction principles and the use of a “‘fabric first’ approach, followed by an assessment of the most efficient approach to reducing greenhouse gas emissions further, by the incorporation of renewable energy provision.” We encourage implementation of ‘fabric first’ and passive house principles to ensure dwellings are futureproofed against the effects of climate change including intense weather events and temperature changes (eg. overheating). As what may be one of Bath’s larger ongoing housing developments, there is a significant opportunity to

go above and beyond carbon reduction targets as an exemplary demonstration of low carbon/zero carbon housing.

Nevertheless, we emphasise the need to consider sustainability objectives and measures as early as possible within the design approach and planning process to ensure this is suitably built in from conception to delivery, rather than being left to a Reserved Matters application. **Measures should encompass the site in its entirety to cohesively address emissions across housing of all types and tenures.**

Certain measures such as the installation of PV panels require consideration as to potential impact in wider landscape views and how this can be appropriately mitigated. We continue to recommend the use of ‘built in’ panels that sit flush with the roof slope in an appropriate finish (eg. matte black); the use of an integrated panel as part of the building design would help to mitigate potential visual harm and avoid later, piecemeal installation in a multitude of different styles, finishes, and positions by future residents. We refer in particular to Policy SCR2 where it is emphasised that “photovoltaic materials should be considered as part of the overall scheme design” in new build dwellings.

Community Facilities

We note that the revised ICM has now removed the proposed school site “as capacity exists at St Martin’s Gardens”. However, it is regrettable that this aspect of the Phase 3 site has now been superseded in favour of further housing provision, rather than possible on-site community space or facilities such as a local shop/cafe or space for community activities, be they indoor or outside, or indeed to augment the southern ‘tree belt’ or provide a more realistic landscape buffer between Phase 3 and the south-eastern corner of the Sulis Meadows estate.

Section 2 of the NPPF states that “the purpose of the planning system is to contribute to the achievement of sustainable development.” Achieving sustainable development includes a social objective “to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering well-designed, beautiful and safe places, **with accessible services and open spaces that reflect current and future needs and support communities’ health, social and cultural well-being**”.

Greater consideration is required to achieve a more sustainable balance of housing and much-needed infrastructure to serve future residents as well as the surrounding communities. This would reduce increased pressure on existing facilities (eg. schools, GPs, shops), encourage fewer car journeys and associated reductions in carbon emissions, and centre the long-term creation of a sustainable community.

As it stands, BPT remains unconvinced that the scheme would meet the requirements of Policies SD1, B1, CP6, D1, D2, and D3 and Section 2 of the NPPF.

Conclusion

BPT emphasises that effective, successful, and controlled development growth and placemaking CANNOT occur without a detailed forward plan for the overall site which has been appropriately consulted upon. We remain unsupportive of the current disjointed and piecemeal progress of development across the site without a consistent approach to important aspects of the scheme such as total housing numbers, landscaping, provision of local amenity spaces, and highways infrastructure. **We therefore maintain that the continued absence of a Comprehensive Masterplan risks harm to the setting and landscape value of the City of Bath World Heritage Site and is contrary to Policy B3a of the Core Strategy and Placemaking Plan and consequently the local development plan.**