

**B&NES Local Plan Options Consultation
Representation on behalf of Burnett & Corston Protection Alliance
(BCPA) and the Marksbury Residents Group (MRG)
Date: 8 April 2024**

Chapter 5 – South of Burnett, Next to A39 (potential site)

Introduction

This representation is made by the Burnett & Corston Protection Alliance (BCPA) and the Marksbury Residents Group (MRG) on behalf of a group of concerned local residents, farmers and workers with interest in the Green Belt land identified in the B&NES Local Plan Options Consultation for potential further exploration as a strategic development site ('South of Burnett, next to A39') (the 'Site').

The BCPA and the MRG consider that there is a range of sensitivities and issues that clearly point to the Site being unsuitable for strategic development.

In summary, strategic development at this location would be inconsistent with the Council's Corporate Strategy, Spatial Priorities, and declared Climate and Ecological Emergencies. It would not represent sustainable development. It would be inconsistent with the overarching strategy being put forward for the 'Rural Areas' in B&NES which *inter alia* will serve to protect the character and identity of rural areas and communities, avoid loss of high-grade agricultural land, and promote the rural economy. Importantly, strategic development would cause significant harm to the setting of the City of Bath World Heritage Site that is incapable of being mitigated.

At this stage, the evidence indicates that the Site is not required to meet development needs over the Local Plan period. The exceptional circumstances necessary to remove this land from the Green Belt are therefore unlikely to be demonstrated. The harmful effects on the Green Belt in terms of countryside encroachment and risk of coalescence of small rural communities would be substantial.

Accordingly, the BCPA and the MRG urge the Authority to reject this potential long-term development option now, without the need or basis for exploration.

If the Authority is minded to explore this option, the issues raised and concerns expressed in this representation demand thorough examination, in close consultation with the local rural community and other wider interested stakeholders such as heritage and wildlife groups.

Background

The new Local Plan is based on an assessed housing need of 14,500 dwellings over the plan period (2022-2042). Taking existing commitments and allocations into consideration, along with a windfall allowance, the residual housing requirement is calculated at 6,180 dwellings. This residual requirement will be planned for on new allocated sites.

The emerging approach to meeting development needs in B&NES is based on a range of identified important factors, allied to the Local Plan's Spatial Priorities, as reproduced below (ref: Para 2.24):

Our plans for development must achieve the following:

- *Enable Bath and North East Somerset to become **carbon neutral by 2030** and deliver a climate resilient district*
- *Protect and enhance nature through **facilitating nature recovery***
- ***Improve health and well-being** outcomes for all, including through planning health promoting and inclusive places, and providing for cultural enrichment*
- *Reduce the need to travel unsustainably and **enable improved connectivity** for all through sustainable modes of transport and facilitating locally available services and facilities*
- *Respect, conserve and enhance our **heritage assets** and their landscape settings, in particular the World Heritage Site of Bath and National Landscapes*
- *Align the timely provision of **transport, health, social, cultural and green infrastructure** with development*

The consultation states that the following factors or principles that are particularly important in shaping the choice of locations for future development are (ref: Para 4.4):

- *Sustainable transport connectivity*
- *Climate change and nature*
- *Flood risk*
- *Historic environment*
- *Green Belt impact*
- *Local food production and agricultural land*
- *Infrastructure provision – challenges and opportunities*

Bath is identified as the main driver for much of the housing need in B&NES and as the focus for economic activity. It is acknowledged that the City has a limited land supply and that there are relatively few brownfield sites available for development. Therefore, it is stated that opportunities for outward expansion of the City need to be explored, recognising the constraints imposed by the quality of the environment and designations, along with the special character of the villages that lie within the City's hinterland.

Potential options for development have been informed by a 'Housing and Employment Land Availability Assessment (HELAA)' which includes sites promoted by landowners and developers. HELAA sites have been narrowed down to the potential location options for strategic development introduced in the Local Plan consultation. These strategic development options have a combined capacity of up to 8,700 dwellings, noting that this does not include

brownfield sites within Bath, smaller ‘non-strategic’ sites, or sites that could be allocated in the most sustainable villages (ref: Para 4.36). These strategic development options are introduced in the options consultation and are being tested through the ‘Sustainability Appraisal’ process, based on four strategy approaches placing greater or lesser reliance on the release of Green Belt land.

At this stage in the Local Plan process, it is clear that the strategic development options being introduced have a combined capacity significantly in excess of the likely residual housing requirement once brownfield and non-strategic housing opportunities are factored in. This will allow for the discarding of options that are shown to perform poorly against the Plan’s Spatial Priorities, and notably limit the required release of Green Belt land to only that where exceptional circumstance are fully evidenced and justified.

Under the site options for Bath, existing site allocations will be refreshed/refined and it is also stated that non-strategic sites on the edge of Bath, or close to Bath, will be assessed as part of the preparation of the Draft Local Plan. Additionally, a potential development location south of Burnett on the A39 (the Site) is included ‘for further exploration and to establish whether this has potential as a longer term location for growth’ (ref: Para 5.27). A further option, ‘Land to the West of Bath’ is also included as an option, albeit with assessment to date showing that development would likely cause substantial harm to the City of Bath World Heritage Site (WHS).

For the ‘Rural Areas’, which under normal planning circumstances will include the area in which the Site is located, the spatial strategy highlights the importance of development meeting the needs of rural communities whilst respecting locally distinctive character, the high quality of the environment, and access to the countryside. The strategy will therefore be focussed on proportionate growth at rural settlements that have good sustainable transport connectivity and which have better access to key services and facilities.

The WHS designation demands special attention in formulating the development strategy. The adopted Statement of Outstanding Universal Value recognises that the integrity of the WHS derives in part from the relationship with the surrounding green landscape which remains clearly visible. The Statement advises that Bath remains vulnerable to large-scale development and transport pressures, both within the site and in its setting that could impact adversely on its garden city feel and views across the City and to its green setting. The WHS Setting Supplementary Planning Document (SPD) highlights the importance of the rural undeveloped landscape setting of Bath in reinforcing the Outstanding Universal Value, and in maintaining and enhancing local distinctiveness. The SPD highlights the risk of undermining the ‘distinct break from urban to rural’ that forms an essential component in the WHS setting.

Potential Site – South of Burnett, next to A39

Whilst it is confirmed that the Council has no ‘immediate plans’ for this potential development Site, it is included in the consultation as a potential long-term opportunity for a stand-alone development or new community that could address housing needs towards the end of the Local Plan period or beyond. At this stage, views are sought of whether this location has merit for further discussion and exploration.

The Site is circled indicatively in the consultation document. For the most part it is contained within the boundaries of the A39 (south), B3116 (west), Middlepiece Lane (north) and an

unnamed lane (east), broadly coinciding with HELAA site ref: BD01 which is 110Ha with an estimated capacity for up to 2,760 dwellings. For the public consultation events, the identified 'possible settlement area' confusingly extends to include significant additional land to the east, south of the A39, extending towards the village of Corston and Bath Spa University campus at Newton Park.

The Site is in open countryside, approximately 3.0km west of the Bath urban area at its closest and 2.5km south of Saltford. The small village of Burnett is located on the B3116 at the northern extent of the Site and the village of Corston is located to the east, around 1.0km along the A39. The village of Marksbury is around 1.0km to the south.

The Site is in agricultural use and built development is limited to a couple of houses and farm complexes, a campsite, pub, and vacant car sales lot, mainly located along the A39.

Regarding the Site's potential for development in the longer-term, we draw the Council's attention to the following matters, focussed where appropriate on the Council's stated Spatial Priorities.

Sustainable Transport Connectivity

The Site is beyond reasonable walking and cycling distance to an established range of essential community services and facilities. The A39 and B3116 are not walking/cycle-friendly and the only benefit of this location in terms of active travel connectivity is linkage to the Avon Cycleway which runs along Middlepiece Lane and which provides a relatively safe and attractive cycling route to Saltford and onward connection to the Bristol and Bath Railway Path.

There is an established bus route along the B3116 that currently provides an hourly weekday service connecting Bristol, Bath, and Midsomer Norton/Radstock.

It is unsurprising that the Site is located in an area shown to have the lowest sustainable transport connectivity score (ref: Para 4.6 and Fig.7).

The above indicates that strategic development at this location is likely to be heavily car-dependent. Amongst other things, it would add to the local congestion already experienced on the A39 at peak times.

Whilst strategic development would be expected to include a range of everyday and essential facilities (eg. supermarket, nursery), along with localised improvements in active travel infrastructure, BCPA and MRG consider it highly unlikely that future development could function as a well-connected place, particularly regarding travel to work.

Development here is therefore highly unlikely to support the Council's Corporate priority for action in achieving a major shift to mass transport, walking and cycling.

Clearly, strategic development at the Site is in complete contradiction to the spatial strategy put forward for the Rural Areas where the focus is on proportionate growth in sustainably connected settlements.

For the reasons set out in this representation, there are no tangible planning reasons why the Site should be singled out as a potential longer-term option for strategic development, particularly with it being Green Belt. It is not worthy of further exploration given the very clear conflict with the strategic approach for the Rural Areas and poor sustainable connectivity generally.

Landscape and Nature

Landscape is acknowledged in the Options consultation as an important influence on the location and form of new development. The attractiveness and character of the landscape should be maintained and enhanced according to the consultation (ref: Para 4.8).

Coupled with the above, protecting habitat and supporting nature recovery are identified as important objectives, particularly as the Council has declared an 'Ecological Emergency'.

The Site is particularly sensitive in terms of landscape. The central limestone plateau location makes it an open and prominent site in the local landscape, with extensive and long reaching views over the gently rolling countryside. Strategic development will be conspicuous in the countryside with a large zone of theoretical visibility.

The 'Bathscape Landscape Character Assessment' (BLCA) remarks that *'the excellent and coherent management by the Duchy of Cornwall and its tenants, of land, trees, hedgerows and buildings within the area adds to its character'*.

The Site extends right up to the 'Indicative Extent' of the WHS and established planning policy (that is regarded as remaining fit for purpose) sets a strong presumption against development that would result in harm to the Outstanding Universal Value of the WHS and its authenticity and integrity. The presumption applies equally to the setting of the WHS (ref: Policy B4). The Site forms part of a landform feature associated with the character of the City of Bath World Heritage Site (WHS) (ref: City of Bath World Heritage Site Setting SPD) and its visibility from identified important viewpoints in and around the WHS demands consideration.

It is highly unlikely that strategic development could successfully evoke the organic and well-integrated characteristics of the smaller historic settlements found in this area, and the very rural character of the area that is noted for its beautiful views and sense of tranquility (ref: Bathscape Landscape Character Assessment).

Stantonbury Hill is a distinctive rounded outlying hill that has a commanding presence to the immediate south of the Site, forming part of a designated Green Hillside. Besides its heritage significance (see comments below), it is the defining feature in the plateau lands, acting as a cherished local landmark. The landscape setting of the Hill is largely free of built development and therefore any future strategic development at the Site would represent significant encroachment and therefore have a major harmful impact on its setting. Similarly, the Wandsdyke is a nationally important linear feature that is clearly visible in sections from Stantonbury Hill and elsewhere in the immediate area.

B&NES mapping shows that the eastern part of the Site forms part of the landscape setting of Corston. Under existing Local Plan policy (NE2), which the consultation notes as remaining fit for purpose, the character and quality of the landscape setting of settlements should be

protected, conserved, and enhanced. Clearly, strategic development on this part of the Site would be harmful in this respect. The harmful landscape and visual effects on other nearby settlements such as Marksbury and Stanton Prior also demand careful consideration.

Additionally, a southern part of the Site coincides with designated Green Infrastructure corridor (NE1), essentially following the course of the defined Wansdyke and Somersetshire Coal Canal. Strategic Development would be expected to maintain the integrity and value of this corridor, representing a further constraint.

Furthermore, local tree planting along the A39 corridor, in celebration of the 70th birthday of the (then) Prince of Wales, represents another important facet of local landscape character and in the wider gateway setting of the City of Bath World Heritage Site.

The public consultation material indicatively shows a large area of woodland required as screening to the Chew Valley. Whilst that may help to mitigate the visual impact of large scale development in one particular aspect, no amount of woodland planting will ameliorate the substantial and harmful disruption caused to the prevailing character and appearance of the local countryside, or serve to mitigate the significant harm to the wider setting of the WHS or the immediate setting of Stantonbury Hill. The BLCA identifies this area as an 'open, gently rolling landscape' with the 'lack of extensive tree cover' enabling the characteristics of the landform to predominate in the landscape character. As such, the introduction of large areas of woodland planting, in an attempt to mitigate the urbanising effect of strategic development, would in themselves be incongruent and damaging to the prevailing character of the landscape.

Overall, strategic development at the Site will have significant harmful landscape and visual effects as it would be insensitive to the prevailing landscape character, the setting of local settlements and heritage assets, the wider setting and defining features of the WHS, and the amenity enjoyed by local residents and countryside users. These effects will be incapable of being appropriately mitigated, especially as the introduction of large areas of woodland screening would in themselves be alien to the prevailing character of the landscape.

Natural England's Magic Map shows that parts of the Site fall under the Countryside Stewardship agri-environmental scheme. Areas of farmland are managed by Corston Fields Farm for overwintering birds, flower-rich meadow, and other year-round habitat for pollinators, birds and other wildlife. Corston Fields Farm, which comprises a significant proportion of the proposed allocation, was one of the first zero carbon farms in the UK and is an award winner in the Duchy of Cornwall's Habitat Award Scheme for its commitment to government guidelines to diversify and adopt sustainable farming methods. As a result of this greening and wilding approach the farm now provides a safe haven for critically endangered (Red List) species such as Skylarks, Fieldfares, Mistle Thrushes, Yellow Hammers, Cuckoos and Merlin.

More generally, the Site contains extensive hedgerows and scattered trees, providing important habitat and representing a defining feature of local landscape character.

Accordingly, the Site provides rich and diverse habitats and participation in the Countryside Stewardship scheme chimes with the aim of having a Local Nature Recovery Strategy in place for the West of England by Summer 2024.

The Magic Map shows that the Site is not covered by any national or locally designated sites of importance for biodiversity (SSSI/SAC/SPA/Ramsar) although it is within several defined impact risk zones for such sites, meaning that the potential impacts on the special interest of these assets would need careful examination, in addition to the impacts on habitats and biodiversity found within the Site and neighbouring areas forming part of the Ecological Network.

Flood Risk

The Site is located in Flood Zone 1 and is at low risk of flooding.

Historic Environment

There are designated heritage assets located on the periphery of the Site including listed buildings (Corston Field Farmhouse, Wansdyke Cottage, and several within Burnett including the Church of St Michael) and, more significantly, the schedule monument at Stantonbury Camp is prominently located on higher ground to the south of the Site. Under current local plan policy, the defined Wansdyke and Somersetshire Coal Canal are protected lineal historic assets, with protection extending to their respective setting.

Approximately 0.5km to the east of the Site is Newton Park, a Grade II* listed Park and Garden. Beyond that is the City of Bath World Heritage Site (WHS). As noted above, the Site extends right up to the 'Indicative Extent' of the WHS setting. The Site itself is identified as part of a landform feature associated with the character of the WHS ('Eroded plateau and ridges') and part of the Site is identified as an 'Important green hillside' (see 'City of Bath World Heritage Site Setting' SPD). Furthermore, strategic development at the Site is likely to be visible from identified elevated important viewpoints identified in the SPD such as Prospect Stile and Beckfords Tower, which would demand full investigation.

As such, the Site does play a very important role in defining and protecting the setting of the WHS and maintaining its integrity. It is very difficult to see how development of a new settlement at the Site could possibly protect the integrity of the WHS setting and landscape features that help to define its character. There is a clear presumption against such development.

Stantonbury Camp is designated in conjunction with adjacent sections of Wansdyke and it is an Iron Age hill fort atop an isolated limestone outcrop, representing a significant landmark in the wider open landscape as highlighted previously. The Site forms an important component in the immediate open countryside setting surrounding the Scheduled Monument which is largely absent of built development. The local area is also thought to contain the remains of Roman settlements and the archaeological value of the Site would demand full investigation.

In the above circumstances, strategic development at the Site will have a significant harmful impact on the setting of the Scheduled Monument by substantially altering the character of land as close as 200m to the defined Monument. This will be especially harmful in the absence of other major development surrounding the fort.

The BCPA and the MRG consider that the heritage harm arising from development will be 'substantial' and that there is very little prospect of strategic development being able to make a

positive contribution to local character and distinctiveness. The harm to the setting and defining landscape characteristics of the WHS and setting of Stantonbury Camp will be tangible and represent clear 'red lights' to major development. The setting of Newton Park should also not be overlooked.

Green Belt Impact

The Options Consultation recognises that the Site is 'some distance away from any reasonably sized communities'. In this respect, the Site's main contribution as part of the Green Belt is to assist in safeguarding the countryside from encroachment. Clearly, strategic development at this location will have a significant urbanising affect and cause substantial harm to the open character of the area, particularly given the Site's visual reach and prominence due to its elevated position.

Under national policy (NPPF), Authorities may alter Green Belt boundaries where exceptional circumstances are fully evidenced and justified. In this case, it would be necessary to demonstrate that all other reasonable options for meeting development needs have been fully examined, taking account of the need to promote sustainable patterns of development.

The NPPF advises that where it is found necessary to release Green Belt land for development, plans should give first consideration to land which has been previously-developed and/or is well served by public transport. This Site is predominantly undeveloped land and it is not well served by public transport, meaning that it should be the last resort for future release for strategic development. As such, the necessary exceptional circumstances for release are unlikely to be fully evidenced and justified in this case.

At this stage, the evidence indicates that the Site is unlikely to be required to meet development needs over the Local Plan period as there will be sufficient development capacity on preferential sites including optimising density on brownfield sites and higher performing/less constrained strategic and non-strategic opportunities. The exceptional circumstances necessary to remove this Site from the Green Belt are therefore unlikely to be demonstrated. The harmful effects on the Green Belt in terms of countryside encroachment and coalescence of small rural communities would be substantial.

Local Food Production and Agricultural Land

The Spatial Priorities include avoiding unnecessary loss of high-quality agricultural land, consistent with the NPPF, whilst potential opportunities to diversify the rural economy (including local food production) is identified as a key issue to address.

Natural England mapping identifies the site as being Grade 3 (Good to Moderate) but does not distinguish between Grade 3a (good - best and most versatile) and Grade 3b (moderate).

In any event, the land is being put to viable use, including part of a large, long-established, and successful arable farm producing barley, wheat, wine, and some niche crops such as Quinoa. Corston Fields Farm is an exemplary example of a sustainable rural enterprise based around local food production and with high standards of environmental stewardship.

Traditional family-run farms have long been under threat and future allocation of this land for strategic development would result in the loss of a successful and environmentally-conscious family-run operation.

The loss of viable and productive agricultural land, and particularly an established and highly-regarded agri-business, are important material considerations that will count against the Site's potential allocation for longer-term strategic development.

Infrastructure Provision

The Site is isolated and strategic development here will be heavily reliant on delivering necessary supporting infrastructure including utilities provision, health and education facilities, improved public transport and active travel, parks and other green infrastructure, and other essential community services and facilities such as local convenience shopping.

The Site's relative remoteness in open countryside will present challenges and in many respects is likely to be costly (eg. upgrade of utilities, the local road network, and sustainable transport infrastructure), putting into question the viability of this option.

The NPPF advises that large scale development such as new settlements should be located where they can be supported by necessary infrastructure and facilities, including a genuine choice of transport modes. The BCPA and the MRG consider that it is unrealistic to expect that a sustainable and largely self-contained community can be supported at this location given the extensive and costly infrastructure that would be necessary, besides the damaging impacts caused by development at a strategic scale.

University Development

The consultation states that a benefit of this location is the proximity of Bath Spa's University complex (Newton Park Campus), meaning that there could be opportunities to deliver some of their future needs at this location (albeit stating that this issue has not been discussed with the University).

Due to the relatively remote location and limited connectivity with Bath City Centre, the Site would represent a poor choice for the provision of purpose-built student accommodation and teaching space. Students will naturally want to reside and be based in an active and vibrant environment where there is easy access to a range of day-to-day services and facilities, including night time entertainment.

It is unrealistic to think that the Site could be developed with a critical mass of services and facilities for leisure and entertainment to make it an appealing location for students. The Site is in stark contrast to the location of the University's Locksbrook Hub that has successfully evolved in a central and well-connected part of the City.

Summary and Concluding Remarks

The BCPA and the MRG have made this representation to assist the Authority in its consideration of whether land south of Burnett on the A39 should be explored as a long-term option for strategic development.

The BCPA and the MRG considers that there are a range of constraints, sensitivities and issues that clearly point to the Site being unsuitable for strategic development. Strategic development at this location would be inconsistent with the Council's Corporate Strategy, Spatial Priorities, and declared Climate and Ecological Emergencies, along with national planning policy. In summary:

- It is clear that the strategic development options being introduced at this stage of the Local Plan's preparation have a combined capacity significantly in excess of the likely residual housing requirement once brownfield and non-strategic housing opportunities are factored in, meaning that there is currently no clear evidence that the Site will be required to meet development needs over the Local Plan period. Green Belt options that perform badly against the Authority's Spatial Priorities, such as the Site, can be readily discarded in these circumstances.
- The Site has a significant Green Belt function in safeguarding the countryside from encroachment and it serves to protect against the unsustainable growth and coalescence of surrounding small settlements so that they retain their defining organic character.
- The location of the Site is shown to have the lowest sustainable transport connectivity score and development in this location is likely to be heavily car-dependent, leading to unsustainable travel patterns and adding to local congestion at peak times. With reference to NPPF principles, Green Belt sites with poor public transport connectivity should be the last resort for meeting development needs, meaning that exceptional circumstances are unlikely to be fully evidenced and justified for the future release of this Site.
- There are significant heritage sensitivities associated with the Site. The harm to the defining landscape characteristics of the setting of the WHS, important facets of its Outstanding Universal Value, and the immediate setting of Stantonbury Camp will be significant and represent clear 'red lights' to major development.
- The Site is prominent in the local landscape and it reinforces the prevailing very rural and tranquil character of the area. Strategic development would be conspicuous in the countryside and damaging to the setting of nearby Corston and potentially other nearby settlements.
- The area is characterised as open, gently rolling landscape with a lack of extensive tree cover. Large areas of woodland planting, in an attempt to mitigate the urbanising effect of strategic development, would in themselves be incongruent and damaging to the prevailing character of the landscape.

- It is highly unlikely that development could successfully evoke the organic and well-integrated characteristics of the smaller historic settlements found in this area and it would represent a highly damaging intrusion into a peaceful countryside area.
- The Site provides rich and diverse habitats including parts that are managed specifically for nature recovery under the Countryside Stewardship scheme and which support Red List species.
- Strategic Development would involve the loss of productive agricultural land including land that is being successfully and sustainably managed as a family-run enterprise.
- The Site's relative remoteness in open countryside will present physical and financial challenges in terms of providing the necessary infrastructure to create sustainable strategic development.
- The Site's identification as a possible location for strategic development is in complete contradiction to the Authority's proposed approach for the Rural Areas.

For the above reasons, the BCPA and the MRG consider that the land South of Burnett does not warrant exploration as a potential long-term option for strategic development.

If the Authority is minded to explore this option further, the issues raised and concerns expressed in this representation demand thorough examination.

Due to the significant and wide-ranging impacts that would arise from strategic development at the Site, the BCPA and the MRG will expect the Authority to conduct comprehensive consultation with the affected local residents, landowners, community stakeholder groups and other interest groups if it decides to explore this option.

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