

Response to Planning Application 08/02332/RES

(RADSTOCK RAILWAY LAND)

from RADSTOCK ACTION GROUP

PART ONE: INTRODUCTION

Our primary aim in submitting this response to 08/02332/RES is to request that it is rejected in its entirety by BANES, on the basis that it adds nothing to the Outline Planning application other than a further guarantee that Radstock, its residents and businesses are not being consulted and will be positively disadvantaged by the proposals should they go ahead.

The detail contained in the Reserved Matters is confirmation of the fact that minimal value is ascribed by the developers to the natural and built environment, the need for economic regeneration, and the development of a sustainable future for the town. It further reveals that this is little more than a housing development; it is certainly not part of a regeneration scheme.

The application also illustrates the degree to which the developers are prepared to flout all the strategic objectives enshrined in the Local Plan, the Regional Spatial Strategy, their own declared intentions (both Bellway and NRR), whilst also ignoring best practice in relation to regeneration, stewardship of the built and natural environment, and the putting of people at the centre of successful developments.

In responding to the Planning Application 08/02332/RES, Radstock Action Group wishes to draw the attention of the Development Control Committee and all other officers and representatives of the council, to the following:

1. The processes and procedures adopted by BANES and the applicant in relation to this application lack any proper means of consultation, publicity for the application has been minimal and there has been a notable unwillingness on the part of the developers to engage in debate and consultation with local people, businesses and other stakeholders.
2. The applicant for this Reserved Matters Application is Bellway, whereas for the original outline planning application (06/02880/EOUT) it was a joint application between Bellway and NRR. We would like clarification on the reasons for this, especially as NRR blocked Bellway's agreement to allow us to have a copy of the plans relating to the application.

We also question the wisdom and professionalism of having two different agents for the Outline and Reserved Matters applications. This suggests that there is a lack of continuity in the project which may contribute to the generally

casual presentation and lack of substantial content within the documentation for the application as submitted.

3. The Reserved Matters Application is so far removed from the declared proposals and objectives of the original outline Planning Application (06/02880/EOUT) as to be inconsistent with the original application, both in practical matters and in the intentions underpinning the original.
4. We have looked in detail at the conditions attached to the Outline Planning application approval, as set out by David Trigwell in his letter of 31 March 2008. We request that BANES ensures that all these conditions are met, when they relate to the current 08/02332/RES application and regard it as essential that evidence that the terms are met should be made public.

For example, we suggest that none or only some of conditions in the following clauses have not been met: 5, 7, 8, 10, 12, 13, 14, 16, 37, 43. There may be other areas of lack of compliance.

Our comments elsewhere in this submission will make it clear that the Reserved Matters application is non-compliant with the Local Plan, something which appears to be required by the conditions.

5. The Section 106, the BANES Local Plan, the Regional Spatial Strategy and all the documents submitted in support of the original outline planning application fail to add up to a coherent strategic underpinning for a major development plan. In fact, the Section 106 and 08/02332/RES both contradict many of the declared objectives of the BANES Local Plan and the declared aims of the Regional Spatial Strategy (See p.55) which does not identify Radstock at all as a site of housing development within the terms of Part 4, Sub-regional Strategy Statements and Housing Distribution.

The disregard for all the strategic planning contained in the Local Plan and the Regional Spatial Strategy raises the question of why these documents exist and what their function is if they can be ignored in local particular cases. We deplore the lack of consistency in the authority's own planning decisions when strategic policies can be ignored and contradicted in relation to specific applications of major import for large numbers of people. This is in sharp contrast with the fact that non-compliance with them, (especially the Local Plan) is regularly used as a reason for rejecting smaller, usually domestic and small-scale applications.

6. We are exceptionally concerned that the whole of Radstock town centre is being redeveloped by a commercial property company and that the application amounts to very little more than an application to build houses and suggest that the regeneration aspects of the original application have been side-lined and put on hold, pending some unspecified further moves outside the parameters of this Reserved Matters Application. We object to the Planning Application on the basis that it is not a suitable delegation of the responsibilities

and powers of a planning authority or a regeneration company to delegate the future of a complete town centre to a commercial house builder.

7. The Site 2 Design and Access Statement contains a wealth of information and an appreciative account of the value of Radstock's built environment. It is, therefore, doubly disturbing to find, on looking at the Reserved Matters detail that none of the observations in the Design and Access Statement have been respected or used to positive effect within the plans; the result of the implementation of the Reserved Matters proposals will be to negate all that which we value and which is recognised in the Design and Access Statement. The local distinctiveness and identity of Radstock will be replaced by a poor quality, crowded housing estate with its accompanying main road.

Unfortunately, the descriptions of the natural worth of the railway land are less encouraging and less accurate. 'Overgrown with scrub and tree planting' bears no relation to the wealth of animal and plant life, much of it rare and valuable, which is currently under threat from the proposals.

8. Our response includes references to the new road. We suspect that the planning department might attempt to rule these out of order, since the plans do not make specific detailed reference to this road. However, given the fact that we were prohibited from making reference to the road in a presentation to the Development Control Committee on the basis that the road has something to do with the current application, we reserve our right to comment on the road at this point. In illustration of this situation we cite mail from David Taylor, 5 August: 'Regarding the reasons for omitting Nos 4&5 of your statement, I understand that the new road forms part of the original application/proposals for Radstock. The reserved matters application stemming from those proposals has yet to be determined'. Full correspondence available on request)
9. Since the submission of the Outline Planning permission, there has been further deliberation at local authority level on Flood Risk¹ but it has proved impossible to locate the outcome of this work, and we note that there is no further mention of it in the Reserved Matters. Before any further permissions are granted in relation to this site, it is important that the apparently enhanced flood risk is taken fully into account.

We note that both the Environment Agency and Wessex Water oppose aspects of this application, owing to possible flooding, pollution and contamination issues. Clearly, should there be flooding and should water run away, contaminants in the environment will pose a renewed danger to the town and its inhabitants, in addition to those posed by flooding itself.

¹ See

<http://www.bathnes.gov.uk/BathNES/advicebenefits/Emergencies/floods/Flood+Awareness+Day+2008.htm>

10. Clearly a new road on the scale proposed will increase all forms of pollution. Despite requests, BANES has been unable to provide any readings for current pollution levels on Frome Road, traffic from which would be running straight through the centre of Radstock. We propose that proper surveys of air and noise pollution are undertaken and that they should form part of any planning process, and should be of the roads currently in use, which would be feeding into the new, proposed road system.
11. We feel particularly strongly about this proposal because it is, if implemented, totally irreversible and will change the character of Radstock permanently. It puts everything that is valuable about Radstock at risk, the relatively fragile Victorian buildings not designed to withstand articulated and other heavy vehicles, the character of the centre, defined as the best –preserved mining town centre in the country, the special natural environments which host rare and valuable species of plants and animals, and a certain end to any chance of re-establishing a rail link to the town. This is not a peripheral or tangential development, this is something that will, by its scale and nature, destroy Radstock’s historical, social, environmental and economic worth and potential all round.
12. We also object to the fact that there appears to be a very considerable cross over in activities between NRR and BANES and would question the legitimacy and correctness of a planning authority of a local authority (in this case BANES) being the final arbiter in a planning application from a company (Bellway) which is closely linked (allegedly as a joint developer) with a regeneration company that appears, in many respects, to be indistinguishable from the local planning authority.

It is incumbent on BANES, at this point in the planning application process, to explain clearly what the relationship of the council is with NRR; and, furthermore, to explain fully the relationship between NRR and Bellway, especially in relation to financial dealings over a piece of land which is central to the future of Radstock – namely the railway land.

13. This application reveals the depth of the inappropriateness of the current proposals, as well as altering them very considerably in relation to the outline planning application to which they refer. We, therefore, wish to request that this planning application is rejected entirely and that the whole project to which it relates should be called in and reconsidered.
14. We wish to make it clear that we are not opposed to the building of ‘affordable housing’ – we regard it as essential to the future wellbeing of Radstock, its development and sustainability. Similarly, we fully support initiatives designed to enhance environmental well-being. Our objections in both these areas stem from concerns that the proposals are driven by the need to preserve a profit for the developer, in the case of the affordable housing, and by a tokenistic and ill-informed gesture to ecological and environmental considerations in the case of the ‘brown roofs’.

15. Whilst this response aims to highlight certain major problems and objections, it is not an exhaustive look at every single detail, as this would require more time than is available. We have chosen instead to identify some indicative areas of concern and apply tests to them in order to illustrate that the application does nothing to ensure that Radstock is dealt with sensitively, taking into account the needs and expressed wishes of businesses and residences, nor that there will be regeneration.
16. We wish to emphasise that we have identified in Part 3 specific breaches of various strategic documents, in particular the Local Plan. This should not be taken to mean that the breaches apply only to the items against which they appear.

We stress that the whole proposal includes continuous and numerous breaches of the Local Plan including for example, the key Objectives in A3; A5 Design and Urban Design, including relating to Design and the Public Realm, Policy D2, Policy D4; B2, Economy, Tourism and Agriculture, since there is virtually no recognition of the potential of Radstock as a tourist destination; B6 Policy ES.4, 5, 10, 12, 13, 15; B7 Policy HG.4, 8. B9 General Development Sites – the description of the conditions for Norton Radstock in NR2 bear little resemblance to the current proposals; C2 Policy NE.3, 9, 10, 11, 12, 14; C3 Policy BH.2, 5, 6, 8, 12, 15; D Policy T.1, 13, 14, 24, 25, 26

16. The detailed comments are indicative rather than exhaustive and are made on the basis that we, above all, request the withdrawal of this application. Such comments support this request but should also be considered if the request for the application to be rejected totally is not immediately agreed.
17. A copy of a recent (21 August 2008) Radstock Action Group Open Letter to NRR and Bellway is attached to this application as Appendix A, since it reflects many major concerns which, in our view, should be addressed by those determining the outcome of the Reserved Matters Application.

PART TWO: SOME KEY POLICY STATEMENTS

This section contains some examples from key relevant policy and strategy publications which the current Planning Application ignores and highlights divergence between the application and the publications.

Source	Page/Section	Relevance to 08/02332/RES ²
LP ³	<p>P.2 Why the Local Plan has been prepared</p> <p>The Local Plan will also help protect and enhance the character of places that are locally valued and identify areas which would benefit from improvement. It is the vehicle for communities to pursue locally needed development such as affordable homes, better cycling facilities or a meeting hall. It also provides the opportunity to identify and conserve what local communities think is important in the area, such as a landscape feature or open space. Assessing community needs will also help to identify social concerns and encourage everyone to benefit.</p>	<ol style="list-style-type: none"> The application will not result in the enhancement of the character of Radstock as suggested by the Local Plan – it will destroy the very character which local people wish to preserve and enhance, through overcrowding, unsympathetic housing development. People in Radstock regularly cite the current conservation/town centre area as valuable – the impact of the new development, including a main road, will jeopardise this centre and the structural integrity of its buildings People also value the natural environment and the habitats of the area – all of which are currently under threat from the development Community needs have been ignored not assessed.
LP	<p>A1.10 These towns (Radstock and Midsomer Norton) lie at the centre of the former Somerset Coalfield and the rich legacy of the coal mining industry has considerably influenced local character. Many of the spoil heaps have been transformed with remoulding and vegetation growth and are distinctive local landscape features. The former railway lines provide existing and potential recreational routes</p>	<ol style="list-style-type: none"> We value the rich legacy of the coal mining industry and oppose this application since it entirely ignores it. Already, parts of the railway infrastructure have been removed and the site changed, thus eliminating their part in the 'local character'. We support the principles of the former railway lines providing potential recreational routes and suggest that the most obvious and logical application of this is to reinstate the railway, not just for recreational but for public transport purposes as well.

² All references to 'the application' in this column refer to Application 08/02332/RES

³ LP = BANES LOCAL PLAN 2007

Source	Page/Section	Relevance to 08/02332/RES ²
LP	<p>p.28 Policy D2 Development will only be permitted if:</p> <ul style="list-style-type: none"> a) schemes are well connected to their surroundings and, where appropriate, it is easy and safe to move through the development site; b) the character of the public realm is maintained or enhanced and the development is of high quality design; c) buildings relate positively to the public realm, and a clear distinction is made between the public realm and private space; d) car parking and access roads do not dictate the design of the development, nor dominate the quality of the public realm; e) safe and secure environments are created for all users of the public realm, where natural surveillance is of a high level; and f) the proposed development will not cause significant harm to the amenities of existing or proposed occupiers of, or visitors to, residential or other sensitive premises by reason of loss of 	<p>The construction of houses over the railway site will permanently eradicate any development of this option.</p> <ol style="list-style-type: none"> 1. The current application which reveals the detail of the outline planning application contradicts most if not all of these conditions 2. (a) This scheme divides a community in two, a major new road onto which small dwellings will border directly, will cause a risk to all dwellers in and users of the town centre 3. (b) The character of the public realm will be diminished, if not totally destroyed – first by a set of housing which is totally out of sympathy with the aesthetic of the conservation area; secondly, in physical terms, by the main road which, through vibration and additional pollution, will endanger the continued viability of the buildings that make up the town centre 4. (c) There will be no clear distinction between the public and private realm as the reality of the housing layout and the design/planting in the Reserved Matters will have the opposite impact 5. (d) The design of the development is predicated on/dictated by the building of a new road, which as already stated, will transform the town negatively and dominate the character of the public realm. 6. (e) Natural surveillance is not at the forefront of the designs as many entrances will be away from publicly viewed spaces, thus limiting natural surveillance; safety, as already stated, is compromised by the new road which will bring heavy through traffic into close

Source	Page/Section	Relevance to 08/02332/RES²
	<p>light, or increased overlooking, noise, smell, traffic or other disturbance.</p> <p>g) it provides for public art or otherwise contributes to a public realm which is attractive, enjoyable and legible.</p>	<p>proximity with residents, shoppers and visitors to the town and will cause a health problem through air and noise pollution levels</p> <p>7. (f) Clear breaches include all the items listed in this clause; visitors include shoppers; amenity will be compromised for residents and businesses alike by loss of light through high vehicles passing in close proximity to shops, the Victoria Hall, and dwellings in The Street and Fortescue Road; smell and noise will be an integral part of running a main road through a small town centre; the environment will not be a pleasant one in which to shop, meet friends, do business or relax.</p> <p>8. (g) There is nothing in the plans to suggest any public art or contribution to a public realm which is attractive, enjoyable and legible; the plans are dismissive of all that makes the town centre a valuable and attractive built environment.</p>
LP	<p>POLICY D.4 p.31 Development will be permitted only where:</p> <p>a) it responds to the local context in terms of appearance, materials, siting, spacing and layout; reinforces or complements attractive qualities of local distinctiveness; or improves areas of poor design and layout;</p> <p>b) landscaping enhances the development and complements its surroundings;</p> <p>c) buildings and layouts are capable of adaptation;</p> <p>d) the appearance of extensions respect and</p>	<p>1. As is made clear elsewhere in our response, the details contained in the application, do not meet these criteria.</p> <p>Unsuitable materials have been chosen and do not complement or match the local materials used throughout the town centre; there will be no room for adaptation of layout or buildings as the cramped nature of the design leaves no room for manoeuvre; the new buildings will not respect and complement the host buildings, that is the Victoria Hall and the conservation area, in general, in the centre, all of which will be dominated by these proposed new</p>

Source	Page/Section	Relevance to 08/02332/RES ²
LP	<p data-bbox="276 1361 308 1827">complement their host building.</p> <p data-bbox="347 1503 379 1827">POLICY BH.6 p.180</p> <p data-bbox="419 1131 655 1827">Development within or affecting a Conservation Area will only be permitted where it preserves or enhances the character or appearance of the area, in terms of size, scale, form, massing, position, suitability of external materials, design and detailing. Particular attention will be given to:</p> <ul style="list-style-type: none"> <li data-bbox="695 1211 868 1827">i) the retention of buildings, groups of buildings, existing street patterns, historic grain, spaces, building lines and ground surfaces which contribute to the character or appearance of the Conservation Area; <li data-bbox="908 1151 1007 1827">ii) the retention of architectural features which contribute to the character of the area, including boundary walls; <li data-bbox="1046 1131 1182 1827">iii) the impact of the proposed development on the townscape, roofscapes, their scale, massing and relative scale and importance of buildings in the area; <li data-bbox="1222 1162 1286 1827">iv) the relationship of buildings to open space and historic grain; <li data-bbox="1326 1234 1358 1827">v) the need to protect existing trees and 	<p data-bbox="276 286 339 1043">buildings in close proximity, even though technically not 'host/hosted' relationship.</p> <ol style="list-style-type: none"> <li data-bbox="347 297 483 1099">1. This application breaches many of these conditions. This development, if agreed, will have a major impact on the conservation area, in all the ways mentioned in the opening paragraph of BH.6. <li data-bbox="491 271 727 1099">2. As mentioned elsewhere, existing street patterns will be severely affected by this development as the function of the town centre streets will change from hosting the local community as shoppers and in other leisure senses, plus as patients to the doctor, visitors to the town council offices in the Victoria Hall and many other activities. <li data-bbox="735 262 935 1099">3. The new buildings with such features as their unusual heights and roof shapes, their 'brown roofs', the intense development of a very large number of homes in a small area, will all impact negatively on the scale and importance of current buildings in the area. <li data-bbox="943 282 1110 1099">4. Healthy trees have already been felled in considerable numbers detracting from the conservation area and with no apparent justification. We understand from the proposals that there will be more tree felling. Having looked at the original proposal plans, it is also apparent that there was inaccurate recording of the trees at that point too. <li data-bbox="1118 275 1350 1099">5. There is nothing unsightly to be removed. However, in proposing to put a sub-station in the middle of the new development, the developer is introducing something which will be both unsightly and a potential health hazard.

Source	Page/Section	Relevance to 08/02332/RES²
	<p>landscape which contribute to the character or appearance of the Conservation Area; and</p> <p>vi) the removal of unsightly and inappropriate features that detract from the character or appearance of the Conservation Area.</p>	
LP	<p>C3.40 p.180 It may be inappropriate to grant outline planning permission in a Conservation Area without full details with which to assess the extent to which the proposed development will preserve or enhance its character or appearance. Where it appears that the impact of a development proposal is likely to be particularly significant, or if it is not possible to assess its impact from the details submitted, a full application including detailed plans will be required.</p>	<ol style="list-style-type: none"> 1. The requirement for full details with which to assess 'the extent to which the proposed development will preserve or enhance ... ' should certainly have been applied in this case. 2. The Outline Planning permission was granted with inadequate consultation and investigation and thus, renders the current application null and void.
NRR/B ⁴	<p>4.4 Housing 4.4.1 The scheme will provide 210 new homes in Radstock by 2011, comprising 142 apartments and 67 houses. The B&NES area is faced with challenging housing targets, with housing completions having averaged no more than 300 dwellings per annum – this compares with the Local Plan which sets a target of nearly 400 per annum and the Regional Spatial</p>	<ol style="list-style-type: none"> 1. Clearly the developers responsible for this application have not understood the Regional Spatial Strategy⁵ which does not identify Radstock as a focus for housing development. 2. We propose that, in the light of the details contained in this application, the developers be requested to bring their application in line with the Regional Spatial Strategy objectives.

⁴ Former Railway Land Radstock – Regeneration Case, Norton Radstock Regeneration Company and Bellway Homes Ltd, 4 February 2007

⁵ See section 4 Sub-regional Strategy Statements and Housing Distribution www.southwest-ra.gov.uk

Source	Page/Section	Relevance to 08/02332/RES²
RSS ⁶	<p>Strategy (RSS) which sets a strategic Framework to 2026 that envisages delivery of 780 per annum. This project would make a significant contribution equating to around 17% of the Local Plan annual target and 9% of the RSS target over a three year build period.</p> <p>ENV1 Protecting and Enhancing the Region's Natural and Historic Environment p.144</p> <p>The quality, character, diversity and local distinctiveness of the natural and historic environment in the South West will be protected and enhanced, and developments which support their positive management will be encouraged. Where development and changes in land use are planned which would affect these assets, local authorities will first seek to avoid loss of or damage to the assets, then mitigate any unavoidable damage, and compensate for loss or damage through offsetting actions. Priority will be given to preserving and enhancing sites of international or national landscape, nature conservation, geological, archaeological or historic importance. Tools such as characterisation and surveys will be used to enhance local sites, features and distinctiveness through development, including the setting of settlements and buildings within the landscape</p>	<p>1. There is no evidence that the local authority has sought to avoid loss of or damage to the assets (of the natural and historic environment). The Reserved Matters give the lie to any attempts to give any impression to the contrary.</p> <p>2. Since the Outline Planning was approved it has become apparent that the mitigation strategy is limited and not working in relation to the natural environment</p> <p>3. There is still no evidence of archaeological survey</p> <p>4. There is no acknowledgement in the application of the value of the town and its setting and the Reserved Matters do nothing to remedy this position, thus leaving the application in breach of the RSS in an additional area.</p>

⁶ RSS = Regional Spatial Strategy Draft as at www.southwest-ra.gov.uk

Source	Page/Section	Relevance to 08/02332/RES²
RSS	<p>and contributing to the regeneration and restoration of the area.</p> <p>ENV5 Historic Environment p.149 The historic environment of the South West will be preserved and enhanced. Local authorities and other partners will identify and assess the significance of the historic environment and its vulnerability to change, using characterisation to understand its contribution to the regional and local environment and to identify options for its sensitive management.</p>	<p>1. We propose that BANES identifies and assesses the significance of the historic environment and its vulnerability to change, in Radstock. So far, there is no substantial evidence that this has been done. Hopes that the matters would be addressed through this application have proved ill-founded.</p>

PART THREE: EXAMINATION OF THE SUPPORTING DOCUMENTS

Reference	Details	Comment	CONTRA-VENTIONS ⁷
Application Details	Former Gwr Railway Line Frome Road Radstock BA3 3LW	Is the agent acting on behalf of the applicant/or the person completing the first page of the on-line papers aware that this is not an application about a former railway line ?	
Important Dates	Neighbour consultations were sent	On what basis were these sent? Who received them? The consultations were not sent to all those who are likely to be affected should this application be agreed.	BANES Consultation and Market Research Strategy
	Last advertised on	As far as we can ascertain there have been no advertisements designed to alert the public to this application. There have been no notices in the two most read local papers – the Somerset Guardian and the Journal. It is essential for a transparent and democratic process that the local press should be used. We understand that BANES advertises in the Bath Chronicle – not an obvious or relevant place for Radstock readers.	BANES policies on consultation and transparency
	Latest site notice posted on	We are aware that three site notices were posted in Radstock on 1 August. They are A4 size and certainly not in sufficient	As above

⁷ This column contains references to specific points in the Local Plan (LP), The Regional Spatial Strategy (RSS), the Bellway/NRR Regeneration Statement (2007) (NRRB), S106 and BANES declared policies, which are contravened by the item in the adjacent row.

Reference	Details	Comment	CONTRA-VENTIONS ⁷
		numbers to ensure that adjacent and/or affected properties, businesses and residents can be guaranteed to be aware of them.	
Applicant details	All that is posted here is the name	In the case of an individual acting on behalf of an organisation, it is essential that the public knows officially who that person is acting for.	
Agent details	The name Tetlow King appears	Nowhere is it clear that the agent is acting for a particular company. This constitutes a continuing lack of transparency and raises questions about what exactly the applicant wishes to hide from the public.	
Application form front page	Details of Applicant	This is the first mention of the applicant company – the whole process shows a disregard for proper communications and the importance of making information readily available to all those with an interest	
Document Application form 1/5	DEVELOPMENT DESCRIPTION Description of Reserved Matters for which planning permission sought	<p>1. Residential development of 83 dwellings – this produces overcrowding in direct contravention of prior planning permission aspirations and the Local Plan.</p> <p>2. In answer to the question ‘Has the development already started?’ the applicant chooses ‘No’ whereas there has already been considerable destruction of railway and natural</p>	<p>LP A2.1 LP A2.2 LP A2. 14.5 LP A2.14.7 LP A2 15 LP A2.16 LP C.18 LP C3.38</p>

Reference	Details	Comment	CONTRA-VENTIONS ⁷
Document 1/6	<p>NEIGHBOUR AND COMMUNITY CONSULTATION</p> <p>Have you consulted your neighbours or local community about the plans?</p>	<p>features on the site and the felling of many healthy trees. Most recently a very high, wooden barrier has been erected all round the site which means that no visual checks from outside will be possible. The developer might argue that this is preparatory work, but no verification is possible.</p> <p>3. In the right hand column adjacent to this box are a number of examples of parts of the Local Plan which are being contravened.</p>	
		<p>Despite choosing the 'Yes' option on this question, and citing 'a public exhibition held as part of the consultation process for the outline planning', there has been a total refusal to release the Reserved Matters plans to members of the public as requested by Radstock Action Group. Radstock Action Group was told that all developers had to agree and that the NRR didn't. The result is that only those who are able to go to the Victoria Hall (added as a late repository of the plans) or Keynsham or Bath during working hours can see them, if they can't access them on line.</p> <p>There has been absolutely no consultation of which we are aware, with the local community between the agreement of the</p>	<p>BANES declared policies on consultation and taking into account residents' views</p>

Reference	Details	Comment	CONTRA-VENTIONS ⁷
Drawing	AFFORDABLE HOUSING LAYOUT	<p>Outline Planning and the submission of the Reserved Matters Application.</p> <p>This plan is totally inadequate and lacks transparency as it gives no indication of how the site relates to the centre of Radstock and adjacent land. Manor Farm Barn is partly shown. Apart from that, no current buildings nor streets are indicated; it is impossible to orientate these plans on the town.</p>	LP D2 and D4
		<p>The drawing shows 36 out of 83 (43%) as affordable homes, of which four are houses as opposed to flats. We object to the concentration of affordable housing for the whole development on this one site, and, in addition, principally in three blocks of flats, the only exceptions being the four houses. This is a direct contravention of the declared policy of Bellway which claimed to have adopted the peppercorn approach.</p> <p>We also note the proximity of the public lavatories to these homes.</p>	NRRB 4.4.2
Drawing	BOUNDARY MATERIAL LAYOUT	<p>The lack of helpful drawings outlined in the previous item applies also to this.</p> <p>The materials and general design appear to be at odds with the current boundaries materials in use in the centre of Radstock and are totally unsympathetic to the conservation area at the centre of the</p>	LP D2 LP D4 LP D2 LP D4 LP BH6 LP C.18

Reference	Details	Comment	CONTRA-VENTIONS ⁷
Drawing	BUILDING MATERIAL LAYOUT	<p>town.</p> <p>The same faults in the quality of this drawing as above.</p> <p>Overall the choice of materials indicates a lack of sensitivity to the built environment of Radstock and is not sympathetic to it</p>	LP BH6
		<p>Much of the proposed development has timber boarding – there are no buildings in the middle of Radstock which have this sort of cladding. Such cladding would be difficult to maintain and would rapidly become even more of an eyesore than initially. From an aesthetic point of view this is totally at odds with Radstock’s buildings.</p>	LP D2 LP D4
		<p>Green roofs are not a suitable roofing for the centre of the town. There is no clear indication of the exact contents of these roofs and it appears that this is a token gesture towards ecological/environmental mitigation.</p>	LP D2 LP D4
Drawing	DESIGN CODE AREA 2	<p>Absolutely no indication of links to actual designs</p>	
Drawing	DETAILED SOFT LANDSCAPE GENERAL ARRANGEMENT	<p>Plants named in this drawing suggest are non-native cultivars which are at odds with the semi-rural nature of vegetation in Radstock – the ongoing destruction of native habitats and their replacement with plants aimed at being low maintenance and hardy will further</p>	

Reference	Details	Comment	CONTRA-VENTIONS ⁷
		eliminate the character of the town. The whole exercise is tokenistic and the least that could be expected on any anonymous new development. There is no understanding of, insight into or sensitivity to the local vegetation.	
Drawings	FLOOR PLANS AND ELEVATIONS OF BLOCKS A-F	Whilst it is possible when viewing the actual drawings on paper to be able to understand the scale of the proposals, the on-line drawings give no indication of scale. From viewing the actual paper copies, it is apparent how small and cramped these new homes would be if built. The consequent overcrowding is not in the best interests of the residents and is at odds with best practice generally.	RSS SR5 S106
Drawing	NEW HIGH STREET ELEVATIONS	The architects clearly do not understand that Radstock has a high street – it's called The Street and, in conjunction with Fortescue Road is the centre of Radstock – the nomenclature of this new road indicates just how insensitive to the local residents and businesses this proposed development is. The shift of the centre of activity implicit in this name does not fit with the Local Plan's views of taking into account the heritage, needs and wishes of the locality and its residents. The elevations, apart from the name of	LP A2.15 LP A2.16

Reference	Details	Comment	CONTRA-VENTIONS ⁷
		<p>the road, indicate a lack of attention to the nature of the central streets of Radstock and will be out of sympathy with the way the buildings are constructed and now they relate to the current roads.</p>	
Drawing	REGRADE AND DRAINAGE LAYOUT	<p>Amongst the items on the drawing is a Sub-station – we suggest that until there is conclusive proof that electro-magnetic fields present no risk to people, that the precautionary principle should apply and that there is no excuse for siting a sub-station in the middle of a new housing development</p>	
Design and Access Statement Area 2	<p>VISION The production of a robust framework for the town will ensure the NRR development proposals act as a catalyst to regeneration upon which the town can thrive. The vision for the regeneration of Radstock as set out under the Outline Planning submission included the following goals:</p> <p>1. A mixed use development that contributes to community facilities and activities</p>	<p>There is nothing in the current proposals to support the achievement of the declared goals.</p> <p>In fact, when applied to most of the goals stated, the proposals will militate against their achievement.</p>	LP A1.13
		<p>There are no detailed proposals for community buildings, and this statement merely refers to ‘contributing’ to community facilities and activities. What is the impetus for these, where is it going to come from and how will it be funded?</p>	

Reference	Details	Comment	CONTRA-VENTIONS ⁷
	<p>2. A more attractive and vibrant town centre with a strong central focus</p>	<p>1. Radstock already has a vibrant town centre with a strong central focus – these plans will lead to the compromising of the physical integrity of the buildings in the area, if not their destruction through increased traffic with concomitant air pollution and serious vibration from main road through traffic.</p> <p>2. The housing proposal detailed in the Reserved Matters, is in contravention of the relevant Key Objectives – Living and Working, as stated in the Local Plan. See adjacent column.</p>	<p>LP Key Objectives – living and Working L1, 2, 3, 5, 6, 7, 9, 11, 13</p>
	<p>3. Enhancement and protection of the special natural and cultural heritage.</p>	<p>1. The natural and cultural heritage of the town is already compromised by the destruction going on, on the railway land.</p> <p>2. The proposed buildings are out of sympathy with the town centre and there is already clear evidence that the mitigation activities are not going to succeed in terms of successful protection of rare plant and animal species.</p> <p>3. Whilst we applaud the sentiments, there is no indication that this will be the outcome of the Reserved matters which strip away any possible</p>	<p>LP A3. E1, 2, 3, 4, 6</p>

Reference	Details	Comment	CONTRA-VENTIONS ⁷
		<p>intentions in this area and reduce the proposals to a cramped, low-quality housing development. In the adjacent column are listed the relevant clauses of the Local Plan Key Objects – Environmental Assets.</p> <p>4. We fully endorse the Local Plan statement in A3.4 'A high quality natural, historic and built environment provides the underlying framework for a high quality of life and contributes to balanced communities.'</p> <p>The proposals do not value the environments of this clause and will lead to the degradation of the natural and built environment, first by driving a major main road through the centre to serve some ill-defined function in relation to the new housing, and then by causing massive additional noise and air pollution.</p>	
	<p>4. Connection to the countryside</p>	<p>1. Radstock is connected to the countryside by virtue of its being surrounded by it at close quarters; this proposed development will only serve to create poor housing in an area which should embrace the values of being in the countryside.</p> <p>2. Public transport links to the surrounding countryside will suffer</p>	

Reference	Details	Comment	CONTRA-VENTIONS ⁷
	<p>5. Establishment of a successful pedestrian and vehicular movement framework.</p>	<p>from the new road developments which will slow down circulation.</p> <ol style="list-style-type: none"> 1. The establishment of a totally new road which will bring all major through traffic into the centre of the town will have the exact opposite effect. 2. Currently, though not necessarily an optimum solution, the road layout ensures that major traffic using the Frome Road and Wells Road, skirts the town centre. Whilst all current planning policy and practice recommends and supports the taking of traffic out of town centres, this set of proposals does the exact opposite. Pedestrians will be obliged to use the same space as heavy articulated lorries and large numbers of other vehicles. Large vehicles will find the negotiation of the new road system very difficult and traffic congestion will increase. 3. In contravention of the Local Plan, including the Living and Working Objectives, but also a direct challenge to the objectives of the Transport and Access Objectives (in adjacent column), since the inevitable result of running main road traffic through the centre of Radstock will be to create a 	<p>LP A3 Key Objectives – Living and Working L1, 2, 3, 5, 6, 7, 9, 11, 13</p> <p>LP A3 Key Objectives – Transport and Access T.1, 2, 3, 4</p>

Reference	Details	Comment	CONTRA-VENTIONS ⁷
Design and Access Statement Area 2 Constraints	<p>It is proposed to utilise a 'brown' roof construction for various areas of the development in Character Area 2 to help mitigate for the loss of ecological habitat.</p> <p>A requirement for two buildings has been identified. The 'brown' roofs are to be designed to replicate the existing track bed habitat, the roof build up is to be designed in consultation with a suitably qualified ecologist to ensure that a proper habitat is created.</p>	<p>less safe environment for pedestrians and cyclists and to create additional congestion which will stifle effective public transport initiatives.</p> <ol style="list-style-type: none"> 1. This proposal clearly identified the tokenistic approach of the developer to the safeguarding of the ecology and the natural environment on the railway site. 2. Prior to agreeing this proposal, the developer should provide examples of other developments where ground dwelling plants and animals in specific habitats like those on the railway land, have successfully been transferred and thrived on roof tops. 3. Any serious proposals to safeguard our ecology and natural environment will be welcomed. Until that time, the developers' credentials and motives for such designs remain of dubious, untried and unevidenced worth. 	LP Key Objectives – Environmental Assets E.2, 3, 4
Design and Access Statement Area 2 Development Strategy	<p>Street Hierarchy</p> <p>The scheme provides a hierarchy of streets planned around minor access roads, shared surfaces and provides a highly trafficked calmed environment to a maximum speed of 20mph. The use of shared surface areas with in the proposals is intended to encourage the</p>	<ol style="list-style-type: none"> 1. The Manual for Streets is cited. However, what the applicant doesn't acknowledge is that this Manual focuses on 'lightly trafficked streets' and does not mention, let alone recommend the construction of a new main road through an existing conservation area, with a view to 	LP Key Objectives – Transport and Access T.1, 2, 3, 4 LP Policy ES.10

Reference	Details	Comment	CONTRA-VENTIONS ⁷
	<p>motorists entering the area to drive more cautiously and negotiate the right of way with pedestrians on a more conciliatory level. The approach is recognized as good practice by Manual for Streets (paragraph 7.2.8 pg 81.)</p>	<p>bringing through traffic into the town centre as opposed to continuing to let it skirt round.</p> <p>2. The reference to this manual is at least disingenuous and certainly depends on the reader of the Design and Access Statement not reading it at all.</p> <p>3. There is a clear admission in the wording that there is a problem in the relationship between pedestrians and motorists; pedestrians should be at the centre of the town's priorities and, where traffic exists, its management should be driven by this principle, rather than one of 'negotiation' between motorist and pedestrian. All achievable within lightly trafficked streets, but impossible where a main road carrying through traffic is concerned.</p> <p>4. Given the tension inherent in the plans between the new road and pedestrians, public transport and cycling, it is inevitable that the Local Plan will be breached – see adjacent box.</p>	<p>LP Policy ES.12</p>
<p>Design and Access Statement</p>	<p>All homes will meet the requirements of EcoHomes 'Very Good' Standard.</p>	<p>This is not ground-breaking action. In fact, this has been a requirement for all new build housing association building</p>	

Reference	Details	Comment	CONTRA-VENTIONS ⁷
Area 2 Sustainability		<p>since April 2006. In other words this is the lowest standard that the developer could apply to this proposal. Any suggestion that the developer is particularly sensitive to sustainability issues would be better supported by a clearly stated commitment to adopting more enlightened standards.</p> <p>The Housing Corporation now expects new builds to reach Level 3 of the Code for Sustainable Homes for construction (2008-10) and we expect this will be the case in any supported housing built in Radstock. Again this will constitute the least that can be achieved and not a particular commitment to sustainability.</p>	

AN OPEN LETTER TO NRR AND BELLWAY

This Open Letter to NRR and Bellway is also being copied to BANES Councillors and Norton Radstock Town Council. We will make your responses public in the interests of open debate, transparency and good principles of consultation.

Many people in Radstock have recently received a full colour flyer from NRR/Bellway regarding the current planning situation.

The NRR website reminds us that the goals of the 'regeneration plan' include 'A more attractive and vibrant town centre with strong local focus' and the 'establishment of a successful pedestrian and vehicular movement framework'. But we have yet to see evidence to back up the claims we are expected to rely on.

The leaflet hides the realities of the new proposed development, which appears to have little to do with the best interests of Radstock and makes misleading suggestions which do not reflect the realities of what is going on or what local people need and want – people are not opposed to development but they would like it address their needs for a sustainable environment, affordable housing and respect for the built and natural environment, coupled with positive acknowledgement and incorporation of the substantial and valuable history and heritage of the town.

In view of this, we would like to put the following to both NRR and Bellway for their comments and look forward to receiving replies from both companies.

We have divided the questions into sections but would like to underline that we realise responses may need to overlap two or more sections; also that the sections do not reflect any order of priority but are in alphabetical order by title of section.

1. Economic Benefits and Potential, including Social Impact

- 1.1 Where is the £2 million economic boost going to come from and who will benefit? We would like to know what the economic boost will boost and the precise geographical area that will benefit. The business case for the development proposals has not been publicised and we think it's time that it was - we have yet to hear what it is.
- 1.2 How many and what 'employment opportunities' will be generated as claimed by the leaflet? Where will they be?
- 1.3 What research has been done to ascertain how existing local

businesses will be affected and how the attraction of other towns will affect the social composition of Radstock should these proposals go ahead?

All we have, at the moment, is an unsubstantiated prediction that is not supported by data/empirical evidence.

- 1.4 We would like either NRR or Bellway or both to provide evidence of other developments Bellway has undertaken, in small semi-rural town environments where the predicted social benefits have come to fruition.

2. Historic Built Environment and Cultural Heritage

- 2.1 It appears that the opportunity to make Radstock an attractive centre for tourists and visitors because of its historic buildings, railway heritage and ecological importance has not been tested. Could NRR explain whether this alternative means of regeneration was explored and if so where the evidence can be seen? If not, please could NRR explain why not?
- 2.2 There is a general presumption, stated in PPG15 (and the Listed Buildings and Conservation Areas Act) and reinforced in the courts, that development in a conservation area must 'preserve or enhance' the conservation area and this is a key principle. We would like an explanation of how this is being honoured in the current proposals.
- 2.3 Radstock town centre has been described as the best-preserved mining town centre in the country. The central conservation area includes a range of listed Victorian buildings and yet this appears to have been ignored in the proposals which will compromise the structures themselves and which are totally out of sympathy with the aesthetic of the town. What is the justification for undermining the built environment which contributes so greatly to making Radstock special in historical and mining/industrial heritage terms?

3. Natural Environment

- 3.1 The leaflet refers to 18 acres of 'empty and derelict land'. In reality, the land provides a home for a valuable range of species of plants and animals and is the site of many important railway buildings which reflect the industrial heritage of the area. PPG17 (Planning Policy Guidance 17) implies that a site is well used if it is used by wildlife. We would like an explanation as to how a site can be 'empty and derelict' and at the same time, substantially be made up of four UK priority habitats (Calcareous grassland; River: Hedgerow: Open mosaic habitat on post-industrial land), hosting nationally scarce species some of which use only this site in the region.
- 3.2 The claim that ecological land is 'empty and derelict' is not new, nor is it an accurate reflection of the value of the site. The use of such terms for an ecologically valuable site is certainly

misleading the public. Could you justify the use of such terminology or else reassure us that you are going to clarify the fact that, by no criteria relevant to ecological and environmental enhancement or preservation, could this site be described as either empty or derelict?

- 3.3 According to the leaflet, 48% of the land will be saved for wildlife. But this incorporates a substantial amount of the poorest habitat which will not support a high wildlife value. How does NRR/Bellway think any wildlife will be able to survive to take advantage of this rather dubious claim? We would like the evidence to support this claim made public. It is already proven that the fine-leaved sandwort colony translocated to the mitigation area is failing and the habitat is clearly unsuitable. In the view of BANES' ecologist the benefits do not outweigh the harm. Has either the NRR or Bellway any evidence to counter this view or is there a degree of 'greenwash' in the proposals being put forward?
Could the NRR also let us know what steps will be conducted, after any development to ascertain the survival of species and then, what steps will be taken if the monitoring shows deterioration of threatened species using the site?
- 3.4 How does the alleged 'strict Ecological Plan' ensure 'protection and management of a wide range of animal and plant species'? All the evidence so far is that have a negative impact on them, upsetting the biodiversity and ecological balance of the whole area.
- 3.5 There is incontrovertible evidence of bats roosting in the Victoria Hall. There has been no more than a walkover survey which is not adequate for recording the number of species or roosts. There should be dawn and emergence surveys to ensure accurate data. For example, a walkover survey is unlikely to have discovered roosts of crevice dwellers such as the rare Nathusius' pipistrelle, which will be roosting locally (timing of recorded calls on site in 2006 confirms this). Although the bat was recorded, the information was not released before the committee decision and so it was not part of the councillors' deliberations. How do you intend dealing with the requirements to protect bats?

4. Health and Safety

- 4.1 Have the findings of the most up-to-date flood risk assessment exercise, carried out in June 2008, been taken into consideration and, if so, how?
- 4.2 The use of non-porous surfaces across the site will severely heighten the already serious flood risk to the area, increasing the flood risk and drainage/run off problems.
- 4.3 How do the developers (either NRR or Bellway) propose to deal with the potential contamination stemming from contaminants

already on the land?

- 4.4 Why is it necessary to site a sub-station in the middle of a residential development and very close to actual dwellings?
- 4.5 The old Planning Office was demolished because it was deemed unsafe for human use in time of flood. What are your proposals to ensure that there is adequate sub-structure to prevent subsidence and other related problems in the case of Block F.
- 4.6 What are your proposals for safeguarding people along the river edges, given some of the risks indicated?
- 4.7 How can public safety and private householder security be ensured if low enough light levels for light-sensitive bats are to be maintained?

5. Housing

- 5.1 The overcrowding together of the homes (largely two bed flats with a limited number of houses) will be matched by significant noise and air pollution from the new road system. How does this match the claims made continuously about high quality and how does it observe the design code established in the first outline planning application?
- 5.2 The leaflet refers to the number of homes in the first stage being 50. We now know from the planning application (08/02332/RES) that the proposal is for 83. Do you intend issuing clarification on this point or will you be satisfied to continue to mislead the public about it?
Can we expect similar rules to apply in other potential areas/sites of development?
- 5.3 How affordable and sustainable will the housing be? What do you consider to be a proper definition of affordable housing?
- 5.4 How does NRR/Bellway justify putting so many homes so close together? How will the practicalities of parking in this situation be addressed?
- 5.5 It appears that a very high proportion of the total social housing will be concentrated in one area. Please comment on the justification for this, especially in relation to the Government's requirement that 'estates' should be avoided and that there should be a mix of social and private housing across new developments.
- 5.6 Why in a proposed brand new development, allegedly promoting the best environmental practices, is there nothing in the way of substantial energy saving design and fittings? We would like to know why there is lack of energy saving devices such as solar panels/photo-voltaic devices for energy conservation, for example. How can the developers justify plans which are not up to the standards set in the Regional Spatial Strategy?

6. Infrastructure

- 6.1 The leaflet claims that there will be 'improvements to the road networks'. Not exactly - the new road layout will bring all the Frome Road traffic straight past the Victoria Hall and into the Street, almost certainly leading to irreparable damage to the historic town centre buildings and to the small traders whose shops will be filled with the noise and fumes of traffic travelling in both directions.
- 6.2 How can driving a brand new main road through the centre of the town lead to 'an attractive and vibrant town centre', particularly given the fact that it will divide the current community and town centre in two?
- 6.3 How do the current plans fit with the local improvements and the wider strategies on public transport, including the Greater Bristol Bus network?
- 6.4 There is adequate evidence already that the new road system will not work, if only for the simple reason that large, articulated vehicles will be unable to negotiate the small scale of the centre of Radstock. Why are you intent on pursuing this plan?
- 6.5 How much population growth is envisaged to achieve the critical mass to trigger the provision of services for the burgeoning population posited in the proposals? How does this match the need to make Radstock a sustainable community meeting the needs of local people and businesses?

7. Public Consultation

- 7.1 According to the leaflet, the work now being undertaken follows 'many years of extensive discussions with interest groups and the people of Radstock about the form and content of the development' - unfortunately there is virtually no evidence that the public was widely consulted or that their views were reflected in the final plans and designs. In fact, every time that local people are asked, they express their opposition to almost every aspect of the proposals - so strongly have they felt about the matter that they voted out two key BANES councillors who had supported the NRR proposals, and elected, in their place, two others who put opposition to the plans at the centre of their election campaigns. In a parish poll organised to get a clear indication of their views, voters also made it clear that they were not in favour of the plans; on the occasions when short, hastily constructed 'consultations' have been run, there has been equally strong opposition. There is no evidence that meetings and petitions expressing other visions for Radstock have been addressed.
We would like evidence that the plans are the result of the repeatedly expressed views of local people being listened to and respected.

8. Corporate Social Responsibility Policies

Could both companies elaborate on how these developments reflect their Corporate Social Responsibility policies?

Overall, we cannot reconcile the proposals with the regional recommendations not to develop our area on sustainability grounds, nor with the declared aim of regenerating the area.

We look forward to receiving your replies.