

**IRON ACTON PARISH COUNCIL -
RESPONSE TO CONSULTATION ON TECHNICAL EVIDENCE WORK
PRODUCED BY THE WEST OF ENGLAND UNITARY AUTHORITIES
IN SUPPORT OF THE JOINT SPATIAL PLAN FOR THE WEST OF ENGLAND
(EXAMINATION DOCUMENTS)**

Iron Acton Parish Council is grateful for the opportunity to comment on the Technical Evidence documents published on 12 November and 26 November 2018. The Parish Council notes that responders have been asked to confine their comments to the Technical Evidence documents alone. The following comments are in addition to those made in response to the consultation in November 2017 on the West of England Joint Spatial Plan (Submission Documents) and should be read in conjunction with them. The Parish Council's comments are arranged document by document in the order set out in **WED 001 – November Consultation Explanatory Note**.

WED 002 – Schedule of Proposed Changes

Iron Acton Parish Council is pleased that the West of England Councils followed the advice of the Inspectors and consulted on all the technical documents together rather than on a piecemeal basis. This, together with the Schedule of Proposed Changes, which sets out clearly the proposed changes for consideration as part of the examination process, has made it easier to see a fuller picture and to comment accordingly. Notwithstanding this, the Parish Council is concerned that the Proposed Changes fail to address adequately key issues raised by the Inspectors, and flaws in the process and documentation raised previously by the Parish Council.

PC/01 Reasoned Justification to Policy 7 (page 32)

In their letter ED 01 of 1 June 2018 the Inspectors raised the question of the relative roles of the JSP and Local Plans envisaged by the West of England Councils for changes to the Green Belt. In their following letter, ED 02 of 28 June 2018, the Inspectors noted the Councils' response and continued:

“should deletion of Green Belt land be justified, in order to provide effective guidance for Local Plan preparation and Examination we consider that it is likely to be necessary for the Joint Spatial Plan to be more explicit about the factors which the Local Plans would need to and would not need to consider in respect of deleting land from the Green Belt and exceptional circumstances”

The Inspectors accordingly invited the Councils to provide draft wording for inclusion in the JSP making explicit their intentions on this.

This the Councils have done in the form of new paragraphs 68 and 69 set out in document WED 002. However, in the Parish Council's view, while this makes clearer the West of England Councils' proposals, it also serves to highlight the problems of conformity and soundness identified in previous responses. There is a fundamental legal impediment to the Councils' proposed approach. A central tenet of the planning system is the hierarchy of policy and plans: planning applications must be consistent with local plans; local plans must be in conformity with strategic plans; all must be in conformity with national planning policy (as set out in the

National Planning Policy Framework (NPPF) and other guidance from the Secretary of State); and all must be compliant with planning legislation. The West of England JSP, because of its timing, is governed in policy terms by the NPPF 2012 (while the Local Plans under preparation by the West of England authorities will fall under NPPF 2018). NPPF 2012 requires changes to Green Belt boundaries (including through extinguishment of Green Belt) to be made through Local Plans. It also requires the demonstration of exceptional circumstances to justify any such changes to Green Belt boundaries. It says:

“Local planning authorities with Green Belts in their area should establish Green Belt boundaries in their Local Plans which set the framework for Green Belt and settlement policy. Once established, Green Belt boundaries should only be altered in exceptional circumstances, through the preparation or review of the Local Plan.”

It could not be made clearer that boundary alternations, and the exceptional circumstances required to justify these, must be made through Local Plans. Yet the West of England Councils have now made explicit that it is their intention that the exceptional circumstances should be set out in the JSP and assert that it will not be for Local Plans to review the decision or restate the exceptional circumstances.

The proposed new paragraph 69 reads:

“As the JSP is a strategic plan, it does not make detailed site allocations and identifies only broad locations. Therefore it will be the role of the Local Plans to formally allocate the SDLs and in doing so, define the appropriate site boundaries and also define the new Green Belt boundary around these SDLs. It will not be within the remit of Local Plans to review the in principle decision or to restate the exceptional circumstances to remove these locations from the Green Belt.”

Not only do the Councils propose that the JSP, a strategic plan, should arrogate to itself a role explicitly allocated to local plans in national planning policy, but they assert (correctly) that local plans must be consistent with the JSP. The effect would be to require local plans to change Green Belt boundaries without setting out the exceptional circumstances “through the preparation or review of the Local Plan”. That would mean that local plans, by conforming to proposed new paragraph 68, would not be in conformity with NPPF requirements. That Catch 22 in turn would mean that the JSP was neither sound nor in conformity since it would contain policies inconsistent with national policy and it would be impossible for local plans to conform to both the JSP and national planning policy.

Furthermore, the wording of NPPF 2012 makes clear that Green Belt boundaries should only be altered in the light of exceptional circumstances demonstrated “through the preparation or review of the Local Plan” and that Green Belt can only be extinguished through changes to its boundaries. It does not provide for “in principle” changes to the Green Belt in locations with unspecified boundaries through strategic plans, local plans or any other mechanism. It is specific on process as well as requiring exceptional circumstances. It does not provide for that process to take place other than through the local plan, and it certainly does not allow for exceptional circumstances to be demonstrated out-with local plan formulation and testing of the case for Green Belt boundary changes. Under NPPF 2012 a strategic plan (in this case the JSP) simply cannot do what the Councils propose in new paragraph 68 and be in conformity.

Of course, as the Councils point out in PC/01, by virtue of timing, the local plans that give detailed effect to the JSP will be governed by NPPF 2018 and the revised provisions on Green Belts therein. But the JSP process cannot look forward to the changed provisions in NPPF 2018. It is governed by NPPF 2012 and its requirements. Unless it is compliant with these it will not be in conformity. NPPF 2018 makes provision for strategic plans to “establish the need for changes to Green Belt boundaries” “where exceptional circumstances are fully evidenced and justified, through the preparation or updating of plans”. It continues: “detailed amendments to those boundaries may be made through non-strategic policies, including neighbourhood plans”. By implication, since it would be these non-strategic plans that made the changes to boundaries, they would still need to set out the exceptional circumstances that justified these, contrary to new paragraph 68.

PC/01 sets out an explanation for the proposed change. It cites references in the JSP publication document (from November 2017) which asserts that “avoidance of the Green Belt” would result in “highly unsustainable patterns of development”. After examining “other reasonable options” the West of England Authorities concluded “there are exceptional circumstances to justify the release of certain locations from the Green Belt”, while seeking to “minimise the impact on the Green Belt” overall. Iron Acton Parish Council accepts that it would be unrealistic for the JSP to make provision for the additional development required without impacting Green Belt anywhere. However, where development is proposed in existing Green Belt the Unitary Authorities (UAs) need to demonstrate the exceptional circumstances, and the lack of reasonable alternatives, in each specific case. A general assertion is not a justification. Although we argue, above, that the JSP cannot mandate Green Belt changes, it could seek to establish whether a reasonable case could be made at local level in each case through the local planning process, and set out the likely exceptional circumstances which would be weighed through the local process. In paragraph 13 of the JSP publication document, the UAs say that they will “formally allocate the SDLs in their individual Local Plans” and that Local Plans will “set out the detailed site requirements”. Local Plan preparation will “provide the mechanism to amend local Green Belt boundaries”. This statement may appear to be consistent with NPPF 2012 but it is in contradiction to the proposed new paragraph 68 wording which would preclude examination and testing of exceptional circumstances through the local plan process. Iron Acton Parish Council therefore considers that adoption of new paragraphs 68 and 69 would fail to address the JSP problems of conformity and soundness. Indeed, rather than rectify these they would exacerbate them.

PC/01 then refers to Topic Paper 2 (document SD 7A) paragraphs 3.9-3.11 and 4.11 to 4.12 which it says “explain how the UAs [Unitary Authorities] came to the decision that there are exceptional circumstances to alter the Green Belt in the JSP” and “why there are exceptional circumstances to release these 5 locations from the Green Belt” (the five locations being those SDLs which would require the Green Belt to be altered, including those near Yate and Coalpit Heath). SD 7A says that the UAs:

“assessed whether there is scope to meet the identified need for development by avoiding Green Belt locations. ... Further SA work (SD9G) was undertaken on this option in order to more fully understand the implications”.

Document SD 9G is a table setting out the relative sustainability assessments for potential locations for SDLs. It draws together scores given in document SD 9I in a form which makes it easier to compare relative sustainability of each potential location. For the eight potential locations identified, together encircling Yate/Chipping Sodbury, none stands out from the others based on the sustainability scores allocated. The location of the proposed North West Yate SDL does not coincide with any of these eight appraised locations but instead straddles all or part of those to the North West, West and South West of Yate. Where any of these three appear to be stronger contenders for development under some sustainability objectives, closer analysis makes it difficult to identify significant sustainability advantages. For example North West and West are scored more strongly on schools access than some others, yet the JSP specifies that the proposed North West Yate SDL should include a new primary school and potentially provision for all through 3 to 16. Presumably the same would be specified for any other SDL location. The North West location scores slightly higher on loss of agricultural land and the same as others on historic environment and yet the JSP specifically refers to the importance of “Parliamentary” fields there which should be excluded from the SDL by virtue of their historical importance. If schools access is excluded, the net scores of positives versus negatives for each location in the SD 9G table would mean that no location stood out. Any conclusions drawn from this work would, therefore, be tenuous at best.

The Parish Council has two further reservations about PC/01’s reliance on SD 9G as evidence in support of building on Green Belt land around Yate. First, the sustainability criteria on which the appraisal summarised in SG 9G draws exclude the required Green Belt criteria. So the SG 9G analysis cannot be used to demonstrate the exceptional circumstances required for Green Belt boundary changes. Secondly, the proposed North West Yate SDL draws on parts of the assessed North West, West and South West Yate locations examined. It was never subjected to a sustainability appraisal in its own right before being identified as the preferred location for a SDL, so any judgement about its relative sustainability based on existing appraisal work is flawed and unjustifiable.

Although not cited in WED 002, paragraphs 3.13 and 3.14 of SD 7A describe the UAs’ Green Belt Assessment process and these are critical to the argument in PC/01 that the JSP demonstrates exceptional circumstances. Even had the JSP demonstrated that the North West Yate SDL was more sustainable than alternative locations (which it has not for it has not appraised it as an entity), and even were the JSP the appropriate vehicle for demonstrating the existence of exceptional circumstances justifying the revision of Green Belt boundaries (which it is not according to NPPF 2012), the argument could not be sustained without separately addressing the impact of changes to the Green Belt – which are discrete, additional, and based on the purposes served by Green Belt designation. Without this the argument set out in PC/01 simply does not stand. SD7a paragraphs 3.13 and 3.14 describe a “Stage 1 Green Belt Assessment” in document SD 17C and a “Stage 2 Assessment” in document SD 17B. The first provides a strategic assessment of the whole Green Belt across the JSP area, dividing Green Belt land into cells which were assessed against the five purposes of Green Belt. It concluded that:

“the Green Belt in the plan area continues to retain the fundamental characteristic of openness and serves the purposes of the Green Belt but ... cells performed differently in relation to the 5 purposes”.

The second stage assessment examined the relative contribution to Green Belt purposes of cells in areas most likely to have potential for development, subject to amendments to Green Belt boundaries. It concluded, unsurprisingly, that:

“the specified locations made varying degrees of contribution to identified Green Belt purposes ranging from a limited to major contribution”.

This work, along with the sustainability appraisal, informed the decisions on which locations should be identified as SDLs in the JSP.

The Stage 1 assessment in SD 17C identified 79 Green Belt “cells” within the JSP area and analysed each in turn to establish whether it continued to contribute to the purposes of the Green Belt. Cells 22 and 21 constitute Green Belt to the north west, west and south west of Yate. The assessment concluded that both contributed to the purposes of the Green Belt and directly served some of its purposes. The Stage 2 assessment in SD 17B further divided cells 22 and 21 and assessed the sub-divisions individually. The area proposed for the North West Yate SDL falls almost entirely within cells 22a (between Yate and Iron Acton village), and 21c (between Yate and Coalpit Heath). The assessment of the contribution to the Green Belt of cell 22a reads in part:

“This area of Green Belt marks the beginning of a large, wide open area of countryside and Green Belt to the north and west of Yate. There are relatively few urbanising features within this area of Green Belt and wider area beyond, limited to agricultural buildings and uses. The southern edge of the Green belt is partially physically and visually separated from wider Green Belt to the south by the path of the extant railway track to Thornbury. However the cell has good connectivity to the wider expanse of open countryside west and north the cell.”

It concludes:

“It is therefore considered that Green Belt designation in this location assists in safeguarding wider, open countryside from encroachment, particularly from potential development from Yate’s western and northern edge.”

Development of cell 22A would extinguish all the Green Belt between Yate and Iron Acton village, destroying the open countryside and severely impacting on the Iron Acton Conservation Area.

The Stage 2 assessment for cell 21c reads in part:

“This Green Belt cell is a mix of open agricultural land and the washed over settlement of Nibley. Green Belt in the cell is linked physically and visually to wider open farm land and Green Belt in the north of the district. Green Belt within the cell safeguards the countryside here from encroachment.”

It concludes:

“Cell makes a contribution to limiting potential merger in the corridor from North Fringe and Yate, by preventing development along the A432 between Yate and Coalpit Heath. It also assists in safeguarding the countryside from encroachment.”

Development of cell 21c, the assessment notes, would reduce the distance between Yate and Coalpit heath from 1.45km to 0.8km. It would effectively incorporate the settlement of Nibley into Yate.

So the very documents on which PC/01 relies in arguing that Green Belt extinguishment is justified conclude, for the North West Yate SDL location, that the Green Belt there continues to serve its purpose. The sustainability appraisal fails to establish that development here would be more sustainable than elsewhere. There is no reference to other evidence within the JSP of exceptional circumstances justifying locating the North West Yate SDL on Green Belt land. Indeed, as far as Iron Acton Parish Council can discern, PC/01 fails to point to any evidence of exceptional circumstances justifying the extinguishment of Green Belt within the Parish of Iron Acton. Evidence free assertion is simply not sufficient to justify the radical erosion of the Green Belt separating the rural settlements of Iron Acton and Nibley from the larger urban settlement of Yate.

PC/02 Para 66 (page 31)

The Inspectors invited the UAs to clarify the wording in paragraph 66 of the JSP on the relationship between the framework for individual SDLs set out in the JSP and the subsequent role of local plans. Iron Acton Parish Council welcomes the changes proposed which make clearer the relationship between the strategic planning process and the local planning process with respect to SDLs. However, this support for the changes in wording should not be taken to mean support for the template and supporting documentation for the North West SDL. The Parish Council has made its views clear, previously, on the importance of using the local planning process to engage local parishioners in determining the form, aesthetics and make-up of the SDL should it proceed.

Policy 7.12 Yate, bullet 5 (page 46)

Iron Acton Parish Council supports the drafting changes to Policy 7.12 (to include references to a strategic cycle route and the proposed Coalpit Heath/Westerleigh bypass). This would increase transport capacity and mitigate somewhat the impact of the estimated 3,000 plus extra peak road journeys in and out of Yate each day (should the JSP proceed). The Parish Council notes the irony of the UAs proposing a North West Yate SDL in preference to alternatives south of Yate but proposing to mitigate the predicted increase in congestion with a new bypass to the south of Yate!

PC/25 Yate, bullet 6 (page 45) [note that this should refer to page 46]

The Parish Council welcomes the increased clarity that would result from these changes and the inclusion of a specific reference to protecting “the setting of nearby Listed Buildings” and enhancing “the linear settlement of Engine Common and Nibley Village”. It notes that the proposed changes do not, surprisingly, refer to protecting the Iron Acton Conservation Area or the listed buildings that will be buried by the proposed SDL (including Poplar Farmhouse and Barn, Wistaria Lodge and Willow Cottage). Once again the Parish Council notes the irony of proposals to establish a Green Infrastructure network to “reinforce a new Green Belt boundary” (in the absence of any natural boundary to the proposed SDL) as part of a proposal that would wipe out unspoilt countryside, irrevocably damage part of the River Frome Site of Nature Conservation Interest (SNCI – designated as such by South Gloucestershire Council), and extend Yate to within a stone’s throw of Iron Acton Village and the Iron Acton Conservation Area (also designated by South Gloucestershire Council).

WED 003 – Duty to Cooperate Paper

This sets out the actions the Unitary Authorities have taken to meet the Duty to Cooperate by working constructively, actively and on an ongoing basis across the West of England and with adjoining local planning authorities and other partners. The Parish Council has no comments on this paper.

WED 004 – Justification of the Requirements for the 12 Strategic Development Locations, Policy 7 – 7.12

This paper was prepared by the UAs in response to a direct request from the Inspectors. They asked for a short paper for each of the SDLs to:

“briefly, but specifically, summarise the justification for each of the policy 7.1-7.12 criteria and requirements. ... it would assist us, and no doubt all participants, for the justifications for each SDL criteria/requirement to be set out in one document”

The Parish Council welcomes this paper for the reasons given by the Inspectors. Its comments (below) are confined to document **WED 004L on SDL Policy 7.12 Yate**

WED 004L – SDL Policy 7.12 Yate

JSP Criteria – 1: A minimum of 2,000 dwellings, including affordable housing, of which at least 1,000 will be delivered within the plan period

The documents cited here do little to make a case for development north west, west and south west of Yate as opposed to other areas. Page 27 of SD 11C simply asserts rather than evidences that:

“there is considered potential in a broad band sweeping from fields north of Yate Town Football Club & south of Mission Road around to the B4059 and turning south to Nibley Lane and the river Frome and continuing south across the Badminton Road including fields west of the Business Park”.

Against this it notes “mining heritage within Engine Common area, Iron Acton Conservation Area” and listed buildings; that Yate/Chipping Sodbury “has good proximity to employment areas in the north & and northeast Bristol Fringe”; the “intricate field pattern and mature hedgerows and trees at Engine Common”; ecology constraints including the River Frome corridor and SNCIs; “flood risk along Frome valley and tributaries”; “Green Belt to west retains separation between Yate the principle [sic] urban area, Iron Acton and Coalpit Heath”; and pylons stretching from north through west to south of Yate. It doesn’t explain how these constraints are consistent with its statement about the potential for development stretching through the same area.

Document SD 11F shows the responses to the call for sites. Map 15 of the document covers the area north, west and south of Yate and shows that for the proposed North West Yate SDL well under half of the area has been offered by landowners for development.

Document SD 11B simply sets out the methodology applied across all SDLs for calculating housing capacity.

JSP Policy 3 is generic to the strategy and makes no reference to the North West Yate SDL.

Iron Acton Parish Council considers that, even taken together, these fail to demonstrate how or whether the housing envisaged will be delivered or that it is more likely to be deliverable in North West Yate than in alternative potential locations south of Yate.

JSP Criteria – 2: Provide a new high quality, high density, mixed-use residential neighbourhood at NW Yate that improves connections through a regenerated Beeches Industrial Estate and to the rail station

WED 004L says that JSP Policy 5 “highlights the need for development to create character, distinctiveness and sense of place” and yet the approach so far falls far short of these. Instead of drawing on the unique characteristics of the vernacular architecture in Iron Acton Parish, the JSP proposes development with a ‘modern feel’, in line with that elsewhere in Yate – which has little local distinctiveness and has resulted in almost total annihilation of the character of the original village of Yate. Despite earlier representations by Iron Acton Parish Council and people living in or near the proposed SDL, the opportunity has been missed to propose changes which would have increased the chance that the development would “create character, distinctiveness and sense of place”. Page 27 of document SD11C at least makes some glancing references to heritage assets and landscape value. But nowhere is there acknowledgement of the centuries-old tradition of building with locally quarried red pennant stone, of pennant dry stone walling around field margins, or the many historic and beautiful pennant stone buildings in the proposed SDL area which do not benefit from the protection of national listing and must be seen as extremely vulnerable to wholesale demolition as development is rolled out.

Iron Acton Parish Council considers that the poverty of imagination shown, the lack of recognition of, and empathy for the value, beauty and unique nature of the local built environment in Iron Acton forebodes a tragic loss of irreplaceable historical assets. This prospect the Parish Council deplures.

JSP Criteria – 3: The residential neighbourhood will contain a new local centre including a primary school(s) and/ or all through 3-16 school, local retail and community facility/hub

Provision of school places as part of major new housing developments, especially if they are accessible without recourse to driving, are essential to their sustainability. However, the existing North Road Community Primary School and the Iron Acton Church of England Primary School are popular, vibrant and embedded in their local communities. Iron Acton Parish Council is concerned that the focus on new provision may be at the expense of existing schools valued very highly by their local communities. It is a symptom of the lack of engagement with local communities through the JSP process that there is no mention of the potential impact on existing local schools of the proposed development or of any measures that will be taken to ensure their future viability. Document SD 12A assesses a need for 180 and 180 early years places, 684 and 648 additional primary school places, and 342 and 324 additional secondary school places in the proposed North West Yate and Coalpit Heath SDLs respectively. The Parish Council notes that Government policy is that

all new schools must be Free Schools – an approach that would be contrary to existing educational traditions in our parish.

JSP Criteria – 4: A significant new employment land allocation totalling approx., 30ha will also be allocated at West Yate, ...

As the JSP notes, a high proportion of employment activity in the principal employment sites in west Yate is distribution. While this has provided important employment over the years to people in and around Yate, the noise and pollution has imposed a cost on the health and wellbeing of Iron Acton parishioners living alongside the Bristol, Wotton and Latteridge roads. Considerable lorry traffic uses these roads to travel north to the M5 (via Wotton Road), or west to the M5/M4 (via Latteridge Road). Expansion and enhancement of employment sites in the west of Yate will inevitably increase such heavy vehicle movements. A major new housing development in the proposed North West Yate SDL, straddling the Bristol Road as proposed, would significantly increase the number of local people exposed to this increasing nuisance. While Iron Acton Parish Council welcomes the proposal for allocation of significant new employment land south west of Yate (at West Yate) it is disappointed that the UAs have not taken the opportunity of this further work to address these negative effects. Separately, the Parish Council notes that although the JSP links the proposed North West Yate SDL and the proposed new West Yate employment site, they would in fact be separated by both the Yate to Thornbury railway line and the Frome River. Alternative sites south of Yate would have far better access to the West Yate site and save the need for new bridges/crossings within the SDL.

JSP Criteria – 5: The new development areas will provide or contribute to a strategic transport package including: Metrobus extension to Yate and Chipping Sodbury, strategic cycle route, A432 Park & Ride, Yate Rail Station enhancement, Winterbourne and Frampton Cotterell Bypass and local bus services. An on-site rail crossing and a new rail bridge is also likely to be required across the Nibley Lane.

Iron Acton Parish Council supports the UAs' proposal to amend the wording of this criterion to include a reference to the Coalpit Heath/Westerleigh bypass. It welcomes, too, the further work contained in the updated Transport Topic Paper 8 (WED 007) and the Emerging Findings Transport Report (document WED 008). It supports proposals that any new development should contribute to the cost of, or provide the necessary infrastructure to support the development. The Parish Council is concerned, however, that key elements of "on-site" transport infrastructure for the proposed North West Yate SDL, while flagged, have not been costed or specified through the detailed transport planning process.

In document WED 002 the UAs include a change to the JSP wording to weaken the reference without acknowledging this change, despite the fact that the very purpose of document WED 002 is to provide to the Inspectors and consultees details of all proposed changes to the JSP document. The Parish Council deplores this hidden change. In the JSP the reference reads:

“An on-site rail crossing and a new rail bridge *is also likely to be required across the Nibley Lane.*” (italics added)

As set out in documents WED 002 and WED 004L it reads:

“An on-site rail crossing and a new bridge *may also to* [sic] be required across Nibley Lane”. (italics added)

It is not clear whether this is intentional, or simply one of the many sloppy errors in these two documents (including incorrect page references, references to non-existent documents and inconsistent drafting styles), but the effect of the change would be to reduce the chances of this infrastructure being provided. Should the North West Yate SDL proceed without these, the north of the development will be severed from the south, and from the proposed West Yate and Coalpit Heath developments, by the Yate to Thornbury railway line and by the Frome River and SNCI. While a major element of the assessed cost of the Coalpit Heath/Westerleigh bypass is a new bridge over the railway line, this is simply passed over as a cost (and impediment to) the proposed North West Yate SDL. This undermines both the relative sustainability and the viability of this proposal. The Parish Council opposes this failure and the unacknowledged change to criterion five.

The Reasoned Justification then refers to the results of public consultation undertaken in Autumn 2017 which, it says, highlighted transport and the impact of additional traffic on the Badminton Road (A432) as a key concern for local residents. Flowing from this was the “need to consider options to improve the environment of Badminton Road for all users”. The Parish Council is concerned that there is no equivalent acknowledgement of exactly the same concerns about the Bristol, Wotton and Latteridge Roads in Iron Acton Parish where increasing volumes of commuter and heavy goods traffic are already eroding quality of life for local residents. The Parish Council and local residents raised this in their responses to the November 2017 JSP consultation. While the UAs have flagged (but not costed) the need for enhanced junctions on the Bristol Road at either end of Iron Acton Village, they have not made an equivalent commitment to using the masterplanning process to address this. Indeed elsewhere document WED 008 – “Emerging Findings Transport Report” excludes these proposals from the proposed infrastructure programme because they would have insufficient impact on congestion.

Finally, a link is provided to the report on a “Yate Event” consultation meeting held on 6 February 2018. One of the clearest proposals emerging from this is a proposal for a “street” within the proposed North West Yate SDL running from the Bristol Road just east of Dyers Lane to the A432 between Nibley and Mays Hill. It is extraordinary that this could be referenced as part of the Reasoned Justification which supports downgrading the reference to the railway crossing that would be part of such a “street”.

JSP Criteria – 6: A Green Infrastructure network will reinforce a new Green Belt boundary, protect the river valley, linear settlement of Engine Common and Nibley Village, provide an attractive segregated route along the Frome Valley Walkway, and enhance North Road and the Frome river corridor through the Beeches Estate

The Parish Council supports the proposed changes to the wording of Criterion 6 for the proposed North West Yate SDL including the addition of a reference to protecting “the setting of nearby Listed Buildings”. It is concerned, however, that there is no reference to protecting the Iron Acton Conservation Area, the listed buildings within the SDL area, the historic pennant stone structures (walls and

buildings), or the existing green infrastructure of public footpaths, lanes, wooded railway margins etc (apart from the river valley and Frome Valley Walkway) that will be washed over or destroyed by the development (see comments above). This is in contrast to the requirements of JSP Policy 5 and SGC Core Strategy policies CS1, CS2, CS9 which are flagged in the Reasoned Justification for Criterion 6. These require that “existing green infrastructure and heritage assets are taken account of and enhanced where possible”.

Notwithstanding the proposed Green Infrastructure network, it is clear that the new boundary of the Green Belt would be formed by an arbitrary division of developed land from undeveloped land, rather than by using “physical features that are readily recognisable and likely to be permanent” as required by both NPPF 2012 and NPPF 2018. Currently, the river valley requires no protection (being surrounded by open countryside) and one of the main attractions of the Frome Valley Walkway is precisely that it is not a route segregated from its surroundings (which are open countryside). Should the UAs (or the Inspectors) be in any doubts as to this Iron Acton Parish Council commends to them the gallery of photographs on Iron Acton’s Local Poyntz website (www.ironacton.info) which show the current natural settings of both.

There is some irony in the fact that the UAs are proposing the destruction of open countryside in Iron Acton Parish and of the fauna and flora currently flourishing there, while on 2 December 2018 the Environment Secretary Michael Gove launched a new government initiative on “biodiversity net gain” that would require all new developments to ensure that habitats for wildlife are enhanced and left in a measurably better state than they were pre-development. (see announcement at link <https://www.gov.uk/government/news/gove-sets-out-proposals-for-greener-developments>)

Criteria – 7: The historic parliamentary enclosures, which comprise small to medium sized fields, reinforced by a strong mature hedgerow network and large number of trees, north of Mission Road and east and west of North Road will also be protected by a new landscape and or Breen Belt designation which will be confirmed through the new local plan.

Iron Acton Parish Council supports the exclusion of the fields north of Mission Road and east and west of North Road from the proposed development area and the proposal to protect these through a new Green Belt designation. This would in no way compensate for the much larger loss of Green Belt land should the proposed North West Yate SDL proceed, however. It is also not clear to the Parish Council why exactly the UAs do not seek equally to protect the small to medium sized fields that would be destroyed by the proposed development. As the following link demonstrates, the form and size of the fields within the proposed location are very similar to those the UAs would seek to protect elsewhere (<https://goo.gl/maps/JtVZT5mnB3E2>) . The Reasoned Justification offered would apply equally to the fields and enclosures which would be destroyed. See also the Parish Council’s response on Criterion 6 (above).

Criteria – 8: Plus, early consideration of appropriate powers devolved to the West of England to enhance the prospect of land assembly, infrastructure

delivery and the regeneration of existing industrial areas so also assisting bring forward a well planned and connected new residential development

Although this criterion refers to powers “devolved to the West of England”, Iron Acton Parish Council assumes that this is a reference to the powers devolved to the West of England Combined Authorities Mayor through the West of England Devolution Agreement between central government and the UAs. What is clear from the agreement (see, for example, paragraph 41 on page 14) is that these powers are invested in the Mayor, and through him the Combined Authorities rather than the UAs per se. The importance of this distinction is brought out in the correspondence between the Inspectors and the UAs about the relationship between the JSP and the Mayoral Spatial Strategy. The UAs assert, not unreasonably, that these are two separate strategies which may differ in what they cover and in their purpose.

It would be reasonable, in these circumstances, to expect and assume that the Mayor would exercise the powers as necessary in support of the Mayoral Spatial Strategy (MSS). But since it seems from the UAs’ reply to the Inspectors on 17 September 2018 (document WE 04) that the UAs see a clear distinction between the JSP and the MSS there must be a question as to whether the current Mayor would choose to exercise the powers in support of the JSP (which is not his strategy) unless he had adopted the JSP as the MSS. Iron Acton Parish Council is aware that the current Mayor is on record as being opposed to the development of Green Belt land: indeed, it was a pledge made as part of his election campaign. Since the UAs argue that the JSP is distinct from the MSS, and to be consistent the current Mayor must be opposed to the five SDLs proposed on Green Belt land, how can the UAs reasonably rely on the Mayor’s land assembly and compulsory purchase powers (see paragraph 41.3) to deliver SDLs on Green Belt land? And given that well under half of the potential North West Yate SDL land has been offered by its owners for development (see HELAAS Call for Sites at <http://map.n-somerset.gov.uk/map/Aurora.svc/run?embedded=true&nocache=0.18711355031986865&script=%5cAurora%5cSouthGlos%5cSouthGloucestershireCallforSites.AuroraScript%24&x=368707.205&y=183233.060&scale=8192>), are the UAs’ assumptions for the timing of the development realistic?

WED 005 – Updated Viability Assessment

Iron Acton Parish Council notes that the Updated Viability Assessment indicates that SDL greenfield development is likely to have high levels of viability with a 35% affordable homes requirement. The Parish Council has previously supported a 35% rate and would expect at least this level of affordable housing to be delivered in the proposed North West Yate SDL should it proceed.

WED 006 – Updated Employment Evidence

Iron Acton Parish Council notes the uneven distribution of employment land by category across the West of England and the conclusion that South Gloucestershire is “the predominant location for industrial, warehousing and mixed B Use Class capacity”. The Parish Council supports the proposal to increase employment land in and around Yate, and to facilitate the updating of existing stock. It considers that the UAs should take the opportunity, at the same time, to

increase the diversity and improve the mix of the premises (and hence employment types) on offer.

WED 007 – Transport Topic Paper 8 (update Nov 2018); WED 008 – Emerging Findings Transport Report

Iron Acton Parish Council has studied carefully Figure 2-1 on page 11 of Transport Topic Paper 8 (WED 007). It is apparent, immediately, that the most obvious and most direct route between Yate/Chipping Sodbury and Bristol runs south east from Yate to Bristol, west and south of Frampton Cotterell/Winterbourne – currently along the Badminton and Westerleigh Roads. Topographically this is simpler, too, than the longer route north and west of Frampton Cotterell/Winterbourne. WED 007 shows “indicative opening year[s]” for the Winterbourne/Frampton Cotterell Bypass as 2025 and for the Coalpit Heath/Westerleigh Bypass as 2027. While not shown on the map, the proposal for a new M4 Junction 18A continues to progress with the *Bristol Post* reporting that South Gloucestershire Council, having opted for the Lyde Green vs Pucklechurch location, announced in December 2018 that:

“The study undertaken by South Gloucestershire Council has been provided to Highways England and the Department for Transport to consider taking forward further development of the scheme in their next route investment strategy (RIS2), which covers the time period 2020 to 2025.” (“**New £428million M4 junction 18A could be built in 2025**”

<https://www.bristolpost.co.uk/news/local-news/new-m4-junction-18-built-2296969>).

The impact of M4 Junction 18A would be to change, fundamentally, the balance of transport flows around Yate/Chipping Sodbury, and the sustainability of potential SDL locations. In particular, it would shift the balance dramatically against the North West Yate location and towards a location between Yate and the new junction. And yet, bizarrely, despite the coincidence of timing for provision of the bypasses and the new M4 junction, it is not included in WED 007 or WED 008 and the UAs apparently continue to countenance its exclusion from the transport infrastructure options under consideration.

It is the view of Iron Acton Parish Council that Transport Topic Paper 8 (WED 007) and its sibling, the Emerging Findings Transport Report (WED 008) are deeply flawed. They cannot provide balanced or technically robust evidence in support of the JSP development proposals for the Yate/Chipping Sodbury area in the absence of consideration of Junction 18A. Oral advice to Iron Acton Parish Council from a South Gloucestershire Transport Planning Officer was that because Junction 18A is a project of national government, the UAs have no control over it and therefore could not include it in the JSP infrastructure package. Future revisions of the JSP could take it into account once it received the final go-ahead from central government, the officer continued. But given that neither the Winterbourne/Frampton Cotterell nor the Coalpit Heath/Westerleigh bypasses have yet been approved, logically this should mean their exclusion as well. Should future iterations of the JSP give proper consideration to a new Junction 18A, it would be in the context of an existing SDL in the North West Yate – it would be too late to consider whether a location south of Yate would have been preferable. The West of England Devolution Agreement says, in paragraph 45.b.:

“To support better integration between local and national networks, the government and the West of England Combined Authority will enter into joint working arrangements with Highways England and network Rail on operations, maintenance and local investment through a new Memorandum of Understanding.”

The agreement also provides for a Single Investment Fund to:

“deliver an ambitious investment programme across the Combined Authority region to unlock the economic potential of the West of England. ... To support this investment approach, government agrees to allocate an additional £30 million per annum of funding for 30 years (50% capital and 50% revenue), which will form part of and maintain the West of England Combined Authority single pot.”

In the view of Iron Acton Parish Council, it is incumbent on the West of England Combined Authorities and central government to work together under the devolution agreement to confirm and bring forward Junction 18A as a matter of urgency. The Parish Council considers that the Inspectors should test, as part of the examination of the JSP the implications for the soundness and viability of the JSP in general, and proposals for the North West Yate SDL in particular, of the failure to take account of the proposals for M4 Junction 18A.

Documents WED 007 and 008 fail to take account of the findings of South Gloucestershire Council’s 2016 study of the impact of heavy goods vehicle movements on the key routes into and out of Yate. This identified the Rangeworthy (Wotton) and Latteridge Roads as those where people were most upset by the impact of such movements. It concluded that no action should be taken to ban HGVs for any of the roads because the increased impact on the remaining routes would be too severe. Even with the mitigation measures proposed, Topic Paper 8 (WED 007) shows increased traffic, congestion and nuisance for residents on these roads as a result of the proposed North West Yate SDL. Despite existing blight demonstrated by South Gloucestershire’s own study, no significant mitigation measures are provided for either the Rangeworthy/Wotton or Latteridge Roads. No study has been undertaken to show what the effects would be on these roads if the new SDLs were located south of Yate instead.

WED 007 indicates that there would be around 3,000 extra peak time trips on the roads in and out of Yate as a result of the JSP proposals. Mitigation measures proposed in WED 008 include a Frampton Cotterell/Winterbourne bypass (at an estimated cost of £46-48 million) and a Coalpit Heath/Winterbourne Bypass (at an estimated cost of £71 million – higher because of the need for a bridge to cross the Great Western Main Line). Of the proposed mitigations, according to the document, the:

“most significant delivery challenges are anticipated in relation to the Winterbourne and Frampton Cotterell Bypass and Coalpit Heath and Westerleigh Bypass due to potential environmental impacts, crossing the Great Western Main Line and public acceptability.”

The former would result in “significant adverse impacts to the water environment”. It would undoubtedly ease traffic flows through Frampton Cotterell and Winterbourne, but would also attract more traffic onto the Bristol Road/Iron Acton Bypass into Yate - which is already blighted by congestion. Despite being flagged

in other JSP supporting documents (see references above), measures to improve the junctions on the Bristol Road B4058/B4059, including its roundabout with Iron Acton Way and Stover Road, are rejected in WED 008 (Table 4.2: Options considered) with the commentary: “Only small impact on congestion”.

Both WED 007 and WED 008 also fail to consider reopening to passenger traffic the Yate to Thornbury Railway. This was reopened to freight traffic in the second half of 2018 for the transport of aggregate from the Tytherington Quarry near Thornbury to the power station construction site at Hinkley Point. The fact that it is now an operational line would reduce considerably the costs of bringing it back into use for passenger transport. No consideration is given in the documents to the impact of providing a lateral public transport link between the two largest free-standing settlements in South Gloucestershire; to the balancing effect this would have on the overwhelmingly radial routes into and out of Bristol; or to the potential for more balanced travel and commuting opportunities between these two settlements and any rail stops served en route. No information is provided on what impact this would have on reducing the congestion on the Latteridge Road, Wotton Road and the A38 – all routes that would be put under increased pressure by the proposed North West Yate SDL. Iron Acton Parish Council regards the failure to consider the return of passenger traffic on the railway line as a serious omission from the transport evidence underpinning the JSP. It needs to be remedied in order to inform the Examination process. The Parish Council calls on the West of England Combined Authorities and the Mayor to use their powers under the devolution agreement to bring the line back into passenger use.

Finally, WED 008 considers transport options for Yate and Coalpit Heath (covering the employment SDL proposed for West Yate, and the residential SDLs for North West Yate and Coalpit Heath) in section 4. Table 4.1 identifies, amongst others, the transport challenge of “High traffic and congestion levels on A432, B4057, B4058 and through Westerleigh”. Table 4.2 sets out mitigation options considered. It recommends taking forward a new Park and Ride facility between Yate and Coalpit Heath on the A432 on the grounds that it would be “easily served, potential to intercept car trips”. It rejects locating it within what is referred to as the “Yate SDL” on the grounds “Site not located on a direct public transport route” (a constraint on development there not highlighted during the sustainability appraisal process!). It also recommends creation of an A432 Strategic Cycle Route, an A432 MetroBus Corridor, an improved bus interchange adjacent to Yate railway station and potential relocation of rail platforms, a Coalpit Heath/Westerleigh Bypass and a Winterbourne/Frampton Cotterell Bypass. All except the last would be more effective at mitigating a SDL south of Yate than the proposed North West Yate SDL.

The exclusion from consideration of more sustainable alternatives to the south of Yate is exacerbated by the failure to include in the package proposals for a spine road and bridges/crossings from the proposed North West Yate SDL south across the Yate to Thornbury Railway and the River Frome to the A432. Without this (flagged in the proposals for the SDL but not costed there either) all traffic would effectively be forced north and west on the already congested Bristol Road or east along already congested roads through Yate.

WED 008 costs the recommended programme at £160-165 million. It rates the overall delivery case for the cycle route, the Park and Ride and the Yate Station improvements “Medium-High” and the two proposed bypasses “medium”. Given the likely pressure on resources, the failure to include the SDL spine road puts it behind these other measures in the queue for finance and could jeopardise its construction. It also means that WED 007 and 008 significantly underestimate the cost of the mitigations necessary to ensure the viability of the proposed North West Yate SDL. This omission of significant infrastructure costs raises further questions about judgements on the relative viability of this proposed location versus a location south of Yate with better access to the A432 and proposed Coalpit Heath/Westerleigh Bypass. Iron Acton Parish Council considers this a significant omission from the transport evidence. It should be remedied before the Examination to facilitate proper and effective scrutiny of the JSP generally, and the proposal for a North West Yate SDL in particular.

WED 009 – Consolidated Sustainability Appraisal Report (Nov 2018)

In its response to the November 2017 consultation on the JSP Iron Acton Parish Council raised serious concerns about deficiencies in the Sustainability Appraisal underpinning the JSP. These concerns remain. It has raised, above, further concerns about the sustainability of the proposals for the proposed North West Yate JSP.

WED 009 is a suite of documents comprising WED 009 Consolidated Sustainability Appraisal Report (November 2018); WED 009A Consolidated Sustainability Appraisal non-Technical summary; WED 009B Addendum to the Consolidated Sustainability Appraisal Report; and WED 009C Consolidated Sustainability Appraisal Appendices. Although these documents set out further analysis of the JSP proposals and the proposed changes to the JSP set out in document WED 002, their focus continues to be limited to those SDLs proposed in the JSP with the result that it is impossible to make like for like comparisons of the relative sustainability of the proposed North West Yate SDL (once mitigated) versus potential alternative SDLs (with equivalent mitigation). This means that it is impossible to make a judgement as to whether proposed SDL sites, once their impacts have been mitigated, will be more (or less) sustainable than other options.

As Iron Acton Parish Council has made clear in earlier responses, this is exacerbated by the fact that none of the locations around Yate/Chipping Sodbury appraised in earlier iterations of this process coincide with the proposed North West Yate SDL (see above). Instead it was stitched together from parts of the north west cell, the west cell and the south west cell. This means that it remains impossible, using either the original documentation or the revised WED 009 documentation, to reach a clear conclusion as to the relative sustainability of the proposed North West Yate SDL versus alternative potential locations. It is not possible to compare alternatives unmitigated, because no appraisal was done for the location proposed in the JSP. It is not possible to compare alternatives mitigated, because no appraisal has been done for alternative locations with mitigation. Iron Acton Parish Council, therefore, continues strongly to be of the view that the Sustainability Appraisal of the JSP proposals remains fatally flawed and that the JSP itself is neither compliant nor sound in consequence.

The Parish Council notes the statement in document WED 009 paragraph 4.135 that:

“The main source for the definition of strategic locations was a Call for Sites undertaken between January and March 2015 which was used to inform the Housing and Economic Land Availability Assessment (HELAA), as well as sites identified from other sources or proposed by the Unitary Authorities.”

As the Parish Council flagged (above), the current (2018) Call for Sites shows that well under 50% of the proposed North West Yate SDL has been offered for development by landowners, despite the passage of time. It notes further that the current map shows considerably more land and better coverage in sites offered south of Yate where, in the view of the Parish Council, development would be both more sustainable now, and considerably more so in the event of the construction of a new M4 Junction 18A.

Iron Acton Parish Council would regard it as perverse and irresponsible of the UAs to proceed with the proposed North West Yate SDL in the face of the shortcomings in both compliance and viability it has flagged in this and earlier consultation responses. It looks to the Inspectors to explore and address these as part of the Examination of the JSP.

WED 010 – Updated Habitats Regulations Assessment (available from Monday 26th November)

Iron Acton Parish Council notes that under the legislation, the requirement for a Habitats Assessment is confined to designated European Special Areas of Conservation (SACs) and Special Protection Areas (SPAs), and to international Ramsar sites. Since none of these are affected by proposed development within Iron Acton Parish the Parish Council has no comments on document WED 010.

Iron Acton Parish Council
10 December 2018