



Chris Griggs-Trevarthen  
Bath & North East Somerset Council  
Planning Services  
Lewis House  
Manvers Street  
Bath  
BA1 1JG

By email only to: [chris\\_griggs@bathnes.gov.uk](mailto:chris_griggs@bathnes.gov.uk)

7 June 2023

Dear Chris,

**APPLICATION NO:** 22/02169/EOUT

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

**LOCATION:** Parcel 4234 Combe Hay Lane, Combe Hay, Bath

Thank you for consulting the Cotswolds National Landscape Board<sup>1</sup> on the additional information submitted by the applicant in support of this proposed development, which would be located within the Cotswolds National Landscape<sup>2</sup>.

We note the revised description of development and have reviewed the supporting information provided by the applicant. However, and further to our previous consultation responses dated 4 August 2022, 29 September 2022 and 2 February 2023, the Board wishes to maintain our **objection** to this application.

The Board's position remains that the exceptional circumstances required by paragraph 177 of the National Planning Policy Framework do not exist to justify a further 300 homes on top of the 171 already permitted upon a site which is allocated for 'around 300 dwellings'. We do not wish to repeat the content of our previous responses on this matter where it is discussed at length, though we note that the applicant has not addressed this matter in their updated submission. In our view, this lack of exceptional circumstances provides a clear reason for refusing this application.

The amendments that the applicant is proposing are outlined in their covering letter dated 24 April 2023. The main amendment is that the allotments serving Phases 3 & 4 are relocated from Derrymans, which lies outside of the allocation boundary, to land within the allocation boundary and that additional bat roosts are provided. The applicant now proposes to create new calcareous grassland on Derrymans to mitigate the loss of this habitat elsewhere within the site as a result of the extension of the spine road through Sulis Manor. The Board welcomes these amendments and also recognises that whilst being outside of the allocation site boundary, the proposed compensatory tree planting on the field known as 30 Acres is in a location indicated for additional Green Infrastructure

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The Cotswolds National Landscape is a designated Area of Outstanding Natural Beauty (AONB), managed and looked after by the Cotswolds Conservation Board.

[cotswoldsaonb.org.uk](http://cotswoldsaonb.org.uk)

*Chairman:*  
**Brendan McCarthy**  
  
*Vice Chair:*  
**Rebecca Charley**

on the Concept Diagram contained within Policy B3a of the BANES Core Strategy and Placemaking Plan.

We further note the amendments to the target lighting levels in some areas of the site and would refer you to our previous comments made in respect of lighting and dark skies in our response dated 2 February 2023. We also note the additional detail and explanations provided in the Comprehensive Masterplan and Land Use Parameter Plan (as well as the updated Design & Access Statement). In combination, these go some way towards fulfilling Placemaking Principle 2 of Policy B3a and would defer to the Council's specialist officers as to whether or not they reflect the required 'best practice'. Without prejudice, should the Council be minded to grant planning permission, we would request that they are secured via appropriately-worded planning conditions.

The remaining changes relate to the energy performance of the development resulting from new and amended Council policy on climate change included in the Local Plan Partial Update. We welcome these changes and without prejudice, should the Council be minded to grant planning permission, we would request that appropriate planning conditions are imposed which enable these matters to be fully addressed at reserved matters stage and ensure that the development reaches the highest possible environmental standards.

However, and for avoidance of doubt, we do not consider that these changes diminish our objection to this proposal in terms of the principle of development, assessment of landscape and visual impact, impact upon the tranquillity of the National Landscape as well as its cultural and natural heritage, full details of which can be found within our previous responses. In particular we note that the applicant has not responded to our requests relating to the assessment of the potential impacts of the scheme upon the tranquillity of the National Landscape. We would again invite them to address these issues through the submission of additional information.

Please don't hesitate to contact me if you wish to discuss this or our previous response further.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'S. Joyce', with a stylized flourish at the end.

Simon Joyce MRTPI

**Planning Officer**

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## NOTES:

- 1) The name used for the organisation associated with the AONB designation is the Cotswolds National Landscape Board. At times this is abbreviated to National Landscape Board or The Board. The legal name of the organisation remains the Cotswolds Conservation Board but this name is no longer used in most circumstances.
- 2) Cotswolds National Landscape is the new name for the Cotswolds Areas of Outstanding Natural Beauty (AONB). The new name takes forward one of the proposals of the Government-commissioned 'Landscapes Review' to rename AONBs as 'National Landscapes'. This change reflects the national importance of AONBs and the fact that they are safeguarded, in the national interest, for nature, people, business and culture.