

**B&NES puts the final case for the current applications from
NRR and Linden Homes
for the Radstock Railway Land**

A Response from Radstock Action Group

to the documents submitted by B&NES and including the Background Papers and Officer's Recommendations for current applications for the Radstock Railway Land. These documents are available at:

<http://democracy.bathnes.gov.uk/documents/s29020/PlansList.pdf>

This 86 page document which was released last week contains a summary of the relevant statutory and other documentation which has been assembled by Bath and North East Somerset in relation to all the NRR/Linden Homes applications for the Railway Land (13/02534/CA; 13/02436/EOUT; 13/03787/CA; 13/03786/EFUL).

Radstock Action Group has submitted detailed objections elsewhere, so the aim of this document is to highlight some major issues which are raised afresh by this latest publication.

LINDEN HOMES PLEADS THAT IT CANNOT PAY THE SECTION 106 CONTRIBUTION

Section 106 moneys are a normal part of major building/development agreements. According to the government's own Planning Advisory Service,

'Planning obligations under Section 106 of the Town and Country Planning Act 1990 (as amended), commonly known as s106 agreements, are a mechanism which make a development proposal acceptable in planning terms, that would not otherwise be acceptable. They are focused on site specific mitigation of the impact of development. S106 agreements are often referred to as 'developer contributions'¹

In other words, they require that the developer pays for remediating/compensating/improving an area which has been subject to major building/project work.

But Linden Homes says it can't pay. It's done a Viability Assessment which shows them they can't make enough profits if they have to contribute money for community improvements. In the words of the B&NES report:

'The applicant has sought a reduced package of Section 106 provision than would be required in accordance with the Council's Supplementary

¹ (http://www.pas.gov.uk/3-community-infrastructure-levy-cil/-/journal_content/56/332612/4090701/ARTICLE)

Planning Document and has supported that reduction on grounds of marginal viability by the submission of a viability assessment.

It continues:

'As a consequence of the marginal viability of the scheme (as has been demonstrated in the viability assessment), notwithstanding that the application indicates in its supporting documentation that measures such as new play equipment, open space provision, management and maintenance, and tree planting would form a part of the open space and public realm strategy the scheme does not make any provision for these within the Heads of Terms proposed The viability assessment has in that regard concluded upon the basis of the profits within the scheme that these and other Section 106 contributions which officers have calculated as being required in accordance with the Council's adopted Obligations SPD would not in this case render the scheme viable. Aside from the public realm and play area provisions this applies to the financial sums sought for education and open space provision as set out within the ducation and parks officers response'.

In practice, this means, for example, that there will be no contribution towards the provision of extra school places and buildings (the contribution asked for stands at between (£1,464,117 and £1,031,233), a decrease in the number of affordable housing units, no open space contribution (asked for at £872,613).

Notwithstanding all of this, B&NES concludes that this is the 'best which is likely to be achieved on this difficult site' and therefore is mindful to let it all go ahead. So, Radstock will be left with a housing development of dubious quality with no attempts to mitigate its impact, while Linden Homes safeguards its profits.

LINDEN HOMES FLIES IN THE FACE OF AFFORDABLE AND SOCIAL HOUSING REQUIREMENTS

At present, full planning permission is requested for one of three parts of the site. On it, Linden Homes proposes to build 70 residential units. Policy requires, amongst other things, that:

1. 35% of housing must be affordable (Policy HG.8)
2. Affordable Housing should be mixed within the general development through a policy commonly called 'pepper-potting'.

Neither of these policies will be observed on this site.

As the Housing Development Officer says:

'The affordable housing obligation generated by this application is required to be Policy HG.8 compliant (35%). The applicant has prepared a viability appraisal which considers the commercial implications of the proposed scheme in order to justify lower levels of provision. Until such time as the

Planning Authority has tested the scheme viability and the need for flexibility or gap funding is confirmed the 35% provision is required.'

Pepper-potting will not occur.

The current proposal for the central area is that there will be:

1. 70 residential units
2. Of these units, 67% will be affordable housing units:
 - a. 23 will be open market housing
 - b. 47 will be affordable housing

There will be no affordable housing on either of the other two areas which are sought for development at a later stage.

The report states:

'It is not usually regarded as preferable to locate 67% of an affordable scheme in one location and pepper-potting units throughout the overall scheme would be preferable.'

B&NES has already tried to sell this scheme on the basis that it will provide affordable housing for local people. We know that this is not necessarily the case as those entitled to bid for affordable housing must take their place in a weighted list which is open to all B&NES people with no priority given to local people. Now we learn that there is going to be less affordable housing than required and that it will all be squashed into a single restricted area right in the centre of the conservation area.

And yet, B&NES is recommending acceptance.

PARKING GOES, RAIL TOO.

The Victoria Hall Car Park will disappear and on street parking in Fortescue Road and The Street will be reduced (between 44 and 50 spaces by B&NES own admission). In its place, the developer says they will provide 14 parking spaces. Not only does this mean there will be far fewer parking places for those who already live, work and shop in Radstock, but no account is taken of increased car journeys produced by the arrival of 70 new residential units.

The developer says there's plenty of room in the Waterloo Road Car Park, a position not supported by local people trying to park in the town.

This is clearly not good for Radstock, for its traders, its tourist offer, its businesses or its residents. Until such time as there is a proper, cheap, efficient public transport system, people will have no choice but to rely on their cars.

The best hope for improved public transport, namely the reinstatement of the rail link between Radstock and Frome is made far less likely by these proposals.

THE ROAD

This report contains no ringing endorsements for the new road proposals. The report states that:

'As noted by the Conservation Officer these (the highway proposals – our note) will have a detrimental visual impact that is considered of increased effect over the previous approved scheme'

It also states that:

The highway proposals have been modelled by the highways team and the highway officers advise that in transportation terms they represent an improved situation that will ease the movement of vehicles through Radstock.'

But nowhere do they explain how. Instead, they propose a hotchpotch of new crossings, additional lights, more roundabouts, unenforceable weight limits and speed limits, two-way traffic in The Street and reversal of traffic direction in Fortescue Road.

SO MUCH FOR REGENERATION

Where in all this and the rest of the 86 pages is there any real evidence that this scheme will benefit Radstock and aid its regeneration? The answer according to B&NES is in:

- Housing
- Provision of commercial and/or community resource space
- Public realm works for the benefit of new and existing residents
- Improved transport infrastructure including the provision of a new high street
- Maximized use of previously developed land
- Provision and enhancement of wildlife corridors and retained habitat
- Delivery of the key link of the National Cycle Network

Praiseworthy as many of these might appear, we already know that much of it will not happen owing to the developer wishing not to contribute financially. But more serious even is the fact that this does not add up to a plan for regeneration which will provide jobs and housing for local people, which will provide a public transport infrastructure that will encourage new links and investment in the town, rather than facilitating the outward commuting of car owning residents in the new housing.