

## West of England Joint Spatial Plan - Publication Representation Form

The West of England councils - Bath & North East Somerset, Bristol City, North Somerset and South Gloucestershire councils are inviting representations on the Publication Document of the West of England Joint Spatial Plan. These will be considered by the examining Inspector in the context of the soundness and legal compliance of the Plan.

**Please return this form by Wednesday 10<sup>th</sup> January 2018.**

**Email to:** [comment@jointplanningwofe.org.uk](mailto:comment@jointplanningwofe.org.uk) **or post to:** West of England Joint Spatial Plan, C/o South Gloucestershire Council, Planning, PO Box 1954, Bristol BS37 0DD

**This form has two parts:**

**Part A** – Personal Details

**Part B** – Your representation.

**Please fill in a separate sheet for each representation you wish to make.**

To ensure your representation is restricted to issues of soundness and legal compliance, you are advised to refer to the accompanying **Guidance Document** and make your representation on this official form that has been specifically designed to assist you in making your representation.

**Please be aware that all comments made on the Joint Spatial Plan will be publicly available.**

Anonymous forms cannot be accepted and so to submit your form you must include your details below.

You should refer to section 5 in the Guidance Document for advice on how to make a **joint representation**.

### Part A

#### 1. Personal Details\* 2. Agent's Details (if applicable)

\* If an agent is appointed, complete only the Title, Name and Organisation boxes in 1. below adding the agent's details in 2 below.

Title*	Mrs	
First Name*	Susan	
Last Name*	Simmons	
Job Title (where relevant)	Parish Clerk	
Organisation* (where relevant)	Westerleigh Parish Council (Westerleigh Ward)	
Address Line 1		
Address Line 2		
Address Line 3		
Address Line 4		
Post Code		
Telephone Number	07530 312700	
E-mail Address	westerleighpc@gmail.com	

Signature SWSIMMONS

Date 9 Jan 2018

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## Part B - Your Representation

Please use a separate form for each representation made and read the accompanying **Guidance Note** that accompanies this form before you complete it.

Name or Organisation:

**Q1. On which part of the Joint Spatial Plan are you commenting? Please see the note above.**

Chapter  Paragraph  Policy

Key Diagram

**Q2. Do you consider the Joint Spatial Plan to be:**

Legally compliant?	Yes	<input type="text"/>	No	<input type="text" value="X"/>
Sound?	Yes	<input type="text"/>	No	<input type="text" value="X"/>
Compliant with the Duty to co-operate?	Yes	<input type="text" value="X"/>	No	<input type="text"/>

Please tick as appropriate

**Q3. Please give details of why you consider the Joint Spatial Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate. Please be as precise as possible.**

If you wish to support the legal compliance or soundness of the Joint Spatial Plan or its compliance with the duty to co-operate, please also use this box to set out your representation.

The west Yate development proposes new warehousing and light industrial units up to the border of Westerleigh village and Westerleigh Parish Council considers these to be unsound and not legally compliant for the following 3 reasons:

a) These units would surround Rodford Elm Farm, and lie across Westerleigh Road from the property called "Sign of the Dolphin". Both of these properties are grade 2 listed and the proximity of warehousing or industry is inappropriate.

WPCWW consider this contravenes:

**NPPF Section 12. Conserving and enhancing the historic environment**

**Paragraph 129.** Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this assessment into account when considering the impact of a proposal on a heritage asset, to avoid or minimise conflict between the heritage asset's conservation and any aspect of the proposal.

**Paragraph 132** When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or

## West of England Joint Spatial Plan - Publication Representation Form

*destruction of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification. Substantial harm to or loss of a grade II listed building, park or garden should be exceptional. Substantial harm to or loss of designated heritage assets of the highest significance, notably scheduled monuments, protected wreck sites, battlefields, grade I and II\* listed buildings, grade I and II\* registered parks and gardens, and World Heritage Sites, should be wholly exceptional.*

b) This development would mean there is no green space separation which would result in Westerleigh village merging with Yate. Policy 7.12 itself states “A Green Infrastructure network will reinforce a new Green Belt boundary....” The JSP is therefore contradictory.

This would also be contrary to **NPPF Section 9. Protecting Green Belt land Paragraphs 79 & 80**

**NPPF 9- 79.** *The government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence.*

**NPPF9 - 80.** *Green Belt serves five purposes:  
to check the unrestricted sprawl of large built-up areas  
to prevent neighbouring towns merging into one another  
to assist in safeguarding the countryside from encroachment  
to preserve the setting and special character of historic towns  
to assist in urban regeneration, by encouraging the recycling of derelict and other urban land*

c) The road traffic through Westerleigh has increased greatly over the last 10 years, and the commercial vehicles delivering to and from the warehousing units would also be using the Westerleigh Road to reach the Ring Road and the motorway network. The road through Westerleigh village currently has a weight restriction, frequently ignored and with no enforcement procedures. This would only worsen. Westerleigh Parish Council (Westerleigh Ward) considers that the NPPF Section 4 Paragraph 32 has not been met.

**NPPF Section 4 Paragraph 32. Promoting sustainable transport.** *All developments that generate significant amounts of movement should be supported by a Transport Statement or Transport Assessment. Plans and decisions should take account of whether:*

- *the opportunities for sustainable transport modes have been taken up depending on the nature and location of the site, to reduce the need for major transport infrastructure*
- *safe and suitable access to the site can be achieved for all people*
- *improvements can be undertaken within the transport network that cost effectively limit the significant impacts of the development. Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe*

The West of England Joint Transport Strategy has not been published yet so we are expected to assume that the required sustainable transport links will be provided at some unspecified time in the future. There are similarly no statements in the JSP indicating that housing and industrial developments will not take place until the necessary transport infrastructure is available or committed to. This assumption is not acceptable.

Therefore Westerleigh Parish Council, Westerleigh Ward (WPCWW) considers the Joint Spatial Plan (JSP) legally noncompliant because it has failed to have proper regard to the Secretary of State's national policy and guidance on **green belt land** and **conserving and enhancing the historic environment and Promoting sustainable transport** in making the proposals on Yate close to the

## West of England Joint Spatial Plan - Publication Representation Form

Westerleigh boundary.

It is also not “sustainable development” as required by JSP Policy 2 paragraph 3

Policy 2 – The Spatial Strategy The Joint Spatial Plan housing and job requirements will be achieved through:

3 Enabling non-strategic sustainable development at locations identified and brought forward through local plans to meet the UA housing and employment requirements.

*Please continue on a separate sheet/expand box if necessary*

## West of England Joint Spatial Plan - Publication Representation Form

**Q4. Please set out what modification(s) you consider necessary to make the Joint Spatial Plan legally compliant or sound, having regard to the matter you have identified at Q3 above where this relates to soundness. (Please note that any non-compliance with the duty to co-operate is incapable of modification at Examination.) You will need to say why this change will make the Joint Spatial Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible:**

Westerleigh Parish Council (Westerleigh Ward) objects to proposals contained in 7.12 for the reasons outlined above and suggests that industrial expansion towards Westerleigh village is unacceptable and should be removed from the JSP.

*Please continue on a separate sheet/expand box if necessary*

**Please note** your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested change, as there will not normally be a subsequent opportunity to make further representations based on the original representation at publication stage. **After this stage, further submissions will be only at the request of the Inspector, based on the matters and issues he/she identifies for examination.**

**Q5. If your representation is seeking modification, do you consider it necessary to participate at the oral part of the Examination?**

**No**, I do not wish to participate at the examination hearings

**Yes**, I wish to participate at the examination hearings

**Q6. If you wish to participate, please outline why you consider this to be necessary.**

As the Parish Council it is our duty to represent Parishioners

*Please continue on a separate sheet/expand box if necessary*

**Please note** the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the oral part of the Examination.

**Name**

**Date**

**All representations must be received no later than Wednesday 10<sup>th</sup> January 2018**

**Please keep a copy of this form for future reference.**