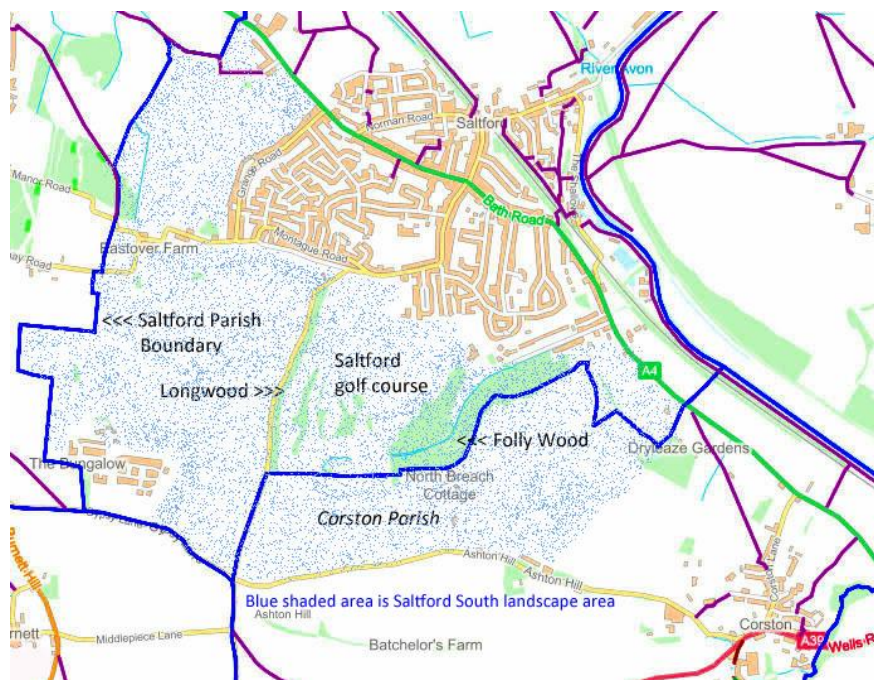


## Landscape designation for Saltford South: Reaffirmation of application with outcome options



### PREFACE

In submitting this reaffirmation of Saltford Parish Council's official application to B&NES Council of 3<sup>rd</sup> January 2023 for a landscape designation for Saltford South in the new Local Plan, SPC refers to the email of 21<sup>st</sup> November 2023 to B&NES Council's Senior Landscape Architect from SPC's Chair of Planning. The email referred to the meeting between SPC Parish Councillors, Keynsham Town Councillors, and B&NES Council Planning Officers held on 20<sup>th</sup> November. At that meeting B&NES Council Planning Officers dismissed SPC's landscape designation bid for Saltford South without making reference to any order or motion passed by B&NES Councillors that prohibited the acceptance of AGLV designations. The reason given was that if Saltford's AGLV request was granted, then other communities within Bath and North East Somerset would seek or have to be offered the same. SPC does not accept that as a sufficient reason to reject the application.

To enable SPC to understand the planning reasons as to why B&NES Council allegedly does not accept the AGLV landscape designation bid, SPC requests that it is provided with appropriate minutes of Council meetings to elucidate the process by which that decision was made as well as the criteria used to underpin that decision.

### PURPOSE OF THIS PAPER

The purpose of this paper is to reaffirm and provide outcome options for SPC's application for a landscape designation for Saltford South in the new Local Plan. This reaffirmation paper should be read in conjunction with that original application and its annex (both documents are attached).

The case made in the January 2023 submission paper remains valid, but this reaffirmation paper provides both an update (in Section 1) on a new legal duty under the Environment Act 2021 and other policies that have emerged since January 2023, and (in Section 2) outcome options for the

Salford South landscape resolved by SPC at its 9<sup>th</sup> January 2024 meeting. Section 3 provides the planning context, that has already been assessed by the Secretary of State, and compliance.

In putting forward this reaffirmation and the outcome options, SPC reminds B&NES Council that the Green Belt around Salford and Keynsham delivers three important functions highly valued by local communities like Salford and Keynsham. These three functions are in line with B&NES Council's existing policy objectives and should therefore be objectives of the Local Plan to meet wider sustainable development criteria. The three functions are:-

- nature recovery - that in turn supports our future food security;
- climate resilience; and
- public health and well-being.

SPC confirms its original request that the landscape designation bid for Salford South (for zones A and B as shown in this paper) is included in the options consultation for the draft Local Plan.

## **SECTION 1. RECENT POLICY DEVELOPMENTS (since January 2023)**

The landscape designation(s) sought supports and is an appropriate response to the B&NES **“Investing in Green Infrastructure and Nature’s Recovery”** prospectus of July 2023. That prospectus extols the virtues of “Landscape Character”. At the prospectus launch Councillor Sarah Warren, deputy leader and cabinet member for Climate Emergency and Sustainable Travel, said: “Delivering high quality green space and waterways across our urban and natural areas provides practical nature-based solutions to address climate and ecological issues. It supports the region’s resilience and delivers outcomes at an international, landscape and neighbourhood scale.”

On 24th July 2023 **Levelling Up, Housing and Communities** Secretary Michael Gove issued a public statement on the "Long-term plan" for housing. Michael Gove's speech included the following points:-

"The quality of the homes that we live in, the physical nature of our neighbourhoods, the design of our communities, determines so much. Our health, our happiness, our prosperity, our productivity - all depend on where we live."

"That is why housing policy - the building of new homes, the stewardship of existing properties, the planning of our towns, the fundamental landscape of our lives - requires long-term thinking. And a long-term plan."

The long-term plan has 10 principles that include these three that make the principled case against Green Belt development:-

The regeneration and renaissance of the hearts of 20 of our most important towns and cities.

Communities taking back control of their future.

Greener homes, greener landscapes and green belt protection.

Under the Environment Act 2021, there is a new legal duty for Ministers and government departments to have “due regard” to the **Environmental Principles Policy Statement (EPPS)** that came into being with effect from 1<sup>st</sup> November 2023. This means Ministers have an obligation to consider the impact their policies will have on the environment as described in the EPPS.

The EPPS covers five environmental principles set out in law that are:-

- the integration principle (that environmental protection be integrated into the making of policies);
- the prevention principle;
- the precautionary principle;
- the rectification of environmental damage at source principle; and
- the polluter pays principle.

For the purpose of this policy statement (the EPPS), and as defined in the Environment Act 2021 section 45, "environmental protection" means:-

- (a) protection of the natural environment from the effects of human activity
- (b) protection of people from the effects of human activity on the natural environment
- (c) maintenance, restoration or enhancement of the natural environment
- (d) monitoring, assessing, considering, or reporting on anything in paragraphs (a) to (c).

EPPC is intended to guide policy decisions and policy making, and specifically "national policy statements, strategies and frameworks" (as described in the "Policy making" section of the EPPS).

The Green Belt is protected by the National Planning Policy Framework (NPPF) and the implementation of planning policy requirements including policy frameworks such as the Government's NPPF, by default, is now subject to the Environmental Principles Policy Statement (EPSS) that is a "statutory document" under the Environment Act 2021.

In the NPPF (2023, Chapter 13) the Green Belt serves 5 purposes :-

- (a) to check the unrestricted sprawl of large built-up areas;
- (b) to prevent neighbouring towns merging into one another;
- (c) to assist in safeguarding the countryside from encroachment;
- (d) to preserve the setting and special character of historic towns; and
- (e) to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

The Green Belt landscape of Saltford South meets all of those 5 purposes of the NPPF and provides an openness with high visual quality, character valued by the local community, distinctiveness and contribution to the historic settlements and the setting of Saltford (and of Keynsham) as described in detail in the January 2023 submission paper.

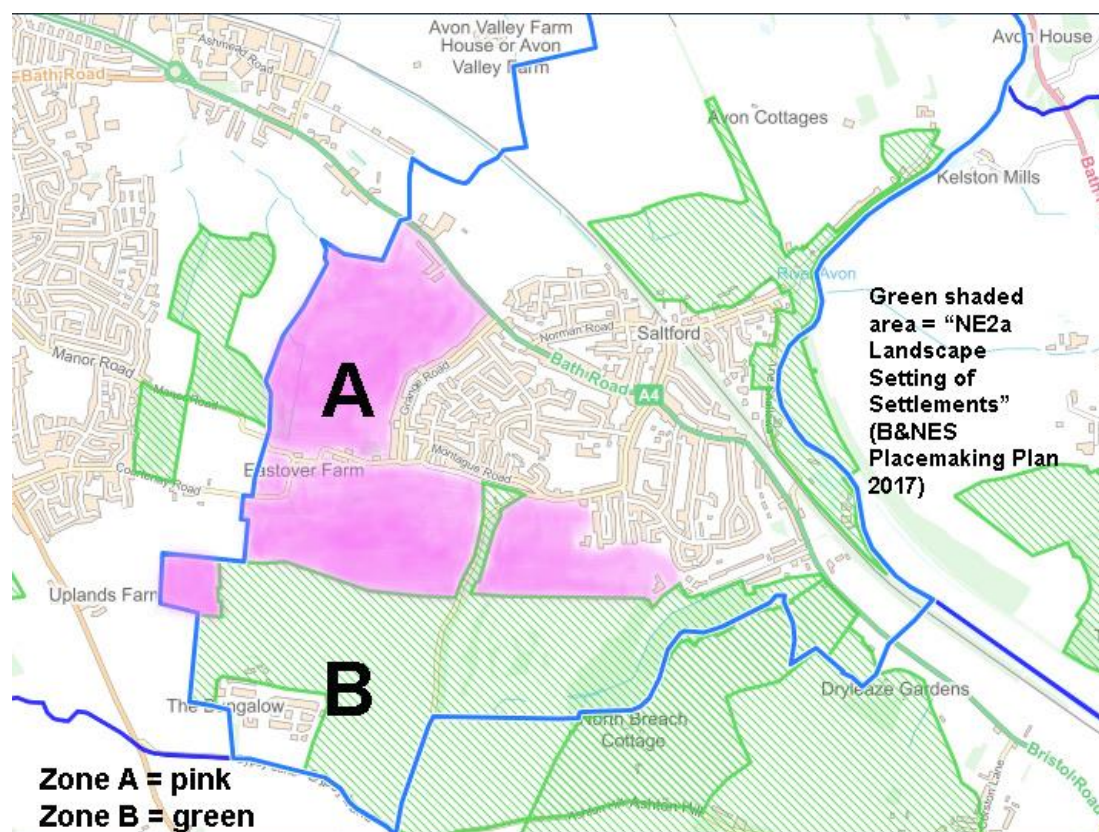
Furthermore, NPPF (paragraph 174) provides the planning policy, that is now strengthened by EPPS, necessary for the protection and enhancement of the environment and landscapes such as Saltford South as follows:-

174. Planning policies and decisions should contribute to and enhance the natural and local environment by:

- a) protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan);

- b) recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland; and
- d) minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures.

## SECTION 2. LANDSCAPE DESIGNATION OPTIONS HIERARCHY FOR SALTFOOD SOUTH



Zone A (pink) :- Green Belt area of Salford South currently without a landscape designation

Zone B (green) :- Green Belt area of Salford South with existing NE2a designation

Note: Zones A and B on the above map are used solely to differentiate between the existing Green Belt areas of Salford South with NE2a designation (B) or without (A)

SPC's January 2023 submission paper requested and made the case for either an Area of Great Landscape Value (AGLV) or Local Green Space (LGS) designation for Salford South or a mix of both. The paper also referenced the B&NES Council's own NE2a "Landscape Setting of Settlements" in the 2017 Placemaking Plan which states that "any development should seek to conserve and enhance the landscape setting of settlements and their landscape character, views and features. Development that would result in adverse impact to the landscape setting of settlements that cannot be adequately mitigated will not be permitted."

An AGLV remains the preferred choice of Salford Parish Council. However, as the most southern part of Salford South already has the B&NES Council NE2a designation (see map in the annex at the end of this document), SPC is prepared to settle on behalf of the community it represents one of three options described and in order of preference are as follows:-

**1<sup>st</sup> OPTION. AGLV + NE2a**

Area of Great Landscape Value (AGLV) designation for all of Salford South (zones A and B on the above map) alongside the existing and retained NE2a designation for zone B that is also expanded to cover zone A.

**2<sup>nd</sup> OPTION. LGS + NE2a**

LGS for zone A alongside the existing NE2a designation for zone B.

Zone A is the area of Salford South most immediately experienced by residents on the south side of Salford as their Local Green Space. It contains PROW footpaths and several permissive footpaths/bridleways (see illustrative map below) that have been in use for many decades; a few are shown on the 1883/4 OS map of Salford.

As a clear example of how the local community values and uses those footpaths, since 2015 after Defra withdrew funding support to landowners, members of the community have annually raised funds via voluntary donations to pay the landowner each year for continued access to the landscape through the use of those permissive paths.

**3<sup>rd</sup> OPTION. NE2a**

NE2a to cover all of Salford South (Zones A and B).

Salford South's Public Rights of Way (PROWs) and Permissive Footpaths/Bridleways



### SECTION 3. PLANNING POLICY: CONTEXT & COMPLIANCE

**The overriding objective** is to provide longer-term protection to Saltford South's historic landscape, its skyline, the setting it provides to Saltford as a large rural village, its openness, the natural habitat and ecology that it supports, and any further potential for ecological improvements from future habitat enhancements.

SPC reminds B&NES Council that on 4<sup>th</sup> March 2014 the Secretary of State for Local Government and Communities dismissed the appeal and REFUSED planning permission for the Crest Nicholson planning application to build up to 99 dwellings on Saltford's Green Belt in fields south of Manor Road (in Saltford South) that he described as "proposals for significant development in the Green Belt".

In reaching his decision, the Secretary of State said, **"the proposed development would result in an unacceptable reduction of the Green Belt in that area."**

He was also **"mindful that the site lies within a substantial sub-area of Green Belt identified as strongly serving the purpose of safeguarding the countryside from encroachment, and attributes considerable weight to this issue in the planning balance."**

In dismissing the appeal and refusing planning permission and taking into account **"the substantial shortage of deliverable housing land in B&NES"** (in 2014) the Secretary of State **"identified harm to the Green Belt's openness and harm to the Green Belt's purpose of preventing encroachment into the countryside"**. He attached **"considerable weight"** about the **"extent of that encroachment"** and that this **"represents considerable harm, to which he attributes substantial weight."**

SPC sees no reason or planning evidence to suggest that the Secretary of State's considered assessment in 2014 of a parcel of land in Saltford South, made under planning policies within the NPPF, and in the context of the purposes for the Green Belt (which has remained unchanged since then), does not apply equally to the whole area of Saltford South.

This landscape designation request to B&NES Council from SPC on behalf of our community as described in this document and its attachments adheres to the declared environmental and planning policies of B&NES Council. It is also in compliance with the Government's planning policies as set out in the NPPF (2023) and in particular the environmental principles to be followed that are required by the Environment Act 2021 of the policies within the NPPF as described in the EPPS of November 2023. **To fail to provide a landscape designation to Saltford South would be a contravention by the Local Planning Authority of the spirit and intent of national planning policies and the over-arching legislation (EA 2021 and the EPPS 2023).**

**Enquiries concerning this document to** Cllr Phil Harding MBE, Chair of Planning, Saltford Parish Council, Email: [phil.harding@saltfordparishcouncil.gov.uk](mailto:phil.harding@saltfordparishcouncil.gov.uk) and copied to the Parish Clerk, Email: [clerk@saltfordparishcouncil.gov.uk](mailto:clerk@saltfordparishcouncil.gov.uk)

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Attachments that accompany this paper: The 3.1.2023 AGLV/LGS application by SPC and its ANNEX.