

Bath and North East Somerset Council Draft Core Strategy

REPRESENTATIONS BY RESPONDENT

Bath and North East Somerset Council - Draft Core Strategy - Representations by Respondent (Numbers 201 to 300)

Respondent Number: 201 Respondent: Suzanne Lawler-McCrea

RepresentationReference: 201\1 S

Plan Reference: Policy RA1: Development in the Villages meeting the listed criteria

Representation (soundness): The Parish Council has consulted the community before reaching this decision.

Change sought to make sound:

Representation (legal compliance): The Parish Council is the local legally elected representative of the community of Clutton and can therefore make decisions on its behalf.

Change sought to make legally compliant:

Respondent Number: 203 Respondent: Ernst Sands

RepresentationReference: 203\1

Plan Reference: Policy CP13: Infrastructure Provision

Representation (soundness): The transport proposals will not be anything like radical enough to mitigate the economic effects, air pollution and noise. They cannot meet present situation let alone all the Bath developments proposed in the next 20 years. Current economic cost of congestion is £50 million per annum ie. 100% less of Bath's current economic output.

Change sought to make sound: There are currently around 17,000 vehicles/ 24 hour period entering Bath from East and West. The total proposed capacity of Park and Ride schemes is only 4,510. This will not significantly reduce congestion/pollution levels. Drastic action will be required on the lines of the London Majors transport Strategy e.g. Congestion charging and low emission zones.

Representation (legal compliance): BANES do not currently meet National or European Air Quality standards. E.g. Nitrogen Dioxide levels in worst case is 208% higher than specified limit. Core Strategy as presently written will not correct this problem and make BANES compliant.

Change sought to make legally compliant: Take steps to ensure BANES is fully compliant with National and European Air Quality standards now and also the next 20 year period.

Respondent Number: 204 Respondent: Geoffrey Hunt

RepresentationReference: 204\1

Plan Reference: Policy B1: Bath Spatial Strategy

Representation (soundness): Re: Beechen Cliff School Playing Fields

Dear Sirs

I have taken an interest in the matter of the possible selling of the 'Lower Field' part of the playing fields to building developers since the latter part of 2001, and have made representations to various bodies since that time. I have been given the Respondent No.2141, and have received answers to my letters from the Council.

I understand that the Council has now published a draft replacement of the Core Strategy Local Plan (SHLAA) which is partly based on the suggestion put forward by housing developers that the Lower

Field is a suitable site for new housing, and should be so regarded.

In a letter I wrote to Cllr. Paul Crossley dated 29 August 2006, (a copy is attached), I set out a number of factors which in my view are against such a contention. Cllr. Crossley informed me that the points I raised in my letter would be added to the body of evidence forwarded to the Local Plan Team. I have also been provided with a copy of the 'Council's Response to Representations on the Deposit Draft 2002'.

The points I raised in my letter are still particularly relevant, and probably more so now that it well recognised and generally accepted that there should be more provision for outdoor sports and informal games, and it seems likely that school pupil numbers will increase.

I trust that the views I earlier expressed will again be taken into account.

Yours truly

Geoffrey Hunt

**Change sought to
make sound:**

Representation (legal compliance):

Change sought to make legally compliant:

Respondent Number: 205 Respondent: Jack Goodfriend

RepresentationReference: 205\1

Plan Reference: Policy B1: Bath Spatial Strategy

Representation (soundness): To whom it may concern,

I am writing in regards to the proposal to create a new housing development on the fields opposite to Greenway Lane.

This open area is used by many local residents and school pupils as a great place for outdoor activities of all kinds. As well as being an important outdoor playing area for residents it is an integral part of the Bath scenery and it's loss would be a great blow to the city of Bath

Sincerely,

Jack Goodfriend

**Change sought to
make sound:**

Representation (legal compliance):

Change sought to make legally compliant:

Respondent Number: 206 Respondent: Paul Hayward

RepresentationReference: 206\1

Plan Reference: Policy B1: Bath Spatial Strategy

Representation (soundness): Beechen Cliff playing Fields

Dear Sir,

I am very concerned to see that once again the issue of housing development of Beechen Cliff playing fields has been raised, how many more times are people supposed to object. These playing fields have been used by my children, and grandchildren and generations of children before them.

The fields are used on a daily basis by the children for both informal play and also supervised sports. Evidence has been produced that the school has insufficient recreational space for the number of children that are in the school. Both Labour and Conservative governments have stressed the value of outdoor recreational facilities. Once these playing fields are used for building they are lost forever which would be a tragedy both for the pupils of the school and the local residents who also use the facilities.

This is a World Heritage City and to use this field would detract from the green infrastructure. It would also greatly increase the amount of traffic onto the Greenway Lane which at peak traffic times is used as a "rat run" already, there are plenty of brown field sites within the city which are more centrally located, and to develop this field for profit would not be in the best interests of the school pupils or the local residents and would be detrimental to the city's World Heritage Status.

Yours Faithfully,

Paul Hayward

**Change sought to
make sound:**

Representation (legal compliance):

Change sought to make legally compliant:

Respondent Number:	207	Respondent: Susan Hayward
--------------------	-----	---------------------------

RepresentationReference: 207\1

Plan Reference: Policy B1: Bath Spatial Strategy

Representation (soundness): Beechen Cliff Playing Fields

Dear Sir,

I read with concern that once again the field by Beechen Cliff School is under threat of housing development.

In my opinion the loss of the playing field to the school is even more serious than it was nearly ten years ago when this was first considered. The number of pupils in this school has increased, not decreased since then, and the closure of Culverhay School is going to make matters worse.

The government has stressed the value of informal sport and play facilities, and of outdoor as well as indoor recreation. I have watched the children playing on this field most days, both in lesson times and at play time. The Headmaster of the school himself wants to keep this field for the children.

Yours Faithfully,

Susan Hayward

**Change sought to
make sound:**

Representation (legal compliance):

Change sought to make legally compliant:

Respondent Number: 208 Respondent: Brian C Tanner

RepresentationReference: 208\1 S

Plan Reference: Policy CP8: Green Belt

Representation Both my wife and I are resident in Bath and North East Somerset and we are writing to register out
(soundness): joint support for the revised Draft Core Strategy which is currently under discussion.

This is Indeed an important document and the forward confirms that this will enable the Council to shape the physical change within the Bath and North East Somerset Council. The Draft Core Strategy provides the strategic policy to guide the change for the development and the use of the available land for the next 15 years until the year 2026

In particular I commend the Strategic Document for the following proposals:
1.0 The Vital importance of enabling protection of the area of the Green Belt infrastructure surrounding Bath is welcomed as noted in Policy CP7

I trust that these comments are helpful in your deliberations.

**Change sought to
make sound:**

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 208\2 S

Plan Reference: Policy B4: The World heritage Site and its Setting

Representation Both my wife and I are resident in Bath and North East Somerset and we are writing to register out
(soundness): joint support for the revised Draft Core Strategy which is currently under discussion.

This is Indeed an important document and the forward confirms that this will enable the Council to shape the physical change within the Bath and North East Somerset Council. The Draft Core Strategy provides the strategic policy to guide the change for the development and the use of the available land for the next 15 years until the year 2026

In particular I commend the Strategic Document for the following proposals:
2.0 It is important that BANES Council ensure that the sovereignty of Bath as a World Heritage Site is protected for the benefit of Generations to come.

I trust that these comments are helpful in your deliberations.

**Change sought to
make sound:**

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 208\3 S

Plan Reference: Policy DW1: District Wide Spatial Strategy

Representation Both my wife and I are resident in Bath and North East Somerset and we are writing to register out
(soundness): joint support for the revised Draft Core Strategy which is currently under discussion.

This is Indeed an important document and the forward confirms that this will enable the Council to shape the physical change within the Bath and North East Somerset Council. The Draft Core Strategy provides the strategic policy to guide the change for the development and the use of the available land for the next 15 years until the year 2026

In particular I commend the Strategic Document for the following proposals:
3.0 The prioritisation of Brownfield sites for the development of new housing development.

I trust that these comments are helpful in your deliberations.

**Change sought to
make sound:**

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 208\4 S

Plan Reference: Policy B1: Bath Spatial Strategy

Representation Both my wife and I are resident in Bath and North East Somerset and we are writing to register out
(soundness): joint support for the revised Draft Core Strategy which is currently under discussion.

This is Indeed an important document and the forward confirms that this will enable the Council to shape the physical change within the Bath and North East Somerset Council. The Draft Core Strategy provides the strategic policy to guide the change for the development and the use of the available land for the next 15 years until the year 2026

In particular I commend the Strategic Document for the following proposals:
4.0 The Development of MOD Sites.

I trust that these comments are helpful in your deliberations.

**Change sought to
make sound:**

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 208\5 S

Plan Reference: Policy CP6: Environmental Quality

Representation Both my wife and I are resident in Bath and North East Somerset and we are writing to register out
(soundness): joint support for the revised Draft Core Strategy which is currently under discussion.

This is Indeed an important document and the forward confirms that this will enable the Council to shape the physical change within the Bath and North East Somerset Council. The Draft Core Strategy provides the strategic policy to guide the change for the development and the use of the available land for the next 15 years until the year 2026

In particular I commend the Strategic Document for the following proposals:
5.0 The commitment to the environment and also to protect local wildlife and their habitats.

I trust that these comments are helpful in your deliberations.

**Change sought to
make sound:**

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 208\6 S

Plan Reference: Policy B2: Central Area Strategic Policy

Representation (soundness): Both my wife and I are resident in Bath and North East Somerset and we are writing to register out joint support for the revised Draft Core Strategy which is currently under discussion.

This is Indeed an important document and the forward confirms that this will enable the Council to shape the physical change within the Bath and North East Somerset Council. The Draft Core Strategy provides the strategic policy to guide the change for the development and the use of the available land for the next 15 years until the year 2026

In particular I commend the Strategic Document for the following proposals:
6.0 The proposed development of the Central area and Western Corridor is much welcomed.

I trust that these comments are helpful in your deliberations.

Yours sincerely,

Brian C. Tanner.

**Change sought to
make sound:**

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 208\7 S

Plan Reference: Policy CP5: Flood Risk Management

Representation (soundness): Both my wife and I are resident in Bath and North East Somerset and we are writing to register out joint support for the revised Draft Core Strategy which is currently under discussion.

This is Indeed an important document and the forward confirms that this will enable the Council to shape the physical change within the Bath and North East Somerset Council. The Draft Core Strategy provides the strategic policy to guide the change for the development and the use of the available land for the next 15 years until the year 2026

In particular I commend the Strategic Document for the following proposals:
7.0 The proposal of Flood Risk Management as noted in Policy CP5 is most important, more so in an ever changing pattern in the Climate.

I trust that these comments are helpful in your deliberations.

**Change sought to
make sound:**

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 208\8 S

Plan Reference: Paragraph 5.36

Representation (soundness): Both my wife and I are resident in Bath and North East Somerset and we are writing to register out joint support for the revised Draft Core Strategy which is currently under discussion.

This is Indeed an important document and the forward confirms that this will enable the Council to shape the physical change within the Bath and North East Somerset Council. The Draft Core Strategy provides the strategic policy to guide the change for the development and the use of the available land for the next 15 years until the year 2026

In particular I commend the Strategic Document for the following proposals:
8.0 I was pleased to note that you propose full support for local farming and full protection of the flood production chain.

I trust that these comments are helpful in your deliberations.

**Change sought to
make sound:**

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 208\9 S

Plan Reference: Policy B1: Bath Spatial Strategy

Representation (soundness): Both my wife and I are resident in Bath and North East Somerset and we are writing to register out joint support for the revised Draft Core Strategy which is currently under discussion.

This is Indeed an important document and the forward confirms that this will enable the Council to shape the physical change within the Bath and North East Somerset Council. The Draft Core Strategy provides the strategic policy to guide the change for the development and the use of the available land for the next 15 years until the year 2026

In particular I commend the Strategic Document for the following proposals:
9.0 The reduction in housing numbers to represent a more realistic need and at an affordable level for the development and growth in the region.

I was pleased to note that you have removed from the Draft Core Strategy document (December 2010 version) the proposed Urban Extension on the South side of Bath.

I support all the efforts by BANES Council to protect this land from unwanted development and to afford it an 'Area of Natural Beauty' Status.

I trust that these comments are helpful in your deliberations.

**Change sought to
make sound:**

Representation (legal compliance):

Change sought to make legally compliant:

Respondent Number: 209 Respondent: Elona Cooper

RepresentationReference: 209\1

Plan Reference: Policy B1: Bath Spatial Strategy

Representation (soundness): Dear Council Planners,

I am writing to express my concern that the Lower Field at Beechen Cliff School could be released for housing development.

This open space gives public access to wonderful panoramic views over Bath, and is well used for recreational pursuits by people of all ages. Beechen Cliff School is already short of space and due to expand in the next few years with the closure of Culverhay School. It would be detrimental to the health and well-being of pupils to reduce the playing fields available by building on the Lower Field.

I hope you will consider the case for preserving this area of open space very carefully as it would be a very sad day for Bath if the Lower Field was sold for development.

Yours Faithfully,

Elona Cooper

**Change sought to
make sound:**

Representation (legal compliance):

Change sought to make legally compliant:

Respondent Number: 210 Respondent: Cristina Lopez Garcia

RepresentationReference: 210\1

Plan Reference: Policy B1: Bath Spatial Strategy

Representation (soundness): To whom it may concern:

I am writing about the possibility of housing development on the school's field next to Greenway Lane.

This is a wonderful open space which is used both by the school pupils and also by many people of all ages for walking and playing during weekdays and at the weekends. It forms a beautiful way through between Wells Road and Alexandra Park and it is an irreplaceable piece of open green space free for everybody to enjoy.

I feel Bath would be 'poorer' for the possible loss of this field.

Yours sincerely,

Cristina Lopez Garcia

**Change sought to
make sound:**

Representation (legal compliance):

Change sought to make legally compliant:

Respondent Number: 211 Respondent: Elizabeth J. Glasbey

RepresentationReference: 211\1

Plan Reference: Policy B1: Bath Spatial Strategy

Representation (soundness): Objection to SHLAA: Beechen Cliff Playing Fields

Dear Sirs,

I object to the development or any development on Beechen Cliff School Playing Fields due to any additional traffic resulting in a restricted closure on the lane, forcing west and east end traffic to go only in one direction ie. From whence they came, not being able to travel the whole road.

I travel all the way down Lyncombehill, left along the Lower Bristol Road, to the left opposite Reault garage, wiggling through Oldfield Park to my work in Crandale Road purely to avoid being frightened, hurt or worse by going the much short route to work by getting onto the wellsway road during the (school) rush hour - I will not put my life at risk and as I understand if any development goes ahead, the road will be blocked ie. Greenway Lane, I can only say again... I object Sir; Thank you for listening.

Yours Faithfully,

Ms. Elizabeth J. Glasbey

**Change sought to
make sound:**

Representation (legal compliance):

Change sought to make legally compliant:

Respondent Number: 212 Respondent: Daniel Pepper

RepresentationReference: 212\1

Plan Reference: Policy B1: Bath Spatial Strategy

Representation (soundness): To the planning department

Re: Development of Beechen Cliff Playing Fields.

I wish to stress my opposition to this development. I have spoken with many friends and they are all in agreement that this is grossly detrimental to the city,

Yours,

Daniel Pepper

**Change sought to
make sound:**

Representation (legal compliance):

Change sought to make legally compliant:

Respondent Number: 213 Respondent: Richard Nash

RepresentationReference: 213\1

Plan Reference: Policy RA1: Development in the Villages meeting the listed criteria

**Representation
(soundness):**

**Change sought to
make sound:**

Representation (legal compliance): Because I believe that both BANES and SALT福德 p.c. Acted in an unfair and unreasonable manner and therefore illegally. By colluding to take Saltford out of the Core Strategy, as a development village. BANES had originally placed Saltford as a development village, and then on the recommendation of Saltford P.c BANES removed it as such from the Core Strategy, This in spite of SALT福德 p.c. knows full well, as a result of the parish plan survey that 432 Households in Saltford wanted to move to smaller properties in Saltford. Those chose to ignore this acting totally unfairly and unreasonably.

Change sought to make legally compliant: Put Saltford back in the Core Strategy as a development Village.

Respondent Number: 214 Respondent: High Littleton Parish Council

RepresentationReference: 214\1

Plan Reference: Policy RA1: Development in the Villages meeting the listed criteria

Representation (soundness): Our representations refer to Chapter 5 Rural Areas, section 5b Vision and Policy Framework : Para 5.18 states that 'villages which currently meet these criteria (i.e as defined in Para 5.17) and that have some capacity for development. ...This indicative list of Villages will be included in the review of the Core Strategy'. High Littleton Parish Council (HLPC), which represents the villages of High Littleton and Hallatrow, considers that this wording is too loose and vague.

The Core Strategy should define, categorically, the villages that do or do not meet the criteria. The list of RA1 villages should not be 'indicative' but definitive. There have been lengthy and substantial consultations during the Spatial Options Consultation period to define which villages should and should not be included, which was the purpose of the consultation process. HLPC has made strong representations in this respect during the Spatial Options consultation process, stating that it does not want High Littleton or Hallatrow to be included as a Policy RA1 village, and giving clear reasons for this. (Please refer to previous representations to the Spatial Options consultation by HLPC.) High Littleton has absolutely no capacity for expansion, and wishes its long established village boundary to remain as it is. It does not want any risk of there being development promoted at a future time 'adjoining the housing development boundary' of High Littleton or Hallatrow. HLPC is concerned that, with the current wording of Paras 5.18, High Littleton and Hallatrow, and other villages that do not have any development capacity, may nevertheless find themselves subsequently included on the list at a future time. Via 'the back door', simply because the current wording of this paragraph is open to interpretation because of its vagueness. Whilst High Littleton fits the criteria of draft Policy RA1, in terms of sub paras a,b and c, HLPC has consistently stated that, notwithstanding. For clearly stated reasons, it does not wish to be included on the selected list, and it wishes this made absolutely clear by the re-wording of the relevant Core Strategy paragraphs and Policy RA 1 (see below)

Change sought to make sound: Para 5.18 should be re-worded as follows:

make sound: 'The Villages which meet these criteria and have some capacity for development are: Batheaston, Bishop Sulton, Farmborough, Temple Cloud, Timsbury and Whitchurch. These villages are shown on the diagram 18. This list of villages will be included in the Core Strategy review.'

Policy RA 1 Development in the villages meeting listed criteria should be reworded as follows:
'Proposals for residential and employment development of a scale, character and appearance appropriate to the Village and its setting will be acceptable in and adjoining the housing development boundary of those Villages defined in 5.18, namely Batheaston, Bishop Sulton, Farmborough, Temple Cloud, Timsbury and Whitchurch, provided the proposal is in accordance with the spatial strategy for the District set out under policy DW1 and the Village has: etc...'

Representation (legal compliance):

Change sought to make legally compliant:

Respondent Number: 215 Respondent: West Country Park Home Estates

Representation Reference: 215\1

Plan Reference: Policy RA1: Development in the Villages meeting the listed criteria

Representation (soundness): Dear Sir,

I write to express my concern and objection to the proposed development of 340 houses adjacent to the Orchard Park address in Whitchurch Bristol.

The Orchard Park site which I own is retained particularly for over 55s, semi retired and retired people only. Also no dogs or children are allowed, this for the express purpose of minimising noise. The views from the park, overlooking Green Belt Land, give a lovely outlook and a sense of country which give the feeling of peace and tranquillity which is exactly what's enjoyed by the residents. The community spirit that prevails on the park allows a relaxed atmosphere of co-existence and co-operation within a group of like minded people. People living there take pride in their houses and gardens which gives pleasure to the residents and visitors alike. Limited access to the park allows the residents to enjoy a sense of security with Orchard Park which is a Park Home Residential Park.

I understand that the proposed development would be a lengthy process which means that they will have to endure at least 3 years (and probably considerably more) of the noise, disruption and inconvenience of this process. Then it would go from a peaceful little haven to the noise of being surrounded by a "new town" half of our residents would be bordered on two sides. Whitchurch village only has 420 approx houses and development of this size would nearly double the size of the existing village and would join us to Stockwood and therefore to Bristol. All the development is on Green Belt land. Green Belt land has a certain amount of protection by way of planning policy guidelines and this was to:-

- Stop Urban Sprawl
- To maintain the countryside
- To prevent villages and towns from being joined up by development.

This proposed development contravenes all of the above to the detriment of this area. Finally the road system/infrastructure will be completely unable to cope with the anticipated number of vehicles - upwards of 700 cars etc - particularly at the junction of Staunton Lane with the already congested A37. During a recent survey of the site it was determined that 100% of the residents have expressed their objections to this proposal.

Kindly confirm that you will do your best to help us to prevent this from happening.

Yours sincerely,

David Newman

Change sought to make sound:

Representation (legal compliance):

Change sought to make legally compliant:

Respondent Number: 216 Respondent: Richard Morison

RepresentationReference: 216\1

Plan Reference: Policy RA1: Development in the Villages meeting the listed criteria

Representation (soundness): In accordance with Policy DW1 of the Draft Core Strategy, Saltford is identified as a rural settlement, which will contribute to the accommodation of 800 new homes during the plan period. The emerging strategy appears to support housing development in the village as community facilities and social infrastructure are in existence; a requirement for accommodating residential growth.

In terms of opportunities for growth on the edge of Saltford, the land at Manor Road presents the best option in terms of accommodating a suitable scale of growth that is appropriate for the size of the settlement, whilst also achieving a level of new housing that will support additional benefits, notably the provision of affordable housing.

Growth elsewhere on the edge of Saltford is constrained by a number of environmental and strategic constraints:

North of Village – The land drops away and becomes increasingly rural, forming part of the Avon Valley; is partly protected as a recreation ground; and is located adjacent to the historic heart of the Village and the Conservation area. It also forms part of the Green Belt.

East of Village – This land is designated within the Area of Outstanding Natural Beauty (AONB), flood plain and also forms part of the Green Belt.

West of Village – Development here would result in the future coalescence of the Green Belt land separating Saltford from Keynsham.

South of Village – This is largely restricted by the presence of Saltford Golf Club, save from the site that is the subject of these representations.

We would also highlight that the site is not located in the AONB, is not located within the defined floodplain and is not located within Saltford conservation area. Further, development at the subject site would be spatially consistent with the development pattern of the existing settlement.

The site is well served by Manor Road, with good visibility in both directions and is in immediate proximity to the nearby Primary School to the north.

The site is reasonably accessible to local facilities in the form of shops and public transport located in the heart of the village on the main A4 (approx 120m distance from the site).

This site is considered to be suitable, available and achievable for new development and can deliver the provision of new homes in the next five years.

Change sought to make sound:

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 216\2

Plan Reference: Policy DW1: District Wide Spatial Strategy

Representation The Draft Core Strategy Publication (December 2010) identifies a requirement for 11,000 new homes in
(soundness): the period to 2026. Of this figure 800, new homes are identified for the Rural Areas.

In line with the letter to all Local Authorities of 21 December 2009 (from the Government Office for the South West) we would endorse the position and advice which remains that the Proposed Changes to the RSS are likely to be 'material considerations' for any future planning decisions. As such, the increased need for new housing in the District should be recognized through higher allocations of housing land, however this may be distributed. This position remains given the recent successful challenge to the High Court by CALA homes; the RSS continues to be a material consideration.

The option of dispersing growth to rural centre's, to further sustain their future is preferable to previous versions of the Core Strategy that proposed an option for growth centered on existing cities. We note however that the figure of 800 new homes is significantly fewer than in previous revisions of the Core Strategy.

**Change sought to
make sound:**

Representation (legal compliance):

Change sought to make legally compliant:

Respondent Number: 217 Respondent: National Grid Property Holdings Ltd

RepresentationReference: 217\1

Plan Reference: Policy B1: Bath Spatial Strategy

Representation 2) Effective

(soundness): National Grid are of the view that Policy B1 as currently drafted is unsound because it is not effective in terms of deliverability and flexibility. PPS12 sets out that in order to be effective, DPDs must be deliverable, flexible and able to be monitored.

Deliverability

National Grid and Wales and Western Utilities (NG) previously made representations to the Core Strategy Spatial Options Consultation in 2009. The Strategy indicated that the River Corridor area should be identified as a 'Strategic

Site', and, with reference to the adopted Masterplan SPD for the Western Riverside explained that '... the Core Strategy will not vary the principles that have already been established for this area'. NG's representations at that time

generally supported this approach, but highlighted that the document should refer to the constraints associated with Bath's contaminated industrial land, and the need to maximise the use of brownfield sites.

National Grid (NG) are committed to working with the Council, other landowners and stakeholders to deliver the redevelopment of the Midland Road / Windsor Bridge Road site, which offers a highly sustainable location for development

which would contribute to the wider regeneration of the Western Riverside Area.

Saved Policy GDS.1/B1 of the Bath and North East Somerset Local Plan allocates the wider Western Riverside area for comprehensive mixed use development, including significant provision for business development (Class

B1), and approximately 450 new dwellings to be delivered by 2011. The Bath Western Riverside SPD (Adopted 2008) provides a masterplan for this area, and identifies the NG site for residential led mixed

use including community and local retail. Clearly, the current economic climate is very different to that which set the backdrop to the preparation and adoption of the Western Riverside SPD. Increasingly challenging and difficult economic circumstances - combined with the significant cost associated with the decommissioning and removal of the existing gas holders and the subsequent remediation works required to bring the site forward for development – mean that it is now clear that the form and quantum of development currently proposed under the Western Riverside SPD for the NG and Wales and Western land at Windsor Bridge Road will not provide a viable development opportunity. Higher value uses such as retail, as well as residential development, will be required to overcome the prohibitive costs of redeveloping this site. Accordingly, the current allocation of the site will compromise the ability of NG to provide a viable development, in turn thereby prejudicing the regeneration of the site. As such, Policy B1 of the draft Core Strategy (at Part 6D under the heading 'Shopping') should be amended to include reference to the potential for new retail floorspace to be located in sustainable out-of-centre locations where such development will bring wider regeneration benefits and help enable brownfield sites to be brought forward for development.

Flexibility

At Part 5B under the heading 'Previously Developed Land' the document states that the Council will seek to transform the Western Riverside into a contemporary residential neighbourhood. This does not offer sufficient flexibility in terms of proposed uses at the Western Riverside site, where solely residential development is unlikely to be viable. There needs to be flexibility to enable the NG sites to be brought forward for development. The effectiveness of the DPD as a means of enabling the NG land – a prominent, sustainably-located brownfield site – to be brought forward for redevelopment needs to be carefully considered. Whilst NG supported the general policy approach for the site in the Spatial Options consultation in 2009, current economic circumstances now dictate that - as detailed above - higher value uses, including retail, as well as residential, is required, given current economic conditions and the high abnormal costs which will be associated with the decommissioning and removal of the existing gas holders, and the subsequent remediation of the land.

3) Consistent with National Policy

The rehabilitation of contaminated sites is supported by PPS1 entitled 'Delivering Sustainable Development' which seeks to promote the re-use of brownfield sites for development in conjunction with the goal of making suitable land available for development, in line with economic, social and environmental objectives. There are benefits in terms of meeting sustainable development objectives and reducing the threat posed to health and the environment by remediating contaminated brownfield sites. However, the substantial costs associated with decontamination can lead to a situation whereby the costs are so prohibitive that it is not financially viable to bring a site forward for development.

The NG land at Windsor Bridge Road lends itself not only to residential uses, but also retail development. However, the high costs of decommissioning the gas holders, removing them, and remediating the land will not be viable in current economic circumstances.

Paragraph 26 of PPS1 states in regard to development plans that they should:-

“(iii) Not impose disproportionate costs, in terms of environmental and social impacts. Or by unnecessarily constraining otherwise beneficial economic or social development.”

Furthermore, DETR Circular 01/2006, entitled 'Contaminated Land', sets out objectives for such land:

- To identify and remove unacceptable risks to human health and the environment;
- To seek to bring damaged land back to beneficial use; and
- To seek to ensure that the cost burdens faced by individuals, companies and society as a whole are proportionate, manageable and economically sustainable. DETR Circular 02/2000, 'Contaminated Land' (now superseded by DETR Circular 01/2006, Contaminated Land) provided the policy framework

behind PPS23, Planning and Pollution Control. It may not be feasible for a developer to pay the substantial remediation costs required, in addition to the often heavy financial burden of S106 contributions. Such a sum may be deemed disproportionate and in those circumstances may not be in compliance with either PPS1 or DETR Circular 01/2006. If sites are not developed they cannot contribute to 'the maintenance of high and stable levels of economic growth and employment'. In its current form, by requiring a form of development which is not viable, the draft policy is contrary to the economic principles of PPS1.

The issue of whether remediation costs should be taken account of when assessing viability was considered by the Planning Inspectorate in an appeal (ref: APP/C4615/A/08/2066072) at the Former Gas Works, Constitution Hill, Dudley (allowed 13th August 2008). The appeal related to the redevelopment of the site for 162 residential units. The Inspector outlined the main issue when he stated in paragraph 12:- 'A major consideration within the viability reports undertaken is the expenditure involved in remediating the site, and there is significant allowance for the abnormal costs which would arise because of the particular characteristics of the site'. He went on to state:- 'An issue of major significance in assessing the validity of the viability studies is whether the costs of this remediation, amounting to £2.85m, should be deducted for the potential value of the completed development in assessing the residual land value, and thus the economic viability of the alternative developments under construction'.

It was the Council's position that the "polluter pays" principle should be applied, on the basis that the appellant or its predecessors had benefited from the profits that arose from the pollution of the site:- 'It should thus meet the cost of remediation from its current assets to which these profits have contributed. The Council considers that the "polluter pays" principle is supported by the EPA.' After considering the evidence the Inspector concluded in paragraph 17 of his report that:- '... it is appropriate for the costs of the voluntary remediation of the site to be taken into account in assessing the viability of different forms of development on the site. It further seems to be reasonable and correct that, by extension, the costs of further remediation and abnormal works, arising from the nature of the land and its past use but relevant to the particular form of development being assessed, should be taken into account in the same way.'

This appeal decision establishes a precedent that it is appropriate for planning decisions to take account of the abnormal costs of remediation works. Likewise, it is fair and reasonable that the emerging policies should take into account the high costs of remediation in designating land uses. In addition, and in the context of the above, it is also important to consider such abnormal costs in considering affordable housing requirements. Whether this is in the Core Strategy, or another DPD, the policy wording must ensure that specific mention is made of the fact that affordable housing will be sought, having regard to economic viability and site specific circumstances. This is to ensure that the policy is sufficiently flexible to be responsive to matters such as abnormal costs which will arise in bringing sites forward for development, and to ensure accordance with the requirements of PPS3. Where open book viability assessments are required, provision should be made for those circumstances. Where an open book assessment cannot be made publicly available this information may need to be treated on a confidential basis.

Change sought to The current policy states that the Strategy for Bath is to:

- make sound:**
- At Part 5B, "Transform the Western Riverside area into a contemporary residential neighbourhood".
 - At Part 6D, "Focus additional convenience retail floorspace (beyond existing commitments) within and on the edge of existing centres before considering out-of-centre sites that might improve the spatial pattern of provision across the city".

In order to make the policy sound, Part 5B should be changed to read:

- "Transform the Western Riverside area into a mixed-use, residential/retailed location"

In addition, the following wording should be added to Part 6D:

- "Notwithstanding this, the land including and around the existing gas holders at Bath Western Riverside, owned by National Grid and Wales and Western Utilities, is contaminated and requires

remediation. The high abnormal costs associated with redevelopment, combined with the sustainable location of the site, justifies residential and retail development.”

Representation (legal compliance):

Change sought to make legally compliant:

Representation Reference: 217\2

Plan Reference: Policy CP3: Renewable Energy

**Representation 2) Effective
(soundness): Deliverability**

National Grid (NG) previously made representations to the Core Strategy Spatial Options Consultation in 2009. In these representations, it was emphasised with regard to renewable energy targets that any Policy should allow for some flexibility on sites which have significant development constraints, where the costs of delivery renewable technologies can affect the viability of a scheme. National Grid (NG) are committed to working with the Council, other landowners and stakeholders to deliver the redevelopment of the Midland Road / Windsor Bridge Road site, which offers a highly sustainable location for development which would contribute to the wider regeneration of the Western Riverside Area. Draft Policy CP3 suggests that development should contribute to achieving minimum levels of Renewable Electricity and Heat generation by 2026, with 110MWe for electricity and 165MWth for heat.

Whilst NG are generally supportive of this policy approach, the site at Windsor Bridge Road is subject to significant development constraints, particularly the considerable remediation costs associated with the decommissioning and removal of the gasholders, and the remediation of the land. As such, it is important that the policy allows sufficient flexibility in terms of meeting renewable energy targets, where such requirements are likely to compromise the likelihood of certain sites – like the NG site at Windsor Bridge Road – being brought forward for development. Draft Policy CP3 is not therefore effective as it may serve to be a deterrent in bringing the prominent, sustainably-located brownfield site at Windsor Bridge Road forward for redevelopment.

Flexibility

The proposed policy is too restrictive whereby it sets out a minimum level of renewable energy to be achieved as part of any new development. As detailed above, the redevelopment of the NG land at Windsor Bridge Road will be subject to significant abnormal costs associated with the decommissioning of the existing gas holders, and the subsequent remediation of the land. These factors, combined with current economic conditions, are likely to have a significant effect on the viability of any future development of the site. As such, some text should be including stating that, where development constraints may result in abnormally high development costs impacting upon the viability of redevelopment, a reduced level of renewable energy may be acceptable.

3) Consistent with National Policy

The rehabilitation of contaminated sites is supported by PPS1 entitled ‘Delivering Sustainable Development’ which seeks to promote the re-use of brownfield sites for development in conjunction with the goal of making suitable land available for development, in line with economic, social and environmental objectives. There are benefits in terms of meeting sustainable development objectives and reducing the threat posed to health and the environment by remediating contaminated brownfield sites. However, the substantial costs associated with decontamination can lead to a situation whereby the costs are so prohibitive that it is not financially viable to bring a site

forward for development.

Paragraph 26 of PPS1 states in regard to development plans that they should:- "(iii) Not impose disproportionate costs, in terms of environmental and social impacts. Or by unnecessarily constraining otherwise beneficial economic or social development."

Furthermore, DETR Circular 01/2006, entitled 'Contaminated Land', sets out objectives for such land:

- To identify and remove unacceptable risks to human health and the environment;
- To seek to bring damaged land back to beneficial use; and
- To seek to ensure that the cost burdens faced by individuals, companies and society as a whole are proportionate, manageable and economically sustainable.

DETR Circular 02/2000, 'Contaminated Land' (now superseded by DETR Circular 01/2006, Contaminated Land) provided the policy framework behind PPS23, Planning and Pollution Control. It may not be feasible for a developer to pay for the substantial remediation costs required in addition to the costs of development, and the often heavy financial burden of S106 contributions. Such a sum may be deemed disproportionate and in those circumstances may not be in compliance with either PPS1 or DETR Circular 01/2006.

If sites are not developed they cannot contribute to 'the maintenance of high and stable levels of economic growth and employment'. In its current form, by requiring a form of development which is not viable, draft Policy 16 is contrary to

the economic principles of PPS1. The issue of whether remediation costs should be taken account of when assessing viability was considered by the Planning Inspectorate in an appeal (ref:

APP/C4615/A/08/2066072) at the Former Gas Works, Constitution Hill, Dudley (allowed 13th August 2008). The appeal related to the redevelopment of the site for 162 residential units. The Inspector

outlined the main issue when he stated in paragraph 12:- 'A major consideration within the viability reports undertaken is the expenditure involved in remediating the site, and there is significant allowance for the abnormal costs which would arise because of the particular characteristics of the site'. He went on to state:-

'An issue of major significance in assessing the validity of the viability studies is whether the costs of this remediation, amounting to £2.85m, should be deducted for the potential value of the completed development in assessing the residual land value, and thus the economic viability of the alternative developments under construction'.

It was the Council's position that the "polluter pays" principle should be applied, on the basis that the appellant or its predecessors had benefited from the profits that arose from the pollution of the site:- 'It should thus meet the cost of remediation from its current assets to which these profits have

contributed. The Council considers that the "polluter pays" principle is supported by the EPA.' After considering the evidence the Inspector concluded in paragraph 17 of his report that:- '... it is appropriate for the costs of the voluntary remediation of the site to be taken into

account in assessing the viability of different forms of development on the site. It further seems to be reasonable and correct that, by extension, the costs of further remediation and abnormal works, arising from the nature of the land and its past use but relevant to the particular form of development being assessed, should be taken into account in the same way.'

This appeal decision establishes a precedent that it is appropriate for planning decisions to take account of the abnormal costs of remediation works. Likewise, it is fair and reasonable that the policies should take into account the high costs

of remediation. In addition, and in the context of the above, it is also important to consider such abnormal costs in considering renewable energy requirements. Whether this is in the Core Strategy, or other DPD, the policy wording must ensure that specific mention is made of the fact that renewable energy levels will be sought having regard to economic viability and site specific circumstances. This is to ensure that the policy is sufficiently flexible to be responsive to matters such as abnormal costs which will arise in bringing sites forward for development, and to ensure accordance with the requirements of PPS3. Where open book viability assessments are required, provision should

be made for those circumstances.

Where an open book assessment cannot be made publicly available this information may need to be treated on a confidential basis.

Change sought to In order to make the policy sound, the following text should be added:

make sound: • Where sites are subject to abnormal costs, such as those associated with the remediation of contaminated land, there may be scope for flexibility in judging these targets, where the costs of delivering renewable technologies will affect the viability of redevelopment.

Representation (legal compliance):

Change sought to make legally compliant:

Representation Reference: 217\3

Plan Reference: Policy CP10: Housing Mix

Representation 2) Effective

(soundness): Deliverability

National Grid (NG) are committed to working with the Council, other landowners and stakeholders to deliver the redevelopment of the Midland Road / Windsor Bridge Road site, which offers a highly sustainable location for development

which would contribute to the wider regeneration of the Western Riverside Area. Draft Policy CP10 relates to Housing Mix, and sets out that new housing development, both market and affordable, must provide for a variety of housing types and size to accommodate a range of different households. It goes on to state that the mix of housing should contribute to providing choice in tenure and housing type, and that housing developments will also need to contribute to the provision of homes that are suitable for the needs of older people, disabled people and those with other special needs.

Whilst NG are generally supportive of this policy approach, the site at Windsor Bridge Road is subject to significant development constraints, particularly the considerable remediation costs associated with the decommissioning of the gasholders. As such, it is important that the policy allows some flexibility in terms of housing mix where such requirements may serve to compromise the viability of certain sites – like the NG site at Windsor Bridge Road – being brought forward for development. Policy CP10 is not effective in its current form as it could compromise the viability of any redevelopment of the NG site at Windsor Bridge Road, and therefore prevent it being delivered. It is therefore essential that the policy is amended such that it provides for some flexibility in terms of housing mix where this is required to ensure that the viability of redevelopment is not compromised.

Flexibility

The proposed policy is too restrictive whereby it does not provide for any flexibility in terms of housing mix for residential developments in the case of sites which are subject to significant, abnormal costs in order to enable them to be brought forward for development. As detailed above, the redevelopment of the NG land at Windsor Bridge Road will be subject to significant abnormal costs associated with the decommissioning and removal of the existing gas holders, and the subsequent remediation of the land. These factors, combined with current economic conditions, are likely to have a significant effect on the viability of any future development of the site. Policy CP10, as currently drafted, is not sufficiently flexible to allow an appropriate housing mix where this is required to make redevelopment viable. As such, some text should be included stating that, where development constraints may result in abnormally high development costs impacting upon the viability of redevelopment, the housing mix may be negotiable.

3) Consistent with National Policy

The rehabilitation of contaminated sites is supported by PPS1 entitled 'Delivering Sustainable Development' which seeks to promote the re-use of brownfield sites for development in conjunction with the goal of making suitable land available for development, in line with economic, social and environmental objectives. There are benefits in terms of meeting sustainable development objectives and reducing the threat posed to health and the environment by remediating contaminated brownfield sites. However, the substantial costs associated with decontamination can lead to a situation whereby the costs are so prohibitive that it is not financially viable to bring a site forward for development.

Paragraph 26 of PPS1 states in regard to development plans that they should:- "(iii) Not impose disproportionate costs, in terms of environmental and social impacts. Or by unnecessarily constraining otherwise beneficial economic or social development." Furthermore, DETR Circular 01/2006, entitled 'Contaminated Land', sets out objectives for such land:

- To identify and remove unacceptable risks to human health and the environment;
- To seek to bring damaged land back to beneficial use; and
- To seek to ensure that the cost burdens faced by individuals, companies and society as a whole are proportionate, manageable and economically sustainable.

DETR Circular 02/2000, 'Contaminated Land' (now superseded by DETR Circular 01/2006, Contaminated Land) provided the policy framework behind PPS23, Planning and Pollution Control. It may not be feasible for a developer to pay for the substantial remediation costs required in addition to the costs of development, and the often heavy financial burden of S106 contributions. Such a sum may be deemed disproportionate and

in those circumstances may not be in compliance with either PPS1 or DETR Circular 01/2006. If sites are not developed they cannot contribute to 'the maintenance of high and stable levels of economic growth and employment'. In its current form, by requiring a form of development which is not viable, the draft Policy is contrary to the economic principles of PPS1.

The issue of whether remediation costs should be taken account of when assessing viability was considered by the Planning Inspectorate in an appeal (ref: APP/C4615/A/08/2066072) at the Former Gas Works, Constitution Hill, Dudley

(allowed 13th August 2008). The appeal related to the redevelopment of the site for 162 residential units. The Inspector outlined the main issue when he stated in paragraph 12:- 'A major consideration within the viability reports undertaken is the expenditure involved in remediating the site, and there is significant allowance for the abnormal costs which would arise because of the particular characteristics of the site'. He went on to state:- 'An issue of major significance in assessing the validity of the viability studies is whether the costs of this remediation, amounting to £2.85m, should be deducted for the potential value of the completed development in assessing the residual land value, and thus the economic viability of the alternative developments under construction'.

It was the Council's position that the "polluter pays" principle should be applied, on the basis that the appellant or its predecessors had benefited from the profits that arose from the pollution of the site:- 'It should thus meet the cost of remediation from its current assets to which these profits have contributed. The Council considers that the "polluter pays" principle is supported by the EPA.' After considering the evidence the Inspector concluded in paragraph 17 of his report that:- '... it is appropriate for the costs of the voluntary remediation of the site to be taken into account in assessing the viability of different forms of development on the site. It further seems to be reasonable and correct that, by extension, the costs of further remediation and abnormal works, arising from the nature of the land and its past use but relevant to the particular form of development being assessed, should be taken into account in the same way.'

(our underlining) This appeal decision establishes a precedent that it is appropriate for planning decisions to take account of the abnormal costs of remediation works. Likewise, it is fair and reasonable that the policies should take into account the high costs of remediation. In addition, and in

the context of the above, it is also important to consider such abnormal costs in considering housing mix requirements. Whether this is in the Core Strategy, or other DPD, the policy wording must ensure that specific mention is made of the fact that any specific housing mix will be sought having regard to economic viability and site specific circumstances. This is to ensure that the policy is sufficiently flexible to be responsive to matters such as abnormal costs which will arise in bringing sites forward for development, and to ensure accordance with the requirements of PPS3. Where open book viability assessments are required, provision should be made for those circumstances. Where an open book assessment cannot be made publicly available this information may need to be treated on a confidential basis.

Change sought to make sound: In order to make the policy sound, the following wording should be added: • Where sites are subject to abnormal redevelopment costs, such as those associated with the remediation of contaminated land, there may be scope for flexibility in defining an appropriate housing mix.

Representation (legal compliance):

Change sought to make legally compliant:

Respondent Number: 218 Respondent: Keith Tyrrell

RepresentationReference: 218\1

Plan Reference: Policy SV1: Somer Valley Spatial Strategy

Representation (soundness): As it stands it seems to ignore the needs of Writhlington. Changes need to be put into place to give scope for growth of a sustainable community. The local plan needs to take in all the existing houses without exception and also give room for growth to allow our village to prosper.

Change sought to make sound:

Representation (legal compliance):

Change sought to make legally compliant:

Respondent Number: 219 Respondent: Edward Ware Homes Ltd

RepresentationReference: 219\1

Plan Reference: Policy SV1: Somer Valley Spatial Strategy

Representation (soundness): We object to the content of the Core Strategy in terms of its intentions for Peasedown St John. The Core Strategy is seeking only limited development within the settlement due to previous significant housing delivery.

The Council fails to recognize the importance of Peasedown St John and its role within the District and indeed the Region. It is a sustainable settlement with a very good range of services and facilities. The settlement is capable of absorbing more housing growth than the Council anticipates in order to sustain existing social and economic provision and also to encourage a stronger economic position.

Land at Greenlands Road is considered to be suitable, available and achievable and can be delivered for residential development in the short and medium term. The site has the potential to yield approximately 235 new dwellings and the possibility of local facilities such as a Parish meeting room. The site has been presented as an opportunity to the Council through its Development Plan Team. Officers are therefore aware of the sites potential.

Change sought to make sound:

Representation (legal compliance):

Change sought to make legally compliant:

Respondent Number: 220 Respondent: Radstock Cooperative Society

RepresentationReference: 220\1 S

Plan Reference: Policy SV1: Somer Valley Spatial Strategy

Representation Radstock Cooperative Society (RSC) broadly supports Policy SV1 (Somer Valley Spatial Strategy) and **(soundness):** Policy SV3 (Radstock Town Centre Strategic Policy), in particular the classification of Radstock as a market town and a key focus for development. RSC welcomes the scope for delivering increased levels of sustainable development across the Somer Valley as a means of facilitating regeneration, supporting the local community and local business.

Change sought to make sound:

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 220\2

Plan Reference: Policy RA1: Development in the Villages meeting the listed criteria

Representation RSC also broadly supports Policy RA1 (Development in Villages meeting the listed criteria) and Policy **(soundness):** RA2 (Development in Villages not meeting policy RA1 criteria) which direct modest growth to the most sustainable villages in rural areas. RSC supports the Council's view that a wider range of sustainable rural villages should be the focus for development in order to allow modest growth which will help sustain the sense of community, increase the supply of rural housing and encourage investment in local services.

Change sought to make sound:

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 220\3

Plan Reference: Paragraph 7.01

Representation Finally, RSC would like to emphasise that, for various reasons, a substantial number of committed sites **(soundness):** have, and will continue to be, constrained by economic conditions which threaten the deliverability of sites alongside implications for the timing of delivery. RSC consider the Council should give priority to the close monitoring of the portfolio of existing commitments to ensure an actual rolling five year supply of housing sites.

Change sought to make sound:

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 220\4

Plan Reference: Policy SV1: Somer Valley Spatial Strategy

Representation The Society acknowledges that the level of housing growth directed towards the Somer Valley contains
(soundness): a very high level of existing housing commitments. In light of this, the market towns of Midsomer Norton and Radstock will be afforded a new housing allowance of 200 dwellings each over the plan period, and new housing in the local centres of Peasdown St John and Paulton will be very limited.

RSC is concerned that this level of new housing growth provides very little flexibility to bring forward new development and may, in fact, hinder the facilitation of new development in these areas through the private sector. While RSC believes that the level of development will go some way towards increasing the self containment of Radstock town centre, it is enough to make the concerted effort necessary to regenerate the area, in a strategic sense, in the longer term.

RSC consider the emphasis should be placed on facilitating the regeneration, investment and growth of these areas through the Core Strategy. RSC supports the promotion of more housing allocations in the market towns and local centres of the Somer Valley and believes the Council should adopt a flexible attitude to applications which have no significant adverse impact on their surroundings.

Change sought to make sound:

Representation (legal compliance):

Change sought to make legally compliant:

Respondent Number: 221 Respondent: Wm Morrison Supermarkets Plc

RepresentationReference: 221\1

Plan Reference: Policy CP4: Distric Heating

Representation Policy CP4 requires all major developments to demonstrate that CHP/CCHO systems have been
(soundness): selected in accordance with a heat hierarchy. The policy does not define what major development is, and provides no flexibility to cater for circumstances when the provision of CHPO/CCHP will not be suitable or viable. For example, one such circumstance might be when an extension is proposed to an existing building with established non CHP/CCHP heating systems.

There are numerous approaches and technologies available that can deliver efficient and sustainable energy/heating to buildings without the need to rely on CHP/CCHP. Policy CP4 should be sufficiently flexible to allow these alternative to be considered.

Change sought to make sound:

Representation (legal compliance):

Change sought to make legally compliant:

Respondent Number: 222 Respondent: Duchy of Cornwall

RepresentationReference: 222\1

Plan Reference: Policy DW1: District Wide Spatial Strategy

Representation The policy is not sufficiently robust to deal with any increase in housing that may be required on
(soundness): account of changes in demography, for example those forecasted by the DCLG Household Projections 2010 or under-delivery in the

provision of housing and jobs within Bath and North East Somerset.

The Policy is insufficiently flexible to deal with the potential for change to the housing numbers either through under delivery or the need for an increase in housing. The target figure of 11,000 homes is significantly lower than the target figure agreed between authorities in the West of England Partnership (Bristol, B&NES, North Somerset and South Gloucestershire) of 15,500 homes for the Draft RSS.

(More evidence supplied in email)

Change sought to make sound: Policy DW1 must show how the vision, objectives and strategy for the area will be delivered, including making provision for the necessary flexibility to deal with changing circumstances.

As set out in PPS12, the CS should be prepared against the regional framework set out in the evidence base to the draft RSS. This includes having regard to, inter alia, the overall housing requirement to be met during the plan period as well as the broad locations for growth.

The Policy should be amended to provide for a more targeted approach to the distribution and delivery of housing within the Borough. This should include reference to the need for the release of land west of Twerton to provide for a sustainable urban extension for up to around 2,000 dwellings.

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 222\2

Plan Reference: Bath: Strategic Issues

Representation (soundness): With reference to the Strategic Issues for Bath set out on page 29, the Duchy of Cornwall agrees that “more housing and more affordable housing is needed to support economic growth”, and that “there is a significant imbalance between the resident workforce and jobs,” (extracts from paragraphs 6 and 7 on page 29 of the Core Strategy). In order to address these imbalances, there needs to be a commitment to providing a balance of jobs and housing in all new residential developments.

The Duchy of Cornwall adopts a model of providing at least one job per household in its sustainable urban extensions. At Poundbury, in Phases 1 and 2, we have achieved a ratio of more than one job per household, and in Phases 1 and 2 of the Newquay Growth Area we have recently achieved planning permission for this model.

Change sought to make sound: A sustainable urban extension on land West of Twerton could deliver this balance, through the provision of 1,500 or 2,000 homes with an equal number of jobs.

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 222\3

Plan Reference: Policy B1: Bath Spatial Strategy

Representation (soundness): We note the objective to provide 5,700 jobs and 6,000 homes in Bath and whilst the Duchy of Cornwall supports the principle of providing a consistent number of jobs and new homes in Bath to deliver sustainable communities, the key to this is to provide employment close to where people live and to provide sustainable transport.

In order to achieve the Council's corporate strategy smart growth objectives of attracting blue chip companies to invest in Bath and provide affordable homes to retain high calibre graduates, there is a need to provide for more homes and jobs in and around Bath.

The Core Strategy Spatial Options proposed between 7,000 and 8,000 homes and 10,450 to 12,250 jobs. The Submission Draft Core Strategy now proposes 6,000 homes and 5,700 jobs. The Duchy of Cornwall would support an increased provision in homes and jobs at Bath in order to better meet the Council's objectives.

The level of planned growth to be met at Bath is significantly below forecasts considered at the RSS EiP and appears to ignore the importance of the Bath TTWA.

For the reasons set out in our separate but related representations, including in relation to Policy DW1, we object to the constrained approach to housing delivery proposed for Bath.

In addition to the above, whilst the Duchy fully supports the development of Brownfield land in a timely manner, concern is raised about the actual availability of the MOD sites that the SHLAA identified as being available from 2012/2013.

As to the planned approach to the brownfield first principle, we note the EiP Panel's conclusion's (including at sections 0 and 4 of their Report) that greenfield and brownfield development can be regarded as complementary and the contribution of both will be required to meet projected demand. It is further concluded that there is no need for any phasing of the greenfield supply, which should be encouraged to come forward during the early part of the plan period in order to ensure completions commensurate with need and demand. However, the Duchy also supports the early release of previously developed land where it can be shown that such sites are deliverable and can contribute to a sustainable pattern of development.

In accordance with the Panel's findings, we are of the view that the release of greenfield sites for development, including by means of an urban extension to the west of Twerton can provide commensurate levels of supporting infrastructure such as education, health care, open space, community facilities and employment opportunities. These essential elements can be provided as integral parts of strategic site releases, planned for at the Masterplan stage.

The above approach could help provide an appropriate mix of housing types to meet identified needs, including that for affordable. Such proposals can also bring forward a range of supporting infrastructure to sustain and encourage sustainable communities. This enables densities to be maximised on previously developed sites within the urban area.

The Duchy of Cornwall commissioned the Prince's Foundation for the Built Environment (PFBE) to conduct an internal Enquiry by Design in December 2010. The purpose of the EbD was to pull together the various environmental studies undertaken on behalf of the Duchy and to formulate a masterplan that identifies the capacity of the site.

The Bath Urban Extension report, produced by PFBE, is appended to this representation and is relevant to all the representations submitted by the Duchy of Cornwall to the Submission Draft Core Strategy.

Change sought to make sound: An urban extension should be identified on land to the west of Twerton.

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 222\4

Plan Reference: Policy B2: Central Area Strategic Policy

Representation The Central Area comprises the City Centre, South Quays and Western Riverside East, within which the **(soundness):** CS relies upon the delivery of a material amount of housing to come forward during the plan period.

Whilst we acknowledge the benefits that could arise from providing for mixed use developments in the broad location, large parts of the area are defined in the Level 2 SFRA as being located within Bath, large parts of this area lie within flood zones 2 and 3.

In accordance with the sequential approach set out in PPS25 (see paragraph 16), LPAs allocating land in LDDs for development should apply the Sequential test to demonstrate that there are no reasonably available sites in areas with a lower probability of flooding that would be appropriate to the type of development or land use proposed. It is added at paragraph D5 of the PPS that only where there are no reasonably available sites in Flood Zones 1 or 2 should decision-makers consider the suitability of sites in Flood Zone 3.

Change sought to make sound: In accordance with the requirements set out in PPS25, we consider that the CS fails to demonstrate that the approach to providing for development in Flood Zone 3 is the most appropriate option having regard to the reasonable alternatives.

The LPA need to demonstrate that they have undertaken a comprehensive assessment of the sustainability merits and suitability of land outwith areas liable to flood prior to identifying land for development within the Central Area that is within Flood Zone 3.

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 222\5

Plan Reference: Policy B3: Twerton and Newbridge Riverside Strategic Policy

Representation The Western Riverside comprises Twerton and Newbridge Riverside Areas. Again, it is proposed to **(soundness):** provide for a material amount of housing in this broad location in order to help deliver the 6,000 dwelling allocation to be met within the Bath urban area.

1.4. The CS, accompanied by the findings of the SHLAA, suggests that this area could accommodate around 2,500 dwellings during the plan period. This includes the reliance on dwelling completions from the Local Plan Allocation. As set out in the SHLAA, it was assumed at the Local Plan Inquiry in May 2006 that the site would deliver up to 650 dwellings by 2011. We are now in the 2010/11 monitoring year and the site is yet to deliver any completions.

1.5. As identified in the SHLAA, there are a number of constraints to releasing the site for development. The revised estimate is for development to commence at the end of 2010/11 and for 380 dwellings to be completed within the following five years. This appears somewhat optimistic given the fact that outline planning permission for the entire site (including the erection of 2,281 dwellings) was only granted at the end of December 2010 (LPA Ref: 06/04013/EFUL). The decision notice states that the development must be commenced within a 10 year period. Moreover, scale, appearance and landscaping are reserved for future determination. This could serve to delay implementation of the scheme. However, it is acknowledged that full planning permission has been granted for the first phase of development (Phase 1A). This provides for the construction of some 299 dwellings. Accordingly, whilst we have no objection in principle to the anticipated delivery of all 299 dwellings in the period to

2016 from Phase 1A we do not accept the optimistic delivery rates assumed for the outline permission which is identified in the SHLAA for delivery in 2014/15.

1.6. The draft CS fails to provide the necessary flexibility to ensure a contingency in the event that the Western Corridor fails to produce sufficient completions at the rate envisaged by the LPA as set out in the SHLAA.

Change sought to make sound: The LPA need to demonstrate that they have undertaken a comprehensive assessment of the sustainability merits and suitability of land outwith areas liable to flood prior to identifying land for development within the Central Area that is within Flood Zone 3.

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 222\6

Plan Reference: Paragraph 2.22

Representation (soundness): The Policy suggests that suburban Bath (comprising the neighbourhoods) could yield "about" 2,500 dwellings. This strategy relies on the delivery of 850 dwellings from the MoD sites.

The MoD occupies three sites comprising Foxhill to the south of the City, Warminster Road to the east and Ensleigh to the north.

The Council's expectation is that the Foxhill and Warminster Road sites will become surplus to requirements in the period to 2016. It is anticipated that operations will then be consolidated onto the Ensleigh site.

Although the SHLAA suggests the delivery of some 700 dwellings from the Ensleigh site in the period to 2026, with housing delivery anticipated post 2016, the site assessment work suggests the actual dwelling yield could result in fewer dwellings, with a figure of 560 mooted.

It is unclear when the Council received timeframes for relocation from the MOD that are relied upon within the SHLAA and how the MOD's relocation strategy will be affected by the Coalition Spending Review. An updated position should be made clear prior to the formal submission of the Core Strategy to the Secretary of State.

Until there is a firm commitment to vacate the sites, they cannot be relied upon to be developable within the plan period as it is not known when they might become available for development.

The draft CS fails to provide the necessary flexibility to ensure a contingency in the event that the MoD sites fail to come forward for development at the point envisaged by the LPA.

Change sought to make sound: The delivery assumptions should be based upon an up to date assessment and anticipated site delivery. The number of completions relied upon to come forward within Bath's neighbourhoods should be revised to reflect a more realistic and likely rate of delivery.

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 222\7

Plan Reference: Policy B4: The World heritage Site and its Setting

Representation (soundness): The Duchy of Cornwall is has significant concerns about the wording of paragraph 2.30, supporting Policy B4, which currently states that, “2.30 New development, whilst responding to its context, should add a 21st Century layer to the accumulation of Medieval, Georgian, Victorian and 20th Century buildings that comprise today’s city. This will also ensure that the city’s Georgian architecture is the authentic product of its time and is not confused with modern reproductions. In exceptional circumstances, new buildings may appropriately be designed in the Georgian style. This would principally be to reinstate a 18th Century Georgian set piece where part of the formal architectural ensemble has been destroyed. This approach is in accordance with UNESCO’s Vienna Memorandum on ‘ World Heritage and Contemporary Architecture –Managing the Historic Urban Landscape’ (May, 2005). ”

The above paragraph is tautologous: any twenty-first century development can only add a twenty-first century layer to the city: i.e. it is not a self-conscious decision to do so, or otherwise.

The Classical language of architecture, which was used during the Georgian period, is a design language, the origins of which come from Antiquity. From that time onwards it has shown itself capable of adaptation and change, enabling each generation and age to express itself within the overarching continuity of a living, evolving architectural tradition. It is not simply a method of design that was confined to one historical period.

Bath is a particularly fine showcase for this rich and evolving tradition with buildings not only from the Georgian age, but from many other periods too, including the twentieth century: for example John Brydon’s extension to the

Guildhall and his buildings around the Roman Baths and, more recently, the Southgate development by Robert Chitham of Chapman Taylor. Each addition to the fabric of the city is inescapably “the authentic product of its time” and is distinctive from buildings designed by other hands and at other times.

The predominant classical style of buildings within the city has given Bath a remarkable homogeneity. Furthermore, the consistency of application of this design language has resulted in a clear architectural hierarchy which has been reinforced by each generation of classical buildings: there is absolutely no reason today why this tradition, which has shown itself capable of adaptation and extension over two millennia, should not be as “authentic” today as it has been in any other period. Indeed, if Bath is to maintain its distinctive character, high quality, literate classical designs should be encouraged for the mainstream fabric of the expanding town with other styles used in exceptional circumstances – not the other way around. Encouraging new buildings designed in aggressively Modern styles and with materials that do not originate from the locality will result in discordant quarters of the town that will erode rather than reinforce the very special qualities of the city.

UNESCO has no formal role or authority in the United Kingdom planning system. We understand that the Vienna Memorandum referred to may have been given greater weight in Bath as its author was the UNESCO inspector who came to assess the state of Bath WHS. However the Vienna Memorandum itself has no status in the UK: furthermore, its shortcomings have been acknowledged by UNESCO which is presently working on the wording of a revised document.

Change sought to make sound:

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 222\8

Plan Reference: Policy SV1: Somer Valley Spatial Strategy

Representation For the reasons set out in our response to Policy DW1, we object to the distribution strategy as it
(soundness): relates to the planned levels of housing provision to be met in the southern part of the District.

Policy SV1 relies upon the delivery of 2,700 new homes of which 506 have been completed in the period 2006 to 2010. There is also a large supply of existing allocations with planning permission. Sites identified within the SHLAA amount to in excess of 500 dwellings.

By decanting part of the strategic housing requirement to be met in the form of an urban extension to Bath, the CS is encouraging a more dispersed pattern of growth that is unlikely to provide for a sustainable pattern of development. Such an approach is only likely to serve to increase commuting distances and encourage people to commute longer distances to Bath to access employment opportunities together with the retail and leisure attractions afforded by the SSCT.

Change sought to The housing requirement to be met within the Somer Valley should be revised in order to facilitate a
make sound: greater number of dwellings at Bath in the form of an urban extension to the south west of the urban area.

The omission of a requirement to plan for a sustainable urban extension to the south west of Bath is a major failing of the draft Core Strategy which will fail to address the significant imbalance between employment opportunity and housing choice, particularly at the Bath SSCT.

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 222\9 S

Plan Reference: Policy CP1: Retrofitting Existing Buildings

Representation The Duchy of Cornwall supports this policy both in terms of its potential to reduce CO2 emissions as
(soundness): well as alleviate fuel poverty. However, we would like to highlight the potential for new developments, such as the Bath Urban Extension, to stimulate low carbon refurbishment of nearby communities by providing financial support, shared project management as well as construction resource and expertise. The proximity of Twerton to the proposed extension opens up the opportunity for the community of Twerton to benefit from the low carbon construction expertise which would be employed by the Duchy to assist with the retrofitting of energy efficiency and renewable energy measures for nearby housing most in need of this support.

There is also potential for 'allowable solutions' being considered as part of the Zero Carbon policy for new homes to be used as a mechanism to channel investment in improving the energy performance of existing buildings at area/neighbourhood level. Such an approach can harness the economies of scale required to upgrade the existing building stock in a cost effective manner.

Change sought to
make sound:

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 222\10

Plan Reference: Policy CP2: Sustainable Construction

Representation The Duchy is broadly supportive of this policy.

(soundness):

The Duchy of Cornwall agrees with the aspirations set out in achieving CSH level 6. However, it concerned that this may preclude other approaches, which take a broader view of sustainability, such as transport and food provision. To remedy this, the Duchy would like to see a requirement for Code for Sustainable Homes level 6 or agreed equivalent.

With regard to 'Minimisation of waste and recycling during construction and operation' the Duchy agrees with the need to minimise waste. However, the way the policy is worded suggests that recycling also needs to be minimised, and the Duchy does not agree with this. A better statement would be, "minimisation of waste and maximise recycling of any waste generated during construction and operation."

Change sought to make sound:

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 222\11

Plan Reference: Policy CP3: Renewable Energy

Representation The Duchy of Cornwall considers that the key to delivering zero carbon homes, which in turn would

(soundness): contribute in delivering the ambitious renewable energy targets outlined for 2026, is having a comprehensive plan for both on and offsite CO2 reduction solutions.

In the case of the Bath Urban Extension, the Duchy is in an ideal position to bring forward opportunities for off-site renewable energy generation, which can potentially be used as 'allowable solutions' to offset any residual carbon emissions from the development. Locally owned land could be used for standalone renewable energy generation, such as anaerobic digestion plants converting waste to energy and retaining nutrients for re-use on the land as low odour fertiliser. Additionally, the location of the development within an extensive Duchy of Cornwall owned hinterland provides the opportunity for the development to be supplied with renewable fuel sourced from Duchy owned woodland and/or farmland that can be used to provide a proportion of the development's renewable energy demand, either on or off site.

Change sought to make sound:

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 222\12

Plan Reference: Policy CP4: District Heating

Representation The Duchy of Cornwall considers that the key to delivering zero carbon homes, which in turn would

(soundness): contribute in delivering the ambitious renewable energy targets outlined for 2026, is having a comprehensive plan for both on and offsite CO2 reduction solutions.

The Duchy of Cornwall notes that Twerton has been identified as one of the District Heating Priority Areas under this policy. The District Heating Opportunity Assessment study by AECOM concluded that the case for Twerton cluster was marginal as it does not have the critical mass or major anchor loads required for a

sustainable energy infrastructure investment.

The business case for investment in district heating infrastructure, however, would be made much stronger were it to be expanded to include the Bath Urban Extension. The masterplan for the urban extension has been developed to maximise the benefits and financial case for district heating systems, with a high density development concentrated on the western edge of the site close to Twerton. The concentrated form of the masterplan and clustering of higher density housing around the centre means lower distribution costs compared with the same number of dwellings spread over a larger area. The potential rail halt location also increases the viability of a district heating system. By siting the development close to the adjacent community of Twerton, this also opens up the potential for a shared community energy system benefiting both the Bath Urban Extension and Twerton.

Therefore, the District Heating Priority Area at Twerton should be extended to include the BUE land west of Twerton.

There may be further advantages in terms of efficiencies in management of the system and procurement of fuel, if links were also made to Bath Spa University to the west.

Change sought to make sound:

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 222\13

Plan Reference: Policy CP6: Environmental Quality

Representation (soundness): The Duchy is broadly supportive of this policy. As a point of clarity, the Core Strategy refers to achieving a Good standard for CABE's Building for Life, while CABE set standards of Silver or Gold. The use of Good provides an opportunity for confusion, and stating Silver standard as a minimum (or Gold if that is required) would be more appropriate.

CP6 section 4 on nature conservation, the use of 'valued habitats' does not appear to be defined and is therefore open to interpretation.

The Duchy of Cornwall fully supports the inclusion of the Nature Conservation element of Policy CP6. The policy seeks to ensure that "New Development will, in particular, respect and enhance existing networks of priority habitat; facilitate migration and dispersal through the natural and built environment; and seek to reduce fragmentation of existing habitats".

As noted elsewhere, urban extensions have the potential to design in coherent and appropriate green infrastructure/habitat creation that would link habitats within the site and exterior to it. We would therefore highlight the potential for an urban extension to the west of Twerton to deliver the aims of this policy. This should be especially considered when combined with associated biodiversity friendly changes, associated with an urban extension here, to management of Duchy owned hinterland in the form of revision from intensive arable to organic pasture and similar. Further, unlike other potential urban extensions and development on the urban edge of Bath, the site is not constrained by possible impacts to designated sites (particularly European sites designated for their bat interest) or priority habitats. Therefore, we believe that an urban extension to

the west of Twerton would deliver substantial biodiversity gain in line with the aims of Policy CP6.

**Change sought to
make sound:**

Representation (legal compliance):

Change sought to make legally compliant:

Representation Reference: 222\14

Plan Reference: Policy CP8: Green Belt

Representation Our objections relate to the failure of the CS to plan for an urban extension to the south west of Bath.

(soundness): Full details are set out in our separate but related response to Policy DW1 and we rely upon those representations in responding to this policy.

As stated, we are of the view that the allocation of an urban extension to the south west of the Bath urban area is vital to providing for a "sound" CS. In this regard, the Council may wish to consider the content of the Inspector's report into Windsor and Maidenhead's Core Strategy. This is a Borough with similar characteristics to B&NES in terms of the importance of its historic core in heritage terms and the fact that the urban areas are defined by a tight Green Belt boundary.

The inspector ultimately found Windsor and Maidenhead's Core Strategy to be unsound.

The Council's approach leading up to submission of the CS was to maintain their Green Belt boundaries and to rely instead upon housing delivery from sites from within the urban area – including through windfall. The Inspector reported upon Windsor and Maidenhead's CS in October 2007 – finding the DPD unsound.

Paragraph 11.7 of his report considers that the CS should "adopt a more proactive stance towards a review of Green Belt boundaries".

The Inspector further comments:

"In my view these reasons collectively amount to the "exceptional circumstances" that PPG2, ¶2.6, accepts can justify a change to an established Green Belt boundary. Arguably the failure to meet the 10 year developable land test does on its own. While the Green Belt obviously enjoys widespread support from the local populace, I am not convinced that a slavish adherence to boundaries established over half a century ago is now in the best interests of the local community. It is important not to lose sight of the fact that the Green Belt is a policy constraint, it is not reliant on landscape quality considerations or the nature conservation value of the land in question." (Our emphasis).

In terms of providing for the necessary changes to the spatial approach to the Council's housing strategy, paragraph 11.8 of the Inspector's report states quite clearly that:

"To my mind the preparation of the Core Strategy is an opportune time to consider possible revisions to the defined Green Belt boundary in order to ensure a better and more sustainable spatial strategy up to 2026 and indeed beyond (PPG2, ¶2.12). The Core Strategy would retain its focus on previously developed land but would embrace the possibility of some development on peripheral sites beyond existing settlement boundaries." (Our emphasis)

Against the above background, and for the stated reasons, the LPA should provide for an urban extension to the south west of bath in the form of a review of the Green Belt in order to ensure the provision of a “sound” strategy in accordance with the requirements at paragraphs 4.50 to 4.52 of PPS12.

The case for a Green Belt release at Bath is even more compelling given the strategic role of the town as a SSCT.

Change sought to make sound: The Policy should be amended in accordance with our separate but related objections and suggested changes to Policy DW1.

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 222\15

Plan Reference: Chapter 7: Monitoring

Representation (soundness): It is noted that the Core Strategy will be reviewed ‘about every 5 years’ and performance will be monitored through the AMR. However, a specific mechanism should be put in place in the event that there is a shortfall in housing provision at 2016.

The Council should take a proactive stance to encouraging site delivery in the early part of the plan period to make good the identified shortfall in supply. The draft strategy fails to provide the necessary flexibility to ensure a continuous supply of deliverable housing land.

As set out in the Housing Needs Assessment, there is an acute housing need across the District. Notwithstanding this need, there is an over reliance of housing delivery from sites within suburban Bath and within the Central Area and Western Corridor where there is no certainty as to their deliverability. Such an approach is unlikely to result in the timely delivery of affordable housing to meet identified needs.

The monitoring strategy needs to provide for the necessary flexibility to ensure housing delivery at the right time and at the right place. A mechanism needs to be in place as part of the monitoring proposals to provide for the release of without the need to rely upon a review of the CS which is the suggestion mooted in the policy as drafted.

For the above reasons, the approach to the monitoring of housing delivery should be amended to ensure it is sufficiently flexible to deal with changing circumstances, including the failure or delay in the delivery of the identified components of supply.

Change sought to make sound: An urban extension should be identified at West of Twerton.

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 222\16

Plan Reference: Sustainability Appraisal

Representation (soundness): The Duchy supports in general the issues set out in the Sustainability Appraisal Framework. However, it is concerned that there are some areas where the detailed questions do not fully reflect the objective. For example, Objective 2

'improve the health and well-being of the community'. While health is well addressed, well-being is not. It appears to be addressed by "healthy lifestyles" with exercise being specifically mentioned. This is a very limited view of wellbeing. Well-being might refer to community social networks, places to meet people, ways to reduce isolation of those living alone, or caring for others.

Objective 7 'ensure communities have access to a wide range of employment opportunities, paid or unpaid'. The detail refers to "satisfying" work. It is unclear how this can be assessed.

Objective 9 'increase availability of local produce and materials' seems to focus on food.

Evidence Base: Sustainability Appraisal Annex E - Comparison of 2008 Options and no urban extension. This is set out in Annex E. It provides commentary regarding the different urban extension options proposed, and then does a comparison between Core Strategy District Spatial Strategy, and the urban extension options. The different options are compared against the Sustainability Appraisal framework, and the residual effects of the district spatial strategy given a score on the scale of major positive, minor positive, neutral, minor negative and major negative. This is set out in a descriptive manner, and by its nature is open to a variety of views and interpretations.

While the Duchy welcomes the completion of this work, it has some major concerns with some elements of it. The Duchy is concerned that the score appears to be based on having all of the urban extensions compared with none.

Annex E states that "... An exercise has been undertaken to consider and compare the effects of the options which included urban extensions appraised through SA in 2009 and the effects of the Publication Core Strategy District Spatial Strategy ...".

Table E.1 presents "a comparison between the positive and negative effects of a strategy without urban extensions with the positive and negative effects of the urban extension options." This suggests that the table is comparing the publication strategy with all the strategy with all the urban extension options set out in the Spatial Options document (2009). If this is the case, if one of the urban extensions has a negative impact, this then that sets the score for all the urban extensions lower. There is not a comparison against the preferred options set out in 2008. Also, some of the scoring seems weighted to the no urban extension, when the text does not fully support it.

Detailed comments are as follows:

- SA 1- improve accessibility to community facilities and local services:- States topography of Twerton site could discourage walking and cycling to access local facilities. MoD Endsleigh site may not have good access to city centre and local facilities. Even with that the rating is major positive. Minor positive would seem a more objective score, as although focusing development in urban areas would hopefully present opportunities for walking and cycling etc to local amenities, they are suggesting than in the case of one major development this is not the case, and it may not be in many smaller sites.
- SA 1- MoD Endsleigh is not included as a potential site in the Publication Core Strategy District Spatial Options document.
- SA 3 - meet identified needs for sufficient high quality and affordable housing. This is not comparing like with like. In 2008, the options were set out for the number of housing projected, and that is the case in 2010. The fact this has changed should not affect the sustainability appraisal. It needs to be recognised that reduction in demand has provided opportunity for different options.
- SA 7 - ensure communities have access to a wide range of employment opportunities paid or unpaid. This describes Twerton as a place that may provide space for industrial and bulky retail uses. The Duchy's approach to employment is to design for 1 job per household, which is what has been achieved at Poundbury. Negative for urban extensions is the restricted opportunities at Whitchurch. The description for the spatial strategy could equally apply if there was an urban extension in the mix or

not. Also, for the west of Twerton site, a greater number of employment opportunities is proposed than in the current spatial strategy. Therefore neutral would appear a more objective score.

- SA 11 - reduce the need and desire to travel by car. This has the same issue as SA1 regarding MoD Endsleigh, yet it only has a minor positive impact. This does not seem consistent.
- SA 12 - protect and enhance local distinctiveness. This works on the premise that while an urban extension itself can be distinctive, it cannot protect and enhance the local distinctiveness of the local area. The Duchy would assert that this is not the case.
- SA 13 - protect and enhance the district's historic, environmental and cultural assets. This states that the Twerton option would have a negative impact on the integrity of the setting of the Bath World Heritage Site. Surely this should say "could have", and it is equally possible that it could be neutral or beneficial, considering the current entrance to Bath from the west, and the urban design of Twerton.
- SA 14 - encourage and protect habitats and biodiversity. This works on the assumption that brownfield sites have low or no biodiversity and greenfield sites have high biodiversity. This is not always the case. In addition, there are some greenfield sites within the spatial strategy which may potentially have as detrimental effect as the urban extensions, without the opportunity to provide positive mitigation options.

To bridge the gap between all urban extensions and no urban extensions as appears to have been considered in Annex E and table E.1, and to provide a more appropriate look at an urban extension to the west of Twerton compared with no urban extension, an alternative summary of key positive and negative effects of Bath Urban Extension to the West of Twerton has been prepared (please see attached summary).

It is recognised that Environ does not have the information on any specific development to the west of Twerton, and that the Duchy does not have access to all the data prepared by Environ.

Change sought to make sound:

Representation (legal compliance):

Change sought to make legally compliant:

Respondent Number: 223 Respondent: Transition Bath Food Group

Representation Reference: 223\1

Plan Reference: Policy RA4: Rural Exception Sites

Representation (soundness): As a result of climate change and the escalating monetary and environmental costs of transportation, the need for local food production will increase and there will be greater demand for accommodation of agricultural workers. (The absence of affordable local housing is already a deterrent to attracting people to work on the land.)

Reference is made in para 5.29 to the Government's as yet undeveloped 'Home on the Farm' scheme, to turn farm buildings into affordable housing. However, the National Farmers Union planning adviser is quoted as saying: "The Home on the Farm scheme is an excellent opportunity for farmers who want to use their outbuildings for a constructive purpose. It should also sustain the rural economy by providing homes for those working in it. (Our italics). <http://www.communities.gov.uk/newsstories/housing/1743381> accessed 30.01.11]

The arguments for retention of agricultural buildings are made in paragraph 5.36 which appears to be disconnected from both para 5.29 and Policy RA4.

Change sought to make sound: The following two changes are therefore required to make the Core Strategy sound:

i. The sentence in paragraph 5.29 which starts "There may also be opportunities" should be amended to read: "If there are farm buildings which are not required for local food production, there may also be opportunities"

ii. Policy RA4, Rural Exceptions Sites, Subpara 'c' should be amended.

C. occupancy of the affordable housing would remain, as a first priority, for agricultural workers and then for those with demonstrated local connections.

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 223\2

Plan Reference: Policy CP3: Renewable Energy

Representation (soundness): The Core Strategy recognises that agricultural production needs to be increased to ensure food security and economic growth.

The delivery of District Heating proposed in paras 6.19 - 6.24 relies too heavily on combined heat and power (CHP) derived from biomass. Camco's Renewable Energy Research and Planning Update, November 2010, on which the District Heating section is based, mentions (in para 5.1.3) that agricultural land "used primarily for food crops" would be protected, but then lists financial incentives for farmers to grow biofuels. Its recommendation for biomass use is further predicated on the expansion of biofuel crops, but land is a finite resource. The report calculates that fuel crops and thinning from non-ancient forestry would equate to 43% of potential resource, with animal manure, straw, council green waste collections (all materials which should be used for growing food), forming a further 38% of biomass potential. In total, therefore, it is assumed that 81% of biomass potential will come from land and products which are currently are, or should be, used for food production.

One of the reasons for the increase in the global price of wheat is that 25% of cereal production in the USA is now used as biofuel (US Department of Agriculture figures for 2009) and, according to the UK's Agriculture and Horticulture Development Board, the three UK biofuel refineries that are expected to be fully operating by 2014 alone will require 3m tonnes, i.e. one-fifth of the wheat produced in the UK. CHP from biomass also depletes potential food production.

The emphasis in Policy CP3 should be on maximising the potential of both wind power, geothermal power and hydropower, not on CHP from biomass.

Change sought to make sound: For the Core Strategy to be sound, an additional point should be added to Policy CP3:

renewal energy opportunities will not be considered if they threaten existing or potential food production.

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 223\3

Plan Reference: Policy CP4: District Heating

Representation (soundness): The Core Strategy recognises that agricultural production needs to be increased to ensure food security and economic growth.

The delivery of District Heating proposed in paras 6.19 - 6.24 relies too heavily on combined heat and power (CHP) derived from biomass. Camco's Renewable Energy Research and Planning Update,

November 2010, on which the District Heating section is based, mentions (in para 5.1.3) that agricultural land "used primarily for food crops" would be protected, but then lists financial incentives for farmers to grow biofuels. Its recommendation for biomass use is further predicated on the expansion of biofuel crops, but land is a finite resource. The report calculates that fuel crops and thinning from non-ancient forestry would equate to 43% of potential resource, with animal manure, straw, council green waste collections (all materials which should be used for growing food), forming a further 38% of biomass potential. In total, therefore, it is assumed that 81% of biomass potential will come from land and products which are currently are, or should be, used for food production.

One of the reasons for the increase in the global price of wheat is that 25% of cereal production in the USA is now used as biofuel (US Department of Agriculture figures for 2009) and, according to the UK's Agriculture and Horticulture Development Board, the three UK biofuel refineries that are expected to be fully operating by 2014 alone will require 3m tonnes, i.e. one-fifth of the wheat produced in the UK. CHP from biomass also depletes potential food production.

The emphasis in Policy CP3 should be on maximising the potential of both wind power, geothermal power and hydropower, not on CHP from biomass.

Change sought to make sound: For the Core Strategy to be sound, an additional point should be added to Policy CP3:

renewal energy opportunities will not be considered if they threaten existing or potential food production.

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 223\4

Plan Reference: Policy CP12: Centres and Retailing

Representation (soundness): Despite the emphasis placed on the importance of agriculture for economic security and growth in both the rural areas and the district as a whole, agriculture is not properly addressed in Section 6e, A Prosperous Economy.

There appears to have been little attempt to collect the same level of evidence for agriculture as there has been for the two other aspects of B&NES economy: tourism and retailing, both of which have been supported by recently commissioned reports. The most recent evidence collected by B&NES on the potential for increased local agricultural production and retailing appear to be the studies done by Sustain in 2007 and it is not clear what use, if any, has been made of this work. The BANES [sic] Business Growth & Employment Land Study lumps together employment in agriculture and extraction as if these were equivalent; agriculture and food processing are a viable source of increased employment. The Economic Strategy for Bath & North East Somerset 2010-2026 does not mention agriculture; it does refer to the importance of local food production but the quantitative data lumps accommodation and food together, thereby defining the food sector solely in relation to tourism and large-scale retail, rather than to local production and sale. In Diagram 21, a pie-chart of the economy in 2026, agriculture is not even listed.

The Retail Strategy Report (December 2008) contains a number of recommendations about demand for local food. It states that Bath has an above-average proportion of "urban intelligence" consumers, who are "enthusiastic about organic, home-produced and local produce". It notes that the trend in food retailing is towards organic produce from smaller, local suppliers, and that consumers are increasingly aware of ethical issues, "turning to alternative food distribution channels such as farmers markets, concerned by the tremendous power of large retail chains". It notes an increase in purchasing through independent shops, farm shops, farmers markets and box schemes "despite the dominance of supermarkets". On the one hand, the report notes the increase in demand for ethical purchasing and it

recommends that independent retailing should be encouraged and, on the other, it identifies Bath's retail weakness as "a lack of mass market retailers" and recommends a number of retail multiples which it considers B&NES should endeavour to attract.

Policy B2, Strategic Policy for central Bath, includes the objective of increasing "small to medium sized comparison retail development" and "2,000 sq.m. of convenience shopping space". While community shops are encouraged for the rural areas, it seems that the local areas in the city are already - and will remain - dominated by the supermarket multiples, displacing the small independent shops which are a real 'convenience' for local people. The food miles generated by the supermarkets' distribution systems and their inability to adapt to sourcing fresh, local food contrast with the possibilities of local food being sold locally, an aspiration in the Core Strategy but one which does not appear in section 6e. The Core Strategy states that an updated retail study will be undertaken. We recommend that its terms of reference require more localised, environmentally sustainable retail concepts than the conventional supermarket/shopping mall approach.

Change sought to make sound: Too many local corner shops, at the centre of local communities, have disappeared and Policy CP12 does not encourage their return. To provide outlets for locally produced food and to avoid the homogeneity of multiples, the following changes should be made to Policy CP12:

Retail development within the centres listed within the hierarchy and defined on the Proposals Map will only be permitted where it is of a scale and type which enhance the vitality, diversity and character of the centre.

Uses which contribute to the environmental viability of centres will be encouraged, with greater support given to shops selling local food, local products, and those providing repair and recycling services.

Representation (legal compliance):

Change sought to make legally compliant:

Representation Reference: 223\5

Plan Reference: Paragraph 7.01

Representation (soundness): Despite the importance of local food production in climate change mitigation, for food security, its role in the rural economy and locality and the need for local distribution to minimise the environmental costs of transportation, neither local food nor agriculture are mentioned in:

Objective 1: Cross cutting objective: Pursue a low carbon and sustainable future in a changing climate

Objective 2: Protect and enhance the District's natural, built and cultural assets and provide green infrastructure

Objective 3: Encourage economic development, diversification and prosperity

Objective 4: Invest in our city, town and local centres.

Encouraging and facilitating increased local food production is listed under Objective 6: Plan for development that promotes health and well-being. However, Policy CP13 which is intended to deliver Objective 6, merely refers to 'green infrastructure' to be delivered by collection of Developer contributions, a part of which is channelled to allotment provision (an important, necessary but insufficient delivery method). The policies listed to deliver Policy CP13 are those relating to Air Quality Management Areas, Bath Western Riverside and Keynsham's Spatial Strategy. The Core Strategy states that these will provide the monitoring indicators for "encouraging and facilitating local food production". Instead, the Core Strategy should include specific indicators relating to local food production, distribution and retail; this is readily quantifiable. B&NES could follow the example of towns like Todmorden, which has the objective of becoming self-sufficient in vegetables, orchard fruits and eggs by 2018, and ultimately to source the majority of staple food locally. (The relative proximity of 'local' should also be defined in relation to different food products).

Change sought to make sound: Because of the lack of coherence and conceptual clarity in addressing the issue of local food and its cross-cutting role, a new policy is required to deal with it, which should logically support Objective 1: Cross cutting objective: Pursue a low carbon and sustainable future in a changing climate.

NEW POLICY

The Core Strategy is UNSOUND because, while it recognises the importance of local food production and distribution, its policies fail to provide the protection and support to deliver it. The Core Strategy displays a fundamental lack of understanding of the different size, types and systems of production, and the inter-relationship between food production, distribution and retail. Instead, the Core Strategy encourages distant transportation of food and its sale through supermarket chains, with the waste, packaging and CO2 emissions that entails. Even more worryingly, the Core Strategy bases its renewable energy strategy on the use of biomass for CHP. (Land should not be used for energy crops but should be protected for food production. Green waste and manures should be kept for use as fertilisers.)

New Policy (CP14?), Local Food Production and Retailing

The Core Strategy recognises that local food production has an important role to play in climate change mitigation and the district's economic development (key strategic issues). The Spatial Vision acknowledges that local food production, distribution and retailing enhance rural-urban linkages and promote health and well-being. The Core Strategy also emphasises the role which agriculture plays in the social networks, place-building and character of the district, as well as ensuring our economic future and food security.

Local food production takes place on different sizes and types of land: urban and rural gardens, the long gardens of traditional miners' cottages in the Somer Valley, allotments, community gardens, rooftops, community orchards, smallholdings and farms. Land suitable for food production should be identified for protection before any areas of search for built development, other infrastructure or renewable energy locations. The overarching framework will be the conservation and productive use of land and water to facilitate food production close to where people live now and close to where they will be living in the future.

Local food production will be supported by encouraging distribution and sale through local, community-level shops.

Agriculture and local food production and processing is acknowledged to be a significant driver of the District's economic growth.

Example target: By 2026, 50% of fruit and vegetables sold in Bath will be grown within the city and its immediate environs. [Similar targets for dairy, eggs, meat and poultry to be defined. Potentially higher targets to be set for Keynsham, the Somer Valley and the rural areas.]

Representation (legal compliance):

Change sought to make legally compliant:

Respondent Number: 224 Respondent: Bath Preservation Trust

RepresentationReference: 224\1

Plan Reference: Paragraph 1.05

Representation (soundness): BPT is not opposed to the concept of a 'Placemaking Plan' (or separate plans for the different parts of the District?). However the purpose and scope of the Plan(s) needs to be better explained. We had not seen this term used by the Planning Policy Department before the draft Core Strategy was published, and there is no reference to Placemaking Plan(s) in the current Local Development Scheme.

We understand that the intention is for the Placemaking Plan(s) to be a Development Plan Document which will replace the Site Allocations DPD which features in the current LDS. If this is correct, we welcome the intention to specify placemaking principles in the DPD. We are however very concerned that production of such a DPD is a very significant piece of work – particularly if the intention is to produce a single plan for the whole of B&NES – and work has not even started on this. We consider that ways must be found to accelerate the production of a Placemaking Plan for central Bath and the River Corridor. Without this plan, there is a huge risk that inappropriate proposals will come forward for the major development sites and the Local Planning Authority will not have the policy levers it needs to ensure that the appropriate standards of design are achieved.

Change sought to make sound: The LDS must set out a timescale for production of the Placemaking Plan which will ensure that it is delivered in time to influence the development of proposals for the numerous major development sites within the World Heritage Site.

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 224\2

Plan Reference: Paragraph 1.11

Representation (soundness): We support the proposal that remaining areas of Bath not contained within the AONB, namely part of Combe Hay Parish, Englishcombe Parish and Newton St Loe Parish, should be incorporated into the AONB.

This total area is important as part of the setting of the World Heritage Site and is of high landscape value. The fact that it is not included in the AONB may encourage developers to bring forward inappropriate development proposals.

Change sought to make sound: The Core Strategy should commit the Council to supporting the proposal for the extension of the AONB.

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 224\3 S

Plan Reference: Policy DW1: District Wide Spatial Strategy

Representation (soundness): We wish to SUPPORT the downward revision of housing and growth targets from the previous draft Core Strategy, which we felt were unrealistic. We believe that even these figures could be perceived as challenging in the current climate. Policy DW1 should recognise that Bath's special qualities (as identified in para 1.21) will limit its capacity for extensive expansion in perpetuity. We have suggested some drafting changes to DW1 and related paragraphs to achieve this.

Change sought to make sound: 'recognising that the district's outstanding environmental quality, as recognised by national and international designations of protection, is of paramount consideration when planning the future of the area';

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 224\4 S

Plan Reference: Policy DW1: District Wide Spatial Strategy

Representation We also SUPPORT the priority in paragraph 1.26 to steer growth to brown field land in urban areas, in
(soundness): Bath Keynsham and the larger settlements in the Somer Valley. This strategy must be adhered to in order to ensure that regeneration of the rundown areas of the city of Bath takes place and the setting of the World Heritage Site is protected.

Change sought to make sound:

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 224\5 S

Plan Reference: Policy DW1: District Wide Spatial Strategy

Representation We also SUPPORT the Policy on new development in rural areas as described in 1.30.
(soundness):

Change sought to make sound:

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 224\6 S

Plan Reference: Policy DW1: District Wide Spatial Strategy

Representation Overall we believe that the District Wide Spatial Strategy sets out a realistic Policy for achieving the
(soundness): necessary housing growth without destroying the distinctiveness of the district.

Change sought to make sound:

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 224\7 S

Plan Reference: Policy DW1: District Wide Spatial Strategy

Representation
(soundness):

Change sought to make sound: Para 1.25 should explicitly recognise Wiltshire.

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 224\8 S

Plan Reference: Policy DW1: District Wide Spatial Strategy

Representation
(soundness):

Change sought to make sound: Policy DW1(4) should refer to development using sustainably sourced and local materials.

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 224\9

Plan Reference: Paragraph 6.94

Representation (soundness): The CS does not demonstrate that the Council has a comprehensive and coherent strategy for achieving its aspirations in relation to transport. There is no evidence of coherence with neighbouring authorities outside the West of England Partnership (i.e. Wiltshire) despite the importance of connectivity with the towns and villages in West Wiltshire and the scope for reducing through traffic in Bath by making better use of the A350 for north-south through traffic and the A420 for east-west through traffic. There is only one reference to transport infrastructure in Table 2 (item DW1.13 – Greater Bristol Bus Network), and table 5 refers only to the Bath Transport Package, which as the Council has always recognised is not a comprehensive strategy for resolving Bath’s transport problems, and to the longer-term possibility of improvements to the rail services. We would have expected to see consideration of a direct public transport link between Bath and Bristol Airport, for example. There is little recognition in Section 6 of the importance of public transport in reducing dependence on the private car and thereby helping to achieve the Council’s climate change objectives.

As noted in our covering comments, we believe that sub-regional solutions may be achievable for reducing North/South through traffic and facilitating access into Bath from Junction 18 of the M4. These options should be properly explored before the proposed Park and Ride at Bathampton is built, and before any further study of an A46/A36 link cutting through the setting of the WHS.

We were surprised by the reference in 6.94 to a study of a Saltford bypass. We have not seen any evidence to support such a proposal, which would inevitably have a very damaging impact on the Bath/Bristol Green Belt. Improvements to the public transport options and encouragement for the use of the A420 for through traffic would surely be better solutions.

Change sought to make sound: Amend 6.94 to remove references to studies to assess the Saltford bypass and an A46/A36 link, and include an undertaking to work with Wiltshire as well as the West of England Partnership to identify the optimum ways of reducing unnecessary vehicle movements into and through the city of Bath. In particular consideration should be give to ways of encouraging through traffic to use existing alternative routes.

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 224\10

Plan Reference: Paragraph 6.103

Representation (soundness): On a positive note, we commend paragraph 6.97 which is a very clear articulation of the importance of reducing vehicular traffic in our streets and public spaces. We welcome paragraph 6.103, but consider that it should include an explicit commitment to implementing the Council’s Public Realm and Movement Strategy for Bath City Centre.

Change sought to make sound: Strengthen 6.103 by making explicit reference to the Council’s commitment to implementing the PRMS for Bath City Centre.

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 224\11

Plan Reference: Policy B1: Bath Spatial Strategy

Representation Policy B1 is the key policy for protecting the WHS. Policy B4, important though it is, cannot override
(soundness): the overall spatial strategy for the city but must work in harmony with it. While we broadly support Policy B1, we are concerned about the evidence base for some elements, and we consider that some strengthening and/or changes of emphasis are required to make the policy effective.

**Change sought to
make sound:**

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 224\12

Plan Reference: Policy B1: Bath Spatial Strategy

Representation In relation to evidence, we support the objective of diversifying Bath's economy while retaining and
(soundness): enhancing its status as a visitor destination, but remain unconvinced that the case for the very significant increase on city centre office space has been fully made. We are aware of at least two significant new office developments which have been granted planning permission but are currently on hold because no occupier has been identified.

**Change sought to
make sound:**

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 224\13

Plan Reference: Policy B1: Bath Spatial Strategy

Representation We note the proposal to retain industrial land but question whether sufficient consideration has been
(soundness): given to the need for small-scale affordable start-ups and artisan workshop/studio space.

**Change sought to
make sound:**

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 224\14

Plan Reference: Policy B1: Bath Spatial Strategy

Representation While we understand the desire for a high-quality cultural/performance arts venue within the central
(soundness): area, we have seen no evidence that the business case for such a venue is robust.

**Change sought to
make sound:**

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 224\15

Plan Reference: Policy B1: Bath Spatial Strategy

Representation (soundness): Given the significance of the Central Area as the heart of the World Heritage Site, the physical and topographical constraints, and the fragility of the historic environment, we believe that there is a real risk that over-ambitious commercial development might ruin the very qualities which make the city such an attractive place to live, work and visit. We support the need for development, but we believe strongly that the CS and associated DPDs and SPDs must provide the necessary levers to refuse permission for speculative proposals which may not be sustainable.

Change sought to make sound:

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 224\16

Plan Reference: Policy B1: Bath Spatial Strategy

Representation (soundness): The specific amendments we would like to see are listed in Section 7. However we would ask the Inspector to consider very carefully whether the level of growth proposed, particularly in and adjacent to the Central Area, is compatible with the Council's duty to protect the WHS.

Change sought to make sound:

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 224\17

Plan Reference: Policy B1: Bath Spatial Strategy

Representation (soundness):

Change sought to make sound: Paragraph 1 a needs to refer to the protection of the Outstanding Universal Value of the World Heritage Site and its setting. The reference to the Cotswolds AONB seems unnecessary – the need for protection extends to the whole of the WHS setting.

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 224\18

Plan Reference: Policy B1: Bath Spatial Strategy

Representation (soundness):

Change sought to make sound: Paragraph 8 should refer to Tourism, Culture and Sport (not just Rugby). There should be a reference to the need to maintain sporting and leisure facilities for local residents within the Central Area. In relation to Culture, there should be reference to the need to enable the provision of enhanced facilities for interpretation of the WHS and for the City's Archives.

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 224\19

Plan Reference: Policy B1: Bath Spatial Strategy

**Representation
(soundness):**

Change sought to make sound: Paragraph 10 should include explicit mention of the need to discourage unnecessary vehicle movements within the city.

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 224\20

Plan Reference: Policy B1: Bath Spatial Strategy

**Representation
(soundness):**

Change sought to make sound: Paragraph 11 should put the need to improve energy efficiency of the built environment ahead of the enablement of renewable energy. We question why district heating networks are highlighted in 11a (see also our comments on CP3).

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 224\21

Plan Reference: Policy B2: Central Area Strategic Policy

Representation (soundness): We broadly support Policy B2 but consider that it needs to be clarified and/or strengthened in a number of respects in order to make it an effective development management tool.

Change sought to make sound:

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 224\22

Plan Reference: Policy B2: Central Area Strategic Policy

Representation (soundness): The definition of the Central Area in the CS needs to be identical with the definition used in the Public Realm and Movement Strategy so as to ensure consistent treatment. In particular, the Royal Crescent and the Circus, the two greatest set-pieces of Georgian architecture in Bath, must be included within the Central Area.

We welcome the Placemaking principles, subject to the detailed drafting comments set out at section 7 below. We are however concerned that the development of the placemaking plan for the Central Area is a very large task, on which work has not yet begun, and we urge the Council to work very closely with the local community in its development (see also our separate comment on placemaking plans).

**Change sought to
make sound:**

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 224\23

Plan Reference: Policy B2: Central Area Strategic Policy

**Representation
(soundness):**

Change sought to The introduction to part 2 on Placemaking Principles should refer to the need to reinforce and
make sound: contribute to the Outstanding Universal Value of the WHS and to enhance the Conservation Area.

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 224\24

Plan Reference: Policy B2: Central Area Strategic Policy

**Representation
(soundness):**

Change sought to The list of assets of the Central Area should include the high proportion of listed buildings. Point i
make sound: needs to be clarified to refer to the variety of the retail offering and the need to retain the unusually
high proportion of independent and specialist retailers as well as the multiples. Point k is also unclear.
Should it say that the compact nature of the Central Area and the centrally located bus and train
stations enables easy and convenient pedestrian access?

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 224\25

Plan Reference: Policy B2: Central Area Strategic Policy

**Representation
(soundness):**

Change sought to Under Risks, point w is a very sweeping statement. Better to say 'The importance of preserving the
make sound: built environment with its high proportion of listed and other historic buildings restricts the scope to
use some methods of improving the energy efficiency of the building stock.'

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 224\26

Plan Reference: Policy B2: Central Area Strategic Policy

**Representation
(soundness):**

Change sought to In part 3, the list of key development opportunities should note that some of the sites include listed
make sound: buildings (Cornmarket, Green Park Station) and that the Recreation Ground is subject to a Charitable

Trust which imposes strict constraints on what can be done there.

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 224\27

Plan Reference: Policy B2: Central Area Strategic Policy

**Representation
(soundness):**

Change sought to make sound: Part 4 needs to include World Heritage Site interpretation facilities and facilities for the City Archives as key activities to be accommodated within the Central Area.

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 224\28

Plan Reference: Bath: Western Riverside

Representation (soundness): We do not oppose the decision to treat Western Riverside East as part of the Central Area. However we are not convinced that saving Local Plan Policy GDS1/B1 and the associated SPD for the residential-led development of the western part of this complex site provides a robust enough planning framework, particularly given the extensive changes which the developers have already made, or are intending to make, to the plans covered by the approved outline planning application.

The SPD places great emphasis on the need to look holistically at the whole of the original Western Riverside site, which was clearly identified as a mixed use development. Now that the site is to be split, the SPD needs to be revisited in order to ensure that it provides a suitable framework for a residential development.

Change sought to make sound: Section 2c should refer to the need to consider, in consultation with local amenity groups, whether the Western Riverside SPD needs to be updated to reflect the change in the primary aim of the development.

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 224\29

Plan Reference: Policy B3: Twerton and Newbridge Riverside Strategic Policy

Representation (soundness): We welcome the inclusion of a specific policy for this important area of the city and broadly support the content. We are however concerned that paragraph 4 may not be sufficiently flexible. For example our comments on policy B1 refer to the need to provide for workshop space for small artisan businesses, but this policy would appear to rule out the conversion of redundant or unsuitable offices into such workspaces. Is this really what is intended?

Change sought to make sound: The last sentence of the second paragraph of part 4 should be deleted or modified as suggested above.

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 224\30

Plan Reference: Policy B3: Twerton and Newbridge Riverside Strategic Policy

Representation (soundness): There are some important omissions from the Placemaking Principles – see section 7.

Change sought to make sound: In paragraph 2, second point c, there should be specific reference to Brunel's Great Western Railway. The proximity of Oldfield Park Railway Station should be listed among the assets. In the Risks section, there should be specific reference to the narrowness of the existing walking/cycling route and the resulting problems for both cyclists and pedestrians.

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 224\31

Plan Reference: Paragraph 2.22

Representation (soundness): We welcome the explicit inclusion of the MoD sites at Foxhill and Warminster Road within the next five years. However, Ensleigh should also be included in order to defend the fact that there is sufficient scope for housing development within Bath within the lifetime of the Core Strategy. Even if the MOD retain Ensleigh and consolidate their functions there, its use of space is inefficient and the Placemaking Plan should therefore also consider Ensleigh for redevelopment, including mixed employment/housing usage, even if the MOD retain a presence there. If no placemaking plan is developed for Ensleigh there risks either inappropriate development on that site or legal challenge on the deliverability of housing numbers. We appreciate that B&NES is dependent on progress with the MOD but a willingness to engage in mixed use redevelopment would reduce the risk.

Change sought to make sound: Insert in Para 2.2 – 'the Placemaking Plan will also consider the capacity and prospects for developing Ensleigh as a mixed use housing/employment site during the life of the plan, possibly in partnership with the MOD'.

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 224\32

Plan Reference: Paragraph 2.22

Representation (soundness): In light of the importance of these neighbourhoods to housing development, we are surprised that there is not an explicit strategic policy in this section to support their inclusion during the life of the plan.

Change sought to make sound: Addition of a policy B3a – to include

- Role of Bath's Neighbourhoods (primarily residential with scope for mixed use)
- Placemaking principles to include recognition of visibility, development 'within the bowl', height sensitivities, retention of 'village' feel
- Risks – insufficient place planning of MOD sites give rise to ill-thought through and unsustainable housing development
- Key development opportunities
- MOD sites (Foxhill/Warminster Road within 5 years) Ensleigh to be planned for within life of CS
- Scope and scale – housing/mixed use.
- Bath RUH site as part of an agreed masterplan

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 224\33

Plan Reference: Policy B4: The World heritage Site and its Setting

Representation (soundness) Core Strategy is not legally compliant : We believe that B&NES as manager of a World Heritage Site responsible to the 'State Party' (Her Majesty's Government) do not have a choice about providing a buffer zone for the City. UNESCO guidance is quite clear: the text from the Operational Guidelines for the Implementation of the World Heritage Convention (UNESCO, 2008), states that 'Wherever necessary for the proper conservation of the property, an adequate buffer zone should be provided' (para 103). We would contend that since the Landscape Setting is part of the description of the Outstanding Universal Values, and that currently, as the Core Strategy notes, there is no specific protection to the landscape setting of the WHS in place, a buffer zone is required.

The Council's landscape setting work has identified and mapped the topographical, historical and visual aspects of the setting. Since these are mapped it should be possible to define a flexible boundary with sufficient character description to provide a framework which can be used practically.

The Core strategy document implies that the buffer zone is an area where measuring the impact on the WHS 'is considered'. However, the UNESCO Operational Guidelines are explicit in seeking planning restrictions in a buffer zone, as follows:

For the purposes of effective protection of the nominated property, a buffer zone is an area surrounding the nominated property which has complementary legal and/or customary restrictions placed on its use and development to give an added layer of protection to the property. This should include the immediate setting of the nominated property, important views and other areas or attributes that are functionally important as a support to the property and its protection. The area constituting the buffer zone should be determined in each case through appropriate mechanisms. Details on the size, characteristics and authorized uses of a buffer zone, as well as a map indicating the precise boundaries of the property and its buffer zone, should be provided. A clear explanation of how the buffer zone protects the property should also be provided. Where no buffer zone is proposed, the nomination should include a statement as to why a buffer zone is not required. Although buffer zones are not normally part of the nominated property, any modifications to the buffer zone subsequent to inscription of a property on the World Heritage List should be approved by the World Heritage Committee. [paras 104-8].

This concept of restriction, or added layer of enforceable protection, is confirmed by the WH Circular, which states that local planning authorities should aim to satisfy the following principles:

- protecting the World Heritage Site and its setting, including any buffer zone, from
- inappropriate development
- striking a balance between the needs of conservation, biodiversity, access, the
- interests of the local community and the sustainable economic use of the World
- Heritage Site in its setting
- protecting a World Heritage Site from the effect of changes which are relatively
- minor but which, on a cumulative basis, could have a significant effect
- enhancing the World Heritage Site where appropriate and possible through
- positive management
- protecting World Heritage Sites from climate change but ensuring that mitigation is not at the expense of authenticity or integrity.

The Circular adds that it will be necessary to enshrine the designation and its accompanying policies in LDF documents. We regard this as a matter of urgency

**Change sought to
make sound:**

Representation (legal compliance): We believe that B&NES as manager of a World Heritage Site responsible to the 'State Party' (Her Majesty's Government) do not have a choice about providing a buffer zone for the City. UNESCO guidance is quite clear: the text from the Operational Guidelines for the Implementation of the World Heritage Convention (UNESCO, 2008), states that 'Wherever necessary for the proper conservation of the property, an adequate buffer zone should be provided' (para 103). We would contend that since the Landscape Setting is part of the description of the Outstanding Universal Values, and that currently, as the Core Strategy notes, there is no specific protection to the landscape setting of the WHS in place, a buffer zone is required.

The Council's landscape setting work has identified and mapped the topographical, historical and visual aspects of the setting. Since these are mapped it should be possible to define a flexible boundary with sufficient character description to provide a framework which can be used practically.

The Core strategy document implies that the buffer zone is an area where measuring the impact on the WHS 'is considered'. However, the UNESCO Operational Guidelines are explicit in seeking planning restrictions in a buffer zone, as follows:

For the purposes of effective protection of the nominated property, a buffer zone is an area surrounding the nominated property which has complementary legal and/or customary restrictions placed on its use and development to give an added layer of protection to the property. This should include the immediate setting of the nominated property, important views and other areas or attributes that are functionally important as a support to the property and its protection. The area constituting the buffer zone should be determined in each case through appropriate mechanisms. Details on the size, characteristics and authorized uses of a buffer zone, as well as a map indicating the precise boundaries of the property and its buffer zone, should be provided. A clear explanation of how the buffer zone protects the property should also be provided. Where no buffer zone is proposed, the nomination should include a statement as to why a buffer zone is not required. Although buffer zones are not normally part of the nominated property, any modifications to the buffer zone subsequent to inscription of a property on the World Heritage List should be approved by the World Heritage Committee. [paras 104-8].

This concept of restriction, or added layer of enforceable protection, is confirmed by the WH Circular, which states that local planning authorities should aim to satisfy the following principles:

- protecting the World Heritage Site and its setting, including any buffer zone, from
- inappropriate development
- striking a balance between the needs of conservation, biodiversity, access, the
- interests of the local community and the sustainable economic use of the World
- Heritage Site in its setting
- protecting a World Heritage Site from the effect of changes which are relatively
- minor but which, on a cumulative basis, could have a significant effect
- enhancing the World Heritage Site where appropriate and possible through
- positive management
- protecting World Heritage Sites from climate change but ensuring that mitigation is not at the expense of authenticity or integrity.

The Circular adds that it will be necessary to enshrine the designation and its accompanying policies in LDF documents. We regard this as a matter of urgency

Change sought to make legally compliant:

Representation Reference: 224\34

Plan Reference: Policy B4: The World heritage Site and its Setting

Representation (soundness): In relation to the policy B4 itself:

The policy is contained in the first sentence and we support this. However the second sentence should be deleted for the following reasons.

- Core Strategies should not repeat national guidance. This is what this sentence does, to the extent of citing PPS5. This is potentially a 'soundness' issue.
- Climate Change is only one of many proposals which will impact upon the WHS. If practice with regard to climate change is to be cited, then so should the practice with regard to transport schemes, tall buildings, etc.

- Citing of PPS5 within a local policy is unwise, given the government's stated intention to potentially remove all PPS's at an early stage of the plan period.
- Unless there is a robust method of assessment of 'contribution to climate change' there risks being an inequity of treatment of proposals. What if a scheme includes many aspects including some aspects of climate change mitigation? Is it enough to 'promote' a proposal for its claimed mitigation to climate change? The wording of this sentence potentially introduces ambiguity into the planning process and creates difficulties for development management and developers, instead of providing clarity and direction

Change sought to make sound: Delete second sentence of Policy B4 but insert 'usually' before 'be' at end of first sentence.

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 224\35

Plan Reference: Policy B4: The World heritage Site and its Setting

Representation (soundness): Para 2.32 raises the issues relating to a buffer zone. We do not believe that B&NES has a choice in providing a buffer zone for the World Heritage Site: see compliance above.

Change sought to make sound:

Representation (legal compliance):

Change sought to make legally compliant: Amend para 2.32 and Policy B4 to refer to the provision of a buffer zone, based on the WHS Setting Study, as required by UNESCO and to be adopted as SPD.

RepresentationReference: 224\36

Plan Reference: Policy B4: The World heritage Site and its Setting

Representation (soundness): Para 2.33 is a far too limiting and prescriptive design proposition. We understand that the Vienna Memorandum is being revised with a more considered document currently in draft that removes any reference to stylistic prescription. The Council's reliance upon the Vienna Memorandum as an accurate summary of UNESCO's position on this key issue is, therefore, possibly erroneous and is unlikely to last for the duration of the Core Strategy.

Change sought to make sound: Para 2.33: Remove last sentence. Add another sentence: New buildings may be designed in a variety of styles, but should take as their context a deep understanding of the Outstanding Universal Value of the WHS, its authenticity and its integrity. A guidance note may be produced in the context of the placemaking plans. [Note: Bath Preservation Trust has produced guidelines for new buildings in Bath which may be relevant].

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 224\37

Plan Reference: Policy B4: The World heritage Site and its Setting

Representation (soundness): Para 2.34/5; The Buildings Heights Strategy document will only be useful if it is developed into an SPD and publicised widely. Potential developers need to know that policy B4 and the Building Heights Strategy will be applied in practice.

Change sought to make sound: Para 2.3.5 last sentence delete 'has been compiled in such a way that it can be' and insert 'will'.

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 224\38

Plan Reference: Policy B4: The World heritage Site and its Setting

Representation The Council has the option of declaring an Article 4 Direction in relation to the World Heritage Site to
(soundness): manage developments that individually or collectively would harm Outstanding Universal Value. This should be included in the supporting text.

Change sought to make sound: Further paragraph added to refer to Article 4 Direction in the same way as 2.40.

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 224\39

Plan Reference: Policy B5: Strategic Policy for Bath's Universities

Representation Both Universities in Bath have detailed campus development plans already in place and it is unclear
(soundness): whether the Core Strategy reflects or cuts against these plans.

Change sought to make sound:

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 224\40

Plan Reference: Policy B5: Strategic Policy for Bath's Universities

Representation The refusal of off campus student accommodation 'where it would adversely affect realisation of other
(soundness): aspects of the vision' is open to much interpretation and potential risks. We assume it relates to land use on the Upper and Lower Bristol Road's and the River corridor. However without any further detail here it leaves this entirely undefined and no certainty as to whether the Universities have any prospect of developing off campus student housing. Since both campuses are restricted in their internal capacity to develop outwards, due to Green Belt/AONB considerations, this may limit the scope of improving the HMO problem referred to in para 2.37. We do not believe that a policy couched in these terms is defensible.

Change sought to make sound: Make more explicit the reference to off campus student accommodation strategic policy in order to identify how this might adversely affect the other aspects of the plan e.g. 'by use of land in the clearly defined western corridor/central area identified for other uses'

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 224\41

Plan Reference: Policy CP1: Retrofitting Existing Buildings

Representation Reference has already been made (BPT submission on WHS, Policy B4) to the fact that Local Strategies **(soundness)**: should not repeat national policy, so the reference to HE1 of PPS 5 should not be made on page 53 in relation to the WHS and its setting. This also applies to CP1. PPS5 will need to be adhered to locally in any case.

On the other hand, were PPS 5 to be abolished under proposals in the Planning and Localism Bill, the pronouncements relating to climate change must also be underpinned by clear recognition in the plan and supporting policies that statutory obligations to the historic environment must be respected..

The delivery framework in CP1 is not robust enough to ensure that this would be the case. Para 6.08 in the main text makes reference to there being 'scope' for detailed guidance. Detailed guidance must be a priority for our historic building stock. Acknowledgement should be given to work already underway in providing this. Without such detailed guidance, Development Management will be unable to deliver their responsibilities in this area, since many retrofitting options in the historic environment will require planning permission and/or listed building consent.

CP1 mentions the possibility of retrofitting on a whole street basis. It is not made clear how this can be delivered without complex and specific investment for facilitation across multiple freeholders. Its deliverability can therefore only be regarded as an aspiration.

The impact of some retrofitting options on Conservation Areas must be discussed and acknowledged. While the amendments to the GPDO have increased permitted development in non-listed buildings, account must be taken of the impact of such interventions on the historic environment. The Council can declare an Article 4 direction in relation to the WHS to manage developments that individually or cumulatively would harm the OUV and in certain cases relating to Climate Change this approach should be actively considered.

**Change sought to
make sound:**

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 224\42

Plan Reference: Policy CP3: Renewable Energy

Representation CP3 relies on the Development Management process for delivery of the renewable targets, Yet without **(soundness)**: research and guiding detailed policies (for instance for the most effective and least visually intrusive locations for wind turbines) Development Control will be unable to act other than in a piecemeal and non-strategic manner. For example, the supporting study on Landscape Sensitivity analysis for Wind Energy Development in B&NES describes in great detail the views to be preserved, the need to respect the WHS setting and the risk of a cumulative effect of Wind Turbine Development: it falls short however of recommending (either for or against) in particular areas (though does rule out the urban environment).

**Change sought to
make sound:**

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 224\43

Plan Reference: Policy CP4: Distric Heating

Representation CP4 implies that the Central Zone will be suitable for district heating. We suspect that this is intended
(soundness): to relate to new development sites on the riverside such as Avon Street Car Park, Kingsmead etc.

However the reference to ground archaeology and historic vaults in para 6.24 suggests in this draft that underlying research supports district heating in the historic zone as long as 'negative impacts' on the historic environment can be mitigated. In fact, the supporting District Heating Report (part 1: non technical introduction) rules out the historic centre because of the underground vaults;. This must be made clear in the document.

Change sought to • Delete references to HE1 of PPS 5

make sound: • Include reference to behavioural change and appropriate incentives in 6.04

- Significantly strengthen 6.08 to say that detailed guidance will be produced, in partnership with interested community organisations e.g. work by BPT/CSE.
- Significantly strengthen delivery section of CP1 to include (para 2) the fact that detailed guidance WILL be provided in form of SPD for retrofitting historic buildings
- Ensure compliance of such SPD with responsibilities under national planning legislation for protection of the historic environment
- Consider need for view management protection in light of GPDO amendments in the conservation areas, and refer to the potential for Article 4 directions where necessary.

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 224\44

Plan Reference: Paragraph 6.03

Representation None of the policies consider using incentives for behavioural change. Carbon use by B&NES could be
(soundness): greatly reduced if a number of these were introduced. Local transport policies should discourage public sector employees from bringing vehicles in to Bath city Centre, and could consider differential congestion charging depending on carbon emissions of vehicle. Local policies setting an environmental standard for temperatures in shop and public premises could reduce energy consumption. Policies relating to unnecessary after-hours lighting in shops, offices and streets should be considered and enforced.

Change sought to •Reword para 6.24 to make clear that the historic areas of the Central Zone have been designated

make sound: unsuitable for district heating schemes from the supporting evidence.

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 224\45

Plan Reference: Policy CP5: Flood Risk Management

Representation The evidence on which the core strategy is based, in particular the 2010 SFR Management Strategy
(soundness): concludes that

'there is no strategic solution reducing peak flow through Bath which is either technically or economically viable. As such the Strategy proposes the provision of compensatory storage upstream combined with on-site flood defences. New development must provide storage to offset the volume of water that would be displaced in a flood event by the defences on-site. In order to meet this requirement maximum flood storage area of 345,000m3 volume would be required as this is equivalent to the total combined volume of the footprint of the identified development sites. Provision of compensatory storage off-site is more cost-effective than providing it on-site and allows for greater flexibility in master planning sites.'

This is paraphrased in 2.47 and 2.48 of the Core Strategy. However the Atkins Report also concludes

that the delivery of upstream storage should take place within the first 5 years of the Core Strategy in order to make the riverside sites viable, and suggests that this should be achieved through the partnership of the Council with Central funding rather than assuming that site developers will deliver any more than site specific flood defences.

The delivery of such upstream storage as described in paragraph 2.48 potentially relies on collaboration with landowners and the local authority in Wiltshire, but these are not referred to by name. Sites, if identified in the SFRMA study, are not included in the publicly available evidence base, From an external view point the only locations within B&NES for potential upstream flood storage might be Lambridge and Bathampton Meadows, yet the latter has controversially been identified as a potential Park and Ride site which may in turn create a need for flood compensation.

There is a potential mismatch between the flood needs described in Para 2.47-8 and the language relating to re-animation of the river frontage in paragraph 2.49 and elsewhere.

**Change sought to
make sound:**

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 224\46

Plan Reference: Policy CP5: Flood Risk Management

Representation With regard to the Flood Risk Management Policy, CP5, this is far weaker than the external evidence **(soundness):** suggests it needs to be. The policy reads as if piecemeal (developer-funded) flood defences site by site will be sufficient to meet the risk, whereas the Atkins Report is quite clear that upstream storage will be needed and should be done in the first 5 years of the strategy.

Delivery of policy CP5 is described as being achieved through the development management process, which in the absence of more specific policies is unlikely to be able to do so. Flood management issues resulted in late changes to Western Riverside Phase 1 and significant, potentially fatal, problems with the 'Dyson' scheme, late in the day when considerable expense had already been undertaken).

Its implementation indicator (P134) is 'the number of planning permissions granted contrary to Environment Agency advice' rather than (for example) 'cubic metres of upstream storage provided.' There is no mention in CP5 of implementation policies for the management of increased storm water due to climate change.

Change sought to •CP5 to make explicit reference to need for delivery of upstream storage

make sound: •Sites for upstream storage identified

•Delivery strategy for upstream storage in first 5 years of plan identified

•Upstream collaboration with Wiltshire delineated and identified by name.

•Monitoring of CP5 to be 'cubic metres of upstream storage provided.'

•Implementation policies for the management of increased storm water runoff due to climate change, and implications for ageing infrastructure to be taken into account.

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 224\47

Plan Reference: Policy CP6: Environmental Quality

Representation We welcome the emphasis on quality design, and the need for contextualisation and consultation with **(soundness):** communities and amenity groups. We think that the Council should work in partnership with such groups to produce guiding principles for such design. In Bath itself, understanding the context is paramount as is choice of materials, form, height, and respect for the Outstanding Universal Value of the World Heritage Site which should be the first principle to which any design concept adheres.

Change sought to make sound:

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 224\48

Plan Reference: Policy CP6: Environmental Quality

Representation In relation to High Quality Design, the wording of the policy is extremely general and the commentary **(soundness):** on delivery gives little confidence that the generalities will be enforceable. B&NES' commitment to 'comprehensive integration of its strategies and programmes, partnership working and effective community involvement' will not necessarily deliver high quality design. The CS should commit B&NES to developing specific principles for achieving high quality design, particularly in the World Heritage Site. BPT has developed its own recommendations for good design in Bath (attached) which we commend to the Council as a useful starting point for a usable policy tool in this difficult area.

Change sought to make sound:

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 224\49

Plan Reference: Policy CP6: Environmental Quality

Representation Section 6C (pP114 and Policy CP6) should lead with the historic environment. Especially in Bath itself, **(soundness):** there is no point in talking about high quality design without contextualising it.

Change sought to make sound: •Re-order policy CP6 to place historic environment above high quality design.
make sound: •Insert new sub-point in (1) in Policy CP6 – detailed understanding of the Outstanding Universal Value of Bath World Heritage Site'

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 224\50

Plan Reference: Policy CP6: Environmental Quality

Representation In relation to the Historic Environment, the second sentence simply restates national policy and is **(soundness):** therefore redundant. The first sentence is again very general and fails to give any real indication of the kind of protection that will be expected. This section needs to be expanded to achieve a similar level of detail to paragraph 4 of 6c (Nature Conservation)

Change sought to make sound:

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 224\51

Plan Reference: Policy CP6: Environmental Quality

Representation (soundness): 6.42 refers to national policies in PPS5 together with saved policies in the Local Plan. However, Annex C to the old PPG 15 provided detailed guidance which often formed the basis of defensible decision making by the LPA; the absence of this level of detail in either PPS 5 or local policy means that there is potentially a policy vacuum resulting in inconsistent decision making.

Change sought to make sound:

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 224\52

Plan Reference: Policy CP6: Environmental Quality

Representation (soundness): 6.43 refers to keeping Conservation Areas under review. The Conservation Area appraisal for the Bath Conservation Area is not compliant and is significantly under-developed compared with conservation area appraisals in some of B&NES's surrounding villages, despite the fact that Bath is a WHS and effectively the whole City should enjoy conservation area standard protection under article 1(5), if necessary reinforced by Article 4 directions.

Change sought to make sound: Commit to the production of a new Bath Conservation Area appraisal, taking on board the items previously included in Annex C of PPG15 together with current best practice guidance from English Heritage

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 224\53

Plan Reference: Policy CP6: Environmental Quality

Representation (soundness): The Development Management process is identified as the principal means of delivering environmental quality. This will only be achieved if the CS is supported by planning policies and guidance which give clarity to developers about what is meant by good design and reduce the scope for inconsistent decisions by officers and the Development Control Committee.

Change sought to make sound: •Strengthen the role of prescriptive site specific SPDs in the place-making plan, to be drawn up prior to development.

- Include WHS Management Plan as SPD in delivery section
- Include Building Heights Strategy as SPD in delivery section

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 224\54

Plan Reference: Policy CP6: Environmental Quality

Representation (soundness):

Change sought to make sound: Paragraph 1 and the associated commentary on delivery should provide a peg on which to hang supplementary planning guidance on what constitutes good design in the specific context of the City of Bath World Heritage Site (and similarly in other parts of B&NES).

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 224\55

Plan Reference: Policy CP6: Environmental Quality

**Representation
(soundness):**

Change sought to make sound: Paragraph 2 should set out the two or three key aspects of protection of the historic environment (cf points a to d of paragraph 4), for example by referring to the encouragement of sensitive adaptation and reuse of historic buildings, the need to pay particular attention to building heights and view management, and the need to reduce the pressure on historic assets by reducing vehicle movements in sensitive areas. The second sentence of paragraph 2 needs to be deleted for the reasons set out in our comments on Policy B4.

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 224\56

Plan Reference: Policy CP8: Green Belt

Representation (soundness): BPT considers that Policy CP8 itself is sound, but we are concerned about inconsistencies in the phraseology used elsewhere in the CS, which we believe risks confusion on the part of developers and the LPA about what is intended and therefore jeopardises effective delivery of the policy.

Change sought to make sound:

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 224\57

Plan Reference: Policy CP8: Green Belt

Representation (soundness): In particular, paragraphs 1.27 and 1.31 (page 19) state that 'no changes are proposed to the general extent of the Green Belt around Bath' while paragraph 1.28 says that 'No changes are proposed to the Green Belt boundary around Keynsham'. Policy DW1 (page 20) refers to 'retaining the general extent of the Bristol-Bath Green Belt with no strategic change to the boundaries'. Policy B1 (page 34) makes no reference to maintaining the Green Belt around Bath, nor is there any mention of Green Belt in Policy B4 (page 53). In relation to Policy B5, paragraph 2.41 (page 55) states 'No alterations to the Green Belt boundary beyond that previously made in the Local Plan are envisaged during the Core Strategy period. By contrast, Policy KE1 (page 64) states at paragraph 1A that the strategy for Keynsham is to 'maintain the Green Belt surrounding Keynsham', and paragraph 6.64 (page 120) states that the boundaries for Keynsham and the villages which are inset within the Green Belt will remain unchanged, presumably for the duration of the CS. These differences in treatment between Bath and the other towns/villages within the Green Belt could be taken to imply that consideration will be given to amending the Green Belt boundary around Bath, for example to accommodate an urban extension.

Change sought to make sound: Policies B1 and B4 should include references to maintaining the Green Belt around Bath and Policy DW1 should clarify what is meant by 'no strategic change' to Green Belt boundaries.

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 224\58

Plan Reference: Policy CP8: Green Belt

Representation (soundness): The diagrams appear to extend the urban boundary of Bath northwards down the A367, showing a small 'blister' around the Odd Down park and ride. The area and the land around it to the west of the A367 are in the Green Belt.

Change sought to make sound: Correct diagrams to remove the 'blister' around Odd Down park and ride.

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 224\59

Plan Reference: Policy CP12: Centres and Retailing

Representation (soundness): We welcome the commitment in paragraph 6.90 to take forward work on regenerating London Road and enhancing its appearance. We note that the CS sets out Placemaking Principles for most of the areas identified as requiring regeneration, but not for London Road (or for other Bath neighbourhoods including the MoD sites – see our comments on Section 2d. Clarification is needed on how these areas will be dealt with in the Placemaking Plan.

There are discrepancies between the list of local centres on page 128 and the list in Table 4 of Section 2d. The two lists need to be reconciled.

Change sought to make sound: Reconciliation of the list of local centres in CP 12 with the list in table 4.

Clarification of placemaking principles for areas such as London Road.

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 224\60

Plan Reference: Policy CP13: Infrastructure Provision

Representation (soundness):

Change sought to make sound:

Representation (legal compliance): As the manager of the World Heritage Site (responsible to HMG as the State Party) B&NES has a legal responsibility to ensure proper protection of the WHS. Infrastructure provision (roads, car parks, renewable energy installations etc) has the potential to cause serious damage to the integrity and authenticity of the WHS, and Policy CP 13 should make clear that such damage will not be accepted.

Change sought to make legally compliant: The last sentence of the policy should include a reference to the WHS and its setting as well as to European wildlife sites.

RepresentationReference: 224\61

Plan Reference: Policy CP13: Infrastructure Provision

Representation Infrastructure delivery partners need to be alerted to the fact that in the particular circumstances of
(soundness): Bath, protection of the World Heritage Site and its setting is of paramount importance. Unless policy CP13 highlights the importance of WHS considerations, there is a risk that time and money will be wasted in developing unsuitable proposals.

Change sought to The last sentence of the policy should include a reference to the WHS and its setting as well as to
make sound: European wildlife sites.

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 224\62

Plan Reference: Chapter 7: Monitoring

Representation The monitoring framework is not adequate to fulfil the objective described in paragraph 4.47 of PPS 12
(soundness): (to provide early warning that the strategy is starting to fail so that contingency plans can be triggered). The indicators identified in Table 9 appear to have been selected because they are easily measurable rather than because they provide genuine information about the success or otherwise of delivering the Core Strategy. In some cases (CP5, percentage of new homes on previously developed land) the selected indicators bear little or no resemblance to the policies described in the Core Strategy. This section requires a complete overhaul.

Change sought to For example:

- make sound:**
- the first indicator of success in delivering policy CP1 should be the publication of authoritative guidance for property owners on retrofitting historic buildings. Monitoring thereafter should focus on the number of installations which are in accordance with the guidance
 - Policy CP3 can only be successfully implemented if planning guidance is developed to clarify the most appropriate locations for large-scale renewable energy installations. Monitoring thereafter needs to focus on the number of planning applications which comply with the guidance
 - Policy CP5 requires as a first step the provision of compensatory flood storage upstream from Bath; delivery (or not) of this vital infrastructure before planning applications come forward for riverside development sites should be the first indicator
 - Policy CP6 needs to include indicators for monitoring the historic built environment as well as the natural environment and new housing developments
 - Monitoring of the place-based spatial strategies needs to confirm that the policy of exhausting the scope for brownfield development before allowing building on greenfield sites is being achieved. The reference in Table 9 to the national target of 60% of new homes on previously developed land is inappropriate against the background of Policy DW1

Representation (legal compliance):

Change sought to make legally compliant:

Respondent Number: 225 **Respondent:** Bath & North East Somerset Allotments Association

RepresentationReference: 225\1

Plan Reference: Policy DW1: District Wide Spatial Strategy

Representation Section 1d, the District-wide spatial strategy, refers to the Strategic Housing Land Availability
(soundness): Assessment as part of the evidence-base for development land supply. This includes a number of sites which are either historical allotment sites, new allotment sites or potential allotment sites.

Change sought to Although the sites have effectively been rejected because of their unsuitability/unavailability, it is
make sound: worth making the following comments:

Historic allotments

Wal1 - Southbourne Gardens - Replacement allotments contained within S106.

Wid18 - Lime Grove School - Land was taken from Canal Gardens allotments to construct the school. Since it has closed, attempts have been made to persuade the Council to release grassland play areas around the school to be used for temporary allotments but the land has stood idle since 2007. As these pieces of land have not been built on, they could be returned to allotments.

Lyn6 - Beechen Cliff School - This playing field was used as allotments during and after WWII. It should be protected from development.

Old4 - Land off Claude Ave - This land was originally all smallholdings but, until the adoption of CF.8, many of them changed as a process of attrition into small-scale commercial enterprises. A few remain and are protected by CF.8.

Current allotment developments

Cdn2 - Rear of Foxhill Community Centre - The Council has recently created allotment plots on this site.

Odn2 - Allotments, Bloomfield Drive - This historic allotment site has now been brought back into use, renamed as Corston View allotments.

Potential allotments

Wes12 - Lansdown View allotments - This privately-owned, former allotment site was designated for allotment use in the previous Local Plan. It continues to be protected from development under CF.8.

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 225\2

Plan Reference: Strategic Objective 6: Plan for development that promotes health and well being.

Representation B&NES Allotments Association has approximately 300 members, almost exclusively from among Bath
(soundness): city allotment tenants. However, our Objectives include the establishment of allotments throughout the District and we work with the town and parish councillors and allotment representatives, and private landlords, to that end.

Increasingly, allotments are seen as one point on a spectrum of local food production which might include: raised beds, private gardens, miner's style long gardens, allotments, community gardens/orchards, smallholdings, community supported agriculture and farms. Although this range is hinted at in references to local food within the general text of the Core Strategy, this coherence is lacking in the treatment of allotments in the structure of the Core Strategy which links objectives to policies and delivery mechanisms to monitoring indicators.

Working back from the monitoring indicators for Objective 6, Plan for development that promotes health and well being, allotments are dealt with either as by-products of developer contributions from Bath Western Riverside, development in Keynsham and the Somer Valley and other unspecified development, or as a contributor to air quality management.

Allotments are also mentioned in relation to the Green Infrastructure Strategy, but it is a weakness of the Core Strategy that the Green Infrastructure Strategy has yet to be developed. As the Place-making Plan is not available either yet, the lack of information limits what constructive comments we can make about the Core Strategy.

However, we are glad to see that the Core Strategy provides general support for allotments (e.g. 2g, 2.49) and the commitment to maintaining, protecting and enhancing allotments as a component of the green infrastructure in Policy CP7. The retention of policy CF.8 is also noted with approval.

Change sought to make sound: DCLG has reissued PPS3, which now excludes private residential gardens from the definition of 'previously developed land'. This requires the definition of 'brownfield land' to be updated. PPS3 should be added to the National Policy documents listed for DW1.12, Green Infrastructure, since PPS3 covers the protective legislation for allotments.

Existing and potential allotments provisions which mirror the traditional miner's cottage long-gardens and self-sufficient tradition are included as an asset for Radstock but omitted from the neighbouring old mining community of Midsomer Norton and other mining villages. This asset should be recognised for the whole of Somer Valley and, arguably, as a model for the District as a whole.

The lack of adequate garden space in new developments is a deterrent to families growing their own food and increases demand for allotments.

The need for allotments is given specific mention in certain localities only, for example Keynsham. Allotments legislation requires the relevant local authorities to provide allotments to meet demand, so there should be no implication otherwise, as currently most localities do have unmet demand.

2. The need to strengthen the role of allotments within a coherent policy for Local Food

As discussed in paragraph 1 above, the Core Strategy addresses allotments either as a by-product of development, through developers' contributions (policy CP13), or in an as yet unspecified way pending the development of the Green Infrastructure Strategy, under policy CP7, Green Infrastructure. This is a weakness which renders the Core Strategy unsound.

A new policy, specifically for Local Food, which incorporates allotments as one method of local food production, should be developed. Cross references should be made between the Local Food policy and policy CP13 in relation to allotment provision, but also encouraging the provision of adequate sized gardens, community gardens and orchards, within new developments. This would meet both Objective 1, Pursue a low carbon and sustainable future in a changing climate, and Objective 6, Plan for development that promotes health and well-being.

The Local Food policy should define 'local', i.e. proximity, for different types of food production, e.g. allotments should be provided within 600 metres of residence, as set out in the Green Spaces Strategy. Proximity definitions would need to be defined, but - for example - commercial horticulture of vegetables and fruits within 5 km, meat and poultry within 8 km. Time and volume-based targets should be set, so that for Bath an example would be: "By 2026, half the fruit and vegetables consumed will be grown within the city boundary, including in: gardens, allotments and smallholdings, market gardens and community supported farms." This would return Bath to the horticultural productivity levels of the 1950s.

Representation (legal compliance):

Change sought to make legally compliant:

Representation Reference: 225\3

Plan Reference: Policy CP7: Green Infrastructure

Representation (soundness): B&NES Allotments Association has approximately 300 members, almost exclusively from among Bath city allotment tenants. However, our Objectives include the establishment of allotments throughout the District and we work with the town and parish councillors and allotment representatives, and private landlords, to that end.

Increasingly, allotments are seen as one point on a spectrum of local food production which might include: raised beds, private gardens, miner's style long gardens, allotments, community gardens/orchards, smallholdings, community supported agriculture and farms. Although this range is

hinted at in references to local food within the general text of the Core Strategy, this coherence is lacking in the treatment of allotments in the structure of the Core Strategy which links objectives to policies and delivery mechanisms to monitoring indicators.

Working back from the monitoring indicators for Objective 6, Plan for development that promotes health and well being, allotments are dealt with either as by-products of developer contributions from Bath Western Riverside, development in Keynsham and the Somer Valley and other unspecified development, or as a contributor to air quality management.

Allotments are also mentioned in relation to the Green Infrastructure Strategy, but it is a weakness of the Core Strategy that the Green Infrastructure Strategy has yet to be developed. As the Place-making Plan is not available either yet, the lack of information limits what constructive comments we can make about the Core Strategy.

However, we are glad to see that the Core Strategy provides general support for allotments (e.g. 2g, 2.49) and the commitment to maintaining, protecting and enhancing allotments as a component of the green infrastructure in Policy CP7. The retention of policy CF.8 is also noted with approval.

Change sought to make sound: DCLG has reissued PPS3, which now excludes private residential gardens from the definition of 'previously developed land'. This requires the definition of 'brownfield land' to be updated. PPS3 should be added to the National Policy documents listed for DWI.12, Green Infrastructure, since PPS3 covers the protective legislation for allotments.

Existing and potential allotments provisions which mirror the traditional miner's cottage long-gardens and self-sufficient tradition are included as an asset for Radstock but omitted from the neighbouring old mining community of Midsomer Norton and other mining villages. This asset should be recognised for the whole of Somer Valley and, arguably, as a model for the District as a whole.

The lack of adequate garden space in new developments is a deterrent to families growing their own food and increases demand for allotments.

The need for allotments is given specific mention in certain localities only, for example Keynsham. Allotments legislation requires the relevant local authorities to provide allotments to meet demand, so there should be no implication otherwise, as currently most localities do have unmet demand.

2.2 The need to strengthen the role of allotments within a coherent policy for Local Food

As discussed in paragraph 1 above, the Core Strategy addresses allotments either as a by-product of development, through developers' contributions (policy CP13), or in an as yet unspecified way pending the development of the Green Infrastructure Strategy, under policy CP7, Green Infrastructure. This is a weakness which renders the Core Strategy unsound.

A new policy, specifically for Local Food, which incorporates allotments as one method of local food production, should be developed. Cross references should be made between the Local Food policy and policy CP13 in relation to allotment provision, but also encouraging the provision of adequate sized gardens, community gardens and orchards, within new developments. This would meet both Objective 1, Pursue a low carbon and sustainable future in a changing climate, and Objective 6, Plan for development that promotes health and well-being.

The Local Food policy should define 'local', i.e. proximity, for different types of food production, e.g. allotments should be provided within 600 metres of residence, as set out in the Green Spaces Strategy. Proximity definitions would need to be defined, but - for example - commercial horticulture of vegetables and fruits within 5 km, meat and poultry within 8 km. Time and volume-based targets should be set, so that for Bath an example would be: "By 2026, half the fruit and vegetables consumed will be grown within the city boundary, including in: gardens, allotments and smallholdings, market

gardens and community supported farms.” This would return Bath to the horticultural productivity levels of the 1950s.

Representation (legal compliance):

Change sought to make legally compliant:

Respondent Number: 226 Respondent: Radstock Action Group

RepresentationReference: 226\1

Plan Reference: Policy SV1: Somer Valley Spatial Strategy

Representation (soundness): The omission of renewing rail transport, particularly the link between Radstock and Frome, ignores the Core Strategy aspirations to foster sustainable economic development, create successful and sustainable communities. References to more cycling and walking entirely ignore the terrain and the time constraints of such activities in the overall economic regeneration of the town, which will involve inward and outward travel to work places in the town and elsewhere.

Change sought to make sound: Insert in Section SV1:6 a commitment to exploring the reinstatement of the rail link between Radstock and Frome.

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 226\2

Plan Reference: Paragraph 4.23

Representation (soundness): The statement in 4.23 that ‘the highway network whereby the town is situated at the meeting point of a number of busy roads, compromising pedestrian environment and severely compromising the creation of a strong sense of place in the centre’ is a dishonest and misleading one. BANES is currently involved in attempting to build a new road straight through the heart of the town which is also a conservation area. All the issues identified in the above statement are true, but will become even more of a risk if the road is ever built. Local opinion has been shown to be opposed to this and we regard it as unsound to suggest other than that the owner of this core strategy, the authority, is minded to worsen rather than improve the situation.

Additionally, the building of a main through road, through the centre of a community is regarded as very poor practice in planning terms and is counter to the thrust of the Core Strategy.

Change sought to make sound: Insert in 4.23 that substantial action is required to reduce through traffic in the town centre, as it compromises pedestrian safety, will damage buildings in the conservation area. The diminution of traffic will enable the community to feel more united and will encourage greater use of the retail and business facilities in the town centre.

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 226\3

Plan Reference: Paragraph 4.23

Representation (soundness): The statement in 4.23 that ‘potential flood risk’ poses a risk to achieving the ambitions of Radstock, is true. What this fails to state is that the authority is determined to build housing on an area where the flood risk has been deemed to double in the latest flood risk assessment. Senior members of the community remember the land adjacent to the railway line flooding regularly. A river runs through the

town and its capacity to flood is legendary; it is incumbent on the authority to attempt to minimise the risk rather than increasing it.

Change sought to Insert in 4.23 that there will be greater care taken in identifying sites for development and that any
make sound: development must be subject to rigorous examination in the light of flood risk assessments.

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 226\4

Plan Reference: Policy SV3: Radstock Town Centre Strategic Policy

Representation NEW Master Planning was commissioned to produce town centre plans for the three market towns of
(soundness): Radstock, Keynsham and Midsomer Norton. They fulfilled their brief for the latter two but failed to produce anything at all for Radstock, owing to factors which are not relevant here. The result is that the statement in SV3 is a dangerous generalisation and is not the basis for any strategic development. Compared with the statements for Midsomer Norton and Keynsham it lacks specifics and is made up of general aspirations which might be used against the best interests of the town because they do not actually commit the authority to a set of meaningful goals and policies for the town.

It cannot be said to be consistent with national policy because it is made up of a series of generalisations which carry no weight and are open to resulting actions being inconsistent with national policy on renewal, regeneration, road building and creation of jobs and homes.

Change sought to Produce a Strategic Policy based on a sound business plan as originally intended by Bath and North
make sound: East Somerset. Substitute this for the current SV3

Representation (legal compliance):

Change sought to make legally compliant:

Respondent Number: 227 **Respondent:** London Road Area Residents Association

RepresentationReference: 227\1

Plan Reference: Paragraph 1.07

Representation Para 1.07 "well served by Motorways"
(soundness):

BUT the i) transport links to Bristol (no longer called International by the way) Airport are mere 'country lanes' and

ii) there is no direct bus link from Bath. (You have to go to Bristol Temple Meads – to which there is no 24 hour link from Bath).

Change sought to i) Include encouragement for completion of the Bristol Ring Road (A4174)

make sound: ii) Presumably there will be no funding in the current economic climate for a Bath – Airport link but this could be included in the Vision for the future.

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 227\2

Plan Reference: Paragraph 2.44

Representation Paras 244 – 246 Transportation

(soundness): i) No mention of possible use of rail Infrastructure to relieve road congestion and other local transport problems into, across and out of the World Heritage Site.
ii) Para 2.46 The Greater Bristol Metro Project is currently unfunded

Change sought to Trains are Rapid Transit. Therefore, lobby for the rail signalling upgrade via West of England

make sound: Partnership PLUS Wiltshire, to use existing Rail Infrastructure a) more and b) more efficiently by increasing links to local stations east and west of Bath as well as south to Frome. Including making the reopening of Corsham station a priority.

Representation (legal compliance):

Change sought to make legally compliant:

Representation Reference: 227\3

Plan Reference: Paragraph 2.44

Representation Para 2.44 states “create a segregated park and ride bus route for 1.4km of the journey from Newbridge

(soundness): Park and Ride to the city centre”. The segregated route does NOT go all the way to the city centre.

Has the location for the Compensatory Flood Works that will be necessary if this proposal goes ahead been identified and if so where will it be ? We do not think it will have been included in the original calculation of 345,000 cubic metres referred to in para 2.48 and in the Flood Risk Management Strategy (CP5)

Change sought to Para 2.44 remove “the city centre” and replace with “ Windsor Bridge” as this more accurate an

make sound: truthful.

Clarification is required and relevant information or corrections to calculations included in para 2.48 and the Flood Risk Management Strategy.

Representation (legal compliance):

Change sought to make legally compliant:

Representation Reference: 227\4

Plan Reference: Paragraph 6.93

Representation Para 6.93 There is no specific mention of railways in the list.

(soundness):

Para 6.94 There is no justification at all for the inclusion of “The Council ...and recognises the need for studies to assess An A46/A36 link” in the Core Strategy. The Inspector, in his report, at the 1990 Public Inquiry into the Swainswick and Batheaston bypasses and the A46/A36 link firmly rejected the latter as “..intolerable in its landscape impact..”. The Cotswold Area of Outstanding Beauty and Green Belt which contribute to Bath’s World Heritage Site Setting must continue to be protected . A link road will do nothing to solve Bath’s air quality and congestion problems as many so often mention. Most car drivers have business in the B&NES area and therefore few would benefit from an expensive link road.

Para 6.95 JLTP3 has dropped the idea of an A46/A36 link road as it would not help to achieve its goals. B&NES should do the same. Re JLTP why does Bath’s eastern neighbour (Wiltshire) not participate in this planning ?

There is no mention of policies to control, discourage or remove HGV’s which have no need to come into the area. What has happened to the proposed A36 or Cleveland Bridge restrictions mentioned in previous plans ?

- Change sought to** i) Remove all mention of an A46/A36 Link road from the Core Strategy. (para 6.94)
make sound: ii) Include investigation of possible RAIL based solutions to Transport and Movement problems.
iii) Invite Wiltshire to participate in seeking Transport and Movement solutions particularly regarding HGVs.
iv) Ensure policies are included to control visiting coaches and their passengers.

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 227\5

Plan Reference: Paragraph 2.48

Representation Para 2.44 states “create a segregated park and ride bus route for 1.4km of the journey from Newbridge
(soundness): Park and Ride to the city centre”. The segregated route does NOT go all the way to the city centre.

Has the location for the Compensatory Flood Works that will be necessary if this proposal goes ahead been identified and if so where will it be? We do not think it will have been included in the original calculation of 345,000 cubic metres referred to in para 2.48 and in the Flood Risk Management Strategy (CP5)

- Change sought to** Para 2.44 remove “the city centre” and replace with “ Windsor Bridge” as this more accurate an
make sound: truthful.
Clarification is required and relevant information or corrections to calculations included in para 2.48 and the Flood Risk Management Strategy.

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 227\6

Plan Reference: Policy CP13: Infrastructure Provision

Representation The wording of CP13 is weak. It omits B&NES direct responsibility for Transport and Movement
(soundness): matters. Instead responsibility is shuffled to the ‘JLTP3’.

We again point out that Wiltshire (Bath’s eastern neighbour) is not included or consulted in this joint plan for the area. Many of Wiltshire’s residents, living so close to Bath, are the commuters and shoppers driving in along the London Road.

Moreover there is no insistence that appropriate transport infrastructure be a pre- requisite of major developments.

- Change sought to** Policies are needed to encourage improvements to public transport provision from Wiltshire, both by
make sound: bus and rail. This must be a priority.
(As with our criticism of Flood Risk CP5) we suggest CP13 should state – No developments will be approved in the absence of previously agreed transport infrastructure provision.

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 227\7

Plan Reference: Diagram 4: Bath and North East Somerset - The Key Diagram

Representation Both diagrams 4 & 5 show 'Flood Storage Facility' as pink/orange dots within the river and in areas
(soundness): which are surely already in the flood plain of the river Avon.

In addition in Diagram 5 a small part of the railway is also included in the Area of search for location of Flood Storage facilities. This surely cannot be right and would lead to subsidence of the railway track.

Change sought to The dots should be removed from Diagrams 4 & 5 and a new map showing Areas of search for Flood
make sound: Storage included in the Flooding section on pages 112 - 113

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 227\8

Plan Reference: Diagram 5: Bath Spatial Strategy

Representation Both diagrams 4 & 5 show 'Flood Storage Facility' as pink/orange dots within the river and in areas
(soundness): which are surely already in the flood plain of the river Avon.

In addition in Diagram 5 a small part of the railway is also included in the Area of search for location of Flood Storage facilities. This surely cannot be right and would lead to subsidence of the railway track.

Change sought to The dots should be removed from Diagrams 4 & 5 and a new map showing Areas of search for Flood
make sound: Storage included in the Flooding section on pages 112 - 113

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 227\9

Plan Reference: Paragraph 1.12

Representation i) Mention of Flooding is woefully absent in the Executive Summary with only a vague mention in
(soundness): Section 2 and the same diagrammatic maps 4 & 5 from the main Core Strategy document which are meaningless with their dots in the river Avon and its existing floodplain.

ii) Para 6.25 - 32 on page 112 and Policy CP5 (page 113) refer to B&NES SFRA and FRMS reports. The publication of the latter was significantly delayed and even now the Appendices are missing (eg Site options maps App C & L). How can proper comment be made ? The Flood Risk Management Strategy itself has numerous omissions eg Frank Greenhalph 1974 Flood Defence Scheme and Lewin Fryer Hydrolab 2003 report are not listed and are surely still relevant to current and future policies in explaining the purposes of the Pulteney Sluice.

Change sought to i) A new map showing Areas of search for Flood Storage Facilities should be included in the Flooding
make sound: Section with a more accurate explanation of exactly why these are needed.

ii) All documents which the Core Strategy quotes should be available to the public in a complete form.

Eg All appendices for Flood Risk Management Strategy to be made available to the public.

iii) The Inspector to be asked that all such documents be made available in advance of an Inquiry.

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 227\10

Plan Reference: Policy CP5: Flood Risk Management

Representation Para 1 of Policy CP5 (page 113) is weak and needs beefing up. Viz " Any development in areas at risk of
(soundness): flooding will be expected" ..."which may take" "as may be necessary".

Para 3 bases the Policy on the Flood Risk Management Strategy which effectively states that the only financially viable strategy is of Compensatory Flood works upstream – 345,000 cubic metres in volume Maximum (or minimum ?). This is to match the displaced volume/s of water (+20% for climate change) caused by further developments in Bath but remember please that Bath came within 2 inches of flooding in October 2000 since which time Prof Chris Baines – advisor to B&NES has suggested a one million Cumec upstream reservoir.

The FRMS is also full of uncertainties in its wording and the section on “Risks to successful delivery” (p68) demand that the wording of CP5 be strengthened.

Change sought to make sound: The wording of CP5 Flood Risk Management (page113) should state categorically that :-

“No development will be allowed unless measures to offset flood risk are in place and functional BEFORE development commences”.

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 227\11

Plan Reference: Policy B4: The World heritage Site and its Setting

- Representation (soundness):** i) We agree whole heartedly with the first sentence of Policy B4 where it states that “Proposals which would harm the Outstanding Universal Values of the City of Bath World Heritage Site, including its authenticity and integrity, or which would harm the setting of the World Heritage Site, will be refused” . This is welcomed but we believe that para 2.32 is weak and requires stiffening. Specific reference should be made to the WHS Management Plan (2011 – 2016), together with a clearer intention to respect PPS5.
- ii) UNESCO’s recommendation in their Bath report (2008) that “ ...reinforced protection of the surrounding landscape to prevent any future developments which could have adverse and cumulative impact on the Outstanding Universal Value” be provided, is as, or more, important as the UNESCO Vienna Memorandum reference quoted in para 2.33.
- iii) The DCLG Circular on WHS protection (2009) clearly states that WHS landscape setting considerations are a key material consideration and quotes the UNESCO message that “A buffer zone is defined in the guidelines as an area surrounding the World Heritage Site which has complementary legal restriction placed on its use and development to give an added layer of protection....”
- iv) Unfortunately the second sentence of B4 could encourage unsuitable and potentially damaging applications.

Change sought to make sound: i) Mention of the WHS Management plan (2011 – 2016) should be included, at least, in para 2.31 and preferably also in Policy B4.

ii) Para 2.31/2.32 make much of “the green setting of the City in a hollow in the hills” and the WHS Setting Study but the former is too ill defined and vague and the latter appears to have no teeth. It is probably even more important to mention that Bath’s setting is in the Green Belt and the Cotswold’s Area of Outstanding Natural Beauty and is visible from the Scheduled Ancient Monument sites of Solsbury Hill and Bathampton Down. Although some of these are Illustrated in Diagram 4, a small map including these features which form the setting of the WHS should be included at page 52.

iii) Just as important should be mention of views out of the city to the surrounding tree clad hillsides which are also a very important part of the setting. Include this in para 2.31 / 2.32

iv) Remove second sentence of B4

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 227\12

Plan Reference: Paragraph 2.34

Representation We are concerned that the Building Height Strategy may not include other matters which could have a
(soundness): detrimental effect on the Outstanding Universal Value of the World Heritage Site, if new buildings are not seen in the context of their location eg form, mass and scale.

Change sought to make sound: As outlined in 6b above - issues of form, mass and scale of developments as well as the context in which they are situated should be included in para 2.34-35 not just height.

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 227\13

Plan Reference: Policy B1: Bath Spatial Strategy

Representation Para 8b " A new stadium for Bath RFC within the Central Area"
(soundness):

- i) Bath's Recreation Ground is within the Flood Plain. Presumably any further development on the Recreation Ground will require Compensatory Flood Works as required in PPS25
- ii) Has this amount been quantified and where will it be?
- iii) This will be in addition to the 345,000 cubic metres referred to in the Flood Risk Management Strategy (C5)

Change sought to make sound: Further clarification and calculations are needed and should be publicised and any changes to the figures included in the Core Strategy.

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 227\14

Plan Reference: Policy CP12: Centres and Retailing

Representation Mindful of PPS 4 & PPS 5, we oppose the inappropriate conversion of shops into flats where (para 6.91)
(soundness): Local Plan Policies S.5 and S.8 have failed.
This has already occurred in several properties along London Road even though representations were made.

Change sought to make sound: Allow non-viable retailing premises to change their designation to 'places of employment' ie offices and workshops as needed by Creative, Technology and Software Business speakers at the recent 'Treasure and Transform Seminars on 19, 20, 21 January 2011 and as referred to in para 6.85 on page 126.
Listed buildings along London Road that are non-viable as 'shops' could readily fill such a need, thus contributing to the Regeneration of the Georgian Entry to Bath.
We support para 6.90 and hope that para 6.91 will not prevent such potentially enhancing change of use.

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 227\15

Plan Reference: Diagram 5: Bath Spatial Strategy

Representation i) The cancellation of the Regional Spatial Strategy plan for extra housing at Newton St Looe removes
(soundness): the pressure to enlarge Newbridge Park and Ride and further weakens the case for a dedicated Rapid Transit Bus route and the associated Compulsory Purchase Orders.

ii) The proposal to site a new Park and Ride on the ancient water meadows of Bathampton is contentious, unsound and in conflict with PPS 25 and various other policies. It will achieve none of the hoped for improvements to congestion and air quality locally or in Bath (as agreed by B&NES officers at the time of the planning applications) and will be a blot on the beautiful surrounding landscape as agreed by the Inspector at the 1990 Public Inquiry and several other reports since.

iii) After the removal of the unsuitable Lambridge site from the BTP, there was inadequate public consultation (in fact none!) on the selection of a more suitable alternative. Bathampton Meadows was announced as a fait accompli. However this site is overlooked by thousands of residents, is also too small and incapable of expansion because of the River Avon flood plain nearby.

iv) Sites in Wiltshire and South Gloucestershire were not considered and Charney Down airfield was discounted without proper examination. Considering that a large number of P & R customers come from neighbouring authorities these possibilities should have been more seriously investigated.

v) The beautiful landscape entry to Bath by road and rail (whether from east or west) is too important to be damaged by inappropriate developments and should be protected not only by Green Belt and Cotswold AONB designations but by World Heritage status and local policy protection.

vi) The supporting document for CP5 – Flood Risk Management actually suggests the possibility of using Bathampton Meadows as one possible site for Compensatory Flood Water Storage – presumably by lowering the land height of the car park. Alternatively will a reservoir be built deep below ground and then roofed over by a car park for 1400 cars ?

Flood compensation plans have already been rejected as intrusive and environmentally damaging by the council in the past and other consultants studies since have agreed that the harm done to this green valley could not be justified.

Change sought to i) Remove 'Expanded' Newbridge and 'New' East of Bath P&R sites from Diagram 5.
make sound: ii) The Bath Transport Package is flawed, out dated and unacceptably expensive (however it is to be funded). It should be thoroughly examined and the unsound elements within it should be dropped with the same rigour that the Coalition Government has grounded Harriers, cancelled Nimrods and withdrawn HMS Ark Royal ! Many of Bath's transport needs could be met by more and more efficient use of the existing Rail Infrastructure – upgrading the signalling between Keynsham and Bathampton would be a valuable start.

iii) As most P & R customers will have travelled from or through Wiltshire or South Gloucestershire it would seem more appropriate for plans for new Park & Rides to be over the boundary within the area of those local authorities.

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 227\16

Plan Reference: Paragraph 2.44

Representation Rapid Transit Routes" - perhaps wisely no maps of such routes are shown in the Core Strategy
(soundness): document – perhaps because it is (hopefully) finally accepted by B&NES that it is an impossibility !

Central Bath, Dorchester St, Manvers St, Walcot St and London Rd are all far too narrow and tortuous to allow dedicated bus lanes, unless an 'overhead' transit scheme is envisaged . The Flood Plain ramifications would not allow an underground Metro !

ii)The cancellation of the Regional Spatial Strategy plan for extra housing at Newton St Looe removes the pressure to enlarge Newbridge Park and Ride and further weakens the case for a dedicated Rapid Transit Bus route and the associated Compulsory Purchase Orders.

iii)The proposal to site a new Park and Ride on the ancient water meadows of Bathampton is contentious, unsound and in conflict with PPS 25 and various other policies. It will achieve none of the hoped for improvements to congestion and air quality locally or in Bath (as agreed by B&NES

officers at the time of the planning applications) and will be a blot on the beautiful surrounding landscape as agreed by the Inspector at the 1990 Public Inquiry and other reports since.

Iv) After the removal of the unsuitable Lambridge site from the BTP, there was inadequate public consultation (in fact none!) on the selection of a more suitable alternative. Bathampton Meadows was announced as a fait accompli. However this site is overlooked by thousands of residents, is also far too small and incapable of expansion as required by PPS25 because of the River Avon flood plain nearby.

V) Sites in Wiltshire and South Gloucestershire were not considered and Charmy Down airfield was discounted without proper examination. Considering that a large number of P & R customers come from neighbouring authorities these possibilities should have been more seriously investigated.

Vi) The beautiful landscape entry to Bath by road and rail (whether from east or west) is too important to be damaged by inappropriate developments and should be protected not only by Green Belt and Cotswold AONB designations but by World Heritage status and local policy protection. Future citizens will wonder how a scheme, flood lit for 15 hours a day in winter months, was allowed to spoil a dark, green valley with its Nature Reserve close by.

Vii) The supporting document for CP5 – Flood Risk Management actually suggests the possibility of using Bathampton Meadows as one possible site for Compensatory Flood Water Storage – presumably by lowering the land height of the car park. Alternatively will a reservoir be built deep below ground and then roofed over by a car park for 1400 cars? Flood compensation plans have already been rejected as intrusive and environmentally damaging by the council in the past and other consultants studies since have agreed that the harm done to this green valley could not be justified.

- Change sought to** i) Drop the existing Bath Transport Package which is flawed, out dated and unacceptably expensive
make sound: (however it is to be funded). It should be thoroughly re-examined and the unsound elements (eg BRT) within it should be dropped with the same rigour that the Coalition Government has grounded Harriers, cancelled Nimrods and withdrawn HMS Ark Royal ! Many of Bath's transport needs could be met by more and more efficient use of the existing Rail Infrastructure – upgrading the signalling between Keynsham and Bathampton would be a valuable start.
- ii) As most P & R customers will have travelled from or through Wiltshire or South Gloucestershire, it would seem more appropriate for plans for new Park & Rides to be over the boundary within the area of those local authorities. This should be included as an aim and pursued vigorously.

Representation (legal compliance):

Change sought to make legally compliant:

Respondent Number: 228 Respondent: Pulteney Estate Residents' Association

Representation Reference: 228\1

Plan Reference: Policy B2: Central Area Strategic Policy

Representation PERA are concerned that Diagram 8, page 42, appears to propose that the current Central area be

(soundness): extended, by 2026, to include the Recreation Ground from the present limit of Argyle Street.

PERA are concerned at the implications of this rezoning from residential/public open space to city centre commercial with regard to planning consents and licensing applications for any new buildings in this area. This rezoning pre-empts the decision on use of the Recreation Ground by the Charity Commissioners and could be prejudicial to existing covenants on the Recreation Ground.

Change sought to Central Area zoning to remain as currently delineated.

make sound:

Representation (legal compliance): BANES Council have sought to regard the Rec and certain residential streets within the PERA area as "commercial" in the latest version of its Core Strategy, thereby giving further credence to the development of commercial activities on the Rec, and in neighbouring residential areas.

As you know it is the 1956 conveyance that appears to govern how the Trust should be run. This conveyance refers to the Conveyance dated April 1922 which imposes on the parties to the 1956 conveyance an obligation "to observe and perform the covenants and conditions contained in the April 1922 conveyance"

The April 1922 conveyance contains a covenant binding on ANY future owner of these specific premises (the current Rec land) that "there will be no buildings for the purposes of trade or business which may be a nuisance, annoyance or disturbance or otherwise prejudicially affect the adjoining premises or neighbourhood." This seems to be clear that whoever owns the land, and regardless of any land-swap, that these conditions should be upheld.

Change sought to make legally compliant: Compliance with existing covenants pursuant to the Recreation Ground.

Respondent Number: 229 Respondent: DPDS Consulting

RepresentationReference: 229\1

Plan Reference: Policy CP8: Green Belt

Representation The definition of major (existing) developed sites in the green belt is not consistent, in terms of the **(soundness):** definition of appropriate boundaries, with national guidance in PPG2 Annex C.

Change sought to make sound: Re-definition of the med's boundary to include all the land which forms the site (i.e. all the land in the green belt controlled by Monkton school and not merely the area within which infilling would be allowed.

Representation (legal compliance):

Change sought to make legally compliant:

Respondent Number: 230 Respondent: Mrs Anne Hutton

RepresentationReference: 230\1 S

Plan Reference: Policy SV1: Somer Valley Spatial Strategy

Representation The Core Strategy is sound because it does not allocate any new greenfield sites at Radstock. Radstock **(soundness):** cannot cope with any new housing areas because sufficient brownfield sites have been allocated and there is insufficient transport and community facility capacity to cope with anymore housing. Also, greenfield housing will harm the landscape character around the town.

Change sought to make sound: none

Representation (legal compliance):

Change sought to make legally compliant:

Respondent Number: 231 Respondent: Mr Langton

RepresentationReference: 231\1

Plan Reference: Whole Document

Representation The manner in which the Council gave itself permission to continue with the BRT after having voted not **(soundness):** to proceed is certainly open for further investigation as are all the statistics and information they have gathered to back up their contention that the city needs the BRT.

It is obvious from reading the Core Strategy that it has been cobbled together in order to comply with the government's funding criteria regardless of the consequences. As result we have a severely flawed document that is no longer coherent, purposeful, well targeted or affordable. The Council itself has had yet again to alter its scheme regarding the BRT by having to raise a further £8.7 million to keep the misguided idea afloat. As a result items that were generally supported and needed were discarded without due consultation with all parties. It is patently clear from this action that the Council's strategy

is by no means as flexible as the government requires.

The basis of the core strategy is figures and economic forecasts, many of which were collected twenty years ago when things were very different. The Council has signally failed in its duty of care to the government as well as the local residents by not collecting new and accurate information and demonstrating honesty and integrity in doing so and ensuring that all information was available during the much shortened consultation time.

So far the Council appears to have failed in using either integrity or honesty over the production of the Core Strategy. There are serious omissions in the document such as the Flood Risk Management report which we were informed would be in the document so that it could be considered in detail. Again where are the infrastructure studies that were to accompany the document – very significant that they are missing as well.

The Council it would appear are also in serious error by not following the government guidelines when issuing the CPOs required for the BRT scheme. In fact there are grounds for a judicial review of this matter.

The Council also has to provide irrefutable evidence that there is a definite need for such schemes as the BRT in light of the present economic downturn. It is not enough to draw conclusions from the air such as the expected growth of Bath in the next decade or so – 17% when in the last fifty years it has barely grown 3%.

Until such time the Council can provide substantive and factual evidence for all their prognoses referred to in the DCS the entire document should be regarded with the greatest of caution. Perhaps the old adage of “less haste more speed” would have usefully been applied here, as the DCS in its present form is nothing more than a mess of expensive potage!

Change sought to make sound: Instead of blindly following government funding criteria at whatever the cost, return to the drawing board and rethink the entire strategy. Already too much money has been wasted but this is small in comparison to that which will be lost should the Council continue on its present course.

Purposeful consultation with the residents would be a good basis from which to start. All paperwork and drawings to be easily comprehended by the average person, no more patronising attitudes from Council staff and consultants employed by them (some at an extortionate rate of £1,200 per day!).

An open apology from the Council to say SORRY we got it wrong would go along way to restore confidence in the Council’s integrity and honesty. This in turn would have the beneficial effect of diminishing the current overriding atmosphere of distrust and antagonism between the Council and the residents. Once this basis is restored then all concerned can move forward in a positive and constructive manner.

Representation (legal compliance): Because the Council has not complied fully with the governments basic instruction requiring the Council to enter into informative and instructive consultation with all interested parties as well as local residents. The Council effectively disenfranchised a large percentage of the population by placing all information on an inaccessible web site which is certainly not fit for purpose. The language used within the document is far too inaccessible for the average person, and the ineffective and misleading answers given by those manning the “public” consultation days were a disgrace. Many of those employed on those days were ignorant of the issues involved and were obviously not encouraged to be helpful or knowledgeable.

The Council has cynically used a government initiative to obfuscate those whom they should be acting for. It is plain that the Council has done the absolute minimum to in their opinion to comply with all legal criteria appertaining to the construction and development of their DCS document.

By taking this attitude I believe the Council has not been as compliant as it should have been, since a considerable amount of the information that should have been forthcoming has not been and the method chosen to disseminate what information there is to the residents was unhelpful, ineffective and confusing. This is especially so when considering the claims of sustainability mentioned within it as the SCS and SCHLAA reports were conspicuous by their absence!

Change sought to make legally compliant: The production of the missing reports and significantly greater opportunity for constructive consultation not just a "glancing blow towards" this basis requirement.

Greater consideration should be given to the language and construction of the DCS as in its present form it is by no means accessible or meaningful to the audience it is aimed at.

Respondent Number: 232 **Respondent:** Compton Martin Parish Council

RepresentationReference: 232\1 S

Plan Reference: Paragraph 5.35

Representation (soundness): Encourage small business through the live and work developments.

Change sought to make sound:

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 232\2 S

Plan Reference: Policy RA1: Development in the Villages meeting the listed criteria

Representation (soundness): Referendum - More clarification is required on how, when, why, who organises please.

Change sought to make sound:

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 232\3

Plan Reference: Policy RA2: Development in the Villages outside the Green Belt not meeting Policy RA1 Criteria

Representation (soundness): If individual plots are available outside of the village fence of R2 villages these should be considered by the planning sub-committee and not a referendum.

Change sought to make sound:

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 232\4 S

Plan Reference: Policy RA4: Rural Exception Sites

Representation (soundness): Referendum to apply to developments to include social construction.

Change sought to make sound:

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 232\5 S

Plan Reference: Paragraph 6.93

Representation (soundness): Public transport infrastructure to be in place before restrictions on developments in relation to the car.

Change sought to make sound: Public transport infrastructure to be in place before restrictions on developments in relation to the car.

Representation (legal compliance):

Change sought to make legally compliant:

Respondent Number: 233 Respondent: Avon Valley Farm

RepresentationReference: 233\1

Plan Reference: Policy KE1: Keynsham Spatial Strategy

Representation (soundness): Whilst we support the overall intentions of B&NES Core Strategy Development Plan Document (DPD), we feel that there has been insufficient thought and support given to the role that the Avon Valley can play in the strategic development and revitalisation of Broadmead, Keynsham and Somerdale. This could be greatly enhanced by the integration of water compatible Flood Risk Management Infrastructure at Avon Valley that is compliant with Planning Policy Statement 25 (Development and Flood Risk) and linked to jobs, tourism and business growth.

As a major landowner upstream of Somerdale, Keynsham and Broadmead (and Bristol), we feel that the Strategic Vision for Keynsham in the Core Strategy does not wholly consider the social, environmental, economic and resource use potential of Avon Valley and the River Avon. Similarly, the strategic role that our land in Avon Valley could play in the compensation of lost flood plain, raised defences at Broadmead and Somerdale, and the significant demand from Bristol City for upstream 'volume for volume' flood compensation infrastructure to offset climate change flood predictions (see Bristol Avon Catchment Flood Management Plan 2009, B&NES Strategic Flood Risk Assessment 2008 and B&NES Flood Risk Management Strategy 2010). Flood Risk Management has not been sufficiently Justified in the Core Strategy nor by IDP Reference K1.2 of Table 6 on page 73, which only identifies Somerdale for flood protection measures even though the B&NES Infrastructure Delivery Programme (2010) clearly states "...works on site or upstream". The requirement for upstream flood risk management infrastructure is further supported by the suite of Level 2 SFRA maps and the options ranking table of the Outline Appraisal for Keynsham (Flood Risk Management Strategy 2009) that included 'Rural land use change upstream of Keynsham' and 'Storage / wetland creation upstream of Keynsham on the River Avon and River Chew'.

The Vision for Keynsham in the Core Strategy does not Justify the potential for increasing upstream flood plain storage capacity outlined above, which is clearly omitted from the map in Diagram 12 on page 65. Similarly, the Vision for Keynsham does not Justify the potential role our land could play in linking the proposed development in the High Street, Somerdale and Keynsham railway station to the Avon Valley and other successful businesses via the River Avon which should act as blue infrastructure for locals, visitors and tourists alike. Again this is clearly omitted from the map in Diagram 13 on page 67, which could further help Keynsham capitalise on this resource by including the river upstream of Keynsham for increased recreational activity, tourist attraction and consequential footfall to Keynsham High Street. A ferry boat could also provide a vital transport link between Keynsham railway station, Broadmead Industrial Estate (100 people work each day) and Saltford. By including the River Avon and Avon Valley into these two diagrams rather than ignoring their potential, B&NES would provide for a more Effective and Sound infrastructure delivery plan.

The Avon Valley Farm of 170 acres is on land that has been occupied for hundreds of years and is believed to have been the first occupied farm in the area (pers comm). The Avon Valley Adventure and Wildlife Park occupies 50 acres, including flood plain at the northern periphery and is classed for recreational use. The Park has been successfully trading for over 20 years and is all funded by private investment. It attracts around 95,000 visitors per annum including 170 school visits in June and July and is the only visitor attraction of its type in B&NES. The facility provides fun and interactive teaching and learning opportunities for children and adults alike, allowing access to animals and habitats that are conversant with sustainability and provide understanding of the world we live in. We provide jobs, recreation, leisure, education in an inclusive environment.

With increasing flood risk, our mitigation strategy is to free-up the flood plain and adjacent land for uses that are resilient to climate change, particularly river flooding. We have the capacity to incorporate flood compensation measures that would quickly capture and slowly release 'volume for volume' flood water to the benefit of our own site and downstream developments in Broadmead, Keynsham, Somerdale and Bristol. The proposed Avon Valley Marine Park would play a vital role in creating temporary and full time jobs, increase tourist footfall, provide evening and weekend economy uses, increase the volume and value of biodiversity and habitats in a purpose built, flood resilient marina and ecological water park. It will also act as a balancing tank for flood waters and add value to the continuing diversification of our generational farm. Our land is strategically positioned for this type of development and it is sufficiently distant downwind from the Broadmead sewage treatment works, industrial buildings and proposed materials recycling facility so as not to cause potential nuisance. Our outline scope is available to B&NES on request.

By embracing the Avon Valley into the Core Strategy, we can play our role in enhancing Keynsham, improving the economy, future proofing our key assets, capitalising on our river location and help Keynsham to remain proud and independent. It will also provide opportunity to attract investment and jobs to the peninsula around a unique recreational and educational facility in B&NES.

Change sought to make sound: The following recommendations are for your further consideration, adoption or rejection in order to Justify an Effective and Sound Core Strategy:

1. Diagram 12 on page 65 should identify the connectivity of Avon Valley and Broadmead to Keynsham via the Green Infrastructure Link as defined on Diagram 20 of page 119. We are awaiting the publication of B&NES Placemaking Plan and B&NES Green Infrastructure Strategy with much interest.
2. Diagram 13 on page 67 should make reference to the close proximity of the canal and River Avon to Keynsham railway station and its potential for upstream and downstream trade, transport and tourism
3. Section 3.15 on page 63 should read "The role of the town centre and Somerdale as the main focus for business activity will be complemented by the Broadmead/Ashmead/Pixash Industrial Estate area and Avon Valley Parks."
4. Section 3d on page 64 should read "Retain the Broadmead/Ashmead/Pixash Industrial Estate and Avon Valley Parks as an area for business activity (use classes B1, B2, B8 and D2e) complementing the role...."
5. Section 3.18c on page 68 should read "Facilities within and adjacent to the town that provide opportunities for leisure and recreation, such as the Memorial Park, a leisure centre, the Fry Club and Avon Valley Adventure and Wildlife Park."
6. Section 3.18e on page 68 should read "The proximity of the railway station to the High Street, Somerdale and River Avon."
7. Section 1 Key Opportunities on page 71 should include a third item, "c Broadmead and Avon Valley"
8. Section 3 Placemaking Principles on page 71 should read "g Retain and enhance the leisure and recreation function of the town centre, Somerdale and Avon Valley"
9. Section 3 Placemaking Principles on page 71 should read "h Enhance the rivers, parks and green spaces and link them together to form an improved green and blue infrastructure network (linking the town internally and to its environs)."
10. Section K1.2 of Table 6 on page 73 should read "On site or upstream works necessary to obtain planning permission."

Representation (legal compliance):

Change sought to make legally compliant:

Representation Reference: 233\2

Plan Reference: Policy CP7: Green Infrastructure

Representation Whilst we support the overall intentions of B&NES Core Strategy Development Plan Document (DPD), **(soundness):** we feel that there has been insufficient thought and support given to the role that the Avon Valley can play in the strategic development and revitalisation of Broadmead, Keynsham and Somerdale. This could be greatly enhanced by the integration of water compatible Flood Risk Management Infrastructure at Avon Valley that is compliant with Planning Policy Statement 25 (Development and Flood Risk) and linked to jobs, tourism and business growth.

As a major landowner upstream of Somerdale, Keynsham and Broadmead (and Bristol), we feel that the Strategic Vision for Keynsham in the Core Strategy does not wholly consider the social, environmental, economic and resource use potential of Avon Valley and the River Avon. Similarly, the strategic role that our land in Avon Valley could play in the compensation of lost flood plain, raised defences at Broadmead and Somerdale, and the significant demand from Bristol City for upstream 'volume for volume' flood compensation infrastructure to offset climate change flood predictions (see Bristol Avon Catchment Flood Management Plan 2009, B&NES Strategic Flood Risk Assessment 2008 and B&NES Flood Risk Management Strategy 2010). Flood Risk Management has not been sufficiently Justified in the Core Strategy nor by IDP Reference K1.2 of Table 6 on page 73, which only identifies Somerdale for flood protection measures even though the B&NES Infrastructure Delivery Programme (2010) clearly states "...works on site or upstream". The requirement for upstream flood risk management infrastructure is further supported by the suite of Level 2 SFRA maps and the options ranking table of the Outline Appraisal for Keynsham (Flood Risk Management Strategy 2009) that included 'Rural land use change upstream of Keynsham' and 'Storage / wetland creation upstream of Keynsham on the River Avon and River Chew'.

The Vision for Keynsham in the Core Strategy does not Justify the potential for increasing upstream flood plain storage capacity outlined above, which is clearly omitted from the map in Diagram 12 on page 65. Similarly, the Vision for Keynsham does not Justify the potential role our land could play in linking the proposed development in the High Street, Somerdale and Keynsham railway station to the Avon Valley and other successful businesses via the River Avon which should act as blue infrastructure for locals, visitors and tourists alike. Again this is clearly omitted from the map in Diagram 13 on page 67, which could further help Keynsham capitalise on this resource by including the river upstream of Keynsham for increased recreational activity, tourist attraction and consequential footfall to Keynsham High Street. A ferry boat could also provide a vital transport link between Keynsham railway station, Broadmead Industrial Estate (100 people work each day) and Saltford. By including the River Avon and Avon Valley into these two diagrams rather than ignoring their potential, B&NES would provide for a more Effective and Sound infrastructure delivery plan.

The Avon Valley Farm of 170 acres is on land that has been occupied for hundreds of years and is believed to have been the first occupied farm in the area (pers comm). The Avon Valley Adventure and Wildlife Park occupies 50 acres, including flood plain at the northern periphery and is classed for recreational use. The Park has been successfully trading for over 20 years and is all funded by private investment. It attracts around 95,000 visitors per annum including 170 school visits in June and July and is the only visitor attraction of its type in B&NES. The facility provides fun and interactive teaching and learning opportunities for children and adults alike, allowing access to animals and habitats that are conversant with sustainability and provide understanding of the world we live in. We provide jobs, recreation, leisure, education in an inclusive environment.

With increasing flood risk, our mitigation strategy is to free-up the flood plain and adjacent land for

uses that are resilient to climate change, particularly river flooding. We have the capacity to incorporate flood compensation measures that would quickly capture and slowly release 'volume for volume' flood water to the benefit of our own site and downstream developments in Broadmead, Keynsham, Somerdale and Bristol. The proposed Avon Valley Marine Park would play a vital role in creating temporary and full time jobs, increase tourist footfall, provide evening and weekend economy uses, increase the volume and value of biodiversity and habitats in a purpose built, flood resilient marina and ecological water park. It will also act as a balancing tank for flood waters and add value to the continuing diversification of our generational farm. Our land is strategically positioned for this type of development and it is sufficiently distant downwind from the Broadmead sewage treatment works, industrial buildings and proposed materials recycling facility so as not to cause potential nuisance. Our outline scope is available to B&NES on request.

By embracing the Avon Valley into the Core Strategy, we can play our role in enhancing Keynsham, improving the economy, future proofing our key assets, capitalising on our river location and help Keynsham to remain proud and independent. It will also provide opportunity to attract investment and jobs to the peninsula around a unique recreational and educational facility in B&NES.

Change sought to make sound: The following recommendations are for your further consideration, adoption or rejection in order to justify an Effective and Sound Core Strategy:

1. Diagram 12 on page 65 should identify the connectivity of Avon Valley and Broadmead to Keynsham via the Green Infrastructure Link as defined on Diagram 20 of page 119. We are awaiting the publication of B&NES Placemaking Plan and B&NES Green Infrastructure Strategy with much interest.
2. Diagram 13 on page 67 should make reference to the close proximity of the canal and River Avon to Keynsham railway station and its potential for upstream and downstream trade, transport and tourism
3. Section 3.15 on page 63 should read "The role of the town centre and Somerdale as the main focus for business activity will be complemented by the Broadmead/Ashmead/Pixash Industrial Estate area and Avon Valley Parks."
4. Section 3d on page 64 should read "Retain the Broadmead/Ashmead/Pixash Industrial Estate and Avon Valley Parks as an area for business activity (use classes B1, B2, B8 and D2e) complementing the role...."
5. Section 3.18c on page 68 should read "Facilities within and adjacent to the town that provide opportunities for leisure and recreation, such as the Memorial Park, a leisure centre, the Fry Club and Avon Valley Adventure and Wildlife Park."
6. Section 3.18e on page 68 should read "The proximity of the railway station to the High Street, Somerdale and River Avon."
7. Section 1 Key Opportunities on page 71 should include a third item, "c Broadmead and Avon Valley"
8. Section 3 Placemaking Principles on page 71 should read "g Retain and enhance the leisure and recreation function of the town centre, Somerdale and Avon Valley
9. Section 3 Placemaking Principles on page 71 should read "h Enhance the rivers, parks and green spaces and link them together to form an improved green and blue infrastructure network (linking the town internally and to its environs)."
10. Section K1.2 of Table 6 on page 73 should read "On site or upstream works necessary to obtain planning permission."

Representation (legal compliance):

Change sought to make legally compliant:

Respondent Number: 234 Respondent: Taylor Wimpey UK Ltd

Representation Reference: 234\1

Plan Reference: Policy SV1: Somer Valley Spatial Strategy

Representation (soundness): Paragraph 4.06 of the Draft Core Strategy identifies that since the 19th Century, Midsomer Norton has continued to be a key centre for services, employment, shopping and leisure facilities which support

the wider communities in the Somer Valley. The previous contextual paragraphs also comment that despite some closures and relocations manufacturing industries (including printing, binding and packaging) continue to provide important local employment opportunities, with the area presenting positive opportunities to increase economic competitiveness, particularly with small and medium scale local business and skilled entrepreneurs. However, Paragraph 4.08 goes on to state that recent housing development has led to an imbalance between jobs and homes, and that in order to thrive it is identified that the Somer Valley needs to create a more sustainable balance by enhancing economic activities and wealth creation.

Taylor Wimpey agrees that the Somer Valley settlements, when taken as a whole and in particular Midsomer Norton, are key centres for facilities and services within the District (including employment). It is not disputed that levels of housing growth may not have been matched by employment growth in recent years; however, Taylor Wimpey do not consider that this fact, nor the relative accessibility of the Somer Valley (compared to other parts of the District) should preclude the provision of further additional housing development (beyond that already committed) at these inherently suitable/sustainable locations. The Core Strategy should more fully embrace the potential of such development (to meet community needs for housing and contribute to economic growth and regeneration) as this will enable the District to achieve its total development requirements (as discussed elsewhere and in other representations submitted on behalf of Taylor Wimpey) and help to provide a range of housing opportunities to help deliver the economic and other regeneration objectives for the Somer Valley.

Although the current Core Strategy seeks to only recognise 'direct' economic and community benefits of new housing provision (Paragraph 4.11) the many indirect benefits and the contribution housing (including affordable housing) makes to the vitality of the settlement should be clearly recognised. Such development will be an important part of the overall 'package' for this area to help retain and attract employers and other economic activity, help to maintain and enhance the various centres in the area (including Midsomer Norton Town Centre) and at the same time make a significant contribution to meeting the overall housing requirements of the District (where there are constraints relating to, amongst other things, the Green Belt and AONB's in other areas) including addressing housing affordability. The constraints to development which exist in the other parts of the District, such as a relative lack of previously developed land within Bath, mean that the full potential for development at Norton Radstock (and across the Somer Valley) should be realised to meet local and District wide objectives/requirements for economic growth and affordable housing.

Housing Supply and Spatial Strategy

Other representations submitted on behalf of Taylor Wimpey deal in greater detail with the issues relating to economic growth, job creation and the provision of new housing. In summary a run of the 'Chelmer' model by Taylor Wimpey suggests that on a long term migration trend household growth will require the provision of c 15,500 new dwellings during the plan period, taking into account other evidence this is increased to a total requirement of 21,800 new dwellings.

In terms of the 'spatial strategy' the position is clear that, based on the above, the Council needs to find further significant sources of new housing supply, some of which will be at Bath, Keynsham and the edge of Bristol, but some of which will come from the settlements within the Somer Valley.

Exploring this in slightly more detail it is worth reflecting on the consideration which was given to the issue of housing distribution during the Bath and North East Somerset Local Plan Inquiry. Whilst the Local Plan Inspector noted the Council's concern, at that time (2006) to address the balance between residential development and employment within Norton Radstock, in the absence of an adequate supply of housing land overall within the plan, it was found that Norton Radstock had the potential to make significant contribution to future housing supply (IR Para 2.4). These conclusions followed on from earlier comments on the settlement hierarchy, where the Inspector found Norton-Radstock to be a suitable location for further residential development. The Local Plan Inspector found that constraints associated with the Green Belt/AONB/World Heritage Site at Bath and the Green Belt at Keynsham meant that development at Norton Radstock is well placed to make a significant contribution to the housing needs of the District; these issues are still relevant and it remains that Norton Radstock (the Somer Valley) is well placed to make a significant contribution to the increased supply of housing

(21,800 dwellings during 2006 -2026) which is required within Bath and North East Somerset. Whilst Taylor Wimpey fully recognise and support the potential for strategic growth at Keynsham, and in the other areas surrounding the urban edge of Bristol, they are also keen that all other opportunities for sustainable growth (including specifically the provision of sufficient housing) are embraced and facilitated by the Core Strategy.

The Council's evidence (BANES Local Economic Assessment, May 2010 and Smart Economic Growth – Cabinet Report, November 2010) recognises that housing affordability has been exacerbated by a lack of house building (particularly affordable dwellings) and that this could constrain future population, and therefore economic, growth. Other detailed representations submitted on behalf of Taylor Wimpey deal with the issue of the overall housing requirement for the District, economic growth and jobs, and so this matter is not covered in detail here. For the purposes of these comments specifically on the Somer Valley it is sufficient to state that Taylor Wimpey consider that more housing than is planned for in the Core Strategy is required by the District, and that Norton Radstock is well placed to make a significant contribution to meeting this needs, give that it is a suitable/sustainable location for development/growth and a range of suitable and deliverable sites for new housing exist (on both brownfield and greenfield land). As a minimum there should be additional provision made for at least 500 more dwellings than is currently envisaged, which would be suitable and achievable (in the context of the Council's overall strategy and the specific local circumstances of the Somer Valley).

Following on from the above, the Council's SHLAA (December 2010) identifies a total supply of 2,664 dwellings available within the Somer Valley – however of this total some 542 units are on newly identified sites (those outside of the planning process) within the existing built framework of the urban area. An assessment of this 'urban capacity' at Midsomer Norton reveals that whilst some sites might realistically be deliverable others may take longer to come forward (if at all), as they rely on the relocation of existing employment uses, the provision of flats and/or the relocation of existing retail floorspace. This highlights that even to achieve the modest level of new housing growth being planned for by the Draft Core Strategy additional sites are likely to be required - this additional capacity (and that required by the necessary increase in the total housing quantum) is likely, especially in the earlier periods of the plan, to be met by further greenfield sites and the Core Strategy should make provision for this.

Transportation

At Paragraph 4.09 one of the challenges identified for the Somer Valley area is high levels of out commuting, due to lack of local employment opportunities; however, at Paragraph 5.2 of her report the previous Local Plan Inspector concluded that notwithstanding the high level of car borne commuting from settlements such as Norton-Radstock, it is essential that sufficient housing land is identified [overall] to meet the District's requirements. Furthermore it was highlighted by the Inspector that the addition of new housing to the 'other urban areas and larger settlements' within the District (such as those which make up the 'Somer Valley') would add to the potential to maintain and improve existing services, in particular public transport provision, thus adding to the sustainability of those settlements. The same considerations continue to apply as the Council moves forward with its Core Strategy DPD; to support the communities of the District and the overall health of the local and sub-regional economy it is essential that sufficient new housing opportunities are identified (and currently the Core Strategy does not make provision for sufficient housing), and it is necessary to distribute this housing in the most sustainable way (also accounting for other aims and objectives such as environmental protection and regeneration initiatives), this requires further housing development within the Somer Valley where community regeneration initiatives will be supported and there will be impetus for local economic growth together with maintained and improved local facilities and services (including the provision of enhanced public transport services to link the Somer Valley settlements to the larger urban areas to the north). Currently the Core Strategy fails to recognise the benefits of additional development in the Somer Valley (including housing above the level already committed) and in particular transport issues are overstated as a constraint to further development at Norton Radstock. The Council's evidence base (Bath and North East Somerset Local Economic Assessment – May 2010) confirms the relatively high levels of out commuting which exists within the Somer Valley, although this situation needs to be considered 'in the round' as this document does show that over two thirds of Norton Radstock's resident working population, either work within the town(s) or within Bath, where

there is good potential for journeys to be made by public transport. The strong links between the Somer Valley and Bath (compared to the links between Keynsham and the greater Bristol urban area) need to be recognised by the Core Strategy where there is strong potential for enhanced public transport links between the two settlements (principally using the bus network, as well as using other more bespoke transport solutions).

Previously Developed Land

The strategy for the Somer Valley (Policy SV1) seeks to prioritise brownfield sites, however the need for a balanced approach to the reuse of brownfield land for housing was also previously considered within the Local Plan Inspectors Report. The Inspector set out her conclusions on this matter at Paragraph 5.55 stating that it remains appropriate for the plan to include an element of employment development on brownfield sites, to encourage sustainable mixed use schemes, as the location of housing and employment uses in close proximity can encourage more sustainable forms of transport and brownfield sites offer a more sustainable location for employment development since they are likely to be more accessible by a range of transport modes. This reflects the general conclusions reached by the South West RSS Panel Inspectors, i.e. that brownfield supply can never be regarded as 'exhausted' and that, in general terms, the brown and greenfield components of housing land supply can be regarded as complementary rather than competitive, and also reinforces the need for all housing land supply sources within the Somer Valley to be considered as complementary, so as to ensure that District requirements and local objectives can be met. To ensure that the Somer Valley, and especially Norton Radstock can flourish it will be necessary to maximise the use of brownfield land for both employment and housing – although this resource alone will not be sufficient to ensure District wide and local objectives can be met.

Regeneration and Economic Development

The maintenance and enhancement of the Town Centres at Midsomer Norton and Radstock, and other regeneration activity across the Somer Valley are promoted by the Core Strategy; Taylor Wimpey supports this approach, however is concerned that (as set out already above) the level of development being proposed, specifically the level of new housing to be allowed in this area, does not provide sufficient support to this element of the Councils Strategy. As well as the well documented 'Direct' economic benefits of housing growth (e.g. HBF – Building a Recovery, December 2010) there are many indirect economic impacts generated by new housing, these impacts are diverse but can be linked to construction activity itself, linked to the overall attractiveness of an area (to both employers and employees) and through supporting local facilities and services (which are necessary to ensure viable centres and communities). In particular increased population within the Somer Valley will support the regeneration activities of the plan, attracting (and supporting) higher order services within the town, reducing the need for people to travel but also making more viable the provision of public transport services to provide sustainable links to the major urban areas in this part of the sub-region. New development will contribute to infrastructure and help to encourage the delivery of the 1,000 (net) additional jobs currently being sought by Policy SV1, and the higher levels of economic growth (job creation) that should be aimed for.

Change sought to make sound: The Core Strategy should reflect the need for further housing development within the Somer Valley (beyond that already committed), to meet the overall housing requirements of the District (21,800 total dwellings), including the need for affordable housing. Such development would also provide further critical mass, to support regeneration activities and the provision of facilities/public services (including transport) within the Somer Valley. It is likely that at least 500 further dwellings will need to be identified within the Somer Valley, with potentially more depending on the overall distribution of necessary housing within the District and to take account of likely actual delivery from brownfield land supply.

The Core Strategy should positively plan for further Greenfield development within the Somer Valley, which will be necessary to achieve the overall level of housing required for the District, and will help deliver the aims and objectives of the community strategy (including regeneration and local facilities/services). There are greenfield locations within the Somer Valley, including land controlled by

Taylor Wimpey at Monger Lane, Midsomer Norton, which are suitable and deliverable and these opportunities should be embraced.

Specifically Part 4 of policy SV1 should be amended to make provision for additional residential development within the Somer Valley (beyond that which is already committed), including the use of suitably located Greenfield sites, which can contribute to meeting the housing needs of the District (including the acute need for more affordable housing), and economic growth and regeneration objectives (as set out previously above).

Representation (legal compliance):

Change sought to make legally compliant:

Respondent Number: 235 Respondent: Mendip Hills AONB Unit

RepresentationReference: 235\1 S

Plan Reference: Policy DW1: District Wide Spatial Strategy

Representation (soundness): This appears to be appropriate in terms of future development needs relating to the part of B&NES within the Mendip Hills AONB.

Change sought to make sound:

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 235\2 S

Plan Reference: Policy CP6: Environmental Quality

Representation (soundness): The AONB Unit fully supports the inclusion of Policy CP6 in the draft Core Strategy which should help to contribute towards achieving objectives in the Mendip Hills AONB Management Plan relating to landscape and biodiversity.

Change sought to make sound:

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 235\3

Plan Reference: Chapter 5: Rural Areas

Representation (soundness): The Vision and Policies RA1 to RA4 appear to provide an appropriate balance in term of aiming to support sustainable rural communities within the AONB, through limited development to meet local needs in context with its location, whilst generally restraining development in the countryside.

Change sought to make sound:

Representation (legal compliance):

Change sought to make legally compliant:

Respondent Number: 236 Respondent: North Somerset Council

RepresentationReference: 236\1 5

Plan Reference: Policy DW1: District Wide Spatial Strategy

Representation North Somerset Council supports the approach taken in respect of the spatial strategy, particularly the **(soundness):** revised district-wide dwelling requirement. The government has announced a clear intention to revoke regional strategies and the Council's approach towards identifying new locally-derived housing numbers to underpin the Core Strategy approach to 2026 is justified. The draft RSS, while it reached an advanced stage of preparation, was never adopted, and will never be adopted given the dismantling of the regional infrastructure, and proposed an inappropriate and often undeliverable quantum of growth which failed to reflect the aspirations of local communities. North Somerset has been co-operating with Bath and NE Somerset and other West of England authorities to identify the most appropriate strategy post-RSS, and the evidence base underpinning the North Somerset approach supports the methodology and conclusions which will best meet the needs and objectives of not only Bath and NE Somerset, but the wider sub-region. This will be further reflected and articulated through the work of the West of England Partnership and the Local Enterprise Partnership.

Change sought to make sound:

Representation (legal compliance):

Change sought to make legally compliant:

Respondent Number: 237 **Respondent:** David Packham

RepresentationReference: 237\1

Plan Reference: Policy RA1: Development in the Villages meeting the listed criteria

Representation Here I Refer to policy RA1, which would allow building outside the housing development boundary. It is **(soundness):** unsound because it sets aside the careful deliberations which led to the establishment of the housing development boundary. It has the potential to allow building where a more mature assessment would consider it unsuitable

Change sought to make sound: Remove the words "and adjoining" from policy RA 1

Representation (legal compliance): Here I Refer to policy RA1, which would allow building outside the housing development boundary. The housing development boundary is clearly defined on the Local Plan and its position was presumably established after careful consideration. To replace as such a clear criterion by a vague phrase as "adjoining" is to open every application to potential legal challenge over whether "adjoining" has been interpreted too broadly or too narrowly.

Change sought to make legally compliant: Remove the words "and adjoining" from policy RA 1

Respondent Number: 238 **Respondent:** Nash Partnership

RepresentationReference: 238\1

Plan Reference: Policy DW1: District Wide Spatial Strategy

Representation As stated in PPS12, one of the key tests of soundness is the effectiveness of a Core Strategy. Paragraph **(soundness):** 4.44 of PPS12 states that to be effective, Core Strategies must be 'deliverable, flexible and able to be monitored'. The emerging Core Strategy fails in this respect, as it is too rigid in its structure, and relies entirely on a review of the plan as a means of handling uncertainty.

An example of this is the inflexible approach taken for Keynsham. The Core Strategy cites the importance of economic growth, with support for it being provided by 1,500 new homes and 1,500

new jobs. However, the proviso is made that no changes will be made to the Greenbelt, and the majority of development will take place on Brownfield sites. Whilst we support the intention of redeveloping Brownfield sites, the Core Strategy also needs to incorporate a high level of flexibility so it can respond to economic fluctuations and unforeseen issues. Recent economic activity and pressures on finance streams have made some Brownfield sites completely unviable, and their delivery has had a significant impact on housing supply trajectories. In some cases, allocated sites with outline planning permission have struggled to come forward, or have a significant level of work required to bring them forward. Some existing allocated sites (such as those to the south of Keynsham) are not as sustainable as others – their ‘bolted on’ location on the periphery of the town reflects the poor approach to development before the sustainability agenda was more fully understood.

Looking at the District as a whole, the assumptions made on delivery of housing sites are also inflexible. The heavy reliance on land at Fox Hill, Warminster Road and Endsleigh coming forward for development and the rather ill considered potential for the variation of uses in Bath’s western corridor to respond to needs for development is inflexible, and does not take into account the difficult nature of privately owned sites and the timescales and uncertainty associated with them. Bath and North East Somerset’s Core Strategy – Publication Stage Representation Form with them. Again, we reiterate that such an approach is not flexible, and therefore fails the ‘Effective’ element in The Tests of Soundness.

It is our view that the emerging Core Strategy is ineffective because of its inflexibility, particularly in relation to Keynsham. On this basis the emerging Core Strategy is unsound.

Change sought to make sound: Whilst the intention to utilise Brownfield sites is admirable and appropriate, the Core Strategy needs to include text that allows for alternative sites to be included if required. These should be examined annually within the Strategic Housing Land Availability Assessment, and the Core Strategy should be flexible enough to allow such sites to come forward if previously identified sites are undeliverable. Whilst we have no objection to sites and broader areas being identified in the Core Strategy, there must be methodology that allows for alternative sites to come forward if necessary. More flexibility must be built into the plan, thereby meeting the ‘effective’ element in The Tests of Soundness.

Representation (legal compliance):

Change sought to make legally compliant:

Representation Reference: 238\2

Plan Reference: Policy KE1: Keynsham Spatial Strategy

Representation (soundness): As stated in PPS12, one of the key tests of soundness is the effectiveness of a Core Strategy. Paragraph 4.44 of PPS12 states that to be effective, Core Strategies must be ‘deliverable, flexible and able to be monitored’. The emerging Core Strategy fails in this respect, as it is too rigid in its structure, and relies entirely on a review of the plan as a means of handling uncertainty.

An example of this is the inflexible approach taken for Keynsham. The Core Strategy cites the importance of economic growth, with support for it being provided by 1,500 new homes and 1,500 new jobs. However, the proviso is made that no changes will be made to the Greenbelt, and the majority of development will take place on Brownfield sites. Whilst we support the intention of redeveloping Brownfield sites, the Core Strategy also needs to incorporate a high level of flexibility so it can respond to economic fluctuations and unforeseen issues. Recent economic activity and pressures on finance streams have made some Brownfield sites completely unviable, and their delivery has had a significant impact on housing supply trajectories. In some cases, allocated sites with outline planning permission have struggled to come forward, or have a significant level of work required to bring them forward. Some existing allocated sites (such as those to the south of Keynsham) are not as sustainable as others – their ‘bolted on’ location on the periphery of the town reflects the poor approach to development before the sustainability agenda was more fully understood.

Bath and North East Somerset's Core Strategy – Publication Stage Representation Form with them. Again, we reiterate that such an approach is not flexible, and therefore fails the 'Effective' element in The Tests of Soundness.

It is our view that the emerging Core Strategy is ineffective because of its inflexibility, particularly in relation to Keynsham. On this basis the emerging Core Strategy is unsound.

Change sought to make sound: Whilst the intention to utilise Brownfield sites is admirable and appropriate, the Core Strategy needs to include text that allows for alternative sites to be included if required. These should be examined annually within the Strategic Housing Land Availability Assessment, and the Core Strategy should be flexible enough to allow such sites to come forward if previously identified sites are undeliverable. Whilst we have no objection to sites and broader areas being identified in the Core Strategy, there must be methodology that allows for alternative sites to come forward if necessary. More flexibility must be built into the plan, thereby meeting the 'effective' element in The Tests of Soundness.

Representation (legal compliance):

Change sought to make legally compliant:

Respondent Number: 239 Respondent: Keynsham Civic Society

RepresentationReference: 239\1

Plan Reference: Paragraph 1.12

Representation (soundness): Climate Change: There is no mention in the document of dealing with the effects of climate change consideration must be given to the management of river level rises and flooding which affects out lying areas and the park.

Change sought to make sound:

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 239\2 S

Plan Reference: Paragraph 3.03

Representation (soundness): Agree with the listed key issues.

Change sought to make sound:

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 239\3 S

Plan Reference: Paragraph 3.04

Representation (soundness): Agree that Keynsham has received minimal attention in terms of development.

Change sought to make sound:

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 239\4 S

Plan Reference: Paragraph 3.05

Representation (soundness): Agree that the overall image of the Town is poor.

Change sought to make sound:

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 239\5

Plan Reference: Paragraph 3.07

Representation (soundness): Not clear that the key priorities embrace all the key issues identified in 3.03, eg traffic congestion. Would recommend that the 'key priorities' specifically address the individual 'key issues' identified in 3.03.

Change sought to make sound:

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 239\6

Plan Reference: Paragraph 3.08

Representation (soundness): Need to add to regenerating the town centre "in keeping with the original historic streetscape".

Change sought to make sound:

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 239\7 S

Plan Reference: Paragraph 3.12

Representation (soundness): Strongly endorse the principles behind this paragraph.

Change sought to make sound:

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 239\8

Plan Reference: Paragraph 3.13

Representation Strongly endorse the strategy maintaining the Green Belt boundary surrounding Keynsham but would
(soundness): go further and seek the reinstatement of the Green belt land removed in 2006.

**Change sought to
make sound:**

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 239\9

Plan Reference: Paragraph 3.14

Representation Recommend that the land earmarked for 'K2' Development should be reinstated as Green belt. The
(soundness): references to K2 infer that this development has been fully agreed and will proceed despite the issues
over access.

**Change sought to
make sound:**

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 239\10

Plan Reference: Policy KE1: Keynsham Spatial Strategy

Representation 1 No mention is made of how the ecological and environmental impact of increased river access will be
(soundness): managed.

2b See comments above, under 3.13 & 3.14 with respect to 'K2'.

4a The provision of larger retail units in the town centre should not be at the detriment of the existing
smaller businesses (see also EH statement in 3.19a, about loss of smaller shop frontages).

6a Endorse this strategy.

**Change sought to
make sound:**

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 239\11 S

Plan Reference: Paragraph 3.17

Representation 3.17 Support these changes, especially when 'inspired by its character and heritage'.
(soundness):

**Change sought to
make sound:**

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 239\12

Plan Reference: Paragraph 3.18

Representation The statement that there are 'few vacancies' is out of date.

(soundness): h. Keynsham does not give direct access to national motorway network should this refer to National Rail networks?

Change sought to make sound:

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 239\13

Plan Reference: Paragraph 3.19

Representation a. Strongly endorse the statement from English Heritage.

(soundness): d. Question the validity of the statement that "There is a notable lack of 'evening economy' uses.

f. Strongly endorse this statement with respect to Keynsham High Street.

g. Question the statement that there are poor connections to Ashton Way car park from the High Street.

h. Strongly agree that the Centre and Riverside offices are unattractive.

i. The A4 and the railway line form a partial barrier to pedestrian and cycling movement between the Town Centre and Somerdale. This statement is misleading and invalid as access is freely available via Station Road and Avon Mill Lane, as well as pedestrian access through the Park.

j. Agree that car parking capacity serving the town centre is limited, but do not want to increase car usage within the town; prefer encouraging the use of walking, cycling and public transport. To this end a local frequent circulating bus service would be beneficial.

n. Question the statement that 'rail services are limited between Bristol and Bath', as they are approximately every 30 minutes during the day. The return evening connections do need to be addressed as services are reduced hourly after 6pm.

Change sought to make sound:

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 239\14

Plan Reference: Policy KE2: Keynsham Town Centre/Somerdale Strategic Policy

Representation 2d The important word is complement.

(soundness): 3a & f Agree in principle, but these statements should more specifically address the 'at risk' issues raised by EH in 3.19.

Change sought to make sound:

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 239\15

Plan Reference: Paragraph 3.20

Representation Pedestrian/cycling bridge over A4. The railway station is immediately adjacent to Abbey Park, which

(soundness): leads to the park. Any bridge across the A4 will need to accommodate the steep slopes either side and

must not blot the park landscape for park users, must protect the Abbey ruins and not impinge on residents of Abbey Close.

**Change sought to
make sound:**

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 239\16 S

Plan Reference: Paragraph 3.21

Representation Agree that the town centre highway network needs redesigning and this should include consideration
(soundness): of improving the pedestrian access in the High Street.

**Change sought to
make sound:**

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 239\17

Plan Reference: Paragraph 3.25

Representation Suggest an extension of free parking in the existing car parks to help local businesses.
(soundness):

**Change sought to
make sound:**

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 239\18

Plan Reference: Policy CP9: Affordable Housing

Representation Small sites: the acceptance of a commuted sum for less than 17.5% provision of affordable housing,
(soundness): reads as if a monetary transaction is involved. Consider that this should refer only to the acceptance of
a lower percentage than the 17.5%.

**Change sought to
make sound:**

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 239\19

Plan Reference: Policy CP11: Gypsies, Travellers and Travelling Showpeople

Representation Whilst supporting the need for sites for gypsies and travellers, suggest an additional criterion of '
(soundness): avoiding Green Belt land'.

**Change sought to
make sound:**

Representation (legal compliance):

Change sought to make legally compliant:

Respondent Number: 240 **Respondent:** Cameley Parish Council

RepresentationReference: 240\1 S

Plan Reference: Policy RA1: Development in the Villages meeting the listed criteria

Representation We as Cameley Parish Council welcome the classification of Temple Cloud as an RA 1 village. This will
(soundness): enable Temple Cloud to actively support sensitive development within the village. We feel it is necessary to improve the provision of affordable, environmentally sustainable housing to encourage new families into the village and enable first time buyers and 'downsizers' from within the parish to remain here. We would actively encourage provision of housing with a 'live-work' environment to relieve any additional burden on the commuter traffic to Bristol/Bath and to improve the 'community spirit' of our village. We also recognise that Temple Cloud provides employment and services to surrounding communities and wish to encourage enterprise during the changing and challenging economy.

**Change sought to
make sound:**

Representation (legal compliance):

Change sought to make legally compliant:

Respondent Number: 241 **Respondent:** Priddy Parish Council

RepresentationReference: 241\1 S

Plan Reference: Chapter 5: Rural Areas

Representation Both the rural development strategy and the policy regarding gypsy and traveller sites are important to
(soundness): us where our parish abuts BANES. We considered these policies to be acceptable to Priddy Parish Council.

**Change sought to
make sound:**

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 241\2 S

Plan Reference: Policy CP11: Gypsies, Travellers and Travelling Showpeople

Representation Both the rural development strategy and the policy regarding gypsy and traveller sites are important to
(soundness): us where our parish abuts BANES. We considered these policies to be acceptable to Priddy Parish Council.

**Change sought to
make sound:**

Representation (legal compliance):

Change sought to make legally compliant:

Respondent Number: 242 Respondent: Catherine Sourbut

RepresentationReference: 242\1 S

Plan Reference: Chapter 2: Bath

Representation In particular I support and find sound

- (soundness):** a)the protection of the green belt surrounding Bath, including valuable farm land
b)the prioritisation of Brownfield sites for new housing development
c)the development of the MOD sites
d)the commitment to the environment and to protect local wildlife and habitats
e)reducing the housing numbers to represent a realistic need and affordable level of development and growth in the region
f)the development of western riverside
g)small scale infilling of new houses within existing neighbourhoods.
H)support of local farming and food production
i)the protection of the world heritage site and setting
I am particularly satisfied to see that you have removed the proposed 'urban extension' on the SW of Bath from the draft Core Strategy and I support all efforts by the Council to protect this land from unwanted development and to afford it AONB status.

Change sought to make sound:

Representation (legal compliance):

Change sought to make legally compliant:

Respondent Number: 243 Respondent: Chew Magna Parish Council

RepresentationReference: 243\1

Plan Reference: Policy CP12: Centres and Retailing

Representation Policy S1 from the B&NES Local Plan, which is replaced by Policy CP12, focussed on Shopping and made
(soundness): no reference to residential development.

It is therefore inappropriate for a village, such as Chew Magna, which is washed over by the Green Belt; does not have a high level of accessibility by public transport; and is not an RA1 village but which nevertheless remains a service centre providing retail and community facilities, to be included in this Policy when there is also a focus on/reference to higher density forms of residential development.

Change sought to make sound: Policy CP12 should focus on shopping centres and not make reference to residential development.

Remove from the Policy "Centres will also be the focus for higher density forms of residential development provided the centre is suitable for such development and has a high level of accessibility by public transport, cycling and walking"

Representation (legal compliance):

Change sought to make legally compliant:

Respondent Number: 244 Respondent: Home Builders Federation

RepresentationReference: 244\1

Plan Reference: Policy DW1: District Wide Spatial Strategy

Representation Relationship of the Core Strategy to the South West Regional Spatial Strategy
(soundness):

The outcome of the CALA Homes legal challenge clarified that the Regional Strategies remain for the time being a part of the development plan process. They will, hence, remain a part of the planning decision-making process until the Government's new planning system is introduced via the Localism Bill which will dispense with the need for RSSs to form a component of the planning system.

Although the South West Regional Spatial Strategy (SW RSS) was never finally published under the last Government, it had been subject to a lengthy public examination and consultation on the proposed changes. It did therefore constitute the 'emerging' spatial plan for the region, and although it is not part of the development plan it should be accorded significant weight. It provides the most up to date and publicly contested evidence base for the region.

If the Localism Bill is passed by Parliament then regionally-set housing targets will be removed. Responsibility for establishing a housing requirement for the Local Development Framework (LDF) will then fall to local councils. The Secretary of State has confirmed that local housing targets may be tested through the LDF process and local authorities will need to collect and use reliable information to justify housing policies and defend them at examination. The policy provisions of PPS3 (Housing) continue to apply, including the requirement that the planning system provides 'a sufficient quantity of housing taking into account need and demand and seeking to improve choice.' (paragraph 10).

Chapter 4 of the SW RSS sets out the sub-regional policies for the region. Section 4.1.1 - 4.1.18 addresses the West of England Housing Market Area (HMA).

As the Proposed Changes to the RSS observed, the area exhibits many of the characteristics of a city-region. Bristol City would perform as the key regional economic driver for the region, with Bath playing a complementary role, not least in supporting some of Bristol's growth. Reflecting the importance of the HMA to the future growth prospects of the region and employment, the West of England HMA was required to provide at least 137,950 homes over the plan period until 2026 with 21,300 apportioned to Bath and North East Somerset (B&NES).

Policy DW1: District wide spatial strategy

We were consequently disappointed to read that the Core Strategy is proposing to provide for only 11,000 additional homes between 2006 and 2026.

We submit that the Core Strategy is unsound because the target is unjustified.

The need for 21,300 homes in B&NES reflected the outcome of a lengthy public examination into the rate of household formation in the sub-region and recognition of its importance of the economy. The apportionment of this number of homes to B&NES reflected what was considered at the time as a sustainable number for the district, while also addressing housing need and demand.

It is also worthwhile noting that the new requirement of 11,000 homes is lower even than the figure of 15,500 submitted by the Regional Assembly for the draft RSS and the 11,600 recommended in Keith Woodhead's report for the Council (B&NES Future Housing Growth Requirements to 2026: Stage 2 Report).

We submit that the proposed requirement of 11,000 homes is inadequate to address demand and consequently is unsound. Policy DW1 is unsound on the grounds that the departure from the SW RSS has not been adequately justified and because the Core Strategy ignores more recent evidence of housing need in the District over the plan period. The failure to provide the necessary number of new homes to meet emerging need also means that the Core Strategy will fail to comply with what is still national policy as set out in PPS3 to provide everyone with the opportunity of living in decent a home, which they can afford, in community where they want to live.

The need for new housing in the South West Region is critical. Housing starts across the region have collapsed. According to CLG figures (Table 231: permanent dwellings started by tenure and region) starts in the South West Region in 2007-08 were 18,960. These fell to 12,370 in 2009-10. According to research by the HBF this fall in housing starts equates to a loss of 9,885 directly employed construction jobs between 2007 and 2009 (Building a Recovery: how tackling the housing crisis can rebuild local economies across the country: HBF, December 2010).

Planning for the low number of homes proposed by the Core Strategy will contribute to restraining growth that might otherwise have occurred and will increase unemployment in the West of England housing market area. Neglecting the economic dimension and the links with housing would mean attaching little weight to the Government's growth agenda, as set out in the HM Treasury and Department for Business Innovation and Skills document: The Path to Strong, Sustainable and Balanced Growth (HM Treasury/BIS, November 2010). The document cites the need for a planning regime that supports growth and sustainable development and that enables an increased supply of housing to meet the nation's needs.

Future household projections: employment and population driven

Aside from the issue of non-conformity with the SW RSS the strategy is also unsound because it is not based on a credible evidence base to justify setting a lower requirement.

We understand that the Council's justification for this lower level of provision is driven by two key reports: the Business Growth and Employment Land Update by Roger Tym and Partners (RTP), and the B&NES Future Housing Growth Requirements to 2026 by Keith Woodhead. These documents have been used to justify a housing figure of 11,600 homes based upon 8,700 new jobs being created.

We would contend that the provision for just 8,700 new jobs is too pessimistic for a district such as B&NES which is experiencing high levels of demand. This level is in any case the lower level of the employment growth projected by RTP and by Keith Woodhead.

It is useful to note in this respect that the Secretary of State in the proposed changes to the SW RSS (supported by the Regional Economic Strategy) concluded that 592,460 additional dwellings were needed over the period to 2026 to support the plan's ambition to achieve a 3.2% level of economic growth per annum across the region. This level of economic growth depended on providing for higher levels of economic-led migration (see paragraph 2.19 on the Panel's report of the Examination in Public) and this required houses to be built in areas of high demand. The job growth figure associated with securing a 3.2% increase in growth was 465,000 jobs – a target far higher than the number of workers. Because B&NES has an ability to support higher economic growth as part of the West of England growth area, it was apportioned a higher level of housing than a strictly 'business as usual' case based on maintaining existing policy constraints scenario would indicate would be needed. We note that the RTP report makes the same observation when it states in paragraph 4.2 that future job growth is partly dependent on planning policy and housing land supply.

Even the 21,300 homes allocated for B&NES would have been modest, and fallen short of the number of homes needed to support a 3.2% level of growth across the growth area (it was apportioned 122,000 jobs between 2006-2026, averaging 6,100 per year with approximately 75% in the Bristol).

West of England Strategic Housing Market Assessment (SHMA)

Another important source of evidence of the level of housing need in the district would normally be the SHMA. Paragraphs 32 and 33 of PPS3 set out how in determining a level of housing provision local planning authorities should consider evidence in the local and sub-regional SHMA.

The West of England SHMA does not help in this respect as it appears to have ignored the question of

market need entirely, addressing only affordable housing needs. We are unsure what the justification for this is but it may be because the SHMA was completed before the Coalition Government's changes to the planning system when it was assumed by the local authorities concerned that the overall level of need (market and affordable) was fixed by the RSS and consequently they need only identify the proportion of affordable homes needed against an upper ceiling fixed by the RSS. What is apparent, however, is that market issues are dealt with in a very cursory way in the document, using only price as an indicator. This of course helps in generating a higher affordable housing need, but neglects to quantify the extent of market need.

Having said this, the proposed target will still fail to address affordable housing needs, let alone address market requirements.

The West of England Strategic Housing Market Assessment, June 2009 version 2, table 4.11, shows that B&NES has a net annual need for 847 affordable homes per year for the period 2009-2021. This compares to the Core Strategy target of 11,000 new homes over the plan period, which would provide only an average 550 homes per year.

The SHMA identifies the need for 847 affordable homes per year from 2009 – 2021 (figure 20 of the West of England SHMA summary, page 36). If this target is applied over the 15 year plan period of the Core Strategy (2011-2026) this would equate to a requirement for 12,705 affordable homes (15 x 847). The requirement for affordable housing alone, therefore, exceeds the total number of homes proposed in the plan, before the question of market needs is addressed. This simple calculation suggests that the district target is seriously misaligned when it comes to addressing local need and demand.

Jobs growth and household formation

As previously stated, the West of England SHMA appears to have neglected to address the question of market need. Given the absence of data in the SHMA which could help identify the number of market homes required we must turn to other information in the SHMA to provide a possible indication. The SHMA uses an adopted jobs growth figure of 2.8% (paragraph 1.4.5 of the main report) and the report uses this to inform its housing market assessment.

Keith Woodhead's report for B&NES (see B&NES Future Housing Growth Requirements to 2026: Stage 2 Report) estimates between 8,700 and 11,300 jobs being created. He then uses a ratio of 1.33 of a dwelling needed for each new job created (see paragraph 5.1.4 of the Woodhead report). Using this ratio and assuming a jobs growth rate of 10,000 (thus lying between the estimated ranges) this alone would generate the need for 13,300 dwellings alone. To this figure must be added additional allowances to account for the unmet needs of existing residents and those households moving to the area who may not be economically active or who will be commuters. We would submit that using the lower jobs growth figure to inform the housing need requirements is possibly overly pessimistic scenario. More to the point, the housing figure represents a significant departure from the findings of the SW RSS which in pursuing an employment growth target of 3.2% had generated a housing requirement of 21,300 net homes for the district.

Even were the Council to adopt a lower rate of growth – for example the compound rate of growth of 2.35% for the South West to 2026 as advocated by Oxford Econometrics (see page 4 of the recent report by the South West Observatory Economic Prediction and Planning Process: a contribution to the current debate about regional planning for housing need after the recession (South West Observatory, January 2011) then this still represents 80% of the pre-recession trend in growth. As the South West Observatory comment on page 4, even at this lower rate of growth, this would only justify a reduction in local housing targets of up to 20%, not the 50% being proposed here. Moreover, the 20% reduction that might be justified, would only relate to the house building component that is related to economic activity and jobs growth, it would not relate to other sources of household growth, such as (a) in-migration; (b) household formation, age distribution and longevity; © social policy requirements such as affordable housing.

Given that the Keith Woodhead report acknowledges that B&NES' proposed housing requirement will fail to address the affordable housing need of 850 homes per year as identified in the SHMA (see the Executive summary of the report) and because the SHMA fails to calculate the extent of market need, we submit that the housing requirement is wholly unsatisfactory.

If B&NES is now retreating from an economic growth agenda then this should be made more explicit in the Core Strategy as this will have an important bearing on the Local Enterprise Partnership and its growth agenda for the West of England.

We also challenge the short-term pessimist economic outlook that has informed this lower level of provision. This suggests that the Council is planning for recession rather than utilising the planning tools available to it to promote growth and support the regional economy. If B&NES is now preparing to close its borders and retreat into autarky then the Core Strategy should be clear about this so that investment can flow elsewhere and the Local Enterprise Partnership made aware. Achieving a 3.2% level of growth may be regarded by some as unrealistic at the present time but the livelihoods of many people depend upon concerted action by public and private sector partners to try and achieve this. The pursuit of ambitious goals should not be confined to the setting of environmental targets alone.

CLG household projections

The other element to consider is the most recent CLG household projections. The 2008 based projection shows an increase of 16,000 households in the period 2006-2026. This represents a decrease from the 2006 based projection which had indicated an increase of 19,000 households for the same period. Despite the decrease, this still indicates a level of provision that is significantly above the 11,000 target.

Backlog

In identifying a housing requirement, the District will need to address the question of backlog.

The CLG housing completions data for B&NES (housing table 253: permanent dwellings started and completed by tenure and district) provides the following number of completions in B&NES over the last six years:

Year Completions

2004-05 220

2005-06 220

RSS annual average

applied from 2006 Deficit

2006-07 190,065

2007-08 190,065

2008-09 170,065

2009-10 240,065

Total 790,260

Source: CLG: housing table 253: permanent dwellings started and completed by tenure and district

The commencement date for the B&NES Core Strategy is 2006.

The SW RSS establish an annual average requirement of 1,065 homes per year. Since 2006-07 just 790 dwellings have been completed compared to the 4,260 homes that would need to have been built to meet the annual average target. This shows a deficit of 3,470 homes that should be taken into account

when establishing a new housing requirement.
Impact of migration

The CLG household projection is based on five year migration trends. The most recent migration data from Government, however, post-dates the 2008 based household projections, but indicates that net-migration out of the UK was lower than previously expected.

The Migration Statistics for 2009 (Migration Statistic Quarterly Report: ONS, November 2010), published in November 2010, shows that fewer people left the UK than arrived to live (an estimated 368,000 people emigrated from the UK in 2009, compared to an estimated 567,000 people arriving). This counters the argument that district housing requirements can be reduced because the impact of the European recession will result in fewer new in-migrants. The argument assumed that out-migration from the UK would continue at the same rate as before, when in many respects, the UK continues to be a relatively attractive destination for many and/or opportunities for work contract in the rest of Europe. Indeed, some commentators are expecting a new exodus from the Republic of Ireland.

Section 5 of the Migration Statistic Quarterly Report: ONS, November 2010 shows that in the year 2009-2010 the South West is experiencing the largest net inflow of people (19,200) after the South East region (21,900). The South East region is a populous and economically dynamic region where most population and household formation is internally generated. By contrast it has historically been the case that the South West's internal population growth has largely remained static and in-migration has been an important component of household formation in the region and providing its labour supply.

This point is reinforced in the recent report by the South West Observatory (Economic Prediction and Planning Process: a contribution to the current debate about regional planning for housing need after the recession, South West Observatory, January 2011). On page 3 of the report it considers the degree to which people will have left the region owing to the recession, and the implications for any accumulated backlog in under-provision. Drawing on research by Oxford Economics to inform the South West Growth Scenarios, the report observes:

“One unknown here is the net number of people, if any, who will have left the region during the downturn. Oxford Economics' take on this is that the rate of in-migration does fall over the recession but it does not turn negative, chiefly because the region's relative attractiveness for migrants has not necessarily diminished relative to alternatives. If that is the case, then future housing growth needs to be greater than a point relationship with economic growth would suggest in order to clear the extant back-log.”

It is also important to note that planning policies constraining growth across the South West region will have probably dampened levels of in-migration, population and household growth than would otherwise have been the case.

One should conclude from this that these long term migration trends can be expected to continue. This will result in greater housing stress within B&NES unless a higher housing requirement is identified.

Wider economic implications

The Core Strategy is unsound because its is based upon an unjustified economic scenario. Moreover, it is ineffective in assuming that it can do nothing to reverse this trend.

Planning for lower levels of housing delivery than indicated by the SW RSS and the household projections will not support economic recovery. Local authorities need to accept their responsibilities by facing-up to the housing supply crisis, and begin planning sensibly to meet housing need and demand. Planning is about the long term. We would submit that it would be unsound to base the district's 20 year plan on today's low levels of activity. This is to plan for recession and to build recessionary assumptions into planning.

As the West of England SHMA observes in paragraph 2.8.1

“The WoE HMA is a relatively prosperous area with a diverse economic base. It needs to retain its population to contribute to the wider local economy and to ensure that lack of housing does not begin to cause labour shortages potentially threatening the competitiveness of the area. The growth of longer distance car commuting is ultimately unsustainable in its impact on the local environment and its contribution towards congestion. Future housing supply strategies need to recognise these wider impacts and seek to maximise completions within the existing stock and on new sites within the sub-region close to economic centres.

“Diagram 4: Distribution in the district

The Core Strategy is unsound because it is not consistent with the RSS in seemingly axing a swathe of provision in Area of Search 1B and it will prove ineffective because it assumes there is sufficient capacity within Bath to accommodate much of the district’s needs on previously developed land rather than in part through an urban extension.

It would appear from Diagram 4 that the allocation for Keynsham has been reduced by half (3,000 to 1,500) while the Area of Search 1B which had allocated 9,500 homes has been lost altogether from this plan.

Although the planned level of provision for the city of Bath remains the same at 6,000 we note that the urban extension that had been proposed in the RSS has been lost. This raises doubts about the capacity of the town of Bath to provide for these homes on previously developed land. There are a numbers of problems that attend development on brownfield sites, one of which is local misgivings regarding intensification (‘town cramming’), which might mean that though this is the Council’s preferred approach, it may encounter greater local resistance.

Change sought to make sound: The Core Strategy must plan for a higher level of economic and housing growth

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 244\2 S

Plan Reference: Policy CP2: Sustainable Contruction

Representation (soundness): We welcome the decision to adhere to the Government’s programme toward zero carbon homes from 2016, and not to accelerate this. We also welcome the flexible approach towards defining “allowable solutions” to accommodate the anticipated changes that are expected to come from Government.

Change sought to make sound:

Representation (legal compliance):

Change sought to make legally compliant:

Respondent Number: 245 **Respondent:** Environment Agency

RepresentationReference: 245\1 S

Plan Reference: Chapter 1: The Spatial Vision

Representation Spatial Vision

(soundness): We support the inclusion of the need to adapt to the unavoidable effects of climate change. We would agree that new development should be located in the most sustainable locations taking into account their vulnerability to the effects of climate change, such as flooding.

Change sought to N/A
make sound:

Representation (legal compliance):

Change sought to make legally compliant: N/A

RepresentationReference: 245\2 S

Plan Reference: Policy DW1: District Wide Spatial Strategy

Representation We support the inclusion in Policy DW1 of the need to protect the district's biodiversity resource, as

(soundness): well as enhancement and habitat creation highlighted elsewhere in the Core Strategy. We are also pleased to see that the need to ensure infrastructure is aligned to new development has been highlighted. We support the inclusion of waste water infrastructure as key infrastructure needed to deliver Policy DW1. Sewage treatment work capacity and the associated infrastructure (e.g. sewers) will need to be upgraded in Bath, Keynsham, Midsomer Norton and Radstock if new development is going to be accommodated.

Change sought to N/A
make sound:

Representation (legal compliance):

Change sought to make legally compliant: N/A

RepresentationReference: 245\3 S

Plan Reference: Policy B1: Bath Spatial Strategy

Representation Policies B1, B2 and B3

(soundness): As highlighted by the Sustainability Appraisal a number of the policy areas identified for redevelopment along the river corridor in Bath are at risk of flooding. We raised this as a key concern with the LPA at an early stage in the development of the Core Strategy, given the guidance of PPS25 seeking in the first instance to avoid development in flood risk areas. We highlighted to the LPA the need to provide clear justification if development areas were to be located at flood risk.

Following this BANES have produced a Sequential and Exception Tests report to inform the Core Strategy using the information provided in the Strategic Flood Risk Assessment. This has provided justification regarding directing development to the river corridor. In summary, the need to direct development into flood risk areas has been principally justified by BANES because of the level of development required, the need to develop brownfield as opposed to greenfield sites, the lack of brownfield sites wholly in Flood Zone 1, and the other sustainable requirements of the Core Strategy that cannot be met by developing elsewhere. The Environment Agency considers that with this report, due process in relation to the Sequential and Exception Tests has been followed. However, we are not able to comment on the relative weight BANES have applied to other sustainable considerations compared to flood risk, such as the benefits of brownfield versus greenfield development, as these considerations fall outside our remit. Given this the inspector should ensure that they are satisfied that BANES have applied appropriate weight to these other sustainability considerations compared to flood risk, and therefore that this justifies locating new development in flood risk areas.

If the inspector considers development within flood risk areas to be justified we are pleased to see that BANES have made it clear in the report that sequential test work will still need to be done at the site

allocation and development management phase. This is important given that many of the development areas shown in the Core Strategy transcend a number of flood zones and different development uses will vary in their vulnerability to flood risk. To be consistent with national policy it is therefore key that the least vulnerable uses are directed to areas at least flood risk through the site allocation process.

We are pleased to see that policies B1, B2 and B3 make reference to the need for habitat enhancement along the river corridor. We would agree with the findings of the Sustainability Appraisal in that there is a need to ensure that the competing demands on the river corridor are reconciled and that improvements are not to the detriment of wildlife. The Core Strategy outlines significant aspirations for the river corridor in terms of improving access, habitat enhancement and flood risk management. These competing demands on the river corridor will need to be carefully balanced if they are all to be successfully delivered. There is a degree of uncertainty regarding how the growth proposed next to the river corridor will occur without compromising the function of the river as a route for wildlife and as a recreational resource. These competing demands will need to be given consideration in subsequent development plan documents and the green infrastructure strategy.

Infrastructure and Delivery

We are pleased to see the recommendations of the Flood Risk Management Strategy for Bath have been taken forward in the Core Strategy, in terms of provision on flood defences on sites and the delivery of a strategic flood compensation area to ensure new development does not increase flood risk. The infrastructure delivery plan correctly identifies these requirements, the fact that they will need to be in place prior to development, and be funded by developer contributions. We are pleased to see that uncertainty in relation to delivery of a strategic compensation area (in terms of feasibility and availability of forward funding) has also been identified. In such a situation the need to deliver flood plain compensation on a site by site basis may impact the viability of some development sites along the river corridor.

**Change sought to N/A
make sound:**

Representation (legal compliance):

Change sought to make legally compliant: N/A

RepresentationReference: 245\4 S

Plan Reference: Policy KE1: Keynsham Spatial Strategy

Representation Policies KE1 and KE2

(soundness): Similar to Bath BANES's Sequential and Exception Test report has sought to justify locating development in a flood risk area (Somerdale site) based on other sustainable considerations that need to be taken into account. Given this the inspector should ensure that they are satisfied that BANES have applied appropriate weight to these other sustainability considerations compared to flood risk, and therefore that this justifies locating new development in flood risk areas. We are pleased to see that it has been highlighted in the Sequential and Exception Test report that a sequential approach should be taken to the masterplanning of the Somerdale site. It is important that this is highlighted given the significant opportunity that exists to direct development away from flood risk at Somerdale.

It is good to see that making better use of green infrastructure and enhancing the river corridor have been highlighted in the policies for Keynsham. There is a real opportunity for green infrastructure in Keynsham to have a multi-functional role in terms of flood risk management, recreation and habitat creation. It will be crucial that the placemaking plan and regeneration delivery plan for Keynsham are adequately informed by the emerging Green Infrastructure Strategy.

Infrastructure and Delivery

We are pleased to see that flood risk management, sewage and habitat creation have been highlighted

as required infrastructure in the Core Strategy for Keynsham. We agree with phasing and funding sources as detailed in the infrastructure delivery plan.

Change sought to make sound: N/A

Representation (legal compliance):

Change sought to make legally compliant: N/A

RepresentationReference: 245\5 S

Plan Reference: Policy SV3: Radstock Town Centre Strategic Policy

Representation Policies SV1, SV2 and SV3

(soundness): The Radstock Town Centre (SV3) area lies partly within a flood risk area. BANES in the sequential and exception test report have justified this on the basis of needing to meet wider sustainable development principles and to support regeneration. The inspector should ensure that they are satisfied that BANES have applied appropriate weight to these other sustainability considerations compared to flood risk. We are pleased to see that a sequential approach will be taken to new development within the SV3 policy area and that it is detailed in the report that development proposals for all the policy areas within the Somer Valley will need to give consideration to all sources of flooding when they come forward. This will be important to ensure any local flooding issues (e.g. surface water and sewer flooding) are adequately considered.

Change sought to make sound: N/A

Representation (legal compliance):

Change sought to make legally compliant: N/A

RepresentationReference: 245\6 S

Plan Reference: Policy CP2: Sustainable Construction

Representation We are pleased to see the inclusion of a sustainable construction policy to inform the development

(soundness): management process and that this has made reference to the need for water efficiency in new development. Planning for the sustainable use of water resources to meet demand from new development is critical given the likely future pressure on water resources in light of climate change and the need to maintain river flows to meet Water Framework Directive requirements.

The inclusion of pollution prevention and land contamination requirements in CP2 or as another Core Policy would have been welcome. Particularly given its inclusion in strategic objective 2 of the Core Strategy and the fact that many of the policy areas are promoting development on brownfield areas close to vulnerable water resources. However it is appreciated that this may have been considered to add little to the requirements already set out in PPS23.

Change sought to make sound: N/A

Representation (legal compliance):

Change sought to make legally compliant: N/A

RepresentationReference: 245\7 S

Plan Reference: Policy CP5: Flood Risk Management

Representation We are pleased to see the inclusion of a flood risk management core policy. This will ensure that
(soundness): national legislation is adequately applied while taking into account the local flood risk issues across the district, as indicated in the Strategic Flood Risk Assessments and Flood Risk Management Strategy that have been prepared by BANES. We believe a Core Policy on flood risk, referring to these studies, is important to ensure the studies recommendations are implemented in future LDF documents and when development proposals comes forward.

It is important that the supporting text has highlighted explicitly the need to take a sequential approach within the broad locations specified for new development by the policy areas. This is crucial given that many of the policy areas indicate mixed use developments which may have very different levels of vulnerability to flood risk. Also for certain parts of the policy areas development may be completely inappropriate due it being considered to be functional floodplain (Flood Zone 3b) now or in the future.

Change sought to N/A
make sound:

Representation (legal compliance):

Change sought to make legally compliant: N/A

RepresentationReference: 245\8 S

Plan Reference: Policy CP6: Environmental Quality

Representation We are pleased to see that a strong policy in relation to nature conservation has been included, that
(soundness): not only protects existing habitats but also seeks enhancement, habitat creation and improving wildlife networks. We support the inclusion of text that addresses the issue of allowing access to habitat that does not compromise its integrity.

In terms of delivery of nature conservation the wording regarding delivery would benefit from cross-reference to the Green Infrastructure Strategy which will have an important role in influencing BANES's Placemaking Plan to deliver nature conservation goals.

Change sought to N/A
make sound:

Representation (legal compliance):

Change sought to make legally compliant: N/A

RepresentationReference: 245\9 S

Plan Reference: Policy CP7: Green Infrastructure

Representation We support the inclusion of a green infrastructure policy, particularly the reference to sustainable
(soundness): water management and wildlife that was been made in the supporting text in terms of the multi-functional role Green Infrastructure can have.

We are pleased to see that river corridors have been highlighted in the text and Diagram 20 as a key asset.

Change sought to
make sound:

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 245\10 S

Plan Reference: Policy CP13: Infrastructure Provision

Representation We support the intention to prepare a Planning Obligations Supplementary Planning Document in due course. In relation to flood risk in Bath, the Flood Risk Management Strategy and Infrastructure Delivery Plan provide sufficient detail to inform the Core Strategy on the likely flood risk management solutions and their timing/funding. However more detail will need to be provided in the placemaking/planning obligation SPD's on how specific flood risk management schemes required along the river corridor will be delivered and the mechanism by which funds will be collected. A clear planning framework in relation to flood risk infrastructure in the District will be required to ensure solutions are not implemented on an ad hoc site by site basis which could compromise delivery of the other objectives of the Core Strategy (e.g. amenity, ecology).

Change sought to make sound: N/A

Representation (legal compliance):

Change sought to make legally compliant: N/A

RepresentationReference: 245\11 S

Plan Reference: Strategic Objective 1: Cross cutting objective - Pursue a low carbon and sustainable future in a changing climate.

Representation Objective 1

(soundness): We are pleased to see that objective 1 has made reference to shaping places to minimise vulnerability and provide resilience to the impacts arising from climate change including increased flood risk. We consider this to be consistent with national policy, in terms of seeking in the first instance to avoid flood risk, only looking to mitigation where it is not possible for new development to be located outside of the floodplain.

We also support the inclusion of the need to reduce the consumption of key natural resources, such as water. The need for new development to incorporate water efficiency measures is important. A number of areas in the Catchment Abstraction Management Plan are classed as 'no water available' or 'over licensed'. With the effects of climate change, and the need to maintain river flows, there is a risk extra water will not be available to meet demand.

Change sought to make sound:

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 245\12 S

Plan Reference: Strategic Objective 2: Protect and enhance the District's natural, built and cultural assets and provide green infrastructure.

Representation Objective 2

(soundness): We support the addition of the helping to conserve, enhance and restore district wildlife sites. We are also pleased to see that the need to avoid water pollution has been included as recommended by the Sustainability Appraisal. It is particularly important that this objective is established at a high level, given the need to protect the thermal springs in Bath.

Change sought to make sound:

Representation (legal compliance):

Change sought to make legally compliant:

Respondent Number: 246 Respondent: Combe Hay Parish Council

RepresentationReference: 246\1 S

Plan Reference: Chapter 1: Vision and District-wide Strategy

Representation (soundness): Particular elements of the Core Strategy Publication Version which are strongly supported by Combe Hay Parish Council.

- 1.The concept of Place-Making Plan(s) -
Page 8 paragraph 1.05
Page 96 paragraph 5.21
Page 101 paragraph 5.46
Page 114 paragraph 6.38
Page 126 paragraph 6.87
- 2.The extension of the Cotswolds Area of Outstanding Natural Beauty.
Page 9 paragraph 1.11
- 3.Climate Change.
Page 10 paragraph 1.12
Page 129 paragraph 6.100
See also 26. below
- 4.Localism.
Page 10 paragraph 1.12
- 5.The Spatial Vision, in particular regarding the Rural Areas.
Page 14
- 6.Objective 1.
Page 15
- 7.Objective 2.
Page 15
- 8.Objective 3, in particular regarding the Rural Areas.
Page 16
- 9.Objective 5, in particular regarding Gypsies and Travellers.
Page 17
- 10.Objective 7, in particular regarding rural services.
Page 18
- 11.Policy DW1.
Page 20

**Change sought to
make sound:**

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 246\2 S

Plan Reference: Chapter 2: Bath

Representation Particular elements of the Core Strategy Publication Version which are strongly supported by Combe
(soundness): Hay Parish Council.

12.The concept of the World Heritage Site and its Setting.

Page 52 paragraph 2.32

Page 53 paragraph 2.35

13.The expansion of the Odd Down Park and Ride site.

Page 56 paragraph 2.44

**Change sought to
make sound:**

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 246\3 S

Plan Reference: Chapter 5: Rural Areas

Representation Particular elements of the Core Strategy Publication Version which are strongly supported by Combe
(soundness): Hay Parish Council.

14. The identified Rural Areas Strategic Issues.

Page 93 paragraph 5.12

15.The Rural Areas Vision.

Page 94

16.The urgent need for improved broadband in rural areas.

Page 101 paragraph 5.45

17.The recognition of the proposed Community Right To Build.

Page 94 paragraph 5.14

Page 99 paragraph 5.29

Page 120 paragraph 6.64

18.The Rural Areas Policy Framework.

Page 94 paragraphs 5.13 and 5.15

19. The potential for the review of Housing Development Boundaries.

Page 96 paragraph 5.21

20.The approach to Affordable Housing.

Page 96 paragraph 5.22

Page 122 paragraphs 6.73 to 6.77

See also 24. and 33. below

21. Housing.

Page 96 paragraph 5.23

22. Employment.
Page 96 paragraph 5.25

23. Community Facilities.
Page 98 paragraph 5.26
Page 98 Policy RA 3

24. Rural Exception Sites.
Page 99 paragraphs 5.30 to 5.34
Page 99 Policy RA 4
Page 101 paragraph 5.47

25. Parish Plans.
Page 101 paragraph 5.46

**Change sought to
make sound:**

Representation (legal compliance):

Change sought to make legally compliant:

Representation Reference: 246\4 S

Plan Reference: Policy CP1: Retrofitting Existing Buildings

Representation (soundness): Particular elements of the Core Strategy Publication Version which are strongly supported by Combe Hay Parish Council.

26. Policy CP1.
Page 105 paragraph 6.05
Page 106

**Change sought to
make sound:**

Representation (legal compliance):

Change sought to make legally compliant:

Representation Reference: 246\5 S

Plan Reference: Policy CP6: Environmental Quality

Representation (soundness): Particular elements of the Core Strategy Publication Version which are strongly supported by Combe Hay Parish Council.

27. The Historic Environment.
Page 116 paragraph 6.39

28. Conservation Areas.
Page 116 paragraph 6.43

29. Landscape.
Page 116 paragraphs 6.44 to 6.47

30. Nature Conservation.
Page 116 paragraphs 6.48 to 6.51, 6.53 and 6.54

Page 117 Policy CP6

**Change sought to
make sound:**

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 246\6 S

Plan Reference: Policy CP7: Green Infrastructure

Representation (soundness): Particular elements of the Core Strategy Publication Version which are strongly supported by Combe Hay Parish Council.

31.Green Infrastructure.
Page 118 paragraphs 6.55 to 6.58
Page 118 Policy CP7

**Change sought to
make sound:**

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 246\7 S

Plan Reference: Policy CP8: Green Belt

Representation (soundness): Particular elements of the Core Strategy Publication Version which are strongly supported by Combe Hay Parish Council.

32.The Bristol/Bath Green Belt.
Page 120 paragraphs 6.61 to 6.63
Page 120 Policy CP8

**Change sought to
make sound:**

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 246\8 S

Plan Reference: Policy CP9: Affordable Housing

Representation (soundness): Particular elements of the Core Strategy Publication Version which are strongly supported by Combe Hay Parish Council.

33. Policy CP9.
Page 123

**Change sought to
make sound:**

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 246\9 S

Plan Reference: Policy CP11: Gypsies, Travellers and Travelling Showpeople

Representation (soundness): Particular elements of the Core Strategy Publication Version which are strongly supported by Combe Hay Parish Council.

34.Gypsies, Travellers and Travelling Show People.
Page 124 paragraphs 6.81 and 6.82
Page 125 Policy CP11

Change sought to make sound:

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 246\10 S

Plan Reference: Whole Document

Representation (soundness): Particular elements of the Core Strategy Publication Version which are strongly supported by Combe Hay Parish Council.

35.Access.
Page 129 paragraphs 6.93, 6.95, 6.96 and 6.98

Change sought to make sound:

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 246\11 S

Plan Reference: Chapter 7: Monitoring

Representation (soundness): Particular elements of the Core Strategy Publication Version which are strongly supported by Combe Hay Parish Council.

36.Monitoring and Review.
Page 134 paragraphs 7.02 to 7.05

Change sought to make sound:

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 246\12

Plan Reference: Appendix 2: Saved Local Plan Policies

Representation (soundness): Appendix 2 of the Core Strategy fails to include Saved Local Plan Policies NE.1 (Landscape Character) and NE.2 (Areas of Outstanding Natural Beauty).

Change sought to make sound: Include Saved Local Plan Policies NE.1 and NE.2 in Appendix 2

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 246\13

Plan Reference: Paragraph 5.12

Representation (soundness): The Core Strategy would be more sound if even greater emphasis were to be given to the urgent need for much faster, more reliable, broadband to support business activities in the Rural Areas.

Change sought to make sound: Include the current lack of much faster, more reliable, broadband in Rural Areas in paragraph 5.12 “Strategic Issues”.

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 246\14

Plan Reference: Paragraph 2.32

Representation (soundness): The Core Strategy would be more sound if –

- a.it committed the World Heritage Site (WHS) Setting Study (modified as might be necessary) to becoming a Supplementary Planning Document (SPD).
- b.That SPD also addressed the issue of an appropriate “Buffer Zone” around the City of Bath WHS.

Change sought to make sound: a.In paragraph 2.32 for “may” read “will”.
b.In paragraph 2.35 for “can” read “will”
c.Indicate that the WHS SPD will also address the issue of an appropriate “Buffer Zone”.

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 246\15

Plan Reference: Diagram 5: Bath Spatial Strategy

Representation (soundness): The Core Strategy is unsound because –
a.The Former Fullers Earth Works is incorrectly identified as the Former Fuller’s Earthworks.
b.The settlement of Combe Hay is not identified, although the Combe Hay Parish boundary is contiguous with that of the City of Bath.

Change sought to make sound: a.Identify the Former Fullers Earth Works as such (not as the Former Fuller’s Earthworks).
b.Insert the settlement of Combe Hay.

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 246\16

Plan Reference: Diagram 3: Bath and North East Somerset

Representation (soundness): It is not correct to show the built-up extent of the City Of Bath as including the area along the A367

beyond the boundary of the City.

Change sought to make sound: Delete the extensions showing the built-up City of Bath along the A367.

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 246\17

Plan Reference: Diagram 4: Bath and North East Somerset - The Key Diagram

Representation (soundness): It is not correct to show the built-up extent of the City Of Bath as including the area along the A367 beyond the boundary of the City.

Change sought to make sound: Delete the extensions showing the built-up City of Bath along the A367.

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 246\18

Plan Reference: Diagram 14: Somer Valley Location

Representation (soundness): It is not correct to show the built-up extent of the City Of Bath as including the area along the A367 beyond the boundary of the City.

Change sought to make sound: Delete the extensions showing the built-up City of Bath along the A367.

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 246\19

Plan Reference: Diagram 18: Policy RA1 Villages

Representation (soundness): It is not correct to show the built-up extent of the City Of Bath as including the area along the A367 beyond the boundary of the City.

Change sought to make sound: Delete the extensions showing the built-up City of Bath along the A367.

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 246\20

Plan Reference: Diagram 20: Green Infrastructure Network

Representation (soundness): It is not correct to show the built-up extent of the City Of Bath as including the area along the A367 beyond the boundary of the City.

Change sought to make sound: Delete the extensions showing the built-up City of Bath along the A367.

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 246\21

Plan Reference: Paragraph 1.05

Representation The Core Strategy would be more sound (in terms of its deliverability and effectiveness) if the
(soundness): preparation of the Place-Making Plan(s) were to be pursued as soon as practicable.

Change sought to Pursuing the preparation of the Place-Making Plan(s) as soon as possible would greatly assist Parish
make sound: Councils in their assessment of Planning Applications.

Representation (legal compliance):

Change sought to make legally compliant:

Respondent Number: 247 **Respondent:** Anita and Keith Tyrrell

RepresentationReference: 247\1 S

Plan Reference: Policy SV1: Somer Valley Spatial Strategy

Representation When the building line is redefined we feel that it ought to encircle all the existing houses in
(soundness): Writhlington including the Junior School not as it is at the moment when some are within and some are outside the boundary.

Change sought to
make sound:

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 247\1

Plan Reference: Policy SV1: Somer Valley Spatial Strategy

Representation When the building line is redefined we feel that it ought to encircle all the existing houses in
(soundness): Writhlington including the Junior School not as it is at the moment when some are within and some are outside the boundary.

Change sought to
make sound:

Representation (legal compliance):

Change sought to make legally compliant:

Respondent Number: 248 **Respondent:** Crest Strategic Projects and Key Properties Ltd

RepresentationReference: 248\1

Plan Reference: Paragraph 1.07

Representation 1)RPS does not consider the 'Spatial Portrait' section of the CS to be a true reflection of the
(soundness): circumstances affecting BANES. RPS refers the Inspector to the Council's previous version of the CS (Spatial Options, December 2009) which provided a more comprehensive assessment of BANES and its surrounding context. Paragraph 2.11 of that version of the CS states,
"Bath and North East Somerset is part of the West of England sub region which is dominated by Bristol. Bath and North East Somerset is also surrounded by North Somerset, South Gloucestershire, West

Wiltshire and Mendip. Bristol is one of the eight core cities in England and is the key driver of the south west economy, with a wide influence over the area. Bath has a complementary role to Bristol as a centre for employment and cultural and retail activity, as well as being an international tourist destination. Bath enjoys strong links to towns and villages elsewhere within the District and in the areas beyond e.g. Trowbridge and Frome.”

2) Having recognised the role of Bristol, RPS expressed concern at the time that it was not clear how the influence of the Bristol urban area had been translated into the spatial options presented. Those comments have not only been ignored, but BANES has now determined that none of the issues described above (and elsewhere) within the Spatial Options Paper are applicable.

3) The CS provides a graphical illustration of ‘the sub-regional context’ in Diagram 1. This is no more than a plan showing the BANES administrative area and has no purpose or value. It is interesting to note how Diagram 1 differs from Diagram 5 in the Spatial Options Paper, ‘Geographical relationship of Bath and North East Somerset’. That plan had a value insofar as it showed the functional relationship of BANES to the wider sub-region. It enveloped much of Bristol and clearly highlighted the functional links beyond the administrative boundary.

4) BANES has not indicated or justified in any way why those links are now longer relevant. It has to be assumed that this is the standpoint of the Council since there is no reference to the functional links whatsoever. The only reference to any influence outside of its boundary is that, ‘Bristol International Airport is one of the fastest growing regional airports in the UK’. Quite why that reference is made is anyone’s guess. For all intents and purposes this CS has no regard to any influences or challenges outside of its own administrative boundary.

Change sought to make sound: 1) This CS requires very significant amendment to make it sound; it cannot be found sound through ‘minor’ amendments. It requires a wholesale review with a clear mandate to address the role of the District in a sub-regional context.

2) This particular section of the CS should more adequately reflect the December 2009 Spatial Options Paper.

Representation (legal compliance):

Change sought to make legally compliant:

Representation Reference: 248\2

Plan Reference: Paragraph 1.12

Representation (soundness): 1) RPS notes the content of the Key Strategic Issues. RPS notes the recognition in the ‘Demographic Change’ and ‘Inequalities’ sections that household formation is changing (and presumably increasing) and that social inequalities need to be addressed. Meeting housing need should therefore be a cornerstone objective of this CS yet the overall housing growth figure is not anywhere near enough to meet the annual housing need target prescribed by the SHMA, nevermind addressing wider market demand. It is impossible to understand how this CS will rectify those issues effectively.

2) The section on growth is ‘interesting’ insofar as it recognises that it needs to be sustainable, and should not occur ‘at all cost’. RPS does not disagree with that assertion and the issues described under this heading, ie

“BANES’ wealth of natural and cultural assets, including its watercourses, trees and woodland, countryside, parks, exceptional landscapes and historic built environment, make a huge contribution towards the attractiveness and liveability of the district.”

3) There is no mention of the protection of the Green Belt, which in the context of this CS is curious; seemingly this CS is founded on the basis of ‘protection of Green Belt at all cost’. It is however right that the Green Belt is not referred to in the same context of the real environmental issues described above. The Green Belt is of course only a policy tool and is entirely arbitrary in terms of the quality of landscape it covers. A considerable proportion of Green Belt land is simply not valuable.

4) The section on economy disregards any notion that the BANES population and economy is in any way influenced by Bristol. It seems to suggest that the strategy to be pursued is to reduce the levels of commuting (presumably to Bristol) through more sustainable economic growth measures. This is

nothing short of naïve and grossly underplays the historic and long term role Bristol's economy (and will continue to have regardless of this CS) has in BANES.

Change sought to make sound: 1) This CS requires very significant amendment to make it sound; it cannot be found sound through 'minor' amendments. It requires a wholesale review with a clear mandate to address the role of the District in a sub-regional context.

2) This particular section has to recognise the explicit role and influence of Bristol in the BANES context and to provide a suitable response. It that response is that BANES has no intention of having any regard to Bristol and the wider goals of the West of England Partnership, then it should at least be explicit rather than ignoring it altogether.

Representation (legal compliance):

Change sought to make legally compliant:

Representation Reference: 248\3

Plan Reference: Chapter 1: The Spatial Vision

Representation (soundness): 1) The December 2009 Spatial Options Paper referenced the vision for the West of England: "One of Europe's fastest growing and most prosperous sub regions which has closed the gap between disadvantaged and other communities...."

2) The Vision goes onto to confirm that, "The West of England is the hub of the South West. Bristol as the regional capital and a core city successfully represents the interests of the region, drives its economy and provides international access through Bristol International Airport and the Seaport."

3) The CS now makes no reference to the above. Instead the CS Vision for BANES is to, "become a more competitive area within the West of England." Seemingly it has no regard to the objectives of the wider sub-region; rather than seeking to adhere to the West of England vision, is content merely to focus on its own aims and objectives, and to compete with neighbouring authorities. It is worth considering item 1 of the West of England Constitution (of which BANES is of course a member), "Realise the potential of the West of England and improvements in its economy, public infrastructure, environment and quality of life for all its residents."

4) It is perfectly clear that this is an environmentally-led vision. Whilst there is nothing to say that isn't a sound approach in its own right, it cannot be 'at all cost' anymore than achieving strategic levels of growth can be. There is a compromise that this vision fails to achieve. This vision has no intention of meeting long term economic and housing growth objectives to the benefit of existing households, future households, and those in the wider West of England sub-region. It lacks any ambition and fails to acknowledge a world outside its own boundary. There is no reference to meeting, or even seeking to meet housing and economic needs in this vision; it is a vision with an underlying message for doing and achieving nothing if read in conjunction with Policy DW1.

5) In terms of the strategic objectives, RPS does not object to the broad content, but notes some subtle but no less critical changes from the December 2009 Spatial Options Paper.

6) In meeting the headline objective of tackling the causes and effects of climate change, the CS suggests that the Council will achieve closer alignment of homes, jobs and infrastructure. In a broad sense, the Council is proposing a strategy of dispersal that fundamentally conflicts with the objective to locate new homes close to where people work. It is clear from the evidence available that the SSCTs of Bristol and Bath represent the main employment base for the sub-region. It is precisely that reason why the West of England Housing Market Area was extended into Mendip and West Wiltshire to properly address the wide catchment of these two main centres. There is no sense in providing more homes than jobs in the Somer Valley when there are already large levels of out-commuting. The role of Bristol is completely ignored in this CS.

7) Similarly, objective 7 suggests that development will be focused in locations that reduce the need to travel. There can be no better public transport provision than that which serves the two principal SSCTs. Keynsham, on the principal A4 corridor between Bristol and Bath is equally well served. It cannot be right that significant dispersal to outlying towns such as Midsomer Norton and Radstock and other rural villages achieves those objectives in the truest sense. By choosing to largely ignore the

strategic direction provided by the RS, the Council has presented a uniquely unsustainable strategy for growth.

8) In seeking to meet housing need objectives the Sustainability Appraisal makes clear that the development of the strategic urban extensions is the most appropriate means of ensuring maximum provision of affordable housing for those who need it. There is a very clear and high need for affordable housing provision, yet the Council has sought a strategy of dispersal that will not result in equivalent levels of affordable housing being provided. By the same token, it is not clear why the Council has chosen to provide a strategic requirement of 11,000 homes when even the 15,500 homes previously consulted upon was clearly insufficient to meet the short, medium and long term requirements of the Housing Needs Register. It is disappointing that the Council should take such a negative approach to a development and cannot understand the benefits that it can bring. Protection of the environment at all costs, not meeting the needs of the population is the overriding message of this CS. It is regrettable that the Council cannot see beyond that and appreciate that there are truly sustainable locations for growth that can meet the needs of its households in a strategic sense, without impacting adversely on the environment.

9) It is notable that strategic objective to improve access and reduce traffic congestion has disappeared, presumably on the basis that BANES recognises that its strategy cannot possibly help to contribute to facilitating more sustainable means of travel. There is no prospect of a strategy of dispersal providing new and improved routes for public transport, and as a consequence reducing the need and desire to travel by car. Small scale developments on the edge of rural villages cannot begin to make the necessary contributions that will provide better public transport and offset the adverse impacts of development in such locations.

Change sought to make sound: 1) This CS requires very significant amendment to make it sound; it cannot be found sound through 'minor' amendments. It requires a wholesale review with a clear mandate to address the role of the District in a sub-regional context.

2) This particular section has to recognise the explicit role and influence of Bristol in the BANES context and to provide a suitable response. The vision and objectives have to recognise the needs and aspirations of the current and future people and business that live and work in BANES and not just the overriding need to protect the environment. Moreover, it has to recognise that there is a world outside of its administrative boundary that it has to respect and where practicable, provide for; BANES has a moral obligation to do so.

Representation (legal compliance):

Change sought to make legally compliant:

Representation Reference: 248\4

Plan Reference: Chapter 1: Vision and District-wide Strategy

Representation (soundness): 1) Policy DW1 is fundamentally unsound; since it goes to the heart of the CS, it follows that the remainder of the CS is unsound and there is no option but to comprehensively review the baseline assumptions and policy position. Policy DW1:

- Fails to address sub-regional requirements and BANES' role within it;
- Fails to meet the requirements of its own vision and objectives;
- Fails to acknowledge the terms of the development plan;
- Fails to adhere to the requirements of PPS3;
- Fails to adhere to the advice in its own Sustainability Appraisal;
- Fails to undertake a review of the Green Belt; and
- Fails to provide any contingency that meets the requirements of PPS3.

2) RPS provides a commentary related to these issues below.

Change sought to make sound: 1) Policy DW1 goes to the heart of this CS. RPS considers it to be so fundamentally unsound that the only course of action is to abandon the plan and start again with a clear direction to deliver ambitious growth that meets the needs of BANES and contributes to wider sub-regional goals.

2)Essentially, this means planning for a higher rate of growth; that is 21,300 homes as set out in the RSS Modifications but seeks to make provision for that in a flexible and transparent way. It also means creating the context for ambitious economic growth in line with the West of England LEP objectives. The LEP predicts GCA growth in the West of England of 3.4% (by 2020); this Core Strategy prefers to plan for 1.6%. Not only does this show a marked lack of ambition at odds with its own vision and objectives, but the examination of this CS must focus on the wider impact at a sub-regional level and the associated negative social and economic consequences.

3)To do this requires the CS to recognise the need for sustainable urban extensions to the cities of Bristol and Bath. As it stands there is a major policy omission. RPS is promoting the land at Hicks Gate as a sustainable urban extension to Bristol. To that end, RPS submits a separate 'Policy Omission' Paper (below) that considers the role of Hicks Gate and evidence base that underpins it. The 'evidence base' in the form of a Statement of Delivery was submitted at the time of the Spatial Options consultation in December 2009; RPS has confirmed with Council Officers that this evidence can be taken forward to examination without the need to resubmit.

4)The paper below also seeks to appraise the Sustainability Appraisal, comparing the SA at the Spatial Options stage and its latest publication version.

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 248\5

Plan Reference: Paragraph 1.18

Representation Paragraph 1.18: RS Implications/Justification for Policy DW1 criterion 4

(soundness): 3)The RPS response to this paragraph should be read in the context of our objection to Policy DW1 criterion 4, which seeks to protect the general extent of the Green Belt. When this CS is examined, the Inspector will be only too aware that the RS process established the case for Green Belt review, and remains very much a material consideration. Whilst BANES is intent on ignoring the RS despite it very clearly being a material consideration to which substantial weight should be attached (and for which it had full input), it should not be forgotten that the context for Green Belt review is established in RPG10 (September 2001). RPG10 still remains part of the Development Plan:

"Bristol, Bath, Bournemouth and Poole, Gloucester and Cheltenham are partly or wholly surrounded by Green Belt. Some growth relating to these PUAs appears to have been leaping the Green Belt to nearby commuter towns, leading to less sustainable patterns of development and travel. The purposes of Green Belt policy (as set out in PPG2) remain an essential part of RPG for the South West. However, the need to ensure that future patterns of development are more sustainable means that the boundaries of these Green Belts should be reviewed in the next round of structure plans."

4)RPG10 Policy SS4 still applies and it is not for BANES to adopt a different stance. Since BANES quite clearly has, it falls upon the CS to explain why it has sought to promote the unsustainable approach of leap-frogging the Green Belt as rehearsed above. The implications of the revocation of RSs could not be felt more strongly anywhere in the Country than at Bristol. In the RSS Modifications, the Government proposed an overall growth of 80,500 homes. This focused on 51,000 homes in the urban area (Bristol City and South Gloucestershire combined) and 29,500 homes in the Green Belt (8,000 in BANES). The latest versions of each of the four unitary authorities commits to 43,500 homes at Bristol, none of which are in BANES. In its submission Core Strategy, South Gloucestershire is still committed to Green Belt development at Bristol (2,000 homes west of the M32) as part of its obligation to deliver sustainable growth at Bristol. Evidently there is little in the way of joined up thinking if BANES is so at odds with its neighbouring authority on a matter of critical importance.

5)To suggest that there is not a case for exceptional circumstances for reviewing the Green Belt is at odds with the development plan and the CS fails to provide any justification for this stance and/or review the negative consequences.

6)As the RS observes, the West of England HMA exhibits many of the characteristics of a city-region. Bristol City would perform as the key regional economic driver for the region, with Bath playing a complementary role. Reflecting the importance of the HMA to the future growth prospects of the

region and employment, the West of England HMA was required to provide at least 137,950 homes over the plan period until 2026 with 21,300 apportioned to BANES. The commentary, and that of the West of England Vision, is at odds with BANES' assertion at paragraph 1.27 that Bath (and Bath alone) is the economic driver for this District. If that is right, the CS should demonstrate how little the district is affected by Bristol and why the policies ignore the growth requirements of the City.

7) Paragraph 2.36 of the December 2009 Spatial Options Paper sets out that the strategy seeks to make sure that most new housing and economic development is focused on the large urban areas of Bath and Bristol:

"The main reason for this is to help reduce the need to travel, particularly by car as these urban areas are the main centres for jobs, services and facilities and the locations best served by public transport". There is no clear rationale why this position has changed. It is a well established position and BANES can not possibly contend that the above statement is no longer relevant or applicable. The statement submitted by BANES to Matter 4/1 West of England HMA Sub-Regional Strategy at the 2007 EiP (paragraph 39) agreed that, "Whilst the strategic Green Belt review suggests that areas of search defined urban extensions most strongly serve Green Belt purposes, the overall objectives and sustainability benefits of the West of England strategy are considered to take priority eg regeneration of south Bristol. SSA work undertaken by BANES highlights harm to the Green Belt purposes but also the overall sustainability benefits which justified the urban extensions search areas proposed and therefore modifications to the general extent of the Green Belt".

8) Policy DW1 is unsound on the grounds that the departure from the SW RS and the departure from the Council's original stance on what constitutes sustainable development have not been adequately justified. The failure to provide the necessary number of new homes to meet emerging need also means that the Core Strategy will fail to comply with what is still national policy as set out in PPS3 to provide everyone with the opportunity of living in decent a home, which they can afford, in community where they want to live.

9) Paragraph 1.18 refers to account being taken of the District's functional relationship with neighbouring authorities. This is the only reference in the entire CS to such. Having trawled the evidence base, there is no evidence whatsoever that this has been the case. It is wholly wrong and fundamentally misleading to suggest it has. Paragraph 1.25 does nothing to suggest that any account of neighbouring strategies have been considered.

Change sought to make sound: 1) Policy DW1 goes to the heart of this CS. RPS considers it to be so fundamentally unsound that the only course of action is to abandon the plan and start again with a clear direction to deliver ambitious growth that meets the needs of BANES and contributes to wider sub-regional goals.

2) Essentially, this means planning for a higher rate of growth; that is 21,300 homes as set out in the RSS Modifications but seeks to make provision for that in a flexible and transparent way. It also means creating the context for ambitious economic growth in line with the West of England LEP objectives. The LEP predicts GCA growth in the West of England of 3.4% (by 2020); this Core Strategy prefers to plan for 1.6%. Not only does this show a marked lack of ambition at odds with its own vision and objectives, but the examination of this CS must focus on the wider impact at a sub-regional level and the associated negative social and economic consequences.

3) To do this requires the CS to recognise the need for sustainable urban extensions to the cities of Bristol and Bath. As it stands there is a major policy omission. RPS is promoting the land at Hicks Gate as a sustainable urban extension to Bristol. To that end, RPS submits a separate 'Policy Omission' Paper (below) that considers the role of Hicks Gate and evidence base that underpins it. The 'evidence base' in the form of a Statement of Delivery was submitted at the time of the Spatial Options consultation in December 2009; RPS has confirmed with Council Officers that this evidence can be taken forward to examination without the need to resubmit.

4) The paper below also seeks to appraise the Sustainability Appraisal, comparing the SA at the Spatial Options stage and its latest publication version.

Representation (legal compliance):

Change sought to make legally compliant:

Representation Reference: 248\6

Plan Reference: Paragraph 1.23

Representation Paragraph 1.23: Development Need/Justification for Policy DW1 criterion 2

(soundness): 10)The RPS response to this paragraph should be read in the context of our objection to Policy DW1 criterion 2, which seeks to make provision for 8,700 jobs and 11,000 homes.

11)The Secretary of State has confirmed that local housing targets may be tested through the LDF process and local authorities will need to collect and use reliable information to justify housing policies and defend them at examination. The policy provisions of PPS3 (Housing) continue to apply, including the requirement that the planning system provides 'a sufficient quantity of housing taking into account need and demand and seeking to improve choice.' (paragraph 10). The starting point for the assessment of the overall housing requirement is Paragraph 33 of PPS3. To summarise:

"In determining the local, sub-regional and regional level of housing provision, Local Planning Authorities and Regional Planning Bodies, working together, should take into account:

- Evidence of current and future levels of need and demand for housing and affordability levels
- Local and sub-regional evidence of the availability of suitable land for housing
- The Government's overall ambitions for affordability across the housing market, including the need to improve affordability and increase housing supply.
- A Sustainability Appraisal of the environmental, social and economic implications, including costs, benefits and risks of development.
- An assessment of the impact of development upon existing or planned infrastructure and of any new infrastructure required."

12)It should be taken as read that RPS does not consider BANES has worked together with neighbouring authorities in producing its CS. Since it fails to recognise any issue or influence outside of its own boundaries then that is the only logical conclusion. Taking each subsequent point in turn: Evidence of current and future levels of need and demand for housing and affordability levels

13)The need for 21,300 homes in BANES proposed in the RS reflects the outcome of a lengthy public examination into the rate of household formation in the sub-region and recognition of its importance of the economy. The apportionment of this number of homes to BANES reflected what was considered at the time as a sustainable number for the district, while also addressing housing need and demand.

14)The Spatial Options Paper sought to make provision for 15,500 new homes in accordance with the draft Regional Spatial Strategy (not the RSS Modifications). Paragraph 2.29 of the Spatial Options Paper acknowledged that "if this level of housing is not provided then it will have serious implications, preventing some people having access to a decent home, making housing less affordable and in the long term damaging the local economy by reducing labour supply and mobility". RPS fully supports this statement and does not believe anything has changed in the space of 12 months. BANES is now proposing to build 11,000 homes and it can only be assumed that it is satisfied with the outcome it describes above. The proposed requirement of 11,000 homes is inadequate to address need and demand and the above consequences are inevitable. The CS is not based on a credible evidence base to justify setting a lower requirement.

15)A significant wealth of evidence was presented to the EIP Panel in relation to the necessary levels of housing growth required to support growth forecasts and population projections. The EIP Panel made clear that the evidence supporting an increase in the region of 23,000 homes per annum to 28,000 homes per annum was soundly based. That figure is based on 2003 population projections and paragraph 2.36 of the Panel Report makes clear that the Panel "find it difficult to understand what further evidence would be required to justify an adjustment to provision". The evidence before the Panel was compelling.

16)The Panel further identified at paragraph 4.1.39 that the deficiency in the West of England HMA is largely due to the refusal of the Regional Assembly to recognise and plan for the consequences of the new household formation rates. The Panel goes on to suggest at paragraph 4.1.41 that the balance of the deficiency should be reallocated towards the SSCT areas in order to reflect the main strategic thrust of the draft RS.

17)Paragraph 2.84 of the Spatial Options Paper states that the strategic housing market assessment (SHMA) shows there is a need for 116% affordable housing across the district ie affordable housing need is greater than the overall housing target of the draft RS. It is little wonder therefore that the RSS

Panel Report and Proposed Modifications sought to increase the overall strategic housing requirement in BANES. Although a figure of 21,300 homes as set out in the Proposed Modifications would not provide enough housing to meet that need in full, it would go much further in providing affordable homes for local people during the plan period. By failing to plan for an adequate level of housing growth the Council has already committed itself to the serious implications as set out in Paragraph 2.29 of the Spatial Options.

18) Paragraph 2.84 identifies an affordable housing need of 17,980 homes. If an average rate of 35% of all new housing being affordable is applied to the strategic requirement of 11,000 homes, then 3,850 homes could be delivered under the terms of the draft RSS. Against the 21,300 figure in the Proposed Modifications and under the same scenario 7,455 homes could be achieved. That is a difference of over 3,500 affordable homes. The Council has not made clear why it would not wish to pursue a strategy that could deliver an additional 3,500 affordable homes. There is no rationale for failing to want to meet this requirement when even if the RSS Modifications figures were adhered to, there would still be a shortfall of over 10,000 affordable homes. As the SA rightly acknowledges, there is greater scope to achieve greater provision of affordable housing on larger sites such as the urban extensions at the SSCTs than there would be in smaller developments in the rural areas. Those affordable homes would be in areas of most need; ie at the SSCT.

19) The SHMA states at paragraph 7.4.5 that, "When the CLG household projections are revised they will incorporate more recent ONS population estimates and projections which incorporate higher migration numbers and assumptions than previously. Thus they will certainly be higher. There is some debate about whether the migration assumptions will in fact be too high, allowing for changing Home Office rules and the abating of the flows from new EU member states. It is likely that forecasts for household numbers contained within the model will be a reasonable comparator for the new household projections with a lower (and arguably more realistic) migration assumption."

20) The SHMA foresaw what might arise out of the latest projections and provided a clear position. BANES has not sought to discredit the SHMA. The SHMA did not limit itself to the crude analysis of simply providing enough homes to ensure a balance with the expected number of jobs arising (based on an unambitious assumption for economic growth). If the SHMA is right then its own model advocates an annual net household growth of 731 in BANES, equivalent to 15,000 households over a 20 year period. This figure is not dissimilar to the latest CLG household projections. It is important to have regard to the fact that this is a BANES centric forecast. It is based on trend based projections; it does not therefore provide any analysis relating to growth of Bristol and explore household formation from this source (since BANES has never made a contribution to Bristol's growth). It is worth considering that is precisely what the RS was seeking to achieve, and when the 8,000 homes identified for Bristol in BANES is added to the equation, there is nothing to suggest that the 21,300 figure was anything other than reasonable.

21) It is not clear on what possible basis the Council does not think that a higher rate of growth is either suitable or achievable, or could be planned for. For the reason set out in this submission, RPS contends that a higher rate of growth is (a) necessary and (b) entirely achievable.

22) The council's justification for this lower level of provision is driven by two key reports: the Business Growth and Employment Land Update by Roger Tym and Partners (RTP), and the BANES Future Housing Growth Requirements to 2026 by Keith Woodhead. These documents have been used to justify a housing figure of 11,000 homes based upon 8,700 new jobs being created. The provision for just 8,700 new jobs is unduly pessimistic for a district such as BANES which is experiencing high levels of demand. This level is the lower level of the employment growth projected by RTP and Keith Woodhead.

23) It is useful to note in this respect that the Secretary of State in the proposed changes to the RS (supported by the Regional Economic Strategy) concluded that 592,460 additional dwellings were needed over the period to 2026 to support the plan's ambition to achieve a 3.2% level of economic growth per annum across the region. This level of economic growth depended on providing for higher levels of economic-led migration (see paragraph 2.19 on the Panel's report of the Examination in Public) and this required houses to be built in areas of high demand. The job growth figure associated with securing a 3.2% increase in growth was 465,000 jobs – a target far higher than the number of workers. Because BANES has an ability to support higher economic growth as part of the West of England growth area, it was apportioned a higher level of housing. The RTP report makes the same observation when it states in paragraph 4.2 that future job growth is partly dependent on planning

policy and housing land supply.

24) Keith Woodhead's report for BANES estimates between 8,700 and 11,300 jobs being created. He then uses a ratio of 1.33 of a dwelling needed for each new job created (see paragraph 5.1.4 of the Woodhead report). Using this ratio and assuming a jobs growth rate of 10,000 (thus lying between the estimated ranges) this alone would generate the need for 13,300 dwellings. To this figure must be added additional allowances to account for the unmet needs of existing residents and those households moving to the area who may not be economically active or who will be commuters. Using the lower jobs growth figure to inform the housing need requirements is an unduly pessimistic scenario. To provide for housing that meets the needs only of new job formation is to take only an element of the issues that result in household growth and turn it into policy.

25) It is important to express a degree of caution regarding the Oxford Econometrics advice. It is important to consider the brief for that study; certainly it reflects on the economic downturn but at no point does it state that full market recovery cannot be achieved. It is a trend based analysis and does not respond to what could be achieved. It is not clear why BANES does not wish to aspire and facilitate greater economic growth and prosperity. An exercise in restraint is hardly likely to assist a flourishing market recovery. It is important to ask the question why BANES is content only to plan for moderate growth. The answer it seems is quite simple; that it is not confident the supply to achieve it exists and the implications for this CS would be to acknowledge that exceptional circumstances exist to warrant development in the Green Belt.

26) Given that the Keith Woodhead report acknowledges that the BANES proposed housing requirement will fail to address the affordable housing need of 850 homes per year as identified in the SHMA, and because the SHMA fails to calculate the extent of market need, the housing requirement is wholly unsatisfactory. If BANES is now retreating from an economic growth agenda then this should be made more explicit in the Core Strategy as this will have an important bearing on the Local Enterprise Partnership and its growth agenda for the West of England.

27) The strategy suggests that the Council is planning for recession rather than utilising the planning tools available to it to promote growth and support the regional economy. If BANES is now preparing to close its borders the Core Strategy should be clear about this so that investment can flow elsewhere and the Local Enterprise Partnership made aware. Achieving a 3.2% level of growth may be regarded by some as unrealistic but the livelihoods of many people depend upon concerted action by the public and private sector to try and achieve this. The pursuit of ambitious goals should not be confined to the setting of environmental targets alone.

28) It is a 20 year plan and it is inevitable that there will be periods of economic prosperity and slowdown throughout that period. It is not for this Core Strategy to react to a current economic downturn as justification for providing a lower rate of growth. Throughout the preparation of the RSS, it has been recognised that there are significant lead in times associated with the development of the urban extension sites. There is a natural phasing to be applied to development in these locations given the extensive amount of preparatory work and consultation that needs to go into making a successful place. The developments in south east Bristol and on the edge of Bath are still a number of years away from fruition and are therefore unaffected by the current climate. It is therefore completely irrelevant to refer to the current economic recession as a reason for restricting the quantum of growth in those locations. The critical matter that affects the amount of development that could be achieved by the end of the Core Strategy period is the planning policy context set out in this Core Strategy; it has to be more ambitious than present.

29) The West of England Local Enterprise Partnership Proposal to the Secretaries of State for BIS and CLG (September 2010) refers to GVA growth of 3.4% up to 2020 which is equivalent to highest recent Oxford Economics forecast. The document relates to the entire West of England area. How does the Council justify its CS reliance on a rate of growth much lower than the projected rate of the West of England? There is no reason whatsoever that could possibly suggest that a lower rate of growth is applicable to BANES (ie that other parts of the West of England sub-region have a comparatively much higher rate of economic growth). BANES has as much a role to play in delivering 3.4% growth as any other of the unitary authorities.

30) The decision to plan against an assumed low level economic growth is unduly negative. The recent publication Cities Outlook 2011 (Centre for Cities) appended to this submission identifies Bristol as one of the top five cities best placed for a private sector-led recovery. It is one of the least affected cities

arising from the comprehensive spending review/welfare cuts, and if the report is read as a whole then there is little that suggests full market recovery is not possible. Bristol will hopefully continue to thrive despite the constraints inflicted by the four authorities in the West of England. BANES and its neighbouring authorities would do well to heed the advice in the foreword of the study:

“The greatest advances in improving city life for residents are created by visionaries who are able to see and plan beyond organisational boundaries. Understanding where you are today, with respect to your peers and competitors, is an essential first step towards setting and achieving goals - this report helps provide this valuable information.” Stephen Leonard, Chief Executive, IBM UK and Ireland

31) There is no analysis of the negative consequences should the economy recover faster than BANES anticipates, or that the overall growth target will not meet housing need. There is no reference to negative social, economic and environmental consequences (such as increased in-commuting and increasing levels of overcrowding, sharing and concealed households). Notably the Centre for Cities research alludes to the fact that cities such as Bristol are well positioned to support national growth by building on their diverse industrial base and high skills levels. There is no doubt that any attempts on restricting the supply of housing will have negative consequences for the City, the sub-region and beyond. BANES should be obliged to consider these consequences and not simply turn its back on them. It has a clear role in delivering growth in Bristol, that will be of benefit to wider BANES prosperity.

32) The other element to consider is the most recent CLG household projections. The 2008 based projection shows an increase of 16,000 households in the period 2006-2026. This represents a decrease from the 2006 based projection which had indicated an increase of 19,000 households for the same period. Despite the decrease, this still indicates a level of provision that is significantly above the 11,000 target.

33) The Migration Statistics for 2009 (Migration Statistic Quarterly Report: ONS, November 2010), published in November 2010, shows that fewer people left the UK than arrived to live (an estimated 368,000 people emigrated from the UK in 2009, compared to an estimated 567,000 people arriving). This counters the argument that district housing requirements can be reduced because the impact of the European recession will result in fewer new in-migrants. The argument assumed that out-migration from the UK would continue at the same rate as before, when in many respects, the UK continues to be a relatively attractive destination for many and/or opportunities for work contract in the rest of Europe.

34) Section 5 of the Migration Statistic Quarterly Report: ONS, November 2010 shows that in the year 2009-2010 the South West is experiencing the largest net inflow of people (19,200) after the South East region (21,900). The South East region is a populous and economically dynamic region where most population and household formation is internally generated. By contrast it has historically been the case that the South West's internal population growth has largely remained static and in-migration has been an important component of household formation in the region and providing its labour supply. It is also important to note that planning policies constraining growth across the South West region will have probably dampened levels of in-migration, population and household growth than would otherwise have been the case.

35) One should conclude from this that these long term migration trends can be expected to continue. This will result in greater housing stress within BANES unless a higher housing requirement is identified.

36) Planning for lower levels of housing delivery than indicated by the RS and the household projections will not support economic recovery. Local authorities need to accept their responsibilities by facing-up to the housing supply crisis, and begin planning sensibly to meet housing need and demand. Planning is about the long term. It is unsound to base the district's 20 year plan on today's low levels of activity. This CS Policy is to plan for recession and to build recessionary assumptions into planning.

37) As the West of England SHMA observes in paragraph 2.8.1 “The WoE HMA is a relatively prosperous area with a diverse economic base. It needs to retain its population to contribute to the wider local economy and to ensure that lack of housing does not begin to cause labour shortages potentially threatening the competitiveness of the area. The growth of longer distance car commuting is ultimately unsustainable in its impact on the local environment and its contribution towards congestion. Future housing supply strategies need to recognise these wider impacts and seek to maximise completions within the existing stock and on new sites within the sub-region close to economic centres.”

38) It is regrettable that this CS cannot set more ambitious targets for growth that it may or may not

deliver. As the CS seems to suggest, it wants to facilitate growth providing of course that it is able to protect the Green Belt. It can only realistically do this by restricting the headline figure and constraining supply. That would seem the only logical reason why a more ambitious housing and economic growth strategy is not advanced in this Core Strategy.

Local and sub-regional evidence of the availability of suitable land for housing

39) The approach to establishing the strategic housing requirement is in part a consequence of a 'bottom-up assessment' of potential supply. The SHLAA identifies developable land for just over 11,000 homes. The available supply is far greater than that which results in an overall requirement of 11,000 homes. In respect of CSP and Key Properties specific interests at Hicks Gate there is no evidence, whether it is contained within the SHLAA or the SA why this location cannot be considered as a sustainable location for growth. It has simply been ignored in pursuit of political objectives and nonsensical protection of the Green Belt. In respect of the SHLAA, the Key Findings section simply states (in relation to SE Bristol) that, "The availability, suitability and deliverability of each area was evaluated in the Core Strategy Options document (October, 2009) and supporting Information Paper. The final housing potential (in terms of suitability and deliverability by 2026) of each site had yet to be determined."

40) It is not clear why the SHLAA process has simply not bothered to appraise these locations in more detail. The answer it seems is obvious; BANES has already identified the location as sustainable in submissions to the RS EIP, the SA recognises it as such and the SHLAA acknowledges that it has previously been acknowledged as suitable, achievable and deliverable. The SHLAA ignores it for the simple reason the Council has no intention of having regard to it. That is a wholly unsound, unjustified and ineffective stance.

41) BANES is fixated on the notion that it can only plan for what it already knows it has; if the supply is so certain then it is questionable whether there is any value in having a Core Strategy insofar as it relates to housing (and employment) land. Evidently BANES has little intention of facilitating growth beyond known supply at 2010. It cannot be sound to establish a housing requirement so low just to establish a five year land supply; it goes against all the requirements of PPS3 and smacks of desperation. The Government's overall ambitions for affordability across the housing market, including the need to improve affordability and increase housing supply.

42) Planning for the low number of homes proposed by the Core Strategy will contribute to restraining growth and increasing unemployment in the West of England housing market area. Neglecting the economic dimension and the links with housing would mean attaching little weight to the Government's growth agenda, as set out in the HM Treasury and Department for Business Innovation and Skills document: The Path to Strong, Sustainable and Balanced Growth (HM Treasury/BIS, November 2010). The document cites the need for a planning regime that supports growth and sustainable development and that enables an increased supply of housing to meet the nation's needs.

43) At no stage has this government suggested that the proposed changes are intended to act as a brake to the delivery of homes. The intention is quite the contrary, albeit the West of England authorities seemingly intend to interpret it differently. A Sustainability Appraisal of the environmental, social and economic implications, including costs, benefits and risks of development.

44) The SA, insofar as it relates to the overall level of housing states, "Development of the Spatial Strategy is explained in paras 1.17-1.24 which briefly sets out the context for the level of development proposed. A fuller explanation (with links to the relevant evidence) will be set out in a supporting Information Paper."

45) It is regrettable that the information is not available to comment on. The SA goes on to state, "As a lower amount of housing growth is proposed in this district strategy, compared with the previous housing growth options considered for the district strategy, less affordable housing could be delivered by this strategy compared to the previous options, however, this strategy is based on an evidence base predicting need and Policy CP9 aims to deliver a greater rate of affordable housing delivery than has been delivered in the district over previous years."

46) This is the sum total of analysis of the 11,000 homes figure. It completely fails to examine the consequences of under provision and the requirements of PPS3. The fact that the 11,000 homes represents a higher annual completion rate is hardly cause for celebration when it will so fundamentally fail to meet the needs of existing and future households, and the West of England

economy. The SA insofar as it relates to economic development is equally crude. The fact that the BANES intends to build more than one home and provide for more than one job is enough to award it a positive score. The SA is crude to the extent that it has no value as a tool to determine whether the CS is sound insofar as it relates to the overall strategy for jobs and homes.

47) In respect of the SA update insofar as it relates to the urban extension, RPS is pleased to see that the SA has sought to respond to some of the issues raised during the consultation on the Spatial Options Paper. RPS notes in particular the content of Annex E of the SA; whilst the SA is hamstrung by the constraints imposed by the CS Policy for limited aspiration and growth, it still provides a commentary of the urban extension options. The table below reproduces the comments of the SA as it relates to the urban extension promoted by RPS at Hicks Gate on behalf of CSP and Key Properties.

Positive Outcomes & Negative Outcomes

The urban extensions to the South East of Bristol would benefit from access to new and proposed facilities within south Bristol. Development of the Hicks Gate option would reduce the gap between Keynsham and Bristol and compromise the greenbelt function that the area is currently providing. The Hicks Gate area has good access to Bristol facilities and services due to good public transport accessibility however, the site is located near to peripheral land uses such as the Park and Ride and a retail park at Brislington. However, an urban extension at Hicks Gate could provide an 'anchor' for some of the surrounding peripheral land uses and create a sense of community in this area. Both potential urban extensions could potentially provide a range of facilities and services although the Hicks Gate site would need to be developed comprehensively with land in the Bristol City administrative area in order to provide sufficient capacity. All of the urban extension options would result in the development of Greenfield land and the loss of soil resources.

Both options would have the potential to deliver affordable housing.
Both options have the potential to contribute to the economy of Bristol.

The Hicks Gate option could provide employment development, which could help to reduce the distances travelled by Keynsham residents for work.

There are some nature conservation features within the Hicks Gate area, including a SNCI bordering the site and potentially important hedgerows on the site. An urban extension at Hicks Gate could improve the management of the SNCI.

According to consultation responses, no significant archaeological potential has so far been identified at the Hicks Gate site. Listed Buildings and registered Park and Gardens on the site have the potential to form a key part of a green infrastructure network and the overall context of an urban extension, ensuring their integration and protection.

Large scale developments such as urban extensions offer significant benefits over smaller scale developments in respect of local energy sources and district energy infrastructure, and as such offer greater sustainability benefits in this respect.

Another benefit of urban extensions is that they allow a comprehensive community to be created, which is well planned and with adequate infrastructure. When designed and planned well, urban extensions can provide benefits to surrounding neighbourhoods. A challenge to successful urban extensions is achieving cohesion between existing and new communities.

48) The SA concludes, "Although the Spatial Strategy proposes employment development in Keynsham, it does not provide any additional employment opportunities to the South East of Bristol which might have benefited residents of Keynsham and further reduced distances travelled for work. Not creating an urban extension in the Hicks Gate area would not improve this approach into Bristol or contribute to creating a sense of place or community for this area."

49) All of the possible benefits of development at Hicks Gate are offset by one factor, and one factor alone: Green Belt. Of course, there are other factors that mitigate against the development such as the exceptional lack of ambition in relation to economic growth that is fundamentally at odds with the aspirations of the West of England LEP.

50)For the reasons set out in the evidence base submission, the continued protection of the Green Belt in this location has no justification whatsoever. An assessment of the impact of development upon existing or planned infrastructure and of any new infrastructure required.

51)Since there is no strategic development in the CS it is difficult to gauge whether the planned infrastructure is sufficient to meet the target. The fact of the matter is that such is the strength of objection to the growth ambitions of the Council that it would be an irrelevance to consider the likely infrastructure requirements arising from the current policy position.

Change sought to make sound: 1)Policy DW1 goes to the heart of this CS. RPS considers it to be so fundamentally unsound that the only course of action is to abandon the plan and start again with a clear direction to deliver ambitious growth that meets the needs of BANES and contributes to wider sub-regional goals.

2)Essentially, this means planning for a higher rate of growth; that is 21,300 homes as set out in the RSS Modifications but seeks to make provision for that in a flexible and transparent way. It also means creating the context for ambitious economic growth in line with the West of England LEP objectives. The LEP predicts GCA growth in the West of England of 3.4% (by 2020); this Core Strategy prefers to plan for 1.6%. Not only does this show a marked lack of ambition at odds with its own vision and objectives, but the examination of this CS must focus on the wider impact at a sub-regional level and the associated negative social and economic consequences.

3)To do this requires the CS to recognise the need for sustainable urban extensions to the cities of Bristol and Bath. As it stands there is a major policy omission. RPS is promoting the land at Hicks Gate as a sustainable urban extension to Bristol. To that end, RPS submits a separate 'Policy Omission' Paper (below) that considers the role of Hicks Gate and evidence base that underpins it. The 'evidence base' in the form of a Statement of Delivery was submitted at the time of the Spatial Options consultation in December 2009; RPS has confirmed with Council Officers that this evidence can be taken forward to examination without the need to resubmit.

4)The paper below also seeks to appraise the Sustainability Appraisal, comparing the SA at the Spatial Options stage and its latest publication version.

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 248\7

Plan Reference: Whole Document

Representation Paragraph 1.36: Contingency

(soundness): 52)None of the requirements of PPS3 paragraph 62 have been adhered to. Paragraph 1.36 and the accompanying text in Policy SW01 is 'throwaway' to the extent it has no meaning. To suggest that there is flexibility in the sites identified that can respond in a strategic sense is naïve to say the least. To suggest that Western Riverside can be reviewed to provide a redistribution in scale of development belies the fact that the proposals for this development have been years in the making and viability is a critical issue that fundamentally affects the quantum and form of development. To suggest the proposals could be changed on a whim shows no appreciation of how development works. The same applies for the other developments listed.

53)There is no contingency in this Core Strategy. It should be found unsound on that basis alone.

Change sought to make sound: 1)Policy DW1 goes to the heart of this CS. RPS considers it to be so fundamentally unsound that the only course of action is to abandon the plan and start again with a clear direction to deliver ambitious growth that meets the needs of BANES and contributes to wider sub-regional goals.

2)Essentially, this means planning for a higher rate of growth; that is 21,300 homes as set out in the RSS Modifications but seeks to make provision for that in a flexible and transparent way. It also means creating the context for ambitious economic growth in line with the West of England LEP objectives. The LEP predicts GCA growth in the West of England of 3.4% (by 2020); this Core Strategy prefers to plan for 1.6%. Not only does this show a marked lack of ambition at odds with its own vision and objectives, but the examination of this CS must focus on the wider impact at a sub-regional level and

the associated negative social and economic consequences.

3) To do this requires the CS to recognise the need for sustainable urban extensions to the cities of Bristol and Bath. As it stands there is a major policy omission. RPS is promoting the land at Hicks Gate as a sustainable urban extension to Bristol. To that end, RPS submits a separate 'Policy Omission' Paper (below) that considers the role of Hicks Gate and evidence base that underpins it. The 'evidence base' in the form of a Statement of Delivery was submitted at the time of the Spatial Options consultation in December 2009; RPS has confirmed with Council Officers that this evidence can be taken forward to examination without the need to resubmit.

4) The paper below also seeks to appraise the Sustainability Appraisal, comparing the SA at the Spatial Options stage and its latest publication version.

Representation (legal compliance):

Change sought to make legally compliant:

Representation Reference: 248\8

Plan Reference: Diagram 4: Bath and North East Somerset - The Key Diagram

Representation (soundness): 1) In these representations, RPS makes clear that the prescribed strategic housing requirement of 11,000 homes grossly under plays the level of need and demand for new housing within BANES in the period 2006-2026. The Council should be planning for 21,300 homes as set out in the RSS Modifications and reflect a more ambitious target for addressing economic growth in BANES and the wider sub-region and meeting housing need.

2) The table below sets out how the strategic requirement and distribution has changed over time. Regardless of the fact that BANES has sought to ignore the requirements of the development plan (RS), the strategy now presented bears no resemblance to spatial options presented in December 2009.

BANES Regional Strategy Spatial Option 1 (Dec 09) Spatial Option 2 (Dec 09) Publication Core Strategy (Dec 10) Draft RS (Mar 06) Panel Report (Dec 07) RSS Modifications (July 08)

Bristol Urban Extension 3,650 3,300 0 6,000 6,000 8,000

Bath Urban Extension 2,000 2,000 0 1,500 1,500 2,000

Bath Urban Area 6,000 5,000 6,000 6,000 6,000 6,000

Rural Areas 1,500 1,900 800 2,000 2,300 2,300

Somer Valley 1,000 1,700 2,700

Keynsham 1,700 1,600 1,500 3,000 3,000

Total 15,500 15,500 11,000 15,500 18,800 21,300

3) Aside from the Bath urban area (which has remained remarkably consistent throughout), the spatial distribution bears no resemblance to those options presented in December 2009, let alone the RS Modifications. It is important to analyse how the 11,000 homes has been derived; the Council's recently published SHLAA has the answers.

4) The SHLAA and trajectories contained within its appendices show that BANES has an identifiable supply to achieve just over the 11,000 homes requirement. Seemingly that is the basis in which the 11,000 homes target has been set. The 'evidence' underpinning the 11,000 homes (ie Keith Woodhead Report) is a smokescreen to justify a position that fits supply. What other explanation is there for an authority that seems content to plan on the basis of a uniquely unambitious economic growth target and is content to fail to meet housing need and demand on any level?

5) It is not enough to simply provide a spatial distribution for growth based solely on the available supply. There is no value in having a Core Strategy if such parameters. Quite simply, there is no 'planning' involved in this strategy. If our reading of the SHLAA is correct then BANES has already achieved completions of 1,664 homes in the first four years of the plan period; it has commitments for a further 8,792 and has further sites identified in the SHLAA for 1,284, taking the total to 11,290 homes. Regardless of RPS' deep reservations over the delivery of much of the land with planning permission/subject to old LP allocations, it is clear that the strategy has been derived on the basis of supply. Conveniently, as a result of planning for 11,000 homes, BANES miraculously now has a five year supply of housing land.

6) It is little wonder the strategic requirement has been so grossly contrived. Paragraph 2.8 of the Terence O'Rourke study commissioned by the South West Regional Assembly in July 2008 to review local authorities performance against key indicators suggested that: "We have calculated that the Council has a shortfall of 148 dwellings per annum based on the RSS dwelling requirement. The shortfall increases to 306.8 dwellings per annum in relation to the Panel Report housing figures. This is the largest 5 year housing land shortage recorded for all authorities in the south west that either involve an SSCT or to accommodate an urban extension. The consultation on the Core Strategy launch document incorporated the RSS housing figure. According to the Council, background work is being undertaken to examine options for responding to a higher dwelling requirement in the forthcoming consultation document which will be guided by the Panel's recommended figure".

7) Clearly the Council has reneged on the advice given to O'Rourke's that it would be focusing on higher rates of growth

8) By establishing capacities at the various locations throughout BANES, the Council has already acknowledged through the Spatial Options Paper that there is capacity for at least 16,850 homes (if the higher capacity scenarios from each of the two options are aggregated together). It makes no sense why BANES would want to restrict the level of growth to 11,000 homes if it readily acknowledges that this level of capacity already exists and there is scope to make a more meaningful contribution to the affordable housing needs of the sub-region. Moreover, RPS asserts that there is significant additional capacity within the South East Bristol urban extension that means that the RS specific requirement of that area can be met. Again, RPS reiterates the need to plan for a higher level of development and the 21,300 homes figure in the RSS Modifications.

9) The requirement for the SSCTs Bristol and Bath as set out in the RS should be sacrosanct. The "numbers" that are apportioned to each SSCT relate solely to the growth needs and requirements of those cities. It is not for BANES to now determine whether those levels of growth are appropriate and whether those levels of the strategic housing and job provision can be filtered off to less sustainable locations in the pursuit of other objectives.

10) RPS reserves its comments on Keynsham, Somer Valley, and the rural areas for the specific chapters that they relate to. In essence, RPS does not consider the strategy and option to be sound because it is inherently unsustainable and as a consequence ineffective. The RSS would not, with the possible exception of Keynsham, identify these settlements as Policy B towns. The Panel Report made clear that those settlements should only be subject to locally specific growth and therefore better fall under the definition of Policy C towns.

11) If the Council wishes to persist with the strategy "for the rural areas", it should not do so at the expense of development at the SSCTs. A simple solution would be to increase the overall strategic requirement. The Council would therefore be better placed to pursue its own initiatives, whilst also adhering to the RS spatial distribution to focus development at the SSCTs.

12) The strategy of dispersal contradicts the very principles of sustainable development. The dispersal strategy will not lead to developments of sufficient quantum that can genuinely deliver improvements to public transport infrastructure in the rural areas and there will be little opportunity but to continue to rely on the use of the private car. This is recognised in the SA. It is clear that jobs will continue to grow predominantly at the SSCTs and they will remain the draw for the largely affluent rural areas of the district. Any improvements that are made to infrastructure at the SSCTs could be offset by the increased level of commuter traffic coming in from the rural areas.

13) The principle behind creating more sustainable communities is to create more self contained settlements that rely less on commuting out to the SSCTs of Bath and Bristol and providing significant additional employment opportunities for the existing community. It is difficult to understand therefore why the Council seeks to significantly increase the level of residential growth in these locations when clearly any benefits derived from any economic growth will be offset by the increases in housing. The notion that additional housing growth will act as a stimulus bringing additional jobs to any given location is naïve. If a strategy for growth is to be pursued, then it is essential that any expansion at these locations is led by economic growth. It cannot be considered a sustainable strategy to allow any further housing at these locations until such time as there is at the very least an equivalent quantum of economic growth. In essence, the Council has already set itself up to plan to fail to meet this strategic requirement.

Change sought to make sound: 1)The key diagram goes to the heart of this CS. RPS considers it to be so fundamentally unsound that the only course of action is to abandon the plan and start again with a clear direction to deliver ambitious growth that meets the needs of BANES and contributes to wider sub-regional goals.
2)Essentially, this means planning for a higher rate of growth; that is 21,300 homes as set out in the RSS Modifications but seeks to make provision for that in a flexible and transparent way. It also means creating the context for ambitious economic growth in line with the West of England LEP objectives. The LEP predicts GCA growth in the West of England of 3.4% (by 2020); this Core Strategy prefers to plan for 1.6%. Not only does this show a marked lack of ambition at odds with its own vision and objectives, but the examination of this CS must focus on the wider impact at a sub-regional level and the associated negative social and economic consequences.
3)To rectify this requires the CS to recognise the need for sustainable urban extensions to the cities of Bristol and Bath.

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 248\9

Plan Reference: Policy KE1: Keynsham Spatial Strategy

Representation (soundness): 1)It is remarkable to consider the extent to which BANES has turned its back on Bristol in this CS. Despite acknowledging the obvious in the Spatial Options Paper, seemingly Keynsham now has no relationship to Bristol. There is acknowledgment of 'strong out-commuting' but fails to reference to where. Perhaps it is obvious, but the fact is that Keynsham residents will always be inextricably linked to the Bristol economy (ever more so following the closure of Somerdale). In considering the role of an urban extension at Hicks Gate, Annex 5 of the SA concludes, "Although the Spatial Strategy proposes employment development in Keynsham, it does not provide any additional employment opportunities to the South East of Bristol which might have benefited residents of Keynsham and further reduced distances travelled for work. Not creating an urban extension in the Hicks Gate area would not improve this approach into Bristol or contribute to creating a sense of place or community for this area."
2)It is clear that there is a perceived link to Bristol in the SA, and that there are benefits to growth at Bristol for Keynsham residents. This is also recognised in the sustainability appraisal of 2006 which makes reference to, "Hicks Gate area maybe of better for employment provision. It could also provide local job opportunities for Keynsham acknowledging the existing high levels of commuting that currently exist from Keynsham to Bristol".
3)Paragraph 3.06 suggests that the urban fringe of Bristol is little more than a mile away. In itself, this is a wholly inaccurate statement but clearly underlines the prevailing stance for Green Belt protection. This is followed up in paragraph 3.13; such is the fierce protection of the Green Belt that the CS proposes that 'access to it will be enhanced'. Does this Council really understand what Green Belt means? Green Belt is a planning tool; it is nothing else. There is nothing intrinsically special or valuable about Green Belt land. There is no overriding quality to the landscape that makes it more attractive than any other part of the landscape not affected by Green Belt designation. The statement in paragraph 3.13 merely shows how local politics has got in the way of proper strategic planning. There is nothing special about the Green Belt around Keynsham; indeed it was the only element of Green Belt land to be subject to change through the last round of Structure Planning.
4)Regardless, RPS does accept that the Green Belt in the area between Bristol and Keynsham is sensitive, but strongly advocates that development at Hicks Gate will not impact adversely on the purpose of the Green Belt in this location. In the first instance the context for Green Belt removal in this location is already thoroughly established, and through its submissions on the draft RSS and EiP, BANES recognised that the principle of Green Belt deletion in this location needs to be considered against the overriding sustainability benefits of development. The Panel concluded at paragraph 4.0.36 that, "We have considered the proposed Green Belt exclusions, including our additional proposals, against these intentions. We conclude that the proposals do not threaten the main purposes of the Green Belts within the region."

5) Defensible boundaries to identifying a new Green Belt edge at Hicks Gate exist in the form of manmade features (ie Hicks Gate roundabout and the A4174 ring road) and natural features such as the steep topography to the south of the A4 that will provide a clear development edge that will set the context for the Green Belt in this location in the long term, and most likely in perpetuity. On a related matter, the EIP Panel recommended an area of search around the edge of Keynsham for up to 3,000 new homes. It was clear that having thoroughly appraised the area, the Panel did not consider the Green Belt around Keynsham to be sacrosanct. Development at Hicks Gate offers many benefits to the population of Keynsham, not least through the potential job offer, and not least through setting new Green Belt boundaries that will endure in the long term.

Change sought to make sound: 1) The CS has to recognise that the Green Belt has to be reviewed in order to cater for sustainable development and provide realistic job opportunities for those residents of Keynsham. The links between Keynsham and Bristol have to be explicitly recognised and catered for. It is naive to consider that Keynsham will ever be entirely 'self-sufficient'.

Representation (legal compliance):

Change sought to make legally compliant:

Representation Reference: 248\10

Plan Reference: Policy SV1: Somer Valley Spatial Strategy

Representation (soundness): 1) In the first instance, if the Council persists with the notion that 11,000 homes is the right figure for the Core Strategy to pursue, then dispersal of development to locations such as the Somer Valley should not be an alternative to a strategy for the major focus of development to be at the SSCTs. If the proposals for the Somer Valley, Keynsham and the rural areas progress, then the only way in which it can be achieved 'soundly' is if the Council adopts a higher strategic requirement in line with the RS Modifications. It cannot be at the expense of identified requirement at the SSCTs.

2) The Council has long since promoted a strategy for renewal and regeneration at Norton Radstock. The Council made clear in its representations through the RSS process that it saw the Norton Radstock area as important area for regeneration that should be subject to more development than the draft RSS allowed for. In the context of the draft RSS, Norton Radstock falls under the definition of rural areas for which 2,000 homes are identified. Given the extent of existing "commitments", there would not be the opportunity for significant additional growth at Norton Radstock beyond that which is already planned for.

3) Given the extent to which the prospects for development were promoted through the draft RSS, the Panel makes specific mention to Norton Radstock in the Panel Report. Paragraph 4.1.37 states that, "Mention was made at the EIP ending the evidence submitted to the opportunities at Norton Radstock in relation to the needs of Bath. In our view the formal dispersal of provision from Bath would run counter to the principles set out in policies SD1-4 and the regeneration of the small towns hinterland of the city region should be based on local growth".

4) Although the Panel and subsequent RSS Modifications increase the requirement in the rural areas, it was only by 300 to give a total of 2,300 homes. Draft RSS policies SD1-4 go the heart of the principles of sustainable development insofar as they relate to the ecological footprint, climate change, the environment and natural resources, and sustainable communities. Although the SD policies have subsequently been reworked in the Proposed Modifications, the policy emphasis is still very much there and is rehearsed in Policy CSS – The Core Spatial Strategy. That policy sets out that: "To accommodate the managed growth in the most sustainable way most new development will be provided for a strategically significant cities and towns (SSCTs). Provision for more limited development will be made at market and coastal towns and in small towns and villages where this will increase self containment and promote stronger communities".

5) The fact that at no stage during the process has the RSS identified scope for significant development at Norton Radstock suggests that it is clear how the strategic part of the development plan envisages the towns progressing in the next 20 years; that is to increase the level of self containment in a sustainable way.

6) In that context, it is difficult to argue with the principle of economic regeneration in Norton Radstock. It is economic regeneration that should be at the heart of the strategy. The strategy does not need significant additional housing for it to work; indeed significant additional housing will simply eradicate any benefits derived from the objective of generating additional jobs in this location.

7) With a population of 21,600 people, Norton Radstock has 15,465 people at working age. At 2005, there were 8,425 jobs available in Norton Radstock; given the closures of major industry in the local area, it is assumed that the jobs figure may have fallen in recent years. Since the number of jobs available is less than half of the number of economically active people in Norton Radstock, it is no surprise there is a significant out-commuting problem. The Council's solution to this seems to be to make some sweeping statements regarding the economic potential of the area and to identify significant additional housing growth. This is an entirely unsustainable strategy.

8) It is for this precise reason why the RSS does not allow for significant additional growth beyond that already committed at Norton Radstock. Clearly the emphasis has to be on economic regeneration and there is no value in offsetting any benefits accrued through that process by increasing the number of households in the area. That is not a strategy that will lead to greater levels of self containment. Set out below is a comparison between the Spatial Options presented in December 2009 and what is now contained in the publication version CS:

- Option 1 seeks to make provision for 1,000 new dwellings and 1,050 new jobs.
- Option 2 seeks to make provision for 1,700 new dwellings and 1,890 jobs.
- Publication CS seeks to make provision for 2,700 new dwellings and 1,000 jobs.

9) The average household size in BANES is 2.31 (2001 Census). Under the terms of Option 1, this could lead to an additional population of circa 2,300 people. If it is right that approximately 71% of population is at working age, this will lead to an increase in the economically active population of approximately 1,600 people. Under the terms of Option 1, only 1,050 new jobs are proposed. However which way the figures could be massaged, it is clear that under the terms of Option 1 there was no potential for increasing the level of containment in the town.

10) Under the terms of Option 2, 1,700 additional homes could result in an increased population of circa 3,900 people, resulting in circa 2,800 people who are economically active. Only 1,890 jobs are proposed under this strategy (Economic Development and Employment Distribution Information Paper, November 2009).

11) Both strategies presented in the Spatial Options Paper completely fail the test of seeking to provide the greater self containment at Norton Radstock. Whilst it is acknowledged that the Somer Valley strategy now covers a wider area (including Paulton), the position is only compounded now that double the number of homes are now proposed alongside fewer jobs than previously proposed in either of the spatial options.

12) The CS makes no mention of any phased approach to development. Given the above evidence, it could be assumed that at the very least, the strategy should be making clear that housing should only be brought forward alongside an equivalent level of economic regeneration/jobs. The strategy does not say this. There is a danger therefore that housing growth will continue in Norton Radstock, without any complimentary economic regeneration for which no strategy exists.

13) For these very reasons, Norton Radstock does not fulfil the requirements of RSS Modifications classification for a Policy B town. It is important to stress the need to adhere to RSS Modifications definitions since these have been subject to detailed scrutiny and there are subtle changes that the authority should be alerted to. Development Policy C does not rule out economic growth at such locations. It makes clear that the emphasis is on greater self containment and stronger local communities. Provision should be made for economic activity appropriate to the scale of the settlement and extend the range of services to better meet the needs of the settlement and its surrounding area.

14) It does not therefore prevent BANES from seeking to implement its strategy, but it does not allow for significant extra housing growth in order to achieve it. It is somewhat of a naïve strategy to suggest that significant housing growth will automatically help and stimulate economic regeneration. There is no evidence of this.

15) The Council's "emerging" economic strategy for Norton Radstock would seemingly be to build on the heritage of the location by "tapping into new low carbon opportunities". There is no clear basis on which Norton Radstock is any better placed to tap into new low carbon opportunities than anywhere

else in the South West region. Indeed, given the high technology nature of the emerging sector, it is more likely that the SSCTs will have the knowledge base and understanding to respond to the challenges ahead. Whilst Norton Radstock may function as a manufacturing base for such uses, any potential is some way off in the future and there is no certainty that it can be realised. A strategy for Norton Radstock cannot be built around this premise.

16) The Council sets out that the current commitment to new housing is around 900 homes in Norton Radstock (not the wider Somer Valley). That is a significant quantum of new homes for the local area over the next 20 years. It is possible that not all of those homes will come forward for development. Certainly, at least 240 of those commitments are on Local Plan allocations that are not yet subject to planning permission. There is every opportunity to review those Local Plan allocations and seek to re-allocate them elsewhere within the central strategic area.

17) The Council is relying on development to fund and secure all the other enhancements to Norton Radstock that it would like to see implemented. There is no certainty of any of the other funding mechanisms coming to fruition. If the focus is on brownfield regeneration, then the Council cannot assume that there will be a bottomless pit of money from the developers to make the proposed contributions to the public realm. It will simply not happen. The deliverability section of the Chapter notes that employment delivery is dependent on significant public support and intervention. The Council should be focussing on these issues rather than assuming that it will come forward off the back of significant additional housing growth.

18) It is interesting to note that the Economic Development and Employment Distribution Paper provides a factual assessment of land available. It provides no analysis of potential need and demand and whether the proposed number of jobs can be realised. The Paper only makes passing reference to such issues and it is noted that paragraph 1.64 states that under the terms of Option 2 "the office market in the south of the district would have to grow at a faster rate for this amount of space to be needed". It does not identify how this might be achieved.

19) No further housing growth should be promoted in the Somer Valley given the inherent issues of out-commuting that will persist. RPS queries the extent of genuine commitments. It is considered that the commitments figure is heavily skewed because it assumes greater capacities at the Local Plan allocations than that which is actually allocated. There is a significant difference between the figure of 780 advocated in the AMR compared to 396 in the Local Plan. The Paulton Printing Factory is identified as having capacity for over 630 homes in the AMR, yet is only allocated in the Local Plan for 250. RPS would expect to see these assumptions tested at examination.

- Change sought to** 1) RPS does not consider the levels of residential growth apportioned to the Somer Valley to be **make sound:** justified or effective. Housing growth should be tied to economic growth and should not be providing more homes than jobs; the approach fails all sustainable principle tests.
- 2) The majority of growth in the Somer Valley would be better distributed to the SSCTs where jobs already exist and are more likely to be created, whilst a strategy for economic regeneration should be the focus in the Somer Valley.

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 248\11

Plan Reference: Policy CP2: Sustainable Contraction

- Representation** 1) RPS is broadly content with the wording of the policy. It would however be helpful to have **(soundness):** references to flexibility and viability. Bristol City Council, following examination, has added text to make clear, "An exception will only be made in the case where a development is appropriate and necessary but where it is demonstrated that meeting the required standard would not be feasible or viable." "If meeting the full requirements of Policy BCS14, either through on-site measures or allowable solutions, would render development unviable, careful consideration will be given as to whether the development is appropriate in other respects and sufficiently necessary o justify an exception to the requirements of Policy BCS14."

2) In respect of the Sustainability Checklist, if it is being used as part of planning applications, there needs to be a clear statement of what the purpose is and how it will be used, ie whether it is to be used as a tool to raise awareness or to set a standard to be achieved. For instance, initially it might be best for developers to simply to use it and then in 2012 for all developments to achieve a Good in 50% of the categories, in 2016 achieve a Good in 50% of the categories, and Best in 25%.

3) The best use of the checklist would be for demonstrating sustainability, with the Council stating what it deems to be acceptable level of performance for sustainability to avoid the checklist simply being a “tick box” exercise. Developers should be allowed to use other means to demonstrate their development meets the sustainability requirements, although the onus would be on them to demonstrate they meet the requirements as determined within the Checklist. In reality, most would use the Checklist, but it does give the flexibility for developments which are more sustainable than others, but do not fit in to the typical approach, to demonstrate they meet the Council’s requirements.

4) The Council needs to ensure that the Checklist remains up to date, both in terms of the level of questions etc, and also in terms of the acronyms and associated documents. For instance, reference to the ODPM suggests that the Checklist is out of date, where as in fact the technical content may not be.

Change sought to make sound: 1) Changes similar to those advocated by Bristol City Council should be worked into the CS to ensure deliverability and flexibility.

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 248\12

Plan Reference: Policy CP8: Green Belt

Representation (soundness): 1) RPS does not accept that exceptional circumstances for Green Belt release do not exist. Those exceptional circumstances have been established since RPG10 was adopted in September 2001, nearly 10 years ago.

2) That clear case has further been proven through the preparation of the RS, and BANES itself has accepted through the submissions it made to that process that the most sustainable locations for growth lie in the SSCTs and on Green Belt land.

3) The only reason BANES considers exceptional circumstances do not exist is because it is planning for an exceptionally low level of housing and economic growth. This is a wholly ineffective and unjustified stance to adopt and is irresponsible to the point of being reckless. It is unfortunate that local politics and the desire to seek to pander to the loud few should sway the Council to the extent that it is content to jeopardise market recovery and provide sufficient homes for people to live.

4) Green Belt releases at the SSCTs should, for all the reasons set out in these representations, be a fundamental part of this CS.

5) These issues go to the heart of the CS and RPS intends to test them thoroughly at examination.

Change sought to make sound: 1) The CS is fundamentally flawed. Green Belt releases on the edge of Bristol and Bath are necessary in order for the sub-region to progress and prosper. There is no case for the continued protection of Green Belt in locations where sustainable growth can be delivered. The overall aims of the Green Belt would not be compromised.

2) The provision of sustainable urban extensions at the SSCTs are the only practicable means of ensuring the needs of the sub-region are met, and this CS has a critical role in delivering them. RPS submits evidence relating to the proposals at Hicks Gate and the justification for Green Belt release in this specific location

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 248\13

Plan Reference: Policy CP10: Housing Mix

Representation 1) RPS does not object to the policy wording but queries how effective it will be in delivering its
(soundness): objectives. The majority of the previously developed sites identified are unlikely to provide a context for the delivery of a wide mix of housing, and in particular family housing. PDL sites more often than not are urban sites where densities are high in order to secure viable proposals. As set out in our submission and recognised in the SA, large urban extensions have the capacity to deliver a wide range of housing (including affordable housing) to meet all aspects of need and demand through the creation of mixed and inclusive communities.
2) There are few such opportunities to deliver the policy requirements of Policy CP10 under the current strategy. In that sense it is ineffective because of the failures of the overall strategy.

Change sought to 1) RPS queries the value of the policy when the strategic housing requirement and spatial strategy is
make sound: unlikely to deliver what it is seeking.

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 248\14

Plan Reference: Paragraph 6.84

Representation 1) RPS does not understand the purpose or value of this section. There is no policy to back up the '
(soundness): sentiment'. Certainly the sentiment confirms earlier assumptions regarding the extent to which BANES has no regard to wider sub-regional issues. Paragraph 6.86 wants to commit to less overall commuting but provides no clarity on how that might be achieved. How the Council intend to achieve that in areas such as the Somer Valley where significant levels of out-commuting already exist; this CS seeks to propose 2,700 new homes against 1,000 new jobs. Quite clearly, the position is only going to worsen.
2) It would be helpful if this section made clear precisely what level of economic growth the district is planning for. It is notable that it is conspicuous by its absence. Is the Council ashamed that it is only planning for low growth over a 20 year period because of a recession in the early years? It should be, and by not making it explicit is to mislead the public.
3) Paragraph 6.82 states that the CS will support and deliver 'elements' of the Economic Strategy. What elements does it not support? Why? Where is the justification?
4) The pie charts showing how the economy will look in 2026 is based on what? An aspiration? Is there any evidence reflecting how the economy will change and what initiatives are in place?
5) This section of the CS provides no clue as to how economic growth will be delivered (no matter how low).
6) The sooner this CS recognises that it is not planning for an island, the sooner there may be some realistic prospects for economic growth that will benefit existing and future residents. The aim should be to reduce in and out commuting to the West of England sub-region to deliver a more appropriate response to a prosperous economy.

Change sought to 1) Section 6e should either be deleted or comprehensively reassessed to provide an honest
make sound: assessment of what this Core Strategy will deliver, accompanied by a policy which can then be monitored. This is a CS that has no interest in securing economic growth beyond what is being achieved coming out of a recession. It is thoroughly misleading to suggest otherwise.

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 248\15

Plan Reference: Paragraph 7.01

Representation 1) The monitoring section of the CS provides no mechanism for introducing the contingency provisions
(soundness): set out in paragraph 1.36. It is little wonder; the 'contingency' solution is so inadequate and inflexible that there is no value trying to turn it into an effective policy.
2) This CS is unsound on the basis that it is inherently inflexible and has no contingency solution for delivering even the low level of growth it plans to support.

Change sought to make sound: 1) The CS must provide a policy for delivering contingency solutions that go far beyond the current content of paragraph 1.36.

Representation (legal compliance):

Change sought to make legally compliant:

Respondent Number: 249 Respondent: Royal Mail Group Ltd.

RepresentationReference: 249\1

Plan Reference: Policy B2: Central Area Strategic Policy

Representation Bath DO – Royal Mail Group position on potential for alternative use
(soundness):

Royal Mail Group's Bath DO site is prime real estate within central Bath with river frontage. It forms part of one of the last sections of Bath City centre that has yet to be redeveloped / regenerated. If the Delivery Office could be relocated, the site would present a development opportunity of considerable significance either in isolation or together with neighbouring land ownerships, notably Avon and Somerset Police's Bath Police Station and BANES Council's Manvers Street Car Park. In view of the riverside location, high density residential redevelopment could be expected to maximise the value of the site, but mixed use development with active ground floor frontages, possibly including some retail and employment floor space and even an hotel.

The ability to redevelop the Bath DO site is predicated on Royal Mail Group's ability to relocate the DO to another site or sites in an operationally acceptable location in Bath. The issue of viability of relocation is a key issue in this regard – Royal Mail Group's position is that it would only relocate from the existing Bath DO site if the value of the existing site were to substantially exceed the total cost of re-provision. Because of this, Royal Mail Group is seeking a policy context within the emerging Core Strategy that is permissive of high density mixed use redevelopment of the Bath DO site either in isolation or in conjunction with adjoining land ownerships.

It is relevant to note that over the past 18 months through BNP Paribas Royal Mail Group has been actively seeking to work with Officers from BANES Planning, Major Projects and Estates Departments to jointly promote the Manvers Street Car Park site, Police Station site and Bath DO site for comprehensive redevelopment. There has been no tangible progress with this joint promotion, but some initial feedback was received from BANES Planning and Major Projects teams in relation to potential relocation sites. Royal Mail Group remains keen to pursue the opportunity to relocate the DO to an operationally satisfactory new site/s, if this can be achieved whilst delivering an acceptable capital release for Royal Mail Group.

Change sought to make sound:

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 249\2

Plan Reference: Policy B1: Bath Spatial Strategy

Representation B1 (2d Economic Development)

(soundness): Royal Mail Group Supports the element of the strategy for Bath that seeks to focus new office development within and adjoining Bath city centre

**Change sought to
make sound:**

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 249\2

Plan Reference: Policy B1: Bath Spatial Strategy

Representation Policy B1 – Bath Spatial Strategy, paragraph 2d (Economic Development)

(soundness): Royal Mail Group supports the element of the strategy for Bath that seeks to focus new office development within and adjoining Bath City centre.

**Change sought to
make sound:**

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 249\3

Plan Reference: Policy B1: Bath Spatial Strategy

Representation Policy B1 – Bath Spatial Strategy, paragraph 5a (Previously developed land)

(soundness): Royal Mail Group supports the strategy to “regenerate and repair a number of areas within the Central Area to create new areas of attractive and productive townscape and a much improved relationship between the city and its river.” The Bath DO site falls within one such area and presents BANES with an opportunity to assist with delivering this strategy.

**Change sought to
make sound:**

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 249\4

Plan Reference: Policy B1: Bath Spatial Strategy

Representation Policy B1 – Bath Spatial Strategy, paragraph 6a (Shopping)

(soundness): It is noted that part of the strategy is not to make provision for a further large scale comparison retail development in addition to Southgate. Royal Mail Group takes the view that there may not enough provision in the Core Strategy for new retail development in Bath. Paragraph 6.92 of the consultation document indicates that a re-assessment of the need for new retail floorspace is being undertaken, so the soundness of this strategy remains to be proven.

**Change sought to
make sound:**

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 249\5

Plan Reference: Policy B1: Bath Spatial Strategy

Representation Policy B1 – Bath Spatial Strategy, paragraph 10a (Transportation, Car Parking and other infrastructure)
(soundness): As it provides an essential public service, the Royal Mail DO in Bath should be considered to be part of ‘other infrastructure’ for the purposes of the Core Strategy.

**Change sought to
make sound:**

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 249\6

Plan Reference: Paragraph 2.16

Representation Bath 2c – Central Area and Western Corridor, paragraph 2.16 (Central Area) and Diagram 7
(soundness): Royal Mail agrees with the inclusion of the Bath DO site within the Central Area and indicative Key Development hotspot to the north of Bath Spa Station.

**Change sought to
make sound:**

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 249\7

Plan Reference: Policy B2: Central Area Strategic Policy

Representation Policy B2 – Central Area Strategic Policy, paragraph 3b
(soundness): Royal Mail notes and supports the inclusion of the ‘Royal Mail Depot area’ within the potential mixed use development proposal site also comprising Manvers Street Car Park and the Avon and Somerset Police Station.

**Change sought to
make sound:**

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 249\8

Plan Reference: Policy B2: Central Area Strategic Policy

Representation Policy B2 – Central Area Strategic Policy, paragraph 4 sub paragraphs a and c
(soundness): Royal Mail’s view is that there is insufficient provision for new retail development for Bath in the Core Strategy and that these targets for comparison and convenience floorspace should be increased.

**Change sought to
make sound:**

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 249\9

Plan Reference: Policy B2: Central Area Strategic Policy

Representation Bath 2g – Infrastructure and delivery

(soundness): Given that the Bath DO site is identified as being part of a potential redevelopment site for mixed uses, the continuing provision or appropriate re-provision of the Royal Mail Bath DO should be included as part of the package of infrastructure that is required for Bath. Even in the age of e-commerce, Bath's local economy would suffer greatly without a local mail collection, distribution and delivery service and therefore it would be un-sound not to safeguard the continuance of this important public service through including reference to it within this chapter of the draft Core Strategy.

**Change sought to
make sound:**

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 249\10

Plan Reference: Policy B2: Central Area Strategic Policy

Representation Urban Design led review of Bath City Centre sites – Evidence Base Document

(soundness): It is noted that the Bath DO site is included within this review alongside the Avon and Somerset Police Bath Police Station and the Manvers Street Car Park. Royal Mail supports this inclusion, but is not satisfied with the storey height allocation and indicative floor space calculations. It is considered that the combined sites have potential to sustain a more dense level of development than is evident from this study. In addition, the review sets a direction of travel for the sites to be developed together on a comprehensive basis when they have may potential to be developed separately, one by one. Development density should be tested through preparation of a detailed site redevelopment feasibility study prepared by an architect jointly on behalf of the three main landowners.

**Change sought to
make sound:**

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 249\11

Plan Reference: Policy B4: The World heritage Site and its Setting

Representation Bath Buildings Heights Study – Evidence Base Document

(soundness): In this supporting document the Bath DO site falls within character Zone 2 – Immediate Setting of The Georgian City for which “the overall (building) height should not be less than or exceed the overall prevailing height of nearby Georgian buildings”. Royal Mail considers this to be overly restrictive and not consistent with the guidance on storey height included within the Urban Design led review of Bath City centre sites, which is another supporting evidence base document and therefore could be considered unsound. Qualification of this required in order top address this point.

**Change sought to
make sound:**

Representation (legal compliance):

Change sought to make legally compliant:

Respondent Number: 250 Respondent: Somerset County Council

RepresentationReference: 250\1

Plan Reference: Policy DW1: District Wide Spatial Strategy

Representation (soundness): The concern of adjoining councils, including Somerset, that B&NES should provide for its housing need to avoid pressure on neighbouring localities has been noted by B&NES in the Council's Consultation Report on the Core Strategy Spatial Options Document Consultation. B&NES has responded with a review of the land needed for development in light of revised prospects for economic and household growth, taking account of the impact of the recent economic recession, changes in the local economy and revised population projections.

Somerset County Council does not seek to assert that the Core Strategy is unsound but does anticipate that the fundamental matter of the scale and broad location of land, which should be provided for development, will be considered by the Inspector.

Change sought to make sound:

Representation (legal compliance):

Change sought to make legally compliant:

Respondent Number: 251 Respondent: Bovis Homes

RepresentationReference: 251\1

Plan Reference: Strategic Objective 2: Protect and enhance the District's natural, built and cultural assets and provide green infrastructure.

Representation (soundness): Bovis Homes wishes to draw attention to the other representations submitted by Barton Willmore.

Change sought to make sound:

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 251\2

Plan Reference: Policy DW1: District Wide Spatial Strategy

Representation (soundness): Bovis Homes wishes to draw attention to the other representations submitted by Barton Willmore.

Change sought to make sound:

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 251\3

Plan Reference: Policy CP9: Affordable Housing

Representation (soundness): Bovis Homes wishes to draw attention to the other representations submitted by Barton Willmore.

**Change sought to
make sound:**

Representation (legal compliance):

Change sought to make legally compliant:

Respondent Number: 252 Respondent: Cadbury Kraft Foods

RepresentationReference: 252\1 S

Plan Reference: Whole Document

**Representation
(soundness):** Dear Sir/Madam

REPRESENTATION TO BANES DRAFT CORE STRATEGY (DECEMBER 2010) CADBURY SOMERDALE

We write on behalf of our client, Cadbury/Kraft Foods, to submit representations to the above Core Strategy in respect of their site at Somerdale in Keynsham and set out our comments below.

Background

Cadbury Somerdale is located in Keynsham, which is strategically located between Bristol to the west and Bath to the east. The site comprises the Somerdale factory buildings and associated land (including The Hams), which extends to 220 acres (90 hectares), with 63.33 acres (25.64 hectares) of developable land. The factory recently ceased manufacturing and closed in January 2011.

Cadbury Somerdale is located in north Keynsham, in close proximity to the Town Centre and Keynsham Train Station. It is an important site, which has considerable potential to contribute to and complement the future development of Keynsham. This is recognised by BANES who support the future development of the site for a mix of uses including residential. In recognition of the site's potential, Cadbury's project team has been working with BANES to prepare a Vision for Somerdale to show how a comprehensive mixed-use development could be achieved on the site. This document comprises a range of development principles for the site that aim to create a unique place with a strong identity and a development which will integrate with and contribute to the regeneration of Keynsham Town Centre. The Vision also identifies the potential for Somerdale to accommodate approximately 600 residential units and 20,000 sq m of employment floor space (to create up to 900 jobs) with sports and recreation facilities.

The preparation of the Vision has involved extensive meetings with various stakeholders. The Vision was presented to and discussed with officers at Internal and External Gateway Group 2 meetings and with members of Keynsham Development Advisory Group (KDAG). A Public Exhibition was also held in Keynsham in February 2009, where the Vision was shared with the local community and where positive feedback was generally received. Following this work, the Vision was also considered at BANES' Development Control Committee on 15 April 2009, where the Committee noted its content.

The Vision is supported by a range of background documents and technical work. This includes reports on transportation, ecology, flood risk, ground conditions and service and infrastructure amongst others. These reports support the development principles within the Vision and do not identify constraints which would otherwise prevent development of this scale and nature coming forward. Further information in respect of the above exercise and/or the technical survey work accompanying it, can be provided upon request.

Cadbury/Kraft Foods is proposing to bring the site to the market this year to find a development partner who will be responsible for preparing detailed design proposals for the future development of the site.

BANES Adopted Local Plan

The site is currently allocated under site specific Policy K1 in the adopted Bath and North East Somerset Local Plan (2007), which identifies that Somerdale should provide 10ha of land for business development (Use Classes B1, B2 and/or B8), 50 dwellings, replacement recreational and social facilities and related infrastructure and landscaping works. It should be noted that Policy K1 relates to the development of the site with the retention of the factory as the policy was approved prior to Cadbury's decision to close the factory in early 2008.

The current adopted policy therefore does not reflect the full development potential of the site. This is recognised by BANES, who consider the site to be a strategic development site which is capable of accommodating significant levels of development. This is reflected in the previously published Core Strategy (December 2009) which identified Somerdale as part of a Strategic Site which could accommodate up to 650 homes and a proportion of the 2,100 jobs identified for the whole of Keynsham.

The Regional Spatial Strategy (RSS)

The draft RSS, identifies that the District should aim to deliver approximately 15,500 homes and approximately 17,000 jobs over the plan period. This is significantly lower than the draft housing figures proposed by the Panel's recommendations following the Examination in Public (EiP) which advocated the inclusion of an urban extension to the south west of Keynsham comprising up to 3000 new homes and the Government's changes which proposed a greater level of growth for the District, as set out in the table below.

RSS Stage Overall Net Dwelling

Requirement in BANES Overall Annual Average Net Dwelling Requirement

Draft RSS 15,500 775

EiP Panel Report Recommendations 18,800 940

Government Proposed Changes (July 2008) 21,300 1,065

The increase in growth proposed by EIP Panel Report and the Government is due to the fact that Keynsham has been recognised as the preferred location for more significant levels of housing development. It benefits from a strategically important location with excellent road and rail links to Bristol and Bath and as a town in its own right, has been identified as requiring additional housing and employment development to generate prosperity and to contribute to a revitalised identity for the town.

Proposals to abolish the Regional Spatial Strategy (RSS) has provided B&NES with the opportunity to move away from regionally imposed growth targets and establish it's own requirements in response to local circumstances. This process has involved analysis of new, up-to-date evidence, formulation of options to meet the objectives, engaging with local communities, testing these through the sustainability appraisal and assessing deliverability. Account has also been taken of the District's functional relationship with neighbouring authorities. Whilst the proposed housing and employment figures for the District have been heavily reduced by B&NES, from 15,500 to 11,000 units and 17,000 to 8,700 jobs respectively, this has not affected the proposed targets for Keynsham.

Spatial Vision and Objectives

The spatial vision and strategic objective set out in section 1C of the draft Core Strategy identifies that: 'Keynsham is a historic town that occupies a strategically important location between Bristol and Bath and is therefore well placed to improve and attract investment. It will continue to act as a market town and service centre for the surrounding area. In responding to the loss of a major employer, it will evolve as a more significant business location. Keynsham will retain its independence and its separate identity within an attractive rural setting. It will become a more sustainable, desirable and well connected place in which to live and work, with an enhanced town centre inspired by its heritage and cherished rivers, park and green spaces'.

Objective 2: 'Protect and enhance the District's natural, built and cultural assets and provide green infrastructure' seeks to ensure amongst other things to optimise the use of brownfield opportunities in meeting housing and economic development needs and avoiding greenfield land as far as possible. We welcome BANES' proposed spatial vision and strategic objectives over the Plan Period and support the focus of growth in sustainable locations, such as Keynsham.

Keynsham Spatial Strategy

The Core Strategy makes provision for around 11,000 new homes and around 8,700 new jobs within the District. The strategy is to locate new development in the most sustainable locations and to steer growth to brownfield land in urban areas of Bath, Keynsham and the larger settlements in the Somer Valley. In respect of Keynsham, Policy KE1 'Keynsham Spatial Strategy' in the draft Core Strategy proposes to allocate 1,500 new homes and 1,500 new jobs within this area. Around 800 homes are already committed. The remaining 700 dwellings are directed towards the town centre and Somerdale. Somerdale is also seen to be key to the realisation of the strategy for Keynsham and its redevelopment should provide a new high quality, exemplar, mixed-use quarter providing significant employment floorspace and new homes.

Town Centre /Somerdale Strategic Policy

In the draft Core Strategy, Somerdale and Keynsham Town Centre is allocated under Policy KE2 'Town Centre /Somerdale Spatial Policy', which states that this area should make provision for the following scope and scale of change: - Up to 700 dwellings.

- A new high quality, exemplar, mixed-use quarter at Somerdale, providing significant employment floorspace, new homes, leisure and recreational uses.
- New office development at the Centre/Town Hall site including a new library, retail units at street level, leisure facilities and residential dwellings.
- Some larger retail units to provide space for high quality, national retailers which complement the existing successful independent retailers.
- Diversification of the employment base in order to offer greater opportunities for the resident population.
- A District Heating Network, with potential identified at Somerdale and the town centre. In addition, the Policy includes a number of place making principles for the site, including
- Reinforce and enhance the historic character and qualities of the Conservation Area ensuring local character is strengthened by change. The linear pattern and fine grain of the High Street should be maintained and enhanced.
- Improve the quality of the public realm including provision of a new civic space.
- Improve the connections between Ashton Way car park, the High Street and the Memorial Park.
- Retain the avenue of trees in Somerdale Road and consider the potential for converting and reusing some or all of the factory buildings at Somerdale.
- Improve the links between the town centre and Somerdale, ensuring that the new mixed use quarter is integrated with the rest of Keynsham.
- Enhance the town centre to make it a more vibrant and attractive area, enabling all members of the community to enjoy it over a longer period of the day.
- Retain and enhance the leisure and recreation function of the town centre and Somerdale.
- Enhance the rivers, park and green spaces and link them together to form an improved green infrastructure network (linking the town internally and to its environs).
- Protect the character and recreational value of the Memorial Park and the Hams.
- Provide new employment opportunities that help establish Keynsham as a more significant business location, diversifying the economy, and providing jobs, especially in the Higher Value Added sectors.
- Improve the management of traffic through the town centre and enhance public transport provision.
- Create / enhance links from Keynsham to the surrounding national and regional cycle networks.
- Improve air quality in the town centre as part of the Air Quality Management Area.

We fully support and endorse the identification of Somerdale as part of a strategic development site within Policy KE1 and KE2. This emerging policy reflects the significant potential of Somerdale as a

major development site within the District, which will provide new employment and houses as part of a new, distinctive high quality neighbourhood and will contribute to the future of Keynsham. However, we also make the following points:

1. The strategic site can potentially accommodate further development. The Somerdale Vision identifies that the site can accommodate approximately 600 dwellings and 20,000 sq m of commercial space. The capacity put forward for the strategic site of 700 units should therefore take account of the level of development which can be accommodated on Somerdale and any other sites which will be coming forward in the area over the Plan period.
2. We acknowledge the desire to provide a District Heating Network within Keynsham, with potential at Somerdale and the town centre. However, actual proposals for sustainable energy measures on the site will need to be fully explored as part of the future development proposals for the site.
3. With regard to consideration being given to the potential for converting and reusing some or all of the factory buildings at Somerdale, this approach is consistent with the development principles within the Vision. The Vision identifies that consideration will be given to the retention of buildings and assets where viable and capable of making a positive contribution.

Renewable Energy and Sustainable Construction

Policy CP1 'Retrofitting existing buildings', Policy CP2 'Sustainable Construction', CP3 'Renewable Energy' and CP4 'District Heating' all relate to sustainable design and construction and renewable energy. The proposed planning policy framework seeks to encourage reductions in the use of energy and the incorporation of renewable energy measures within schemes. We support the principle of reducing energy consumption and promoting the use of renewable and low carbon sources of energy within developments. In respect of Somerdale, opportunities will be explored through the Masterplanning exercise process to identify the most appropriate energy design measures for the site. We consider that each policy should provide more flexibility to take account of particular site constraints and considerations to ensure that development proposals are technically feasible and financially viable.

Infrastructure Provision

Policy CP13 'Infrastructure Provision' identifies that new developments must be supported by the timely delivery of the required infrastructure. Developer contributions will be based on the Planning Obligations SPD and its successors.

Table 6 in section 3D of the draft Core Strategy identifies the infrastructure required at Keynsham to support the development strategy. This includes:

- Flood protection measures at Somerdale;
- Major improvements to improve sewerage capacity;
- Secondary road access to the Somerdale site;
- Improvements to Keynsham Train Station and Enhanced Service Frequency; and
- Improvements to public transport and enhanced connectivity between cycling, public transport and walking routes.

Paragraph 3.2.1 also sets out the desirable infrastructure items of importance to the town.

We recognise the need for new development to ensure that infrastructure requirements generated by development are addressed. However, we consider that requirements should be considered on a site specific basis. Any planning obligations sought should be reasonable and should relate to the scale and kind of development proposed. The overall costs arising from Section 106 obligations should not affect the financial viability or delivery of a scheme, in accordance with the fundamental principles set out within the ODPM Circular 05/2005 on Planning Obligations Provision should also be made in this policy for infrastructure requirements and planning obligations to be prioritised by the Council to ensure preference is given to the most urgent needs where viability issues arise.

Affordable Housing

Policy CP9 states that affordable housing will be required as on-site provision in developments of 10 dwellings or 0.5 hectare (whichever is the lower) and above. An average affordable housing percentage of 35% will be sought on these large development sites. This is on a grant free basis with the

presumption that on site provision is expected. Higher affordable housing proportions (up to a maximum of 45%) may be sought in individual cases, taking account of: a) whether the site benefits from above average market values for the district; or b) whether grant or other public investment may be available to help achieve additional affordable housing. In some cases the scheme viability may justify the Council accepting a grant free provision of affordable housing below the average of 35%. The proposed policy for the district's affordable housing is to achieve an average of 35 % affordable housing on large development sites. Whilst we do not object to the principle of setting 35% affordable housing as a target, we object to the current wording of the policy. The policy in its current form is highly restrictive as it would only support lower levels of affordable housing on schemes which are unsupported by grant funding. However, other site constraints, improvements and infrastructure costs will affect development viability and may warrant lower levels of affordable housing being provided on sites. The policy should therefore be reworded to take account of this and to allow the actual level of affordable housing to be provided within a development to be considered on a site by site basis, subject to robust viability testing. The same approach should apply to the 45% threshold. Policy CP9 also identifies that the Council will seek an affordable housing tenure split of 75% social rented and 25% intermediate housing and that whilst the size and type of affordable units will be determined by the Council to reflect the identified housing need, there will be an aspiration to achieve at least 60% of affordable housing as family houses including some large 4/5 bed dwellings. Again, we object to this aspect of the policy as it is inflexible. The actual size and type of affordable housing to be provided should be determined on a site by site basis, to take account of local need and viability. This approach in turn will not threaten the viability of development and restrict the ability of sites to come forward in accordance with Circular 05/05.

Historic Environment

Policy CP6 refers to preserving and enhancing the District's historic and cultural environment. Cadbury Somerdale is not listed nor is it located within a Conservation Area and as such the above policy would not apply to the site. Recent consideration was also given by English Heritage and the Department of Culture and Media and Sport (DCMS) to the potential for listing the Somerdale factory buildings. However, the buildings were not considered to be of significant or national interest and for these reasons a decision was taken not to list the buildings in July 2008. Whilst the above policy does not apply to the site, flexibility should be provided within any emerging policy with regard to the re-use of historic buildings and the incorporation of historic assets. PPS 5 acknowledges that the re-use of historic buildings should take into account the viability of converting historic buildings and the implications this has for achieving sustainable design targets.

Conclusion

We consider that the draft Core Strategy puts forward positive development principles for Somerdale and Keynsham. In summary, it is considered that:

- Somerdale is a significant development site and will positively contribute to the growth and future regeneration of Keynsham. We support the allocation of Somerdale as part of the Strategic Site but consider that the site may be able to accommodate in excess of 700 units. Somerdale should be identified as having the potential to accommodate approximately 600 residential units and 20,000 sq m of commercial space alone, in line with the Somerdale Vision. It may therefore be appropriate to increase the quantum of development for the Strategic Site as a whole (subject to the review of other sites coming forward);
- Somerdale is classified as previously developed. We fully endorse B&NES intentions to prioritise Somerdale for development ahead of undeveloped greenfield sites in accordance with government guidance contained in PPS3; and
- Policy CP9 relating to affordable housing is too restrictive and should be reworded to provide more flexibility to enable viable developments to come forward.

We reserve the right to vary or supplement these representations.

Please would you acknowledge receipt of these representations and advise us of the next stages of the Core Strategy and the other Development Plan Documents that comprise the Local Development

Framework. Should you have any queries, please do not hesitate to contact John Bowles or Nicola Forster.

Yours faithfully
BNP Paribas Real Estate

**Change sought to
make sound:**

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 252\2 S

Plan Reference: Chapter 1: The Spatial Vision

Representation Spatial Vision and Objectives

(soundness): The spatial vision and strategic objective set out in section 1C of the draft Core Strategy identifies that: 'Keynsham is a historic town that occupies a strategically important location between Bristol and Bath and is therefore well placed to improve and attract investment. It will continue to act as a market town and service centre for the surrounding area. In responding to the loss of a major employer, it will evolve as a more significant business location. Keynsham will retain its independence and its separate identity within an attractive rural setting. It will become a more sustainable, desirable and well connected place in which to live and work, with an enhanced town centre inspired by its heritage and cherished rivers, park and green spaces'.

Objective 2: 'Protect and enhance the District's natural, built and cultural assets and provide green infrastructure' seeks to ensure amongst other things to optimise the use of brownfield opportunities in meeting housing and economic development needs and avoiding greenfield land as far as possible.

We welcome BANES' proposed spatial vision and strategic objectives over the Plan Period and support the focus of growth in sustainable locations, such as Keynsham.

**Change sought to
make sound:**

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 252\3 S

Plan Reference: Policy KE1: Keynsham Spatial Strategy

Representation We fully support and endorse the identification of Somerdale as part of a strategic development site

(soundness): within Policy KE1 and KE2. This emerging policy reflects the significant potential of Somerdale as a major development site within the District, which will provide new employment and houses as part of a new, distinctive high quality neighbourhood and will contribute to the future of Keynsham. However, we also make the following points:

1. The strategic site can potentially accommodate further development. The Somerdale Vision identifies that the site can accommodate approximately 600 dwellings and 20,000 sq m of commercial space. The capacity put forward for the strategic site of 700 units should therefore take account of the level of development which can be accommodated on Somerdale and any other sites which will be coming forward in the area over the Plan period.
2. We acknowledge the desire to provide a District Heating Network within Keynsham, with potential at Somerdale and the town centre. However, actual proposals for sustainable energy measures on the site will need to be fully explored as part of the future development proposals for the site.

3. With regard to consideration being given to the potential for converting and reusing some or all of the factory buildings at Somerdale, this approach is consistent with the development principles within the Vision. The Vision identifies that consideration will be given to the retention of buildings and assets where viable and capable of making a positive contribution.

Change sought to make sound:

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 252\4 S

Plan Reference: Policy KE2: Keynsham Town Centre/Somerdale Strategic Policy

Representation We fully support and endorse the identification of Somerdale as part of a strategic development site
(soundness): within Policy KE1 and KE2. This emerging policy reflects the significant potential of Somerdale as a major development site within the District, which will provide new employment and houses as part of a new, distinctive high quality neighbourhood and will contribute to the future of Keynsham. However, we also make the following points:

1. The strategic site can potentially accommodate further development. The Somerdale Vision identifies that the site can accommodate approximately 600 dwellings and 20,000 sq m of commercial space. The capacity put forward for the strategic site of 700 units should therefore take account of the level of development which can be accommodated on Somerdale and any other sites which will be coming forward in the area over the Plan period.
2. We acknowledge the desire to provide a District Heating Network within Keynsham, with potential at Somerdale and the town centre. However, actual proposals for sustainable energy measures on the site will need to be fully explored as part of the future development proposals for the site.
3. With regard to consideration being given to the potential for converting and reusing some or all of the factory buildings at Somerdale, this approach is consistent with the development principles within the Vision. The Vision identifies that consideration will be given to the retention of buildings and assets where viable and capable of making a positive contribution.

Change sought to make sound:

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 252\5

Plan Reference: Policy CP1: Retrofitting Existing Buildings

Representation Renewable Energy and Sustainable Construction
(soundness): Policy CP1 'Retrofitting existing buildings', Policy CP2 'Sustainable Construction', CP3 'Renewable Energy' and CP4 'District Heating' all relate to sustainable design and construction and renewable energy. The proposed planning policy framework seeks to encourage reductions in the use of energy and the incorporation of renewable energy measures within schemes. We support the principle of reducing energy consumption and promoting the use of renewable and low carbon sources of energy within developments. In respect of Somerdale, opportunities will be explored through the Masterplanning exercise process to identify the most appropriate energy design measures for the site. We consider that each policy should provide more flexibility to take account of particular site constraints and considerations to ensure that development proposals are technically feasible and financially viable.

Change sought to make sound:

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 252\6

Plan Reference: Policy CP2: Sustainable Construction

Representation Renewable Energy and Sustainable Construction Policy CP1 'Retrofitting existing buildings', Policy CP2 'Sustainable Construction', CP3 'Renewable Energy' and CP4 'District Heating' all relate to sustainable design and construction and renewable energy. The proposed planning policy framework seeks to encourage reductions in the use of energy and the incorporation of renewable energy measures within schemes. We support the principle of reducing energy consumption and promoting the use of renewable and low carbon sources of energy within developments. In respect of Somerdale, opportunities will be explored through the Masterplanning exercise process to identify the most appropriate energy design measures for the site. We consider that each policy should provide more flexibility to take account of particular site constraints and considerations to ensure that development proposals are technically feasible and financially viable.

Change sought to make sound:

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 252\7

Plan Reference: Policy CP3: Renewable Energy

Representation Renewable Energy and Sustainable Construction
(soundness): Policy CP1 'Retrofitting existing buildings', Policy CP2 'Sustainable Construction', CP3 'Renewable Energy' and CP4 'District Heating' all relate to sustainable design and construction and renewable energy. The proposed planning policy framework seeks to encourage reductions in the use of energy and the incorporation of renewable energy measures within schemes.

We support the principle of reducing energy consumption and promoting the use of renewable and low carbon sources of energy within developments.

In respect of Somerdale, opportunities will be explored through the Masterplanning exercise process to identify the most appropriate energy design measures for the site. We consider that each policy should provide more flexibility to take account of particular site constraints and considerations to ensure that development proposals are technically feasible and financially viable.

Change sought to make sound:

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 252\8

Plan Reference: Policy CP4: District Heating

Representation Renewable Energy and Sustainable Construction Policy CP1 'Retrofitting existing buildings', Policy CP2 'Sustainable Construction', CP3 'Renewable Energy' and CP4 'District Heating' all relate to sustainable design and construction and renewable energy. The proposed planning policy framework seeks to

encourage reductions in the use of energy and the incorporation of renewable energy measures within schemes. We support the principle of reducing energy consumption and promoting the use of renewable and low carbon sources of energy within developments. In respect of Somerdale, opportunities will be explored through the Masterplanning exercise process to identify the most appropriate energy design measures for the site. We consider that each policy should provide more flexibility to take account of particular site constraints and considerations to ensure that development proposals are technically feasible and financially viable.

Change sought to make sound:

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 252\9

Plan Reference: Policy CP13: Infrastructure Provision

Representation Infrastructure Provision

(soundness): Policy CP13 'Infrastructure Provision' identifies that new developments must be supported by the timely delivery of the required infrastructure. Developer contributions will be based on the Planning 1 Obligations SPD and its successors. Table 6 in section 3D of the draft Core Strategy identifies the infrastructure required at Keynsham to support the development strategy. This includes:

- Flood protection measures at Somerdale;
- Major improvements to improve sewerage capacity;
- Secondary road access to the Somerdale site;
- Improvements to Keynsham Train Station and Enhanced Service Frequency; and
- Improvements to public transport and enhanced connectivity between cycling, public transport and walking routes.

Paragraph 3.2.1 also sets out the desirable infrastructure items of importance to the town.

Change sought to make sound: We recognise the need for new development to ensure that infrastructure requirements generated by development are addressed. However, we consider that requirements should be considered on a site specific basis. Any planning obligations sought should be reasonable and should relate to the scale and kind of development proposed. The overall costs arising from Section 106 obligations should not affect the financial viability or delivery of a scheme, in accordance with the fundamental principles set out within the ODPM Circular 05/2005 on Planning Obligations Provision should also be made in this policy for infrastructure requirements and planning obligations to be prioritised by the Council to ensure preference is given to the most urgent needs where viability issues arise.

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 252\10

Plan Reference: Policy CP9: Affordable Housing

Representation Affordable Housing Policy CP9 states that affordable housing will be required as on-site provision in

(soundness): developments of 10 dwellings or 0.5 hectare (whichever is the lower) and above. An average affordable housing percentage of 35% will be sought on these large development sites. This is on a grant free basis with the presumption that on site provision is expected. Higher affordable housing proportions (up to a maximum of 45%) may be sought in individual cases, taking account of: a) whether the site benefits from above average market values for the district; or b) whether grant or other public investment may be available to help achieve additional affordable housing. In some cases the scheme viability may justify the Council accepting a grant free provision of affordable housing below the average of 35%. The proposed policy for the district's affordable housing is to achieve an average of 35% affordable housing

on large development sites.

Change sought to make sound: Whilst we do not object to the principle of setting 35% affordable housing as a target, we object to the current wording of the policy. The policy in its current form is highly restrictive as it would only support lower levels of affordable housing on schemes which are unsupported by grant funding. However, other site constraints, improvements and infrastructure costs will affect development viability and may warrant lower levels of affordable housing being provided on sites. The policy should therefore be reworded to take account of this and to allow the actual level of affordable housing to be provided within a development to be considered on a site by site basis, subject to robust viability testing. The same approach should apply to the 45% threshold. Policy CP9 also identifies that the Council will seek an affordable housing tenure split of 75% social rented and 25% intermediate housing and that whilst the size and type of affordable units will be determined by the Council to reflect the identified housing need, there will be an aspiration to achieve at least 60% of affordable housing as family houses including some large 4/5 bed dwellings.

Again, we object to this aspect of the policy as it is inflexible. The actual size and type of affordable housing to be provided should be determined on a site by site basis, to take account of local need and viability. This approach in turn will not threaten the viability of development and restrict the ability of sites to come forward in accordance with Circular 05/05.

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 252\11

Plan Reference: Policy CP6: Environmental Quality

Representation (soundness): Whilst the above policy does not apply to the site, flexibility should be provided within any emerging policy with regard to the re-use of historic buildings and the incorporation of historic assets. PPS 5 acknowledges that the re-use of historic buildings should take into account the viability of converting historic buildings and the implications this has for achieving sustainable design targets.

Change sought to make sound:

Representation (legal compliance):

Change sought to make legally compliant:

Respondent Number: 253 **Respondent:** Surinder Malhotra and Brian Greenham

RepresentationReference: 253\1

Plan Reference: Policy B3: Twerton and Newbridge Riverside Strategic Policy

Representation (soundness): 1.1 GL Hearn act on behalf of Surinder Malhotra and Brian Greenham the landowners at Astra House and Twerton Mill located on the Lower Bristol Road, Bath. The vacant sites are currently being marketed by Group West.

1.2 The sites are located in the Twerton and Newbridge Riversides area under Policy B3 of the emerging Core Strategy. The landowners are concerned that the emerging policy regime is too prescriptive, and may prevent these vacant and prominent sites from being brought back into beneficial use.

2.0 Development Context

2.1 The combined subject sites are located directly adjacent to the Lower Bristol Road (A36) to the south of Bath City Centre. Approximately 200m from the centre of Twerton. The site is bound by Lower Bristol to the south, Astra Garage to the west, Weirside Works to the east and the River Avon to the North.

2.2 The site comprises of two commercial properties, Astra House occupies the central element of the site and comprises a three storey building with a single storey separate workshop to the rear. Twerton Mill occupies the eastern part of the site and comprises a three storey building reducing to two storeys at the rear. The combined sites extend to approximately 0.28ha (0.7acres) refer to Appendix A.

2.3 The site is located within 'Twerton and Newbridge Riversides' strategic policy area, and has been assessed in the BANES SHLAA under site reference TWT2.

Planning History

2.4 The sites were included in planning application proposal that also included the adjacent Avalon Garage site to the west that was refused by the Council in 2008. Details of this decision are set out below:

Type	Planning Application Description	Decision Date	Planning
Erection of a mixed used development consisting of 106 residential units, commercial offices and associated car parking and landscaping including flood alleviation measures.	Change of use to C3 and A2	16/05/2008	Refusal
Delegated Conservation	08/00490/CA Demolition of existing buildings	24/06/2008	Withdrawn

Site Constraints

2.5 The site is situated within the Bath conservation area and World Heritage Site, and is shown as lying within part of the B12 General Development Site designation in the adopted Local Plan.

2.6 The site is also subject to flood risk constraints, and appears to lie within FRZs 2 and 3. However, hydrologists have advised that technical solutions are available to mitigate against flood risk.

2.7 The Lower Bristol Road frontage lies on a strategic transport route for road widening that was first identified in the mid 1980s. Transport consultants have advised that this safeguarded route is unlikely to be required in the foreseeable future.

Policy B3 Twerton and Newbridge Riverside Strategic Policy

3.2 The lack of current and foreseeable future demand for new build employment floor space in Bath, in the context of an over-supply situation, suggests that aspiration for the Twerton and Newbridge Riversides to function as an economic development area is not based on a realistic assessment of the commercial market. We are concerned that this policy approach for the Twerton and Newbridge Riverside area could sterilise potential development sites, which have potential to support other viable uses such as retail, housing and student housing.

3.3 Under current and foreseeable future market conditions the delivery of new employment space may only be possible as part of a 'residential led' approach rather than the 'employment led' approach advocated in Policy B3 (4). It is therefore essential that the policy is flexible enough to allow either an employment or residential led solution to be progressed.

Change sought to make sound: Revise the housing target for the district to reflect more realistic growth and inward migration assumptions.

Representation (legal compliance): 1: Not Justified: In terms of the evidence base relating to the housing requirement for the district, or in relation to the viability of employment led development in the Policy B3 area, Newbridge and Twerton Riverside.
2: Not Effective in terms of strategy: delivery of housing and employment under Policies DW1 and B3.
3. Not Consistent with National Policy? PPS3, PPS4, and PPS12 (deliverability and flexibility)

Change sought to make legally compliant:

Representation Reference: 253\2

Plan Reference: Chapter 1: Vision and District-wide Strategy

Representation 1.0 Introduction

(soundness): 1.1 GL Hearn act on behalf of Surinder Malhotra and Brian Greenham the landowners at Astra House and Twerton Mill located on the Lower Bristol Road, Bath. The vacant sites are currently being marketed by Group West.

1.2 The sites are located in the Twerton and Newbridge Riversides area under Policy B3 of the emerging Core Strategy. The landowners are concerned that the emerging policy regime is too prescriptive, and may prevent these vacant and prominent sites from being brought back into beneficial use.

2.0 Development Context

2.1 The combined subject sites are located directly adjacent to the Lower Bristol Road (A36) to the south of Bath City Centre. Approximately 200m from the centre of Twerton. The site is bound by Lower Bristol to the south, Astra Garage to the west, Weirside Works to the east and the River Avon to the North.

2.2 The site comprises of two commercial properties, Astra House occupies the central element of the site and comprises a three storey building with a single storey separate workshop to the rear. Twerton Mill occupies the eastern part of the site and comprises a three storey building reducing to two storeys at the rear. The combined sites extend to approximately 0.28ha (0.7acres) refer to Appendix A.

2.3 The site is located within 'Twerton and Newbridge Riversides' strategic policy area, and has been assessed in the BANES SHLAA under site reference TWT2.

Planning History

2.4 The sites were included in planning application proposal that also included the adjacent Avalon Garage site to the west that was refused by the Council in 2008. Details of this decision are set out below: Type Planning Application Description Decision Date Planning 08/00485/FUL Erection of a mixed used development consisting of 106 residential units, commercial offices and associated car parking and landscaping including flood alleviation measures. Change of use to C3 and A2 16/05/2008 Refusal Delegated Conservation 08/00490/CA Demolition of existing buildings 24/06/2008 Withdrawn

Site Constraints

2.5 The site is situated within the Bath conservation area and World Heritage Site, and is shown as lying within part of the B12 General Development Site designation in the adopted Local Plan.

2.6 The site is also subject to flood risk constraints, and appears to lie within FRZs 2 and 3. However, hydrologists have advised that technical solutions are available to mitigate against flood risk.

2.7 The Lower Bristol Road frontage lies on a strategic transport route for road widening that was first identified in the mid 1980s. Transport consultants have advised that this safeguarded route is unlikely to be required in the foreseeable future.

3.0 Comments on the Draft Core Strategy Policy 1d District Wide Spatial Strategy

3.1 We have a general concern in relation to the very significant reduction in the overall housing requirement for the BANES administrative district over the plan period in comparison to the previous RSS housing figures for the district. Assumptions relating to lower economic activity and anticipated levels of in-migration and not considered to be well founded. We support the detailed representations on this key issue that will be submitted on behalf of the development industry by the HBF.

Change sought to make sound: Revise the housing target for the district to reflect more realistic growth and inward migration assumptions.

Representation (legal compliance): 1: Not Justified: In terms of the evidence base relating to the housing requirement for the district, or in relation to the viability of employment led development in the Policy B3 area, Newbridge and Twerton Riverside.
2: Not Effective in terms of strategy: delivery of housing and employment under Policies DW1 and B3.
3. Not Consistent with National Policy? PPS3, PPS4, and PPS12 (deliverability and flexibility)

Change sought to make legally compliant:

Respondent Number: 254 Respondent: Galliford Try plc.

Representation Reference: 254\1

Plan Reference: Policy SV1: Somer Valley Spatial Strategy

Representation 1.0 Introduction

(soundness): 1.1 GL Hearn act on behalf of Galliford Try plc, who are one of the UK's leading construction and house-building groups. Galliford Try purchased the vacant former Alcan factory site in January 2010 with the express intention of progressing a residential led redevelopment of the site through their subsidiary company, Linden Homes Western Ltd.

1.2 In January 2010 GL Hearn submitted representations in response to the Spatial Options October 2009. However, in parallel with LDF process, Linden Homes have undertaken a comprehensive process of engagement with the local community, the Council and other stakeholders in respect of the redevelopment of the Alcan site.

1.3 This report briefly summarises the progression of a detailed technical evidence, the scope of the community consultation process, and the resultant submission of redevelopment options, which are at the time of writing are under consideration by the Council's Major Development Team. We have then set out our representations on the December 2010 Publication Version of the BANES Draft Core Strategy to ensure that an appropriate planning policy framework is put in place to enable the future redevelopment of the Alcan site and surrounding area.

2.0 Context

2.1 The former Alcan site has a site area of about 4.6ha and is situated within the Midsomer Norton urban area. It lies approximately 200m east of the town centre boundary. The previous employment use on the site ceased in 2006. During 2010 the majority of the former industrial buildings on the site have now been demolished in response to health and safety liabilities. The only remaining active use on the site is the Social Club.

2.2 In terms of surrounding land uses, residential estates lie to the south, west and northeast of the site, with the Sun Chemicals factory immediately adjoining to the north. Further east from the site are the industrial areas of St Peter's Park and Westfield Industrial Estate to the north and east, on the other side of the main Wells Road. To the west, beyond a row of houses, lies a disused railway line.

2.3 From the end of Nightingale Way, adjacent to the site access, a footway runs between the site and the Sun Chemicals site, providing a pedestrian route to residential properties to the north east. The site is within easy walking distance of Norton Hill School, which is a highly successful state secondary school. Vehicular access to the site is from the western corner via Nightingale Way, which is a residential road.

2.4 The site is reasonably level and is not constrained by any significant vegetation or watercourse. The existing boundary treatment comprises: various security walls; fences, and sparse vegetation. Planning Policy Context PPS1 - Delivering Sustainable Development (2005)

2.5 PPS1 sets out the Government's aspirations for achieving sustainable development through the planning system. At Paragraph 1 of the "Delivering Sustainable Development" section, the Government sets out a number of criteria that local planning authorities should adhere to when preparing development plans. Criterion (viii) states that LPA's should: "Promote the more efficient use of land through higher density, mixed use development and the use of suitably located previously developed land and buildings. Planning should seek actively to bring vacant and underused previously developed land and buildings back into beneficial use to achieve the targets the Government has set for development on previously developed land." PPS3 – Housing (2006)

2.6 Paragraph 36 of PPS3 states that: "In support of its objective of creating mixed and sustainable communities, the Government's policy is to ensure that housing is developed in suitable locations which offer a range of community facilities and with good access to jobs, key services and infrastructure. This should be achieved by making effective use of land, existing infrastructure and available public and private investment, and include consideration of the opportunity for housing provision on surplus public sector land (including land owned by Central Government and its bodies or Local Authorities) to create mixed use developments. The priority for development should be previously developed land, in particular vacant and derelict sites and buildings."

2.7 With this in mind, when developing previously developed land strategies, paragraph 44 advises local planning authorities to consider a number of options, including: "Considering whether sites that

are currently allocated for industrial or commercial use could be more appropriately re-allocated for housing development.” PPS4 – Planning for Sustainable Economic Growth (2009)

2.8 PPS 4 requires LPAs to plan positively and proactively to encourage economic development, in line with the principles of sustainable development. The PPS states LPAs should plan for, and facilitate a supply of land which will be able to cater for the differing needs of businesses and the expected employment needs of the whole community, but which is flexible enough to be responsive to a changing economy or new business requirements.

2.9 For existing site allocations, Policy EC2.h requires LPAs to: “ensure that site allocations for economic development, particularly if they are for single or restricted uses, are not carried forward from one version of the development plan to the next without evidence of the need and reasonable prospect of their take up during the plan period. If there is no reasonable prospect of a site being used for the allocated economic use, the allocation should not be retained, and wider economic uses or alternative uses should be considered”

Local Plan

2.10 The adopted Local Plan defines the site as a Core Business Area, which seeks to protect such sites from alternative development, including residential. However, this designation was attached at a time when the Alcan site was fully operational. Alcan ceased operations on the site in 2006 and the site has remained vacant ever since, and has been subject to a formal marketing process undertaken by GVA Grimley. No other site specific Local Plan policies are applicable, but any proposals would be subject to the usual criteria-based development control policies.

Planning History

2.11 It is considered that the established lawful use of the site falls into Use Class B2 (General Industrial) with the various office accommodation being ancillary to the principal use. The social club, which serves the wider community, is considered to constitute a separate planning unit falling into Class D1 (Community Use).

2.12 The site itself has a number of permissions associated with it, for various works including additional extensions, ductwork and signage.

BANES SHLAA

2.13 The Alcan site has been assessed under the BANES SHLAA process (BANES Ref: Alcan MSN 10). The SHLAA report acknowledges the site’s availability and potential to be delivered through residential led redevelopment.

The case for redevelopment

2.14 The full case for the redevelopment of the site is set out in the January 2011 submission to the Council’s Major Development Team. However, the key points can be summarised as follows: Site marketing has confirmed no interest in redeveloping or re-using the existing site for employment use. Commercial agents’ advice has confirmed that speculative large scale employment development would not be viable in this location under current or foreseeable market conditions, principally due the situation of the site in a predominately residential area with no direct access to the A362. Community consultation undertaken during 2010 has confirmed clear support for a residential led redevelopment solution for the site with s.106 provision towards enabling the provision of community facilities, and off site employment. Technical studies have confirmed that the site is physically developable, and can be supported by existing infrastructure.

Planning permission for a residential led redevelopment of the Alcan site could act as a catalyst in bring forward other adjacent potential redevelopment sites, which in turn will assist in the wider regeneration of the neighbourhood.

3.0 Evidence Base

3.1 During 2010 Linden Homes assembled a full project team and undertook a series of baseline studies including: Topographical survey Ground investigation – no significant contamination Archaeological assessment – low potential Drainage and utilities – existing infrastructure has capacity to service the site Flood Risk – the site is situated in FRZ 1 on the Environment Agency’s Flood Risk Map. Any

redevelopment proposals will significantly reduce the extent of hard surfacing, which will result in a reduced surface water runoff. Ecology – limited bat presence confirmed in industrial ducting and will be addressed through a licensing process through Natural England Noise assessment – the majority of the site falls within PPG 24 NEC A, with only part of the site adjacent to Sun Chemicals falling within NEC B. Landscape and visual assessment – potential for enhancement through redevelopment Area character assessment – potential to development a distinctive neighbourhood referenced to the local vernacular Existing community facilities survey – MSN is well provided for in community facilities, but there is some local support for the retention of the existing facility Market advice – a residential led is the only viable option for redevelopment Transport and access feasibility – taking account of the site’s established fall back position the existing access from Nightingale Way is an appropriate principal point of vehicular access. Options are available for improving permeability including a cycle/pedestrian link to the town centre Adjoining landowners discussions – all neighbouring landowners have been contacted, and discussions are ongoing.

3.2 The full evidence base, as summarised above, has been included in the January 2011 Major Development Team submission.

4.0 Consultation Process and Project Programme Consultation

4.1 A summary of the consultation undertaken to date is included in the document supplied by Creatrix, who are the project team’s public relations advisors. This document is included in the January 2011 Major Development Team submission.

4.2 A fully inclusive process of engagement with the local community has been undertaken and is ongoing in accordance with the Council’s Statement of Community Involvement. Two formal events were held in April 2010 and November 2010. The outcome of both the formal and informal engagement, as described in the Creatrix report, has informed the pre-application option proposals. The main points raised by the local community include the following:

Majority support for a residential led redevelopment of the site Little support, or ambivalence, towards the possible creation of new business space. Concern expressed about the integration of social rented housing into a predominately privately owned neighbourhood Vehicular access, particular at during the peak school opening and closing times. Strong support for the retention of the Social Club Gateway Group

4.3 Although only limited feedback was received in respect of one of the three Gateway Group presentations, the advice received has been taken into consideration in the formulation of the pre-application proposals and associated mitigation strategies.

Major Development Team

4.4 A comprehensive pre-application submission was considered at the 25 January 2011 meeting of the Council’s Major Development Team. A formal response is expected by mid February 2011.

Project Programme

4.5 Following the conclusion of the pre-application process it is anticipated that a full planning application will be submitted during March 2011. The development of the Alcan site is likely to be phased over a two year period. Subject to the grant of planning permission the development is planned to commence towards the latter part of 2011.

5.0 Description of Pre-application Proposals

5.1 The January 2011 Major Development Team pre-application proposals comprise two option layouts, and a compressive masterplan showing the proposals in context with adjacent potential development sites. These are described below for information:

Option A

5.2 Option 1 comprises a total of 174 proposed dwellings and the existing Social Club retained with a redundant element demolished the remainder refurbished:

Open market mix: 8 # 4-bed live-work; 30 # 4-bed; 39 # 3-bed; 22 # 2-bed; 2 # 2-bed FOG; and 10 # 2-bed flats; Affordable mix (assuming 35% onsite provision): 4 # 4-bed; 17 # 3-bed; 32 # 2-bed flats; and 10 # 1-bed flats Social Club circa 900m² GEA to be repaired and refurbished – a preliminary estimate for the works is £200-280k and the development would only be able to afford a proportion of this (e.g.

roof and external refurbishment) unless reduced developer contributions to other items can be agreed..

Option B

5.3 Option B is as Option A but the Social Club is replaced with 9 new houses, which provides a total of 184 dwellings. The 9 additional dwellings comprise: 7 # 3-bed; and 2 # 4-bed.

Masterplan

5.4 The indicative future masterplan shows the Option A and B layouts on the Alcan site in context with the adjacent potential development sites. The masterplan has been developed to demonstrate that the Option A and B proposals can be implemented without prejudicing the ability of adjacent potential development sites to come forward as part of an overall vision that will create a distinctive new residential neighbourhood. The masterplan makes explicit provision for the retention of the main part of the adjacent Sun Chemicals site as an R&D facility for that business for the foreseeable future.

5.5 Other elements of the masterplan include:

A DDA compliant pedestrian/cycle linkage from Alcan via Sun Chemicals land, the former railway land, greenway cycle link, and across to the town centre. New build residential and speculative employment development on the Sun Chemicals land. Conversion and refurbishment of an existing vacant office building on the Sun Chemicals land. The Hann land shown as public open space linking the Alcan site to the primary school. The Flower and Hayes site can be developed out as approved in the now expired 2003 planning permission. However, Linden Homes remain willing to incorporate this land into the development should an agreement be secured with Flower and Hayes in due course. Potential new bus link subject to wider transport strategy/ funding. Potential "greening" of adjacent residential areas.

Policy SV1: 3c

6.6 This policy, which only allows loss of employment land where there is employment benefit of a contribution to the town park, needs to be more flexible and allow for loss of sites that are simply no longer suitable for continuing employment use.

6.7 The anticipated reduction in industrial land should not be contingent upon those sites making a contribution to employment or the town park as it cannot be assumed that there will be surplus residual values in addition to meeting the standard SPD contributions.

Policy SV1: 4b

6.8 The same viability point set out in 6.6 above is also applicable to this policy. Strict application of this policy could render some potential housing sites unviable, or require relaxation of other applicable standard SDP tariffs.

Change sought to make sound: Revise the housing target for the district to reflect more realistic growth and inward migration assumptions, and adopt a less prescriptive approach to new residential led proposals in the Somer Valley Area.

Representation (legal compliance): 1: Not Justified: In terms of the evidence base relating to the housing requirement for the district, or in relation to the definition of the Midsomer Norton Town Boundary.
2: Not Effective in terms of strategy: delivery of housing and employment under Policies SV1 and SV2.
3. Not Consistent with National Policy? PPS3, PPS4 and PPS12 (deliverability and flexibility).

Change sought to make legally compliant:

Representation Reference: 254\2

Plan Reference: Chapter 1: Vision and District-wide Strategy

Representation (soundness): Policy 1d District Wide Spatial Strategy

6.2 We have a general concern in relation to the very significant reduction in the overall housing requirement for the BANES administrative district over the plan period in comparison to the previous

RSS housing figures for the district. Assumptions relating to lower economic activity and anticipated levels of in-migration and not considered to be well founded. We support the detailed representations on this key issue that will be submitted on behalf of the development industry by the HBF.

Change sought to make sound: Revise the housing target for the district to reflect more realistic growth and inward migration assumptions, and adopt a less prescriptive approach to new residential led proposals in the Somer Valley Area.

Representation (legal compliance): 1: Not Justified: In terms of the evidence base relating to the housing requirement for the district, or in relation to the definition of the Midsomer Norton Town Boundary.
2: Not Effective in terms of strategy: delivery of housing and employment under Policies SV1 and SV2.
3. Not Consistent with National Policy? PPS3, PPS4 and PPS12 (deliverability and flexibility).

Change sought to make legally compliant:

RepresentationReference: 254\3

Plan Reference: Paragraph 4.13

Representation (soundness): Paragraph 4.13

6.3 We support the aim of making the area more self-reliant. However, it should also recognise the reality of the economic relationships with Bath & Bristol and aim to make these more sustainable. In part this will require a residential and business premises stock that enables flexible patterns of working e.g. dwellings that enable home working (through the provision of live-work units) and flexible business space so that commuters to Bath/Bristol can work more flexibly, and reduce the frequency of out commuting.

6.4 In order to bring about the delivery of new business space a step change in the quality and image of the Somer Valley area will be required. The Vision and Spatial Strategy needs be more explicit in this respect, and acknowledge that the enhancement of existing residential neighbourhoods could in part help to achieve the vision.

Change sought to make sound: Revise the housing target for the district to reflect more realistic growth and inward migration assumptions, and adopt a less prescriptive approach to new residential led proposals in the Somer Valley Area.

Representation (legal compliance): 1: Not Justified: In terms of the evidence base relating to the housing requirement for the district, or in relation to the definition of the Midsomer Norton Town Boundary.
2: Not Effective in terms of strategy: delivery of housing and employment under Policies SV1 and SV2.
3. Not Consistent with National Policy? PPS3, PPS4 and PPS12 (deliverability and flexibility).

Change sought to make legally compliant:

RepresentationReference: 254\4

Plan Reference: Paragraph 4.15

Representation (soundness): Paragraph 4.15

6.5 To expect all housing development to provide economic, employment and community benefits seems unduly prescriptive and excessive. This also assumes that housing development will generate surplus residual values to provide such benefits. This is in fact unlikely to be the case in the Somer Valley area, and also in the context of the already very full list of planning obligation requirements set out in the adopted SPD. If the housing target reflects a need then the policy should enable delivery in appropriate locations to meet this need without absolutely requiring each housing scheme to fund economic development and community provision.

Change sought to make sound: Revise the housing target for the district to reflect more realistic growth and inward migration assumptions, and adopt a less prescriptive approach to new residential led proposals in the Somer Valley Area.

Representation (legal compliance): 1: Not Justified: In terms of the evidence base relating to the housing requirement for the district, or in relation to the definition of the Midsomer Norton Town Boundary.
2: Not Effective in terms of strategy: delivery of housing and employment under Policies SV1 and SV2.
3. Not Consistent with National Policy? PPS3, PPS4 and PPS12 (deliverability and flexibility).

Change sought to make legally compliant:

RepresentationReference: 254\5

Plan Reference: Policy SV2: Midsomer Norton Town Centre Strategic Policy

Representation (soundness): Policy SV2

6.9 It is noted that the Town Boundary includes part of the Alcan site. We suggest that the boundary is redrawn to terminate along the former railway line to avoid any conflict with the suggested 200 dwellings anticipated for the town centre.

6.10 We suggest that the policy should indicate the scale of office development/jobs envisaged in the town centre over the plan period.

Change sought to make sound: Revise the housing target for the district to reflect more realistic growth and inward migration assumptions, and adopt a less prescriptive approach to new residential led proposals in the Somer Valley Area.

Representation (legal compliance): 1: Not Justified: In terms of the evidence base relating to the housing requirement for the district, or in relation to the definition of the Midsomer Norton Town Boundary.
2: Not Effective in terms of strategy: delivery of housing and employment under Policies SV1 and SV2.
3. Not Consistent with National Policy? PPS3, PPS4 and PPS12 (deliverability and flexibility).

Change sought to make legally compliant:

RepresentationReference: 254\6

Plan Reference: Policy CP2: Sustainable Construction

Representation (soundness): Policy CP2

6.11 In addressing climate change the Core Strategy should be more explicit about the role of flexible and adaptable buildings.

Change sought to make sound: Revise the housing target for the district to reflect more realistic growth and inward migration assumptions, and adopt a less prescriptive approach to new residential led proposals in the Somer Valley Area.

Representation (legal compliance): 1: Not Justified: In terms of the evidence base relating to the housing requirement for the district, or in relation to the definition of the Midsomer Norton Town Boundary.
2: Not Effective in terms of strategy: delivery of housing and employment under Policies SV1 and SV2.
3. Not Consistent with National Policy? PPS3, PPS4 and PPS12 (deliverability and flexibility).

Change sought to make legally compliant:

RepresentationReference: 254\7

Plan Reference: Policy CP3: Renewable Energy

Representation Flexibility for new buildings and sites to adapt to new renewable energy technological innovation
(soundness): during the plan period and beyond should be explicitly recognised.

Change sought to Revise the housing target for the district to reflect more realistic growth and inward migration
make sound: assumptions, and adopt a less prescriptive approach to new residential led proposals in the Somer Valley Area.

Representation (legal compliance): 1: Not Justified: In terms of the evidence base relating to the housing requirement for the district, or in relation to the definition of the Midsomer Norton Town Boundary.
2: Not Effective in terms of strategy: delivery of housing and employment under Policies SV1 and SV2.
3. Not Consistent with National Policy? PPS3, PPS4 and PPS12 (deliverability and flexibility).

Change sought to make legally compliant:

Respondent Number: 255 **Respondent:** Taylor Wimpey Developments

RepresentationReference: 255\1

Plan Reference: Policy KE1: Keynsham Spatial Strategy

Representation Why We Consider The Core Strategy Unsound

(soundness): In the context of our objection, the Council should be seeking locations for 7,300 additional homes with BANES. This is the difference between our proposed housing provision, excluding the urban extension at Whitchurch, and the Council's proposed housing provision (18,300-11,000). Much of this would be expected to be directed towards Bath, but as the next largest urban areas Keynsham and Norton Radstock should also take a share. Keynsham is regarded as a sustainable settlement with good bus and rail links to Bristol and Bath. It should therefore be considered for a higher level of development because of this. Provision should be made for at least 2,500 homes and in the interests of sustainability it should be accepted that releases of land from the green belt should be acceptable. The exceptional circumstances are the need for additional homes in a sustainable location.

Our clients control land at Bristol Road and Minsmere Road. Both sites are in the green belt but we submit would do minimal harm to the openness of the green belt and coalescence between settlements. Each site is about 3.2 hectares in area and can therefore accommodate about 100-125 dwellings depending on density (200-250 in total). Neither is therefore strategic. However we would be seeking an indication of a direction of growth west of the town centre and east of the urban area to accommodate them and an acknowledgement of the need to change green belt boundaries.

The site at Bristol Road is unused open land. The site rises up steadily from the flat floodplain of the River Avon becoming quite steep at its eastern end. The site is bounded by the Keynsham Bypass to the north east, a mixture of uses adjacent to the town centre to the south east and playing pitches to the west and north. It is separated from the pitches by a hedgerow. It is located close to the town centre and abuts the boundary of the proposed Strategic Site, indeed it is much closer to the town centre than the Somerdale Site. For this reason we consider it would be suited to a mixed residential, commercial and retail use. It will be noted that much of this site is identified on the Environment Agency's flood maps as being within the area that could be subject to an extreme flooding event, though not the high risk category. This would place the site in Flood Zone 2 where housing, shops and offices are all appropriate uses according to PPS25: Development and Flood Risk. We note that the same categorisation applies to parts of the Somerdale Site that is currently proposed for inclusion in the Strategic Site. In the Bath and North East Somerset Local Plan only a small part of the site is identified as being a risk of flooding, i.e. the part which is in the high risk category. In short, flood risk does not present an impediment to the proposed uses.

The site is currently in the Green Belt and the production of the Core Strategy provides an opportunity to review Green Belt boundaries. In the context of the Bristol and Bath Green Belt, which covers a wide area, we would not regard the removal of this site from the Green Belt as being a change to its general extent. We do not consider that the site plays any significant role in fulfilling Green Belt objectives, while the need for additional housing comprises the exceptional circumstances for changing the Green Belt Boundary. This site appears to be well located in relation to the town centre and should therefore form an addition to the Strategic Site which can help to meet local housing needs and make an addition to the town's commercial centre. We therefore seek this change to the Core Strategy which would extend the Strategic Site a short distance to the west to include this site.

The site at Minsmere Road is currently in agricultural use and adjoins an existing housing estate from which there are a number of possible points of access. The land is fairly flat and enclosed by good hedges and a belt of woodland which forms part of the Manor Road Community Woodland. Bath and North East Somerset's Core Strategy – Publication Stage Representation Form In the Bath & North East Somerset Local Plan the site is identified as being in Green Belt and is covered by the Forest of Avon Policy. The Community Woodland is classified as part of a local nature reserve. The site currently provides a somewhat incongruous strip of farmland between existing housing and the community woodland. Its value as farmland is compromised by this location and the public footpath that runs across it which is designated as an access point to the Community Woodland. Development of the site for housing would help to meet the housing requirements of the area, which we have demonstrated that the Core Strategy currently fails to do. The existence of the Community Woodland means that there will be a firm barrier to further development to the east. We submit that this land serves no useful purpose as farmland. Because of the extensive hedgerows on its boundaries its development will have no meaningful effect on green belt functions. In particular the presence of the Community Woodland ensures that development will not lead to "unrestricted sprawl", to use the words of PPG2, and will not lead to neighbouring towns merging into each other. Encroachment on the countryside will be minimal and easy access to the Community Woodland ensures can be maintained.

As previously stated, the production of the Core Strategy provides an opportunity to review Green Belt boundaries. As with the site at Bristol Road, we would not regard removal of this site from the Green Belt as being a change to its general extent. The need for additional houses creates the exceptional circumstances for amending the Green Belt boundary. We therefore consider that the site would perform a more valuable function to the community by providing homes, possibly in conjunction with the land to the south, than remaining as marginal agricultural land.

- Change sought to make sound:**
1. Increase the level of housing provision at Keynsham to 2,500 houses;
 2. Delete sub-paragraph a) and replace with text stating that minor changes to the green belt boundary will be made in order to meet local housing needs.
 3. Show directions for housing growth to the west of the town centre and the east of the urban area.

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 255\2

Plan Reference: Policy SV1: Somer Valley Spatial Strategy

Representation (soundness): In the context of our objection, the Council should be seeking locations for 7,300 additional homes within BANES. This is the difference between our proposed housing provision, excluding the urban extension at Whitchurch, and the Council's proposed housing provision (18,300-11,000). Much of this would be expected to be directed towards Bath, but as the next largest urban areas Keynsham and Norton Radstock should also take a share. At Norton Radstock, existing commitments already total 2,200 and we submit that an increase in the proposed provision from 2,700 to 3,200 is easily achievable in market terms.

Our clients control land at Monger lane on the north west side of Midsomer Norton. This can deliver about 100 dwellings depending on density. It is close to other areas of new development and to the A362. It is less than 1 kilometre from the Tesco store and about 1.5 kilometres from Midsomer Norton town centre. It is not subject to any restrictive designations and we consider it a suitable location for development.

Change sought to make sound: 1. Increase the level of housing provision in the Somer Valley to 3,200 houses
make sound: 2. Indicate the north west of Midsomer Norton as a general location for new housing

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 255\3

Plan Reference: Policy CP9: Affordable Housing

Representation (soundness): Why We Consider The Core Strategy Unsound

We submit that Policy CP9 is unsound in that it has not been properly justified. It does not take account of the special circumstances surrounding the creation of a new neighbourhood and the BANES Viability Study inadequately addresses the land value that will be acceptable to land owners for the generality of sites and the assumption is made that no grant will be available.

The first part of our objection is submitted to support our objection to Policy DW1: District-wide Spatial Strategy, which seeks to reinstate the proposal for a new community at Whitchurch.

In circumstances where a new community is created it is our submission that the level of affordable housing should be no greater than that seen in the wider community. Otherwise, high levels of affordable housing will have a distorting effect on the character of the neighbourhood, since it is of sufficient size to set its own character. The proportion of social rented dwellings in Bristol in 2006 was 22.5% (West of England SHMA Table 5.1 p69). This is the relevant figure since the proposal is for an urban extension to Bristol. On the basis of this we propose that affordable housing levels in a new community at Whitchurch, if reinstated, should not exceed 25%.

A number of factors will affect viability over the plan period. First, densities may well decline from the expected norms of 50 dph plus, particularly on larger sites, if the emphasis is more on family housing as expected. The issue of residual values is a difficult one and a judgement needs to be made on what a landowner is likely to accept. The effect of the Community Infrastructure Levy, which is now a key proposal of the Government to direct money to neighbourhoods, is not known. We also object to the Council's proposal that grant will not be available for affordable housing. We therefore submit that the viability assessment requires review and cannot be considered robust.

We therefore object to the level of 35% affordable housing.

Change sought to make sound: 1. A maximum of 25% affordable housing in a new neighbourhood on the edge of Bristol;
make sound: 2. A reduction on the normal level of affordable housing from 35%

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 255\4

Plan Reference: Strategic Objective 2: Protect and enhance the District's natural, built and cultural assets and provide green infrastructure.

Representation Why We Consider The Core Strategy Unsound
(soundness):

We object to Objective 2 in that it does nothing to meet social and economic objectives for the District and is therefore contrary to national policy.

PPS1 paragraph 4 sets out four areas for sustainable development:

- Social progress which recognises the needs of everyone;
- Effective protection for the environment;
- The prudent use of natural resources; and
- The maintenance of high and stable levels of economic growth and employment.

These remain Government policy and the present Government has placed sustainable development at the centre of its planning policies.

We have shown in our objections to Policy DW1 that the Core Strategy's proposals do not meet the social and economic needs of the District. As such there is no effective balance between the four objectives of sustainable development and the proposals are therefore not sustainable. It is not sustainable to consistently underprovide for housing nor to make inadequate provision for new job growth.

We also submit that Objective 2 completely contradicts Objective 3, which seeks to stimulate a more productive, competitive and diversified economy. It also contradicts Objective 5 which seeks to respond to expected demographic and social changes and to support the labour supply to meet economic objectives.

Change sought to make sound: Objective 2 should be recast to reflect all four objectives of PPS1 paragraph 4.

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 255\5

Plan Reference: Chapter 1: Vision and District-wide Strategy

Representation district. The number of working residents was 79,900 of which 23,510, or 29%, commuted out of
(soundness): the district.

However, this disguises important flows into and out of the District. If South Gloucestershire is regarded as part of the Greater Bristol for the purposes of this exercise, since much of Bristol's employment is located there, there was a net flow into Greater Bristol of 4,930 people (13,194 in and 8,264 out). This represents just over 6% of the workforce and is an appreciable number. If the Bristol effect is removed from consideration, BANES was a net importer of workers, again roughly 5,000. It must be assumed that many of these worked in Bath. In order to try to reduce commuting more houses should be built in Bath, possibly up to 5,000, and more should be built in Bristol, again possibly up to 5,000. It can be argued that the 5,000 extra houses in Bristol would be offset by a commensurate reduction in BANES – i.e. the 5,000 in Bath.

However, we have already demonstrated that Bristol cannot meet its needs within its tightly drawn administrative boundaries, so the houses proposed for Bristol would need to be placed in the next nearest location, i.e. on the edge of Bristol within BANES as noted in the previous section. This is further evidence of the need for an urban extension to Bristol to be developed in BANES in the lifetime of the Core Strategy.

The Need For Affordable Housing

The West of England Strategic Housing Market Assessment was completed in June 2009. It therefore

provides a reasonably up-to-date survey of the market in the area at a time when it was beginning to come under strain. The study goes into some detail into the projection of needs for affordable and intermediate housing in the District, which indicates the extent to which local housing needs are not being met and how they may continue into the future. Firstly, Table 4.1 of the document shows that there was an existing backlog of need for affordable housing in BANES in 2007 of 2,787 households. This is not allowed for in any of the figures discussed above.

Secondly, Table 4.11 examines the Annual Total Housing Requirements of households in need. This is the newly arising need for affordable housing during the life of the Core Strategy. It finds this to be 847 households a year of which the vast majority (786) are in need of affordable housing as opposed to intermediate housing. This assessment assumes that the backlog of existing need will be met over the first ten years of the plan period and allows for those whose needs can be met through relets.

Nonetheless it will quickly be seen that, if projected forward over 20 years, the need for affordable housing is 16,940 homes. Clearly, the council's proposals do not come close to meeting this. Consequences of Providing Only 11,000 new homes. In order to assess the social consequences of the Council's strategy, we have produced a projection using the Chelmer Model which takes as its starting point the construction of 11,000 new homes on the following trajectory, taken from the Council's SHLAA:

2006-11 2,400
2011-16 3,700
2016-21 2,900
2021-26 2,000
Total 11,000

The output from the projection is shown at Appendix F. The key conclusions are as follows:

1. Population grows to 192,855, well below the trend migration projection or the OE projection;
2. Growth in population from natural change is much reduced compared with the trend migration projection. This suggests that local people are not having their needs properly met and are having to move out of the district;
3. Net migration falls steadily throughout the plan period, actually becoming a net outflow after 2021. This reinforces the point that the plan will not be meeting even local needs. With economic growth expected to have recovered by this time, a net migration loss from an area such as BANES is frankly not credible;
4. As previously stated, the growth in the labour force will be around 2,900, well below what is needed for job growth by any of the estimates considered by the council's consultants;
5. As shown in the section above, the construction of 11,000 new homes does not even meet the projected need for affordable houses.

Conclusions For Provision of Homes and Jobs

It can readily be seen from the evidence we have presented above that the Core Strategy is totally inadequate to meet the need for homes and jobs in the District. As such it must be considered unsound. We could make a case for housing provision close to 30,000 if local needs, past backlogs and a share of the needs of Bristol were to be met and additional housing provided to reduce commuting. We think this is undeliverable. Our starting point is therefore provision of 15,500 new homes in accordance with our Chelmer projection, to which we make add-ons to address past backlogs and the needs of Bristol resulting in a suggested housing provision of 21,800 overall. The evidence we have presented leads us to conclude that the continuation of past levels of migration is a much more credible scenario than the Council's, which we have shown leads to net outmigration from the District in the latter years of the plan period. Building less houses does very little to discourage migration as migrants are normally better placed to compete for housing and jobs than many members of the local population. Many local people will require affordable housing and this will not be available, as we have shown. So it is local needs that will not be met by constructing too few houses.

In terms of the economy, it will require as much support as it can get to continue to recovery from the recession. As a matter of principle we should be planning for high economic growth in any event. If it does not happen little harm is done, as it will happen anyway but perhaps over a longer period. Planning for a relatively cautious level of growth becomes a self fulfilling prophecy – a plan for failure – if the necessary employment land, workers and infrastructure are not available. So it is our firm contention that levels of housing provision below 15,500 should not be contemplated. However, we consider that the provision should be higher for the following reasons. First, provision should be made for the identified backlog of need for affordable housing of 2,787 homes. This has been taken into account in assessing the need for affordable housing in the West of England Strategic Housing Market Assessment, quite rightly. But if it is taken into account in assessing the need for affordable housing it must also be added to the overall housing requirement. Second, we have demonstrated that some of Bristol's housing needs need to be met outside its boundaries. The shortfall between need and what is proposed within the City's boundaries is about 20-25,000 homes. How much of this should be met within BANES is a question which in part needs to reflect what is possible.

14640/A5/AS/JMM -11- 2nd February 2011

The Proposed Changes to the RSS proposed an area of search for an urban extension of 9,500 new homes to the south east of Bristol of which 8,000 would be in Bath & North East Somerset. This always looked challenging to deliver within the plan period, even in a strong market. The effect of the recession is to delay any such development and the Core Strategy is seeking to abandon it altogether. Our view is that a development of about 3,500 houses at Whitchurch as proposed in the Preferred Options Consultation of late 2009/early 2010 needs to be delivered within the plan period and is the least that is needed to properly meet the housing needs of the area. If BANES accepted one third of Bristol's unmet housing need this would be, say, 7,000 houses. An additional 5,000 homes could be justified to reduce commuting. There is also the issue that we have already identified a requirement of 7,287 (say 7,300) houses arising from within BANES for which the Core Strategy makes no provision (15,500 + 2,787 – 11,000). Between these three areas of housing requirement there is far more than is necessary to justify 3,500 houses as an urban extension to Bristol.

Ministers have said that Localism needs to be a framework for a mature debate on the need for housing. The Secretary of State has also said that the new planning system is predicated on encouraging growth (speech 19th January 2011). But there is no locus in Localism for creating new neighbourhoods, only for people to agree changes to existing neighbourhoods. Thus, it is our understanding that of about 200,000 homes that it has been calculated have been removed from Core Strategies following the revocation of RSSs, the vast majority were in urban extensions, many of which were proposed in green belt. The BANES Core Strategy is no exception to this trend.

In the following sections we will make the case for reinstatement of an urban extension to Bristol at Whitchurch in the Core Strategy. The context for this is for provision of at least 21,800 new homes made up as follows:

Existing backlog of needs 2,878

Needs emerging 2006-2026 15,500

Needs of Bristol to be met within BANES 3,500

TOTAL (Rounded) 21,800

The figure for Bristol's needs could legitimately be increased if it could be demonstrated that additional houses could be delivered. The existing backlog of needs and meeting the needs of Bristol should not add to the requirement for jobs, which we submit should be set at 11,300 in accordance with the upper limit of expectations, a level which is broadly consistent with growth in the labour force.

14640/A5/AS/JMM -12- 2nd February 2011

We therefore seek an amendment to sub-paragraph 2 to make provision for 21,800 new homes and 11,300 jobs in the District by 2026.

AN URBAN EXTENSION TO BRISTOL

The RSS made provision for an area of search for an urban extension to the south east of Bristol in BANES. The Proposed Changes to the RSS made provision for the urban extension to contain 9,500 new homes of which 8,000 would be in BANES. The Core Strategy Spatial Options Document produced by BANES in October 2009 made provision for a much reduced urban extension of around 3,500 new homes at Whitchurch. This was produced, we assume, in anticipation of a change of Government at the 2010 general election and the proposals were based on the level of provision contained in the Draft RSS of June 2006, albeit distributed differently. Following the change of Government the Council has re-examined its evidence base and concluded that it need no longer include proposals for the urban extension at Whitchurch in its Core Strategy. However, we have provided evidence to show that the review of the evidence base carried out for the Council is flawed, and the provision of 11,000 new homes is demonstrably far too small to meet the needs of the area. We have also shown that there is clear evidence that some of Bristol's housing needs need to be met in adjoining areas, and Whitchurch is one of the logical places for this to happen, as previously accepted by BANES. We therefore submit that there is a compelling case on grounds of need to reinstate the proposal for about 3,500 new homes at Whitchurch.

The proposal in the Spatial Options Document was for a new neighbourhood. The proposed spatial vision was for the neighbourhood to have its own unique character and to provide a new edge and enhanced entrance to south Bristol. It would contain a mix of uses having a significant employment role and would assist in the regeneration of south Bristol. A transport package would be required to link the neighbourhood to the regeneration area and the development would promote healthy and low carbon living (Proposed Spatial Vision for a New Neighbourhood at South East Bristol, Spatial Options p132). We do not disagree with this vision statement. The Council carried out a significant amount of work investigating the environmental constraints of the area of search. These were originally set out in an Environmental Capacity document prepared by the Council for the RSS EIP. Plans from this study are reproduced in the Spatial Options 14640/A5/AS/JMM -13- 2nd February 2011 document. While we have significant differences with the Council over some aspects of this study they do not affect the conclusions that we have arrived at for the purposes of these representations.

There are three parts to the RSS area of search: Hicks Gate, on the A4 between Bristol and Keynsham, Whitchurch and Stockwood Vale in between them. Stockwood Vale was excluded as a potential development area early in the process. It is an important landscape feature, it plays a strategic green belt role and the topography is challenging. Hicks Gate was also rejected because its capacity was considered to be limited, as a result of which it would not be large enough to guarantee being able to support a range of local services. It is physically separate from Bristol and could create an isolated development. The Council did conclude however, that "there is considered to be capacity for " around 3,500 dwellings at Whitchurch"". A diagram showed the broad extent of the development area which the Council considered could accommodate around 3,500 homes (Diagram 39). The intention was to identify a detailed boundary for the strategic allocation in the Core Strategy which would also address the issue of a strategic amendment to the green belt. However, this never happened. The document also stipulated that development should not start until around 2020 and with the required infrastructure in place, and could be subject to review. A public transport-led South East Bristol urban extension transport package would be required. This would be likely to include a new park and ride, a rapid transit extension and other highway improvements. Our clients control land on the west side of the potential development area, south of Lyons Court Farm. However, we have always had instructions to examine the masterplanning of the development area as a whole.

The principle we have adopted in carrying out masterplanning for the area is to build it up from walkable neighbourhoods of approximately 400-500 m in diameter with facilities at the centre. At high density each can accommodate up to around 2,000 houses, though a lower density solution may now be more appropriate. All houses within the neighbourhood would be within walking distance of local facilities at the centre.

We consider that the area identified by the Council could accommodate two such walkable neighbourhoods: one to the south and west of the A37 and the other to the north and east of the A37. A neighbourhood centre, employment, a park and ride and other neighbourhood wide facilities would

tend to cluster around the A37 corridor. The development would be able to play a role in the regeneration of the local centres in Whitchurch and Stockwood as well as linking to the regeneration areas of South Bristol which are close by. 14640/A5/AS/JMM -14- 2nd February 2011

In this way a sustainable urban neighbourhood can be created with its own character which can fulfil the role and vision which previous documents have identified for it. At Appendix G we show in schematic terms how this could work in relation to the extent of development shown in the Council's Spatial Options document. The work which the Council had said that it would carry out in order to support the allocation of the area as a strategic location in the Core Strategy has not been done, or has not been published, because the Council has decided to drop the proposal. Much environmental work has been carried out by the Council and by Taylor Wimpey. However, a key issue is the transportation strategy required to support the development. It is our understanding that work has been carried out by Atkins for the Council to study the traffic impact that the development will have and possible solutions to it. However, this has not been published.

We submit that there is enough information available to indicate that Whitchurch is acceptable in terms of environmental constraints and it would be perfectly possible to identify it as a general direction for growth, with a level of housing development attached to it, which indicates clearly that development at Whitchurch is part of the Core Strategy. This should be backed up by a commitment to produce an SPD or Area Action Plan to be produced later to agree the details of an overall masterplan for the area including a delivery plan for the required infrastructure.

Taylor Wimpey reserves the right to submit further information on this matter to the Examination. It would also be willing to cooperate in the preparation of an Area Action Plan. Developments of this scale have a long lead time. Because of the recession and uncertainties created by the proposed revocation of RSSs, less work has been carried out on the masterplanning of the site than might have been anticipated when the proposal was being considered at the RSS EIP.

As a consequence it is unlikely that a significant number of houses could be built on the site as part of a comprehensive neighbourhood development much before 2020, so we do not have a particular issue with this former aspiration of the Council. Nonetheless, this implies that all permissions would be in place in time for this to happen and work would need to begin as soon as practicable to achieve this. Delivery of infrastructure is an issue to be considered by the Infrastructure Delivery Plan.

14640/A5/AS/JMM -15- 2nd February 2011

We seek the inclusion of a general direction of growth for at least 3,500 dwellings at Whitchurch in paragraph 1 of Policy DW1. This will need to be supported by further policy content outlining the proposal and the process of firming it up by means of a masterplan and delivery plan contained in an Area Action Plan. We have used the CLG New Homes calculator to assess the amount of New Homes Bonus that could accrue to the Council if this development takes place. We have assumed 3,500 homes at an average of Band D. We have also assumed that of these 875 or 25% would be affordable for reasons set out in our objection to Policy CP9. The total gross payment over 6 years is £32,061,000, as shown in Appendix H.

GREEN BELT

The proposed urban extension is in the Bristol-Bath Green Belt. The exceptional circumstance justifying an alteration to the general extent of the green belt is the overriding need for additional housing to meet the needs of both BANES and Bristol. Previous largescale urban extensions to Bristol were formulated in the late 70s and were built out from the mid 1980s onwards. They are approaching the end of their development period and will be built out within the next few years.

A new generation of urban extensions needs to be planned now to come on stream as the previous generation is completed. This was recognised, in our view correctly, but the RSS. We have demonstrated that the need still exists for such development using local data. This is an exceptional set of circumstances, the first time that consideration has been given to new urban extensions for almost forty years. A city the size of Bristol cannot resist peripheral development indefinitely. This will affect its attractiveness to employers and/or increase commuting as people who wish to work in the city may

have to find a place to live beyond the green belt. This is an unsatisfactory and unsustainable situation.

Objectors claim that brownfield sites should be used first. We have referred to the fact that Bristol is planning to provide between 26,000 and 30,000 houses within its boundaries and most of them will be on brownfield sites. We also accept that this is probably the limit of what it can provide and we have demonstrated why this is not good enough. Greenfield urban extensions are also required. Locations on the edge of the city are invariably the most sustainable locations as they can link into public transport networks to maximise the opportunity to use means of transport other than the car and support existing communities with new facilities. These developments are invariably in green belt since most of our major cities are surrounded by green belt. It can be seen that there is a significant tension between green belt policy and sustainable development. The Government has insisted that sustainable development is to be paramount. We submit that this is a prime example of where this should take place. We therefore seek a change to sub paragraph 4 of Policy DW1 to state that there will be a change to the general extent of the green belt in BANES to accommodate an urban extension to Bristol at Whitchurch.

SUMMARY OF CHANGES SOUGHT

We seek the following changes to Policy DW1: District-wide Spatial Strategy.

1. In paragraph 2 provision should be made for a net increase of 11,300 jobs and 21,800 new homes. This will allow the level of affordable housing to be significantly increased.
2. In paragraph 1 a new community at Whitchurch should be named as a location on which new housing, jobs and community facilities should be focused.
3. In paragraph 4 reference should be made to a change in the general extent of the green belt to accommodate a new community at Whitchurch.

These are fundamental changes to the Core Strategy. If accepted, they will lead to other changes in the supporting text and a new Chapter containing a new policy for the new community at Whitchurch. We consider that it is premature to set out the detail of this at present, but we would be pleased to provide further detail if it will assist.

**Change sought to
make sound:**

Representation (legal compliance):

Change sought to make legally compliant:

Respondent Number: 256 Respondent: Councillor Andrew Furse

RepresentationReference: 256\1

Plan Reference: Strategic Objective 5: Meet housing needs.

Representation Objective 5; Comments upon any increase in students – I would stress there is already a major deficit in **(soundness):** purpose built student accommodation, so this is more than ‘any increase’.

Councillor Andrew Furse
Liberal Democrat,

**Change sought to
make sound:**

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 256\2

Plan Reference: Chapter 1: Vision and District-wide Strategy

Representation •DWI.11; should set out a programme to 2026.

(soundness):

Councillor Andrew Furse
Liberal Democrat,

**Change sought to
make sound:**

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 256\3

Plan Reference: Bath: Strategic Issues

Representation •2a, para 12; there should be recognition of the (few) overseas and non-local students at City of Bath
(soundness): College.

Councillor Andrew Furse
Liberal Democrat,

**Change sought to
make sound:**

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 256\4

Plan Reference: Paragraph 2.13

Representation •2c, para 2.13; redevelopment of South Qays will have a significant impact upon car and coach parking
(soundness): in the city. Details need to be set out if this parking is to be displaced.

Councillor Andrew Furse
Liberal Democrat,

**Change sought to
make sound:**

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 256\5

Plan Reference: Policy B2: Central Area Strategic Policy

Representation •B2; removal of specific reference to Rosewell Court -individuals homes should not be referenced the
(soundness): document should ref to locations only.

- B2; Widen the new sports stadium location from the central areas to include 'western approaches' and Keynsham.
- B2; identifies the Recreatio Ground as part of the city development area. The document needs to be recognised that the Rec is designated as green open space.

Councillor Andrew Furse
Liberal Democrat,

**Change sought to
make sound:**

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 256\6

Plan Reference: Diagram 6: The Central Area and Western Corridor

Representation •Western Riverside Esast I have requested details of the development concepts for this area and they
(soundness): have not been forthcoming. This document says the area is now 'conceptualised'. I ask again for these details.

Councillor Andrew Furse
Liberal Democrat,

**Change sought to
make sound:**

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 256\7

Plan Reference: Paragraph 2.41

Representation • 2f, 2.41; specifically states 'on campus', I maintain that purpose built accommodation does not mean
(soundness): it all has to be on campus.

Councillor Andrew Furse
Liberal Democrat,

**Change sought to
make sound:**

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 256\8

Plan Reference: Policy B1: Bath Spatial Strategy

Representation •2g; BRT is identified with funding of BTP of £54m - this needs to be corrected.
(soundness):

Councillor Andrew Furse
Liberal Democrat,

**Change sought to
make sound:**

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 256\9

Plan Reference: Paragraph 3.14

Representation •3d; Inclusion of Keynsham K2 development (already agreed).

(soundness):

Councillor Andrew Furse
Liberal Democrat,

**Change sought to
make sound:**

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 256\10

Plan Reference: Paragraph 6.94

Representation •6f; There is no rationale as to why a bypass is required - removal of a study for a Saltford bypass .

(soundness):

Councillor Andrew Furse
Liberal Democrat,

**Change sought to
make sound:**

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 256\11

Plan Reference: Appendix 1: Replaced Local Plan Policies

Representation •App 1; Clarifying what are policy items, whether these are new policies and ensuring accuracy in

(soundness): detailing the superceding of existing policies.

•App 1 and 2; Clarifying the relationship with other plans such as development plans.

Councillor Andrew Furse
Liberal Democrat,

**Change sought to
make sound:**

Representation (legal compliance):

Change sought to make legally compliant:

Respondent Number: 257 **Respondent:** Valley Parishes Alliance

RepresentationReference: 257\1

Plan Reference: Paragraph 2.44

Representation A46/A36 link

(soundness):

Paragraph 6.94 expresses the need for further studies assessing the possible development of an A46/A36 link road yet no such development is proposed in the LDF period to 2026 and reference to it should be deleted. The maintenance as open countryside of the Avon valley bottom in the Green Belt

should be an immutable principle and recognised by its inclusion in a WHS Buffer Zone as recommended in our representation on Policy B4. The detailed fuller representation on this subject by Claverton and Bathampton Parish Councils is wholeheartedly supported by the Alliance.

Proposed Bathampton Meadows Park-and-Ride

We support the principle of a park-and-ride site east of Bath but consider the proposed site at Bathampton meadows should be deleted for the following reasons:

- The scheme is admitted by BNES's consultants to afford no significant relief from traffic congestion or traffic-generated air pollution;
- It offers no contribution to the relief from the deleterious effect of heavy goods vehicle traffic;
- Traffic diverted from London Road to other routes by current delays would return;
- The existing bus lane in London Road is already shared by several stage-carriage bus routes with stopping places and by motor cycles, cycles, and taxis;
- The site would encroach on the Green Belt and be widely visible from public viewpoints in the AONB in a location which should part of a geographically-defined green open buffer zone around the City of Bath WHS. The 2 elements together form an outstanding local scene of international importance.

The planned provision of 1400 spaces falls far short of the LPA's estimate of demand for 1800 spaces but the physical constraints on neighbouring land prevent any future expansion. The claimed public support for the scheme does not truly reflect the results of such public participation as was undertaken following its publication. If the site be deleted the solution to the problem of the provision of an alternative location east of Bath may be feasible in the area of another LPA.

Change sought to make sound: (i) In paragraph 6.94 delete 'and an A46/A36 link'

(ii) On diagram 5 delete 'East of Bath Park and Ride (NEW)' and show diagrammatic representation of a Buffer Zone extending round the World Heritage Site.

Representation (legal compliance): The claimed public support for the Bathampton Meadows park-and-ride does not truly reflect the results of such public participation as was carried out in the devising of it. From the abandonment of the proposal to establish a park-and-ride site at Lambridge, on land currently the training ground of Bath Rugby, the preparation of the highly controversial Bathampton Meadows scheme was pursued in secrecy until the publication of the planning application. This was wholly contrary to the LPA's Statement of Community Involvement.

Change sought to make legally compliant: While the failure to observe the requirements of the B&NES Statement of Community Involvement is irreparable at this stage the deletion of the unsound Bathampton Meadows park-and-ride site would reflect the wide-ranging community response to an ill-founded proposal after its publication following its gestation in secrecy and the narrow local political majority of support.

Representation Reference: 257\2

Plan Reference: Policy CP9: Affordable Housing

Representation (soundness): The requirement to provide 17.7% of Affordable Housing on small sites of 5 to 9 dwellings or 0.25 to 0.49 acre is welcomed. However, such a requirement may work against the policy by stimulating applications for 4 dwellings. For that reason the CS should explicitly encourage the LPA to seek some provision of AH on sites of fewer than 5 dwellings in the rural settlements.

Change sought to make sound: Add to Small Sites (p123) 'In the rural settlements on sites of fewer than 5 dwellings a proportion of affordable dwellings may be sought.'

Representation (legal compliance):

Change sought to make legally compliant:

Representation Reference: 257\3

Plan Reference: Paragraph 1.06

Representation The text is an accurate portrait of each subarea in the LPA boundary but it could more usefully also
(soundness): express the reason for the difficulty in devising planning policy for its area – the close proximity of the World Heritage Site comprising much of Bath and the areas of protected open land which border it. The text should also recognise the distinctive character of the Avon Valley east of Bath as a separate subregion within B&NES and neighbouring Wiltshire. Development may often involve possibly difficult conflicts of interest which will require resolution. This the CS should admit.

Change sought to (i) In paragraph 1.06 insert: ‘The high quality of much of both the townscapes and landscapes of the area
make sound: will in some cases involve a conflict between policies. In such cases the LPA will have regard to the balance of advantage in the public interest when assigning appropriate weight to them’.

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 257\4

Plan Reference: Paragraph 1.11

Representation The text is an accurate portrait of each subarea in the LPA boundary but it could more usefully also
(soundness): express the reason for the difficulty in devising planning policy for its area – the close proximity of the World Heritage Site comprising much of Bath and the areas of protected open land which border it. The text should also recognise the distinctive character of the Avon Valley east of Bath as a separate subregion within B&NES and neighbouring Wiltshire. Development may often involve possibly difficult conflicts of interest which will require resolution. This the CS should admit.

Change sought to (ii) In paragraph 1.11 insert reference to the location in the Green Belt and Cotswolds AONB of the
make sound: Avon valley east and southeast of Bath.

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 257\5

Plan Reference: Policy B4: The World heritage Site and its Setting

Representation WHS buffer zone

(soundness): The reliance on a criterion-based policy as explained in paragraph 2.32 is unsatisfactory. There is a paramount need to preserve the character of the setting of the World Heritage Site. This is particularly so where it is in immediate proximity to open land of high quality, notably east of Bath where the open undeveloped Avon valley bottom affords outstanding visual contrast, is in the Green Belt, and adjoins the Cotswold AONB. The unique visual characteristics of this area, both in its own right as a cherished landscape and in its function as a foil to the WHS merits geographical designation as a buffer zone which should extend from the WHS boundary to the ridge line of the rising land which surrounds Bath on three sides. Such geographical expression in diagrammatic form in Diagrams 4 and 5 and eventually in a precise delineation in Supplementary Planning Guidance is essential.

Change sought to a. (i) On Diagram 5 and Diagram 20 show diagrammatically a Buffer Zone around the World
make sound: Heritage Site.

(ii) In Policy B4 after the first sentence insert:
‘To meet the requirements of ICOMOS (on behalf of UNESCO) a Buffer Zone where inappropriate development will not be permitted will be prescribed around the boundary of the World Heritage Site area and be incorporated in a Supplementary Planning Document affording guidance about safeguarding the character of the WHS’.

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 257\6

Plan Reference: Policy RA1: Development in the Villages meeting the listed criteria

Representation (soundness): B&NES requires consultation recommendations by parish councils to be founded on Local Plan policies. In practice we have found that notwithstanding the LPA's Statement of Community Involvement its own degree of adherence to policies affecting community facilities and shops is inconsistent and fails to protect these functions in villages. A similar problem arises with regard to design when the clear requirements of Local Plan policy D4 are ignored. A similar problem arises in relation to design and Policy D4 of the Local Plan. We welcome a statement about the LPS's duty to link this requirement to the rightful high-mindedness of Policy RA3.

Change sought to make sound: In Policy RA1 after 'Policy DW1' insert ' and the retained policies of the adopted Local Plan'.

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 257\7

Plan Reference: Diagram 5: Bath Spatial Strategy

Representation (soundness): We strongly advocate the recognition of the Avon Valley east of Bath as a distinctive key asset should be shown on Diagrams 4 and 5. For reasons elucidated in another representation we consider the diagrammatic representation of Park and Ride site at Bathampton meadows should be deleted. The Kennet and Avon Canal is dealt with separately in the representation on Policy CP7.

Change sought to make sound: Recognise the Avon corridor east and southeast of Bath as a key asset on Diagrams 4 and 5.

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 257\8

Plan Reference: Whole Document

Representation (soundness): We strongly advocate the recognition of the Avon Valley east of Bath as a distinctive key asset should be shown on Diagrams 4 and 5. For reasons elucidated in another representation we consider the diagrammatic representation of Park and Ride site at Bathampton meadows should be deleted. The Kennet and Avon Canal is dealt with separately in the representation on Policy CP7.

Change sought to make sound: Recognise the Avon corridor east and southeast of Bath as a key asset on Diagrams 4 and 5.

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 257\9

Plan Reference: Policy CP8: Green Belt

Representation (soundness): The support for the protection of the Green Belt is welcomed but we note there are places where small adjustments in the boundaries would be appropriate. As no action was taken on this in the Local Plan examination we consider the issues should now be addressed and support the commentary in the CS.

PPS1, as revised, gives primacy to proposals for renewable energy generation over the long-established strong presumption against development in the Green Belt. The CS text should therefore acknowledge that circumstances may arise when there could be a conflict between Policy CP3 and Policy CP8.

Change sought to make sound: Insert reference to possible conflict between Policy CP3 and Policy CP8 after paragraph 6.63 p120.

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 257\10

Plan Reference: Policy CP7: Green Infrastructure

Representation Kennet and Avon Canal

(soundness): The Alliance fully supports the detailed representation made by Claverton Parish Council on this matter. In negotiation between the VPA and B&NES an addition to the text of policy CP7 at paragraph 6.61 was agreed and is recommended below:

Change sought to make sound: Insert as paragraph 6.61:

Management of the Kennet and Avon Canal is a significant B&NES/Wiltshire cross-boundary G1 issue. The Canal is a unique and important heritage feature, with a large section devoted located within the City of Bath World Heritage Site and its landscape setting, including that part which is designated Cotswolds Area of Outstanding Natural Beauty.

As a founding member of the Kennet and Avon Canal Partnership, B&NES recognises that there has been a significant increase in the number of boats at the western end of the canal and a step change in the recreational use of the waterside path and environs. It also accepts that a small section of the boating community will choose to continue to live on the canal.

B&NES will play an active role in the re-energised Partnership Board to ensure that (a) British Waterways fulfils its statutory responsibilities for managing the canal and protecting the attractive waterside and landscape environs and (b) all canal users comply with planning policy and environmental health legislation.

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 257\11

Plan Reference: Glossary

Representation Provided there is no conflict of policies it is possible for a DPD, which is likely to cover a comparatively narrow and specialised issue, to be adopted before the CS. Immediately before the CS coming to its public examination the planned schedule of further DPDs should be updated.

Change sought to make sound: Provide definitions of locality, community and neighbourhood in the Glossary and cross-reference them to Locality (6.12 para 5 p10).

Representation (legal compliance): The concept of Parish Plans emanates from DEFRA; they are not statutory and do not relate to the Town and Country planning legislation. However, paragraph 6.12 of PPS12 requires LPAs to pay close attention to their contents. In the light of that advice the CS should clearly indicate what weight should be accorded these plans, together with the Vision for the Kennet and Avon Canal document in planning administration.

Change sought to make legally compliant: Add reference to Parish Plans in Locality (6.12 para 5 p10).

RepresentationReference: 257\12

Plan Reference: Paragraph 1.12

Representation Provided there is no conflict of policies it is possible for a DPD, which is likely to cover a comparatively
(soundness): narrow and specialised issue, to be adopted before the CS. Immediately before the CS coming to its public examination the planned schedule of further DPDs should be updated.

Change sought to Provide definitions of locality, community and neighbourhood in the Glossary and cross-reference
make sound: them to Locality (6.12 para 5 p10).

Representation (legal compliance): The concept of Parish Plans emanates from DEFRA; they are not statutory and do not relate to the Town and Country planning legislation. However, paragraph 6.12 of PPS12 requires LPAs to pay close attention to their contents. In the light of that advice the CS should clearly indicate what weight should be accorded these plans, together with the Vision for the Kennet and Avon Canal document in planning administration.

Change sought to make legally compliant: Add reference to Parish Plans in Locality (6.12 para 5 p10).

RepresentationReference: 257\13

Plan Reference: Chapter 1: Vision and District-wide Strategy

Representation Policy DW1's overarching statement is unexceptionable. However, on account of a successful legal
(soundness): challenge to the Secretary of State's use of powers the RSS figures previously under consideration are withdrawn. There is now a serious national discrepancy between the number of new homes required and the number of sites which either have planning permission or are allocated in development plans. Where this cloud of demand may come to rest is an unresolved question. The SofS's notion that the national need can be met by 'bottom up' proposals coming from communities seems hardly likely to happen. Consequently, the possibility that B&NES may not be required to provide for a portion of that demand cannot but be uncertain. In the event of the problem remaining unsolved by the time of the CS's public examination it would be preferable for the text to recognise this potential problem on a 'what if?' basis.

Change sought to (i) Insert in Policy DW1 after paragraph 2 'in the event of a regional demand for additional housing be
make sound: imposed on the LPA a sequential examination of the site information which underlies the CS will be undertaken and any subsequent change in paragraph 2 figures will be incorporated in the amendment of Diagram 4.
(ii) Add to paragraph 1.35 'Any potential conflict between strategic objectives will require resolution through very high and exacting standards of planning practice'.

Representation (legal compliance):

Change sought to make legally compliant:

Respondent Number: 258 **Respondent:** Travelling Boat Dwellers

RepresentationReference: 258\1

Plan Reference: Policy CP11: Gypsies, Travellers and Travelling Showpeople

Representation I am a travelling boat dweller and a member of the British Waterways (BW) Local Mooring Strategy
(soundness): Steering Group for the Western Kennet and Avon canal. I am concerned that the rights and needs of boat dwellers have not been considered in the Core Strategy currently being drafted by Bath and NE Somerset Council and I wish the Core Strategy to address the issues I raise in this briefing. In addition I am concerned that both British Waterways and the Valley Parishes Alliance are lobbying to get policies included in the Core Strategy that would result in boat dwellers becoming homeless. I seek an assurance that this will not be allowed to happen, as there should be no policy that will result in people becoming homeless.

Housing and Homelessness

One of the most important things to understand from the outset is that people who live on boats have a home. This home is their boat. Understanding this is central to understanding the concerns that people living on boats have about the proposed changes to mooring policy on the Kennet and Avon canal (and other BW waterways). Liveaboard boaters are concerned that BW and the Valley Parishes Alliance want measures written into the Core Strategy that would make boat dwellers homeless.

Travelling boat dwellers and the 2004 Housing Act

The Department for Communities and Local Government (DCLG) ruled in April 2009 that 'bargee travellers', that is, travelling boat dwellers without a permanent residential mooring, are covered by Section 225 of the Housing Act 2004 which defines who is a traveller. This is legally binding, in other words it places a statutory obligation on BW or a local authority.

I understand that B&NES is to include boat dwellers in its future Gypsy and Traveller Accommodation Assessments (GTAAAs). There is currently no reliable figure for the exact number of boat dwellers. All policies drawn up by B&NES must therefore be consistent with Section 225 of the 2004 Housing Act and must not result in homelessness for travelling boat dwellers. The current needs of travelling boat dwellers in B&NES relation to Section 225 are that we need BW to adhere to the law and to drop unlawful enforcement activity and unlawful new rules proposed through the Local Mooring Strategy and we need the assistance of the local authority in ensuring that our legal rights to follow the cruising pattern of our choice, subject to the 14-day rule, are upheld.

The DCLG guide of May 2007, Local authorities and Gypsies and Travellers: a guide to responsibilities and powers states regarding Section 225 of the 2004 Housing Act that: "the system will work as follows: the Housing Act 2004 requires local authorities to assess the need for Gypsy and Traveller accommodation in their areas at the same time as they assess the housing requirements of the rest of the population. Local authorities must then develop a strategy which addresses the need arising from the accommodation assessment, through public or private provision... The duty to conduct accommodation assessments came into force on 2 January 2007... As elected members, local councillors have a duty to represent the interests of resident Gypsies and Travellers as well as the settled community."

We believe this means that, at the very least, local authorities should be working with BW (and other navigation authorities such as the EA and Broads Authority) to ensure the adequate provision of 14-day moorings - the bargee traveller's equivalent of a transit site - rather than acting with BW on local mooring strategy groups to reduce the amount of 14-day mooring space. It is in the councils' interests to address our concerns, because reducing this mooring space will result in boaters becoming homeless and becoming a burden on council services whereas at present we are self sufficient.

The Human Rights Act

Through the Human Rights Act, Article 8 of the European Convention on Human Rights entitles everyone in the UK to respect for their home, family and private life. This includes the homes (ie the boats) of people who live on boats. Interference with one's home is a violation of these rights and is viewed as a very serious matter by the European Court (see for example Kay and others v UK 2010). Local authority policies must comply with the Human Rights Act.

Changes in mooring policy proposed by BW through the Local Mooring Strategy

The new policies proposed by BW are designed to implement changes which are inconsistent with the 1995 Act, for example charging for overstaying, non-return policy and no renewal of the annual boat licence unless any overstaying charges are paid to BW. The sanctions for non-compliance in any of these new policy areas is ultimately the removal of the licence, which in turn could lead to a seizure of the boat and result in homelessness.

The non-return policy and the other changes such as reducing the amount of 14-day mooring space proposed by BW means that boat dwellers without moorings will be compelled to travel much further

than the 1995 British Waterways Act requires of them. This ignores the fact that many residents have jobs and many children are enrolled in local schools. The non-return policy and possible reduction in 14-day mooring space will present travelling boat dwellers with an impossible choice between the threat of losing their boat licence and therefore their home, and staying in employment or maintaining their children's education.

Costs to the local authority

Any increase in homelessness caused by the change in BW mooring policies will place increased pressure on social housing and other associated welfare benefits, particularly housing benefit. It could also lead to an increase in claims for jobseekers' allowance for those who remain on their boats but comply with mooring rules that take them too far away from their workplace to be able to travel to work. The local authority should realise the potential financial implications of the proposals and unlawful enforcement by BW, as well as social and economic costs.

The immediate priorities and demands of travelling boat dwellers.

6.The Core Strategy should not result in any decrease in the rights of boat dwellers .

7.The Core Strategy should comply with Article.8 of the Human Rights Act with regard to travelling boat dwellers and recognise that the "progressive journey approach" is contrary to this.

8.The Core Strategy should be compliant with the 2010 Equalities Act and deliver the obligations identified in S.255 of the Housing Act 2004 with regard to travelling boat dwellers.

Change sought to make sound:

Representation (legal compliance):

Change sought to make legally compliant:

Respondent Number: 259 Respondent: Edmund Bruegger

RepresentationReference: 259\1

Plan Reference: Chapter 1: Vision and District-wide Strategy

Representation Whilst support is provided to the District Wide Spatial Strategy, objections are lodged to a number of **(soundness):** criteria namely 1 (e), 2 3 as follows:

With criteris 1e, support is given to the principle of development being located in the rural areas at settlements with a good range of local facilities. This is in line with the advice in Planning Policy statement 7, 'Sustainable Development in Rural areas' which states: (paragraph 3)

"Away from larger urban areas, planning authorities should focus most new development in or near to local service centres where employment, housing (including affordable housing) services and other facilities can be provided close together. This should help to ensure these facilities are served by public transport and provide increased opportunities for access to walking and cycling. These centres which might be a country town, a single large village or a group of villages should be identified in the development plan as the preferred location for such development."

Objections are lodged on the basis that there is no definition of 'good access to public transport', neither is there any acknowledgement that development will sustain and improve existing services, facilities and public transport. The criteria needs to be amended to recognise that new development can sustain and improve public transport and other facilities within settlements in the Rural Areas.

Objections are lodged to the proposed net housing increase of 11,000 new houses in the period 2006-2026. However, it is apparent from paragraph 1.26 that this housing provision excludes 'windfall housing development' for which there is no specific requirements. This is unacceptable and provides no

transparency in terms of the precise housing provision for the District and accordingly no certainty on housing delivery. This is contrary to national planning policy.

Objections are lodged on the basis that the overall housing provision is too low and does not adequately take into account population growth, migration, household formation and economic growth in the area. If a proper analysis of these issues were undertaken the level of housing growth would be considerably higher i.e. approximately 21,300 new dwellings.

In this respect the submissions made by the Home Builders Federation are supported, particularly:

-The South West Regional Spatial Strategy remains the emerging spatial plan for the region and as such should be accorded significant weight - the housing requirement figure within the document (21,300 for BANES) was the outcome of a lengthy public examination based on credible evidence.

-The Housing requirement figure is too low and lower than the figure submitted by the Regional Assembly for the draft RSS.

- Based on the West of England Strategic Housing Market Assessment, the current housing requirement would not satisfy the demand for affordable housing let alone the need for open market housing.

- A revised housing figure must take into account the Council's shortfall in meeting the housing requirements to date. The average completion rate for the period 2006-2010 was 198 dwellings compared to the RSS requirement of 1,065 dwellings per annum.

Change sought to make sound: The Core Strategy should acknowledge that additional growth in rural areas can help sustain existing services and facilities. It should also clarify certain terminology such as "good access to public transport" etc.

The Core Strategy should clearly set out the level of housing provision for the period 2006-2026, including windfall development. In any event the housing provision is too low and should be increased to 21,300 new dwellings to take account of the actual need for additional housing in the District based on an analysis of the evidence.

Representation (legal compliance):

Change sought to make legally compliant:

Representation Reference: 259\2

Plan Reference: Chapter 5: Rural Areas

Representation Rural Areas

(soundness): Paragraph 5.13 Policy Framework – Page 94

Support is given in principle to the provision of new residential and employment development in the rural areas. However, objections are lodged on the basis that the level of new housing provision in the Rural Areas is too low. Paragraph 5.13 states that there will be "around 800 houses and 500 jobs in the rural areas including an additional 250 dwellings in excess of existing commitments".

Given the clearly identified need both for open market and affordable dwellings in the Rural Area it is considered that 250 new dwellings in the period up to 2026 is totally insignificant and will not assist in meeting the high need for housing development in the Rural Areas. It is considered that the level of new housing development in the rural areas should be increased to up to 2,000 new dwellings. Objections have already been made in respect of the Policy DW1 District Wide Strategy.

Change sought to make sound:

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 259\3

Plan Reference: Policy RA1: Development in the Villages meeting the listed criteria

Representation Meeting Local Needs for Housing and Employment

(soundness): Paragraphs 5.17 – 5.21

Support is given to the identification of Temple Cloud as a rural settlement which can accommodate additional residential development. The settlement meets all of the requirements in paragraph 5.13 in that:

- i)It has a good range of facilities including a school, community hall and shop, as well as public transport;
- ii)The Parish Council support the principle of additional residential development and are preparing a Parish Plan to guide future development. At present land to the south of Temple Inn Lane has support as the preferred site to accommodate additional development in Temple Cloud. It will be able to consolidate the village form, provide housing to meet both general and local housing needs as well as other identified local needs such as allotments. The site is free from statutory environmental and landscape constraints and there are no technical constraints such as access, drainage etc which would prohibit its development;
- iii)There is capacity for development in the village as stated above.

Objections are however lodged to paragraph 5.21 which states that the scale of development in villages identified in Policy RA1 will be up to and around 30 dwellings. It is unclear from the submitted evidence base where this figure has been derived. There are clearly some rural settlements which could and should accommodate additional development.

One such settlement is Temple Cloud. This quantum of development would sustain and enhance local services and facilities. It is therefore recommended that the figure of 30 dwellings be replaced by up to 50 dwellings as being more appropriate.

Change sought to make sound:

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 259\4

Plan Reference: Policy CP9: Affordable Housing

Representation Policy CP9 – Affordable Housing

(soundness):

It is clear from past delivery rates of affordable housing that the percentage of affordable housing is nowhere near being met and therefore to propose a requirement of 35% would be setting an unachievable target.

The proposed site size threshold of 1.5 ha or 10 dwellings which would trigger a need for affordable housing is not based on sound evidence. Such a low threshold would result in smaller developers being priced out of the market as they would be financially be unable to provide affordable housing on these smaller sites. A higher site size threshold should be proposed.

We object to the blanket split between social rented and affordable intermediate housing as 75:25 respectively. The tenure split should be site specific and based on the local needs of the area.

Furthermore, the issue of economic viability has not been taken into account in the formulation of this policy. The policy, the proportion of affordable housing requested the tenure split and the site size threshold are all unsound unless they are underpinned by a viability assessment in line with national policy and the decision in Blyth Valley DC v Persimmon Homes (North East) Limited [2008].

The Core Strategy is largely dependent on the delivery of open market housing to assist in addressing the affordable housing needs of the District. Developer viability is therefore the key consideration in determining the extent to which affordable housing can be provided as part of a package of development on individual sites. In this regard, paragraph 29 of PPS3 'Housing', which relates to affordable housing, notes the importance of likely economic viability. Furthermore, the policy is at odds with Policy DW1 of the Pre-Submission Core Strategy. Policy DW1 is derived from what can be delivered in the District whereas Policy CP9 is derived from need. Whilst we have objected to the way in which the overall housing level has been calculated there needs to be a consistent approach to these policies.

Change sought to Changes Required

- make sound:** i) Policy CP9 should make reference to the fact that lower levels of affordable housing provision will be accepted on sites where a viability argument can be demonstrated.
ii) The site size threshold should be increased so as not to discourage smaller house builders from developing sites.
iii) The tenure split between rented and intermediate housing should be site specific and therefore reflect local needs.

Representation (legal compliance):

Change sought to make legally compliant:

Representation Reference: 259\5

Plan Reference: Policy CP10: Housing Mix

Representation Policy CP10 – Housing Mix

(soundness): The principle of providing a mix of housing type and tenure is supported in principle having regard to the existing mix of dwellings in the locality and the character and accessibility of the location. However, within rural Areas where local communities have indicated support for additional development consideration should be given to the view of these communities in terms of the housing mix that should be delivered from allocated site.

Change sought to Policy CP10 needs to be amended to include reference to the view of the local communities which

make sound: would be in line with Policy RA1.

Representation (legal compliance):

Change sought to make legally compliant:

Representation Reference: 259\6

Plan Reference: Policy CP13: Infrastructure Provision

Representation Policy CP13 – Infrastructure Provision – Page 132

(soundness):

Whilst no objection is made to the principle of this policy, there is no reference to the guidance contained within Circular 05/05 'Planning Obligations' and the need for such contributions to be necessary, fair and reasonable, and directly related to the development. Past experience with the Local Planning Authority has demonstrated that contributions sought do not always comply with all the tests in Circular 05/05. Initial requests for contributions by the Local Planning Authority have subsequently been dropped when challenged on the basis of them not being justified.

Change sought to Change Required

make sound: i) Reference needs to be made within Policy CP13 or the supporting text to Circular 05/05 'Planning Obligations' and to the fact that contributions would only be requested when clearly justified.

Representation (legal compliance):

Change sought to make legally compliant:

Respondent Number: 260 Respondent: Sawyer Associates Limited

Representation Reference: 260\1

Plan Reference: Policy RA1: Development in the Villages meeting the listed criteria

Representation Executive Summary

- (soundness):**
1. The potential development site of 3.0 hectares is undeveloped agricultural land adjacent to, but outside, Clutton's current settlement boundary. The site is not subject to any protected landscape or Green Belt designations.
 2. Clutton is currently designated as an indicative RA2 village in the emerging Core Strategy, but it is contended that the correct indicative designation is as a Policy RA1 village.
 3. The Community Facilities Audit of Villages conducted by BANES Council in consultation with the Parish Council underestimates the scope of existing facilities within the village, and grossly underestimates the level of employment activity in the Parish area.
 4. Detailed baseline assessments undertaken by the project team of specialist consultants has confirmed that the site is developable and could be delivered, in whole or part, early in the life of a subsequent site allocation DPD.
 5. No major development constraints have been identified that are likely to have any significant impact on site deliverability, including the ability of the site to meet the full range of planning obligation requirements, as set out in the adopted SPD.
 6. Responses to two contemporary community consultations reveal a slight majority in favour of additional housing to meet the perceived housing need within the village. The majority of those who believe that no further housing is needed in Clutton appear to be from residents adjacent to or living nearby the site.
 7. Clutton meets the three criteria for inclusion on the indicative list of RA1 villages and it is contended that the only reason for it not being so designated are factually incorrect representations made by members of the Parish Council.
 8. The evidence base for Policy RA1 needs to be amended to enable other evidence of community support for additional housing development in order to ensure that it is representative and is compliant with the principles of the forthcoming Localism Act.
 9. Section 9 of this representation contains our formal representations in response to the December 2010 Publication Draft Core Strategy.

1.0 Introduction

1.1 In December 2009, instructed by Sawyer Associates Limited, GL Hearn submitted formal representations to BANES Council advising the availability of a potential housing development of a 3.0ha site at Clutton in respect of the LDF and SHLAA processes. The initial submission provided details of the site, an overview of the project team's approach to the site promotion.

1.2 During the course of 2010 a multidisciplinary assessment of the subject site's development potential was undertaken. An interim evidence base submission summarising the technical work was submitted to the Council in November 2010. The interim evidence base provides evidence that the subject site could contribute to meeting housing growth in the BANES rural area over the emerging Core Strategy plan period to 2026.

1.3 This statement consolidates the information provide in the two previous submissions, provides an overview of recent consultation undertaken in the village, and sets out a response to the December

2010 Publication Version of the BANES Draft Core Strategy in Sections 9 and 10. The project team remains committed to working with the Council and the local community to deliver this potential exemplar site.

2.0 Project Team

2.1 The core project team comprises the following parties:

Landowner: Neville Harvey
Developer: Sawyer Associates Limited
Planning Consultant: GL Hearn
Transport Consultant: FMW Consultancy
Architect/Urban Designers: Focus on Design
Civil Engineer: Clarke Bond
Landscape Consultant: Nicholas Pearson Associates
Ecological Consultant: The Badger Consultancy
Land Surveyors: Brunel Surveys Limited

3.0 Context Assessment

3.1 The site of approximately 3.0ha is located South of Maynard Terrace, Clutton. The site is presently undeveloped and its lawful use is agricultural. Refer to Appendix A for an aerial location plan.

3.2 The site slopes down from Maynard Terrace to a non main river water course on its southern boundary, and benefits from a south facing aspect. Known locally as the Greensbrook, the stream merges with others, before eventually joining the Cam Brook, below Hallatrow. There is existing agricultural vehicular access to the site from Maynard Terrace.

4.0 Evidence Base

4.1 The multidisciplinary project team has compiled detailed baseline assessments that confirm the developability and deliverability of the site. Meetings have been sought with the Planning Policy team to submit the full evidence base, but they are not meeting to discuss individual sites until later in the planning process. The work undertaken to date is summarised below:

Topography

4.2 A full topographical site survey underpins the various consultant reports that comprise the detailed evidence base.

Drainage, Utilities and Flood Strategy

4.3 Clarke Bond's drainage strategy confirms that the site constraints can be managed by adopting the following proposals:

- Surface water drainage will be to the existing watercourse, by gravity and can be restricted to the greenfield run-off rate, with on-site attenuation of a 1:100 year event with a 30% allowance for climate change, and incorporates Sustainable Urban Drainage Systems, such as retention ponds.
- The existing Wessex Water gravity sewers, the rising main and the culvert renewal have been incorporated in the conceptual master plan, and Wessex Water have confirmed that some additional foul storage will be required at the downstream Wessex pumping station.
- The majority of the site lies within Flood Risk Zone 1. Only a small area of the site falls within Flood Zones 2 and 3. Accordingly the constraints plan recommends a buffer zone and retention pond to the south west boundary.

Highways

4.4 Reports, including traffic and pedestrian surveys undertaken by FMW Consultancy indicate that the existing highway network can accommodate additional traffic generated by the development of the site. A safe vehicular access can be provided to the site, and there is scope to create pedestrian and cycle links to the key facilities in the village. The latter point is perceived as important by the majority of attendees at the Village 'Drop-In' to discuss development in Clutton which the developer organized and took place on the 13th January 2010.

Ecology

4.5 The Badger Consultancy, of Builth Wells, have monitored the site since March 2010 and to date have not identified any significant ecological constraints. The emerging masterplan for the site will maximize opportunities for enhancement to biodiversity through strategic planting and land modeling.

Arboricultural Survey

4.6 Tree Maintenance Limited have identified no major constraints, as the wooded area is largely confined to the perimeter and therefore within the area identified for preservation because of ecological, flooding and drainage considerations. No felling of any significant trees is proposed.

Landscape and Visual Assessment

4.7 Nicholas Pearson Associates have undertaken landscape and visual appraisal of the site. They have confirmed that the future development of the site would not result in a significant impact upon the wider landscape character of Clutton, and that visual impact will be local only. The key recommendations are summarised below:

- Avoid unacceptable adverse effects on important physical features such as trees, hedgerows and overall landscape character.
- Respond to the character of the local built form with the principal influence on the layout of the site being the terraced housing along Maynard Terrace.
- Consider the openness of the Green Belt which lies near to the site.
- Safeguard existing mature trees and hedgerows.
- Respond to the local vernacular character and avoid 'suburbanisation' of the area.
- Consider new vehicle access points in regard to local topography and the landscape design of sustainable drainage features and areas of public open space.
- Recommends a holistic approach is made to the landscape and external realm through the creation of multi functional landscapes (green infrastructure).

Views of the site prepared by Nicholas Pearson Associates are contained in Appendix C.

Design approach and capacity assessment

4.8 Focus Design have evaluated the site constraints develop an overall scheme for the site. The context and recommendations of the consultant team have been combined to produce a constraints plan shown at Appendix D, and a conceptual site layout schematic at Appendix E.

4.9 Focus Design, whose core expertise lies in new build greenfield housing development, have advised that the subject site has potential to accommodate a scheme of 75 to 90 dwellings.

Viability

4.10 Sawyer Associates Ltd have undertaken a preliminary viability assessment taking into account the development constraints, and assuming the stabilisation of the housing market. This has confirmed that the site is capable of meeting the current and proposed level of s.106 planning obligations including the delivery of affordable housing on a nil subsidy basis. The viability model will be regularly updated, and can be shared with the Council on a confidential basis. However, on the basis of available information the project team is satisfied that the proposed development of the site is viable.

Conclusions

4.11 The evidence base work to date has proved that the site is physically capable of supporting housing development. Advice from the specialist consultant team has confirmed that the impact of future development can be appropriately mitigated.

5.0 Planning Context

5.1 The site is located adjacent to, but outside, Clutton's settlement boundary, as shown on the adopted Local Plan's proposals map. There are no other planning constraints applicable to the site.

5.2 The majority of the site, which slopes steeply up from the water course, lies within Flood Zone 1, as

shown on the Environment Agency's indicative flood risk map.

5.3 Clutton is located approximately 20 km to the south west of Bath. In the adopted Local Plan it is classed as an R1 settlement under Policy SC.1 of the adopted Local Plan, which reflects its size and range of existing facilities.

5.4 Clutton has a population of 1,557 comprised of 633 households (2007 figure source: - www.parish-online.co.uk) and also functions as a single conurbation with Temple Cloud, which lies approximately 1km to the south, and linked by the A37.

5.5 Temple Cloud lies in the Mendip ward, as opposed to the Clutton ward, and the 2001 census records the population as 2,751 for this ward. Temple Cloud is the largest settlement in the Mendip ward, which also includes smaller settlements such as Hinton Blewitt, West Harptree and East Harptree.

5.6 Of the 14 rural settlements in the BANES rural area that were 'C' classified using the methodology in the now revoked RSS, Temple Cloud and Clutton are among the most accessible. They are benefit from good road links to Bath and Bristol, a regular bus service to Bristol, and an indirect bus service to Bath.

5.7 The Bath/Bristol statutory Green Belt abuts the northern part of Clutton and extends over the whole northern part of the district. However, the subject site is not constrained by the Green Belt or any national or local protected landscape designations

6.0 Community Facilities Audit

6.1 The 2008 audit, which was reviewed by the Parish Council in consultation with officers from BANES, summarises the community facilities within Clutton as follows:

1 community meeting place (CMP).

1 Sports facility (SF).

2 Children's Play areas (CPA).

1 Post office (PO)

1 Library/Mobile Library (LMH)

2 Shops (A1)

3 Pubs/Restaurants/Take away (A3 Uses)

1 pre-school provision (PS).

1 Primary School (SCH).

2 Other sources of employment (OTH).

At least daily bus services.

6.2 The audit does not list a number of other community facilities within the village.

1 Shops (A1); the retail premises most recently used as a curtain shop, previously a minimarket/general stores.

1. CF Specialist care facility; (Warwick Gardens supported housing – 10 one bed bungalows with non-resident management staff (part time) and community alarm service.

9 Workshops (Classic motorcycle parts, paint finishes and sales, two car servicing business, a specialist Ducati motorcycle servicing and parts business, a signage business, steel erectors/contractors, window, door and conservatory fitters, and composite stone manufacture and sales.

4 Offices; as part of distribution businesses; a leading e-bay retailer, a supplier of toiletries, suppliers and retailers of African and Indian exotic products and a worldwide warehousing and distribution business.

5 Factories; Fibreglass roof and gutter fabrication, a leading independent cider producer, production of abrasive products, envelope manufacture and sales, printing and distribution of business forms.

There are further businesses whose operation it was not possible to verify

6.3 These additional businesses are detailed in Appendix B

6.4 Clutton also benefits from the presence of two other community facilities in the shape of the Cabin

and Scout Hut; which offer a youth club, scouts, brownies, guides and beaver packs, but are not counted on the 2008 audit or the recent revision that has taken account of as evidence for the emerging Core Strategy for the Rural Areas.

6.5 A recent survey also identifies a number of other voluntary associations operating within the village; Mother and toddler group, jigsaw group, Womens' Institute, Mothers' Union, history group, horticultural society, joggers, aerobics and Neighbourhood Watch scheme.

6.6 Clutton facilities are augmented by those in Temple Cloud, which include the following:

- 1 Sports Facility
- 1 Children's Play Area
- 1 Doctor's surgery
- 1 Garage
- 1 Petrol Filling Station
- 1 Library/Mobile Library
- 3 Pubs/Restaurants/Take away (A3 Uses)
- 1 Pre-school provision
- 1 Specialist care facility

6.7 As demonstrated above, the Clutton/Temple Cloud conurbation has a wide range of existing community facilities, and local employers.

7.0 Development Opportunity

7.1 Because of Green Belt constraints around Clutton and Temple Cloud, the prospective development site, which is not subject to Green Belt or protected landscape designations, represents the most logical opportunity to meet the local community's development needs over the LDF plan period to 2026. The site relates well to the existing Clutton settlement.

7.2 New development will assist in supporting existing community facilities, which may otherwise become unviable due to demographic trends towards smaller household sizes.

7.3 The developer is advancing the site for housing and community use, with the intention of advancing an application for smaller homes, low cost homes, accommodation for people wishing to downsize, homes for younger people with existing connections with Clutton and to provide additional accommodation for retired people.

7.4 The evidence base reveals no major constraints on development and supports the case that the site is capable of rapid delivery and will be able to meet the social housing and other obligations under a section 106 agreement to be negotiated with the LPA.

7.5 There is community support for development of additional housing to meet the the needs of the village, as they are perceived by local residents. The developer and landowner intend to enter a formal consultation process that will build on the informal consultations that have already taken place (See Section 8).

7.6 One other site that has been registered for potential allocation through the BANES SHLAA process is land at Church Farm, abutting Station Road and the A37. We are not aware of any other non Green Belt sites that are being promoted by landowners/developers in the Clutton area.

8.0 Community Consultation

Parish Council

8.1 Initial approaches to the Parish Council seeking consultations were not welcomed and relations with the Parish Council have continued to be problematic. Our approaches, the responses from the Parish Council and additional relevant information are summarised below. The relevance of reporting the detail of this dialogue is in relation to the role that Parish Councils are proposed to take in the

delivery of development in the BANES rural areas, as set out in the emerging Core Strategy.

On the 18th January 2010 we approached the PC to put on record a document stating that we had included the land opposite Maynard Terrace in representation to the BANES Council proposing it's inclusion in the Strategic Housing Land Availability Assessment (SHLAA) and also as a potential future allocation in the emerging BANES Local Development Framework.

In the context of our public submission we informed the PC that the purposes for which we were registering the land included provision of: social housing, open market housing, employment and/or community use. An informal consultation process with the Parish Council on the planning merits of the potential future LDF allocation was requested. This approach was documented and included a copy of the 2009 LDF representations document prepared by GL Hearn. The PC response expressed by the Chairman, was that the request would be dealt with in the appropriate part of the agenda. The only response made by the PC within the relevant agenda item was the Chairman's verbal, but un-minuted, response that the land would make a very 'useful additional playing field for the school'.

This serious request for consultation was made pursuant to the duty imposed on potential developers to approach Parish Councils at the earliest possible stage to seek informal, then formal consultation, as advised in the adopted BANES Statement of Community of involvement (SCI). In that context the response of the PC was wholly unsatisfactory. Notwithstanding the response of the PC, we wrote formally seeking consultations with the PC on 2nd February 2010. On the 16th February the Clerk sent a response from the PC 'having consulted with the members of the planning sub-committee', offering a consultation:

"The Council at its meeting last evening agreed that one or two of its number, and possibly one or two residents from Maynard Terrace, would meet with Mr. Sawyer at some relatively near future date." This appeared to be irregular as the proposal concerned the whole village and not just one or two residents from Maynard Terrace. On professional advice the offer of the meeting was declined, as to accept might prejudice both the PC and the case for development. Thenceforth Sawyer Associates Ltd and the landowner maintained a watching brief and concluded a number investigations into the deliverability of the site (summarised in Section 4).

Overall during the course of the year the consensus among the members of the Parish Council remained opposed to the inclusion of Clutton in the list of C settlements, as per the settlement classification in the RSS, designating the village as suitable for additional residential development of a scale character and appearance appropriate to the village. In the December 2010 Publication Draft Core Strategy, BANES introduced two new policies and made an indicative designation of Clutton as an RA2 village on the basis of 'the views of the Parish Council as the locally elected representative of those communities'. On the 17th January 2011 the Parish Council endorsed the RA2 designation by voting 11 'for' to 1 'abstention'.

Parish Plan

8.2 The Clutton Parish Plan was prepared exclusively by five members of the Parish Council in contravention of best practice guidance (Parish Plans; Guidance for Parish and Town Councillors www.ruralcommunities.gov.uk) which make it clear that the Parish Council should not prepare the Parish Plan. It is recommended that Parish Plans are prepared by a representative body drawn from the whole community. The exceptions to this rule are for very small rural communities and not applicable to a parish the size of Clutton.

8.3 Unfortunately consultation responses to the Parish Plan were received from only 5% of the households in the village. In terms of additional housing, the Parish Plan identifies the following 'desired outcomes' on pages 32-33.

Some starter homes available for young buyers.

Local village people given the opportunity to stay in the village.

Enough housing for elderly people to stay in the village but without greatly increasing the housing stock.

No large scale development on any new sites in the village.

Sawyer Associates/Landowner Clutton Village Drop-In Event: January 2011

8.4 Given the paucity of consultation with members of the community as part of the Parish planning process, and the lack of willingness on the part of the PC to engage in an appropriate form of consultation, Sawyer Associates Ltd and the landowner decided to initiate direct consultation with members of the community. Accordingly an open invitation was issued to every household, by distributing a leaflet outlining the issues to be debated and organising a 'village drop-in' to seek views from the community on the advantages and disadvantages of 'Development in Clutton'. A summary of the key responses arising from the consultation event is set out below, with further detailed feedback collated at Appendix F.

8.5 This event was designed to allow people to find out more about the proposed development opposite Maynard Terrace in Clutton and to offer a general forum on the desirability of additional housing development in Clutton.

8.6 92 feedback forms were returned from c240 people attending the meeting. The responses indicate that when leaving the event 33% of respondents opposed development in Clutton, 12% were neutral/undecided and 49% were in favour. It was also apparent that those who were opposed to development were very strongly opposed. In the space allowed for comments, 32% respondents specified a need in the village for low cost/affordable housing, with 20% of people wanting homes for young people and families particularly those with Clutton roots (19%). Copies of forms for make representations to BANES were also given to a large number of attendees who wished to express their views to BANES and/or deposit written responses at the Drop In.

Ward Councillor Parish Survey: December 2010

8.7 At the same time that the project team were organising the drop-in event it transpired that the Ward Councillor, Stephen Wilcox, had initiated a more extensive survey which had been delivered to every household within the village (633). Councillor Willcox has now published an interim report on the responses received to date (194) to his survey. A copy of the published summary sheet is included at Appendix G

8.8 In Councillor Willcox's interim report (January 2011) 47% of residents are in favour of some form of residential development in Clutton and 46% are opposed to it. People were specifically asked what type of housing should be built in the village and 35% of all respondents felt that low cost/affordable housing for young people/families, whilst 22% saw a need for homes for downsizers and 19% for homes for retired people. Only 7% of people felt there was a need for homes for large families. 15% of people wanted homes for people with Clutton connections whilst 9% wanted to attract more people to the village. Interestingly 9% of respondents said that residential development should take place opposite Maynard Terrace while 2% stated that the land should not be built on.

Summary

8.9 In the context of the results of these two consultations it is clear that there is substantial support for additional housing development within the village, provided that it meets the perceived gaps in housing provision within the village.

9.0 Comment on the BANES Draft Core Strategy

9.1 We have set out below comments on individual policies of the December 2010 Publication Version of the BANES Draft Core Strategy, followed by our comments in prescribed form as section 10: Policy 1d District Wide Spatial Strategy

9.2 We have a general concern in relation to the very significant reduction in the overall housing requirement for the BANES administrative district over the plan period in comparison to the previous RSS housing figures for the district. Assumptions relating to lower economic activity and anticipated

levels of in-migration and not considered to be well founded. We support the detailed representations on this key issue that will be submitted on behalf of the development industry by the HBF.
Policy DW1 District Wide Spatial Strategy

9.3 Notwithstanding our concerns over the overall housing requirement for the BANES administrative district, as described above, we support in proportion the proposed distribution of the housing and employment growth throughout the district. However, should the overall quantum of housing growth be increased it is considered that the rural area has capacity to absorb a proportionate increase in its allocation.

Policies RA1/RA2

9.4 Clutton is currently designated as an indicative RA2 village in the draft Core Strategy. However, we contend that the village's correct indicative designation is as an RA1 village on the following grounds:

- The community facilities audit of villages understates the community facilities and grossly understates the local employment activity. These facilities have been carefully reviewed and presented in section 6 of this report, and additional information on employment sites and businesses within the village is contained in Appendix B. We consider that Clutton meets the community facilities and transport criteria for inclusion in Policy RA1
- The Parish Plan, an informal community consultation and the preliminary results of the Ward Councillor's survey of the Parish, reveal substantial support for additional housing development, provided that it meets the housing needs of the village.
- The majority of those stating that the village requires no further housing development are residents of homes adjacent to or very close to the land that we are promoting for allocation as part of the Core Strategy process.

9.5 In 5.17 on page 96, the housing and employment aims are expressed as "A number of villages have been identified where:

- access to facilities and public transport is best
- there is capacity for development
- there is community support for some small scale development"

These villages are to be the focus for new small scale development under policy RA1. Community support is demonstrated by the views of the Parish Council as the locally elected representative of those communities."

9.6 These principles are expressed in Policy RA1 which sets three criteria for the policy to be applicable to a settlement in the rural areas.

- a at least 3 of the following key facilities within the village: post office, school, community meeting place and convenience shop, and
- b at least a daily Monday-Saturday public transport service to main centres, and
- c local community support for the principle of development can be demonstrated.

Criterion a

9.7 Clutton meets the criterion as stated above and arguably exceeds them in the light of the more extensive list of facilities detailed in section 6 of this statement. While the shopping facilities within the settlement are not sufficient to supply all household needs, as evidenced by the support for a community shop detailed in the Ward Councillor's survey, there are nonetheless four retail premises within the village (post office and some retail goods, a butchers, hairdressers and one unit in Venus lane that appears to be vacant at present).

9.8 In addition Clutton has more facilities, particularly employment activity than those detailed in the Parish audit of facilities that is part of BANES data on the village (see section 6 of this submission and Appendix B). This demonstrates that the formulation of Policy RA1, as currently drafted, is not based on reliable evidence.

Criterion b

9.9 Clutton meets the criterion as stated, with direct daily Monday to Saturday bus services to Bristol and Radstock, and an indirect service to Bath. The need for a direct bus service to Bath was commented on by a number of residents in the Ward Councillor's survey, at the Drop In and in the Parish Plan.

Criterion c

9.10 It is considered that the Core Strategy is unsound with regard to criterion c, which is clarified on 5.17 on page 96 as being based on the views of the local parish council as the locally elected representative of the community.

9.11 In the case of Clutton, the Parish Council voted eleven 'for' to one 'abstention' in favour of Clutton remaining within RA2 is demonstrably unrepresentative of the community in Clutton as demonstrated by the recent village drop-in, which recorded 45 responses in favour of additional housing, with 31 opposed of the 92 forms returned. Additionally the Ward Councillor's survey of the parish, reveal that of the responses received to date and published in his interim results 91 households are in favour of additional housing in the village and 89 against, out of the 194 forms reported as being received. This represents an overall response rate to date of 30.6%.

9.12 The village survey conducted as part of the Parish Plan, elicited responses (verbal and written) from approximately 5% of households, suggesting 32 responses were received. Even on the basis of such a low response, desired outcomes listed on page 32 of the plan include; starter homes available for first time buyers, local village people given the opportunity to stay in the village and additional housing to enable elderly people to stay in the village. The Parish Plan was compiled by a committee entirely comprised of Parish Council members and its status as a representative document is clearly open to question.

9.13 In the light of the fact that the members of the Parish Council were 'deemed elected' having been co-opted, rather than being elected by a democratic Parish Council election, the status of the PC's representations to the emerging Core Strategy 'as the locally elected representative of those communities' (Core Strategy para 5.17 on page 96) must be called into question, particularly in the light of the responses to the community consultations.

9.14 In the context of the foregoing it is contended that the criteria for 'local community support', as set out in criterion c of policy RA1, is to be justifiable and representative, then it needs to be amended to allow for other evidence of community support in addition to the views of the Parish Council alone. In the light of the forthcoming enactment of the Localism Bill this assumes particular importance. In the absence of such an amendment the Core Strategy for the Rural Areas it is considered to be unsound, and could be open to challenge.

9.15 In the context of Policy DW1 (affordable housing provision target in BANES), and policies RA1, RA2, and RA4, it is contended that new green field sites (outside the Green Belt) must be allocated for development in the BANES rural area to create sufficient economies of scale for the open market housing element to cross subsidise the provision of affordable housing. Land within the existing settlement boundaries cannot be relied upon to deliver the required quantum affordable housing as typically sites within villages are too small, and have higher base land values.

Change sought to Revise policies RA1, RA2 and RA4 and review the evidence base for d and DW1 housing targets to
make sound: reflect more realistic growth and inward migration assumptions.

Representation (legal compliance): 1. Not Justified: In terms of the evidence base relating to the housing requirement for the district 1d and DW1.

2. The evidence base regarding facilities within villages and therefore their suitability for additional housing development is unsound in relation to policies RA1, RA2 and RA4.

3. Policy RA1 criterion c, and the reliance placed on the views of Parish Councillors is unsound, unrepresentative and will not comply with the requirements of the forthcoming Localism Act.

4. Not consistent with National Policy; PPS3 and PPS12 (deliverability and flexibility)

5. The above mentioned policies are not going to meet the requirement for additional affordable housing in the rural areas, particularly for younger families and local people.

Change sought to make legally compliant:

Representation Reference: 260\2

Plan Reference: Policy RA2: Development in the Villages outside the Green Belt not meeting Policy RA1 Criteria

Representation Policies RA1/RA2

(soundness): 9.4 Clutton is currently designated as an indicative RA2 village in the draft Core Strategy. However, we contend that the village's correct indicative designation is as an RA1 village on the following grounds: The community facilities audit of villages understates the community facilities and grossly understates the local employment activity. These facilities have been carefully reviewed and presented in section 6 of this report, and additional information on employment sites and businesses within the village is contained in Appendix B. We consider that Clutton meets the community facilities and transport criteria for inclusion in Policy RA1.

The Parish Plan, an informal community consultation and the preliminary results of the Ward Councillor's survey of the Parish, reveal substantial support for additional housing development, provided that it meets the housing needs of the village. The majority of those stating that the village requires no further housing development are residents of homes adjacent to or very close to the land that we are promoting for allocation as part of the Core Strategy process.

9.5 In 5.17 on page 96, the housing and employment aims are expressed as;

"A number of villages have been identified where:

- access to facilities and public transport is best
- there is capacity for development
- there is community support for some small scale development"

These villages are to be the focus for new small scale development under policy RA1. Community support is demonstrated by the views of the Parish Council as the locally elected representative of those communities."

9.6 These principles are expressed in Policy RA1 which sets three criteria for the policy to be applicable to a settlement in the rural areas.

- a at least 3 of the following key facilities within the village: post office, school, community meeting place and convenience shop, and
- b at least a daily Monday-Saturday public transport service to main centres, and
- c local community support for the principle of development can be demonstrated.

Criterion a

9.7 Clutton meets the criterion as stated above and arguably exceeds them in the light of the more extensive list of facilities detailed in section 6 of this statement. While the shopping facilities within the settlement are not sufficient to supply all household needs, as evidenced by the support for a community shop detailed in the Ward Councillor's survey, there are nonetheless four retail premises within the village (post office and some retail goods, a butchers, hairdressers and one unit in Venus lane that appears to be vacant at present).

9.8 In addition Clutton has more facilities, particularly employment activity than those detailed in the Parish audit of facilities that is part of BANES data on the village (see section 6 of this submission and Appendix B). This demonstrates that the formulation of Policy RA1, as currently drafted, is not based on reliable evidence.

Criterion b

9.9 Clutton meets the criterion as stated, with direct daily Monday to Saturday bus services to Bristol

and Radstock, and an indirect service to Bath. The need for a direct bus service to Bath was commented on by a number of residents in the Ward Councillor's survey, at the Drop In and in the Parish Plan.

Criterion c

9.10 It is considered that the Core Strategy is unsound with regard to criterion c, which is clarified on 5.17 on page 96 as being based on the views of the local parish council as the locally elected representative of the community.

9.11 In the case of Clutton, the Parish Council voted eleven 'for' to one 'abstention' in favour of Clutton remaining within RA2 is demonstrably unrepresentative of the community in Clutton as demonstrated by the recent village drop-in, which recorded 45 responses in favour of additional housing, with 31 opposed of the 92 forms returned. Additionally the Ward Councillor's survey of the parish, reveal that of the responses received to date and published in his interim results 91 households are in favour of additional housing in the village and 89 against, out of the 194 forms reported as being received. This represents an overall response rate to date of 30.6%.

9.12 The village survey conducted as part of the Parish Plan, elicited responses (verbal and written) from approximately 5% of households, suggesting 32 responses were received. Even on the basis of such a low response, desired outcomes listed on page 32 of the plan include; starter homes available for first time buyers, local village people given the opportunity to stay in the village and additional housing to enable elderly people to stay in the village. The Parish Plan was compiled by a committee entirely comprised of Parish Council members and its status as a representative document is clearly open to question.

9.13 In the light of the fact that the members of the Parish Council were 'deemed elected' having been co-opted, rather than being elected by a democratic Parish Council election, the status of the PC's representations to the emerging Core Strategy 'as the locally elected representative of those communities' (Core Strategy para 5.17 on page 96) must be called into question, particularly in the light of the responses to the community consultations.

9.14 In the context of the foregoing it is contended that the criteria for 'local community support', as set out in criterion c of policy RA1, is to be justifiable and representative, then it needs to be amended to allow for other evidence of community support in addition to the views of the Parish Council alone. In the light of the forthcoming enactment of the Localism Bill this assumes particular importance. In the absence of such an amendment the Core Strategy for the Rural Areas it is considered to be unsound, and could be open to challenge.

9.15 In the context of Policy DW1 (affordable housing provision target in BANES), and policies RA1, RA2, and RA4, it is contended that new green field sites (outside the Green Belt) must be allocated for development in the BANES rural area to create sufficient economies of scale for the open market housing element to cross subsidise the provision of affordable housing. Land within the existing settlement boundaries cannot be relied upon to deliver the required quantum affordable housing as typically sites within villages are too small, and have higher base land values.

Change sought to Revise policies RA1, RA2 and RA4 and review the evidence base for d and DW1 housing targets to
make sound: reflect more realistic growth and inward migration assumptions.

- Representation (legal compliance):**
1. Not Justified: In terms of the evidence base relating to the housing requirement for the district 1d and DW1.
 2. The evidence base regarding facilities within villages and therefore their suitability for additional housing development is unsound in relation to policies RA1, RA2 and RA4.
 3. Policy RA1 criterion c, and the reliance placed on the views of Parish Councillors is unsound, unrepresentative and will not comply with the requirements of the forthcoming Localism Act.
 4. Not consistent with National Policy; PPS3 and PPS12 (deliverability and flexibility)

5. The above mentioned policies are not going to meet the requirement for additional affordable housing in the rural areas, particularly for younger families and local people.

Change sought to make legally compliant:

RepresentationReference: 260\3

Plan Reference: Chapter 1: Vision and District-wide Strategy

Representation Policy 1d District Wide Spatial Strategy

(soundness): 9.2 We have a general concern in relation to the very significant reduction in the overall housing requirement for the BANES administrative district over the plan period in comparison to the previous RSS housing figures for the district. Assumptions relating to lower economic activity and anticipated levels of in-migration and not considered to be well founded. We support the detailed representations on this key issue that will be submitted on behalf of the development industry by the HBF.

Policy DW1 District Wide Spatial Strategy

9.3 Notwithstanding our concerns over the overall housing requirement for the BANES administrative district, as described above, we support in proportion the proposed distribution of the housing and employment growth throughout the district. However, should the overall quantum of housing growth be increased it is considered that the rural area has capacity to absorb a proportionate increase in its allocation.

Change sought to Revise policies RA1, RA2 and RA4 and review the evidence base for d and DW1 housing targets to **make sound:** reflect more realistic growth and inward migration assumptions.

Representation (legal compliance): 1. Not Justified: In terms of the evidence base relating to the housing requirement for the district 1d and DW1.

2. The evidence base regarding facilities within villages and therefore their suitability for additional housing development is unsound in relation to policies RA1, RA2 and RA4.

3. Policy RA1 criterion c, and the reliance placed on the views of Parish Councillors is unsound, unrepresentative and will not comply with the requirements of the forthcoming Localism Act.

4. Not consistent with National Policy; PPS3 and PPS12 (deliverability and flexibility)

5. The above mentioned policies are not going to meet the requirement for additional affordable housing in the rural areas, particularly for younger families and local people.

Change sought to make legally compliant:

RepresentationReference: 260\4

Plan Reference: Policy RA4: Rural Exception Sites

Representation 9.15 In the context of Policy DW1 (affordable housing provision target in BANES), and policies RA1,

(soundness): RA2, and RA4, it is contended that new green field sites (outside the Green Belt) must be allocated for development in the BANES rural area to create sufficient economies of scale for the open market housing element to cross subsidise the provision of affordable housing. Land within the existing settlement boundaries cannot be relied upon to deliver the required quantum affordable housing as typically sites within villages are too small, and have higher base land values.

The above mentioned policies are not going to meet the requirement for additional affordable housing in the rural areas, particularly for younger families and local people.

Change sought to Revise policies RA1, RA2 and RA4 and review the evidence base for d and DW1 housing targets to **make sound:** reflect more realistic growth and inward migration assumptions.

Representation (legal compliance): 1. Not Justified: In terms of the evidence base relating to the housing requirement for the district 1d and DW1.

2. The evidence base regarding facilities within villages and therefore their suitability for additional housing development is unsound in relation to policies RA1, RA2 and RA4.
3. Policy RA1 criterion c, and the reliance placed on the views of Parish Councillors is unsound, unrepresentative and will not comply with the requirements of the forthcoming Localism Act.
4. Not consistent with National Policy; PPS3 and PPS12 (deliverability and flexibility)
5. The above mentioned policies are not going to meet the requirement for additional affordable housing in the rural areas, particularly for younger families and local people.

Change sought to make legally compliant:

Representation Reference: 260\5

Plan Reference: Policy RA1: Development in the Villages meeting the listed criteria

Representation On the second of December 2010 I attended the BANES Full Council meeting and made a

(soundness): representation in relation to the draft Core Strategy for public consultation. I made three points in relation to the rural areas:

1. That, if the basis of the inclusion or exclusion of a village in 'focus' category was based on representations from a minority of PC members, then the application of the policy would be unrepresentative, undemocratic and result in further stagnation in villages where development may be seen as desirable by the residents, whose views are not put forward by the PC, or rather the minority of PC members with which your officers met during the consultation.
2. Second, that to classify a community as a 'focus' village on the basis that 'local community support for the principle of development can be demonstrated', at a single point in time may misrepresent the views of some communities over the period to 2026.
3. That therefore policy RA1 should be an open gateway for the life of the plan so that where the views of a community as to the desirability of development were to change during the course of the LDP then they could avail themselves of 'focus' status. In his summing up, Councillor Gerrish was kind enough to suggest that another look would be taken at the situation in Clutton and also iterated the view that policy RA1 should be, if not an 'open gateway', at least a policy whose local application is reviewed at intervals throughout the life of the LDP.

After the meeting Chris Beaver, of the planning consultancy GL Hearn, wrote to your officers reminding them of my contribution and requesting a meeting. There was no written response. However, my understanding is that during a subsequent conversation between Chris Beaver and Simon de Beer, Mr de Beer explained that the scope and currency of policy RA1 had apparently been misunderstood by both the members and the public, and that in fact it would operate as I suggested in my contribution to the meeting on the 2nd December. I read the latest consultation draft Core Strategy issued on Wednesday 18 December 2010 and noted that the evidence base for demonstrable community support with regard to RA1 is

now clarified as: "These villages are to be the focus for new small scale development under policy RA1. Community support is demonstrated by the views of the Parish Council as the locally elected representative of those communities."

Nowhere in the report can I find clarification of any extension of the opportunity to meet the criteria for policy RA1 during the currency of the LDP. The first point only serves to emphasise the relevance and importance of my contribution to

the debate about the applied of criterion 3 of policy RA1 as I will demonstrate:

In the case of Clutton Parish Council, none of the members of the PC are 'democratically elected', as all the members have been co-opted. In the light of this iteration of the Core Strategy the current classification of Clutton remains invalid.

If the response of your officers is to delete the words 'locally elected' from the policy RA1 criteria, then the entire consultation process is vulnerable to a legal challenge that could have serious consequences, not only for the delivery of much needed new development in the BANES rural areas, but for the legal

status of the emerging Core Strategy.

Unfortunately determining the level and extent of 'community support' in relation to criterion 3 of RA1 will take longer than the consultation period available.

Change sought to As far as I can see, the only alternatives to a procedural challenge are to either:

make sound: 1. Designate Clutton as a 'focus village', pending sufficient evidence of community support according to the existing RA1 criteria, thus giving the community time to elect a representative PC and conduct some consultation. Farmborough has also been granted conditional status, so there is a broad precedent for this approach.

2. In my view, your officers cannot take the lesser step of excluding Clutton from 'focus' status and afford the community the opportunity to demonstrate support, because your officers have based their determination on either a lack of evidence or a material misrepresentation by unelected parish councillors. No account has been taken of the evidence I have submitted based on contemporary written notes of PC meetings, minutes of PC meetings and the Parish Plan. The latter is itself invalid as the members of the Parish Plan Committee were, with one exception, members of the PC. The second point requires rapid written clarification from your officers and we suggest will need to be clarified in the Secretary of State submission version of the Core Strategy, following the conclusion of the current round of consultation;

3. Is or is not policy RA1 to? Remain open as a gateway to development in the rural areas, be reviewed at intervals as suggested by Councillor Gerrish, or to remain a single test to be passed during the term of the consultation to February.

Representation (legal compliance):

Change sought to make legally compliant:

Respondent Number: 261 Respondent: RUH NHS Trust

RepresentationReference: 261\1

Plan Reference: Policy B1: Bath Spatial Strategy

Representation Policy B1

(soundness): This objective should be supported in Policy B1 by adding point 7b: Healthcare - Enable development at existing healthcare facilities to support the infrastructure needs of the population.

Change sought to Policy B1

make sound: This objective should be supported in Policy B1 by adding point 7b: Healthcare - Enable development at existing healthcare facilities to support the infrastructure needs of the population.

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 261\2

Plan Reference: Paragraph 2.26

Representation General

(soundness):

The Trust has recently completed the preparation of an Estate Strategy that comprises its detailed proposals for the development of its site in Bath. The Strategy sets out proposals for the development of its estate over the next 6 years. The proposals have been developed with outline costs, a programme for delivering them and arrangements for funding them.

The Core Strategy correctly identifies the need for healthcare infrastructure within the Council's area to support the anticipated growth in population.

Paragraph 2.26

The Trust has now developed an Estate Strategy for the development of its site and this document takes into account the need for new healthcare infrastructure that is identified elsewhere in the Strategy (the Strategy will be issued to the Council under separate cover). The objectives of the Strategy include the need to improve the built environment to provide first class facilities for the delivery of healthcare for the benefit of patients, staff and visitors and to maximise clinical adjacencies to deliver environments that promote efficient pathways of care. One example of this is the Trust's proposal to bring cancer services into a single building on the site.

Paragraph 2.26 should be amended to refer to the Estate Strategy rather than a "masterplan" and should read:

2.26 The Royal United Hospital is a major sub-regional hospital serving 500,000 people within the district and beyond. The Trust has prepared an Estate Strategy that sets out its proposals for future investment in the site. The Strategy seeks to secure first class facilities for the delivery of healthcare at the hospital.

2.27 The Council will support investment in the development of the hospital to meet the need for health care infrastructure that is identified elsewhere in the Strategy. The Council also acknowledges that part of the site may become surplus to the Trust's requirements and available for other development before 2026.

Change sought to make sound: Paragraph 2.26 should be amended to read:

2.26 The Royal United Hospital is a major sub-regional hospital serving 500,000 people within the district and beyond. The Trust has prepared an Estate Strategy that sets out its proposals for future investment in the site. The Strategy seeks to secure first class facilities for the delivery of healthcare at the hospital.

2.27 The Council will support investment in the development of the hospital to meet the need for health care infrastructure that is identified elsewhere in the Strategy. The Council also acknowledges that part of the site may become surplus to the Trust's requirements and available for other development before 2026.

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 261\3 S

Plan Reference: Policy DW1: District Wide Spatial Strategy

Representation Objectives (soundness):

Objective 6 includes the need to ensure the timely provision of social and physical infrastructure, including health facilities. The Trust fully supports this particular objective and the Policy DW1 that seeks to ensure that infrastructure is aligned with new development and the statement at DW1.4.

Change sought to make sound:

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 261\4 S

Plan Reference: Strategic Objective 6: Plan for development that promotes health and well being.

Representation Objectives (soundness):

Objective 6 includes the need to ensure the timely provision of social and physical infrastructure, including health facilities. The Trust fully supports this particular objective and the Policy DW1 that seeks to ensure that infrastructure is aligned with new development and the statement at DW1.4.

Change sought to make sound:

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 261\5

Plan Reference: Policy CP4: Distric Heating

Representation Policy CP4 (soundness):

Policy CP4 identifies the RUH as a “district heat priority area”. The Trust is currently investing more than £5m in a new gas fired CHP energy system to replace the existing outdated boilers. The CHP will serve the majority of the site. Some buildings within the site will also be provided with their own CHP (including the staff residencies).

The text in Policy CP4 states that: “development will be expected to incorporate infrastructure for district heating, and will be expected to connect to existing systems where and when this is available.” The RUH site is identified in diagram 19 as a district heating hub. However, the Trust has no plans to develop a district heating system or to connect the site to a district heating system before 2026. This policy is not therefore “sound”.

The policy also requires that heating and cooling systems for major development have been selected according to a “heat hierarchy”. “Major development” is not defined in the policy and there is no indication as to how the Trust might need to address this policy in a planning application. The Trust is concerned that additional costs could be imposed on its planning application submissions if it needs to demonstrate such an approach via each major planning application. This is particularly pertinent in the context of its current investment in heat and power infrastructure at the site.

Change sought to Policy CP4

make sound: Omit the RUH from diagram 19.

Define “major development”.

Amend the policy by changing the words “expected” in the first paragraph to read “encouraged”.

Consider deleting the second part of the policy.

Provide guidance as to how applicants could demonstrate compliance with the policy.

Representation (legal compliance):

Change sought to make legally compliant:

Respondent Number: 262 **Respondent:** Woodland Trust

RepresentationReference: 262\1

Plan Reference: Policy CP5: Flood Risk Management

Representation Whilst we are pleased to see this Policy CP5 included in the Draft Core Strategy, it would be further **(soundness):** improved if this policy and para 6.29 contained specific mention of the role of woodland in flood risk management.

The Woodland Trust believes that trees and woodlands can deliver a major contribution to resolving a range of water management issues. They offer opportunities to make positive water use change whilst also contributing to other objectives, such as biodiversity, timber & green infrastructure - see the Woodland Trust publication Woodland actions for biodiversity and their role in water management (pdf) - <http://www.woodlandtrust.org.uk/en/about-us/publications/Pages/ours.aspx>.

Trees and woodland are very well placed to contribute to the emerging agenda of water risk management in the light of a changing climate. For example: -

- Creation of tree and woodland buffers to improve water quality
- Buffers adjacent to surface waters, pollution sources or pollution pathways can improve water quality by reducing sediment, nitrate, phosphate and pesticide concentrations.
- Trees on river banks can help reduce water temperature, thus helping to maintain oxygen levels.

Native woodland creation to improve water quality

- Native woodland creation on arable, improved pasture and urban areas can improve water quality by reducing sediment, nitrate, phosphate and pesticide concentrations.
- Native woodland creation as part of Sustainable urban drainage systems (SUDs) can reduce surface run-off and retain pollutants on brownfield sites.

Restoration of Planted Ancient Woodland Sites (PAWS) in upland headwaters to increase water quality and quantity

- Restoration of PAWS (ancient woodland sites planted with non-native conifers) to broadleaf woodland or other semi-natural habitats can reduce nitrate concentrations by up to 90 per cent and increase local water quantity by 20-50 per cent in very dry regions.
- Restoration can also reduce local streamwater acidification in acid-sensitive areas.

Creation/Restoration of floodplain woodland to alleviate, and slow the rate of, flooding

- The creation or restoration of native broadleaf woodland can lead to a reduction of major and local flood events. Modelling suggests that major flood events can be delayed and attenuated where woodland creation is targeted to bottlenecks in 100-year flood envelopes.
- At the local scale woodland creation also needs to be appropriately targeted. Research by the University of Manchester has shown that increasing tree cover in urban areas by 10 % reduces surface water run-off by almost 6 %.
- The creation of short rotation coppice woodland can lead to a reduction in major and local flood events.

National Policy

Woodland can help adaptation strategies cope with the high profile threats to water quality and volume resulting from climate change. The Forestry Commission's publication, *The Case for Trees in development and the urban environment* (Forestry Commission, July 2010), explains how: 'the capacity of trees to attenuate water flow reduces the impact of heavy rain and floods and can improve the effectiveness of Sustainable Urban Drainage Systems'.

The 2007 Pitt Review (*Learning the lessons from the 2007 floods*, Cabinet Office 2008) highlighted the dangers of surface water flooding and recommended giving Local Authorities new responsibilities for flood risk management and development of surface water management plans, now formalised by the Flood Risk Regulations 2009 and the Floods & Water Management Act 2010.

The Commission for Rural Communities report on England's Upland areas (*High ground, high potential – a future for England's upland communities*, June 2010) recommends that: 'Defra and its agencies should use good practice (such as SCaMP and catchment sensitive farming) to develop models for

public-private investment that secures multiple objectives in upland catchments, maintains water quality, reduces flood risk and potentially provides income for hill farmers and land managers’.

The Agriculture Minister Jim Paice stated in Parliament that ‘trees have a vital role in flood prevention and alleviation’ (Answer to Parliamentary Question, 4/11/2010).

Sub national policy

- The South West Framework Implementation Plan 2009-2012 (Forestry Commission, 2009) contains two key actions – “2.4: Undertake pilot projects using new planting or woodland management to manage river flows and contribute to Water Framework Directive objectives” and “2.5: Develop projects to demonstrate and monitor benefits of riparian planting in reducing river temperatures”.

Delivery

- For instance Wessex Water and FWAG are running a tree planting project in Somerset to help solve flooding issues - <http://www.wessexwater.co.uk/news/threecol.aspx?id=6056>.
- Similarly, United Utilities are pioneering woodland creation in their Bassenthwaite Lake Restoration Programme in the Lake District to help provide future flood protection - http://www.lakedistrict.gov.uk/gtga_np_news-article.htm?newsid=15131.
- In Milton Keynes, the city’s Parks Trust has developed an area of floodplain forest to improve both water and landscape quality, but also to manage the risk of flooding – <http://www.cabe.org.uk/case-studies/floodplain-forest>.
- The National Trust is running a project at their Holnicote Estate in Somerset, supported by Defra and EA, aiming to show how land management can be used to alleviate flood risk and to deliver wider benefits, including improved biodiversity and water quality, carbon stewardship, public access and landscape quality. Work includes new woodland creation - http://www.jbaconsulting.co.uk/Holnicote_Estate.
- Woodland creation at Pontbren in Wales showed that within 2-6 years of trees being planted, water infiltrated into the soil at a rate 60 times greater than on neighbouring grassland - <http://www.forestresearch.gov.uk/website/searchall.nsf/GoogleResultsFR?open=&cx=001774383426470524382:up0y5skrqss&cof=FORID:10&ie=UTF-8&q=pontbren%20case%20study>.

Change sought to The Woodland Trust believes that the full value and potential of trees and woods to help mitigate flooding should be recognised and properly funded at all levels of policy and delivery. We would like to see the wording highlighted in italics above incorporated into Policy CP5 and paragraph 6.29.

make sound:

We would also like to see :

- Greater recognition that natural processes and in particular trees and woodland, should play a role Catchment Flood Management plans, alongside any measures for increased engineering solutions.
- The full value of trees in urban areas recognised in the development by local authorities in flood risk assessments
- Urban tree cover playing a central role in SUDS. Clear responsibility for ownership and maintenance of SUDS
- The role of native trees and woods fully recognised in the development of Local Surface Water Management plans by local authorities.
- Community led action to plant native trees and woods in gardens, streets and community spaces.
- Increased levels of funding for native woodland creation which recognises the benefits of woodland for flood alleviation, and in a range of other ecosystem services, including improving water quality and reducing risk of soil erosion.

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 262\2

Plan Reference: Policy CP13: Infrastructure Provision

Representation We would like to see CP13 include a reference to green infrastructure, as a key component of **(soundness):** delivering healthy neighbourhoods.

- Planning Policy Statement (PPS) 12 requires that Core Strategies are supported by evidence of green infrastructure (Communities & Local Government, 2008, para 4.8).
- Natural England's 'Green Infrastructure Guidance' (NE 176, Natural England, 2009) states that: 'The provision of green infrastructure in and around urban areas is now widely recognised as contributing towards creating places where people want to live and work. The concept of green infrastructure is embodied in the Government's Planning Policy Statements (PPS) 1 and 12. It is an essential component of good planning for urban and rural areas, particularly in the face of climate change'.
- Green infrastructure can bring a wide raft of benefits to local neighbourhoods, particularly by using new native woodland as a delivery tool. An important publication from the Forestry Commission, The Case for Trees in development and the urban environment (Forestry Commission, July 2010), sets out 'The multiple value of trees for people and places – increasing greenspace and tree numbers is likely to remain one of the most effective tools for making urban areas more convivial', and lists (on p.10) the benefits as:
 - Climate change contributions
 - Environment advantages
 - Economic dividends
 - Social benefits.

Change sought to make sound: We would like to see Policy CP13 include a reference to green infrastructure.

Representation (legal compliance):

Change sought to make legally compliant:

Representation Reference: 262\3

Plan Reference: Policy CP6: Environmental Quality

Representation In relation to the Nature conservation section of Policy CP6, whilst we are pleased to see the wording '**(soundness):** The quality, extent & robustness of protected sites and valued habitats will be enhanced, and networks of valued habitat will be restored or created', it does not provide the absolute protection that irreplaceable semi-natural habitats like ancient woodland and ancient trees require. We also raised this in response to the Core Strategy Spatial Options consultation.

Ancient woodland (land that has been continually wooded since at least AD1600) is our richest habitat for wildlife being home to more species of conservation concern than any other habitat (supporting some 232 species as outlined in the UK Biodiversity Action Plan, 1994, almost twice as many species of conservation concern as any other habitat e.g. more than twice as many as chalk grassland and almost three times as many as lowland heathland. Ancient woods form a unique link to the primeval wildwood habitat that covered most of lowland Britain following the last Ice Age.

Ancient woods are uniquely valuable. Their wildlife communities are generally richer than those of recent woods, having developed over long periods of time. They contain a high proportion of rare and vulnerable species, many of which require the stable conditions that ancient woodland affords. As the terrestrial habitat most representative of original, natural, stable conditions, ancient woodland is home to more threatened species than any other habitat in the UK.

With only 2.4% of the land area in Great Britain and 1.86% in BANES covered by ancient woodland, we cannot afford any more of this finite resource to be lost forever. It is therefore essential that this habitat be protected from development.

Protection for Ancient & Veteran Trees – many ancient trees are not formally recorded, and the

Woodland Trust and Ancient Tree Forum are running a national project to identify and map ancient trees (<http://www.ancienttreehunt.org.uk/>) so they can be protected and enhanced for the benefit of all. This project has already recorded a number of ancient trees throughout the BANES area.

Ancient woods and trees are also treasure troves of historical features such as bronze and iron age earthworks, Saxon range boundaries, ancient park boundaries, ridge and furrow, park pales and woodbanks, all of which give a picture of past land use. Old coppice stools and pollards point to past woodland management practices, and charcoal pits, ore furnaces and kilns are clues to local industrial history. Finally, ancient woods are timeless places of great beauty and tranquillity. The importance of woodland, and especially ancient woodland, to our quality of life should not be underestimated.

Central Government policy

- Woodland has the ability to contribute to 10 of the 20 of the UK Framework Indicators of sustainable development launched in March 2005 (HM Government, 2005, One future - different paths. The UK's shared framework for sustainable development, p12). Including contributing to biodiversity, reducing air pollution, improving health, education, employment, environmental equality, wellbeing and helping the economy grow.
- The 'UK Forestry Standard' sets out the UK Government's approach to sustainable forestry. It states: "ancient semi-natural woods...are of special value." The Standard has a series of UK-wide aims for semi-natural woodland and clearly states: "the area occupied by semi-natural woodland should not be reduced." (Forestry Authority, 1998, UK Forestry Standard: Standard Note 5, pp.41-43)
- The biodiversity strategy for England clearly states that the Government will "take measures to prevent loss or damage to ancient woodland and trees, and their uniquely rich biodiversity, from development." (DEFRA, 2002, Working with the grain of nature. A biodiversity strategy for England, para 6.9).
- Planning Policy Statement 9 on Biodiversity and Geological Conservation clearly states: "Ancient woodland is a valuable biodiversity resource both for the diversity of species and for its longevity as woodland. Once lost it cannot be recreated. Local planning authorities should identify any areas of ancient woodland in their areas that do not have statutory protection (e.g. as an SSSI). They should not grant planning permission for any developments that would result in its loss or deterioration...Aged or 'veteran' trees found outside ancient woodland are also particularly valuable for biodiversity and their loss should be avoided. Planning authorities should encourage the conservation of such trees as part of development proposals." (ODPM, PPS9, 2005, paragraph 10)
- Under section 74 of the Countryside and Rights of Way Act 2000, the Government has a statutory duty to publish lists of priority conservation habitats. Under section 40 of the Natural Environment and Rural Communities Act 2006, all public authorities now have a statutory duty to conserve biodiversity. The UK BAP targets includes a Habitat Action Plan for Native Woodland which specifies a clear 'maintenance' target of no more loss of ancient woodland. It is therefore axiomatic that BANES has a statutory obligation to protect ancient woodland.
- Consultation paper on a new Planning Policy Statement: Planning for a Natural and Healthy Environment(2010): 'NE8.4 Planning permission should be refused for development that would result in the loss or deterioration of species and habitats of principal importance, ancient woodland or aged or 'veteran' trees found outside ancient woodland, unless the need for, and benefits of, the development in that location outweigh their loss. Local planning authorities should consider the retention of veteran trees and other trees of amenity value as part of development proposals, and where appropriate, use tree preservation orders to protect them in the longer term'.
- The Coalition Government has signalled its intention protect biodiversity – 'We will introduce measures to protect wildlife and promote green spaces and wildlife corridors in order to halt the loss of habitats and restore biodiversity' ('The Coalition – Our programme for government', May 2010).

Sub-national policy

The SW Forestry Framework (Forestry Commission, 2005) contains a key objective to 'Protect, improve and manage Ancient Semi-Natural Woodland...'

As an example of policy used by other local authorities, the Sheffield City Policies and Sites Consultation

draft (<http://www.sheffield.gov.uk/planning-and-city-development/planning-documents/sdf/city-policies-and-sites>) states in Policy G3: 'New developments will be required to include appropriate tree planting, to retain and integrate healthy, mature trees and hedgerows and replace any trees that need to be removed. Development will not be permitted that would directly or indirectly damage existing mature or ancient woodland, veteran trees or ancient or species-rich hedgerows'.

Change sought to make sound: We would like to see Policy CP6 provide absolute protection for ancient woodland and ancient trees, and for this to be backed up in a Trees & Woodlands Supplementary Planning Document (SPD).

Representation (legal compliance):

Change sought to make legally compliant:

Representation Reference: 262\4

Plan Reference: Policy CP7: Green Infrastructure

Representation (soundness): Whilst we are pleased to see Policy CP7 on green infrastructure, and the mention of street trees and woodland in paragraph 6.57, we would like to see this section clearly support the role that native woodland creation can play in delivering green infrastructure to enhance local neighbourhoods. We look forward to seeing this also incorporated in the proposed Green Infrastructure strategy.

Trees and forests are crucial to life on our planet. They stabilise the soil, generate oxygen, store carbon, play host to a spectacular variety of wildlife, and provide us with raw materials and shelter. They offer us respite, inspire our imagination, creativity and culture, and refresh our souls. A world without trees and forests would be barren, impoverished and intolerable. Woods bring many benefits, and people appreciate them in all sorts of ways. But for everyone to enjoy them, visit them or indirectly gain from them, they need to be located near to where people live.

- Woodland creation is a key delivery component of Government policy to improve peoples' quality of life. Caroline Spelman, Environment Minister has clearly set this out: "Now let me turn to our environment and, specifically, to our trees. Because if ever organisms demonstrated their ability to multi-task, it's trees. They capture carbon and hold soils together, prevent flooding and help control our climate". (Speech at Angela Marmont Centre for Biodiversity, 20 May 2010).
- The Woodland Trust believes that woodland creation is especially important because of the unique ability of woodland to deliver across a wide range of benefits – see our publication Woodland Creation – why it matters (<http://www.woodlandtrust.org.uk/en/about-us/publications/Pages/ours.aspx>). These include for both landscape and biodiversity (helping habitats become more robust to adapt to climate change, buffering and extending fragmented ancient woodland), for quality of life and climate change (amenity & recreation, public health, flood amelioration, urban cooling) and for the local economy (timber and woodfuel markets).
- The Government's UK Low Carbon Transition Plan (presented to Parliament July 2009) has significantly raised the target for new woodland creation, for both climate change mitigation and the other benefits that woodland delivers. It states – 'Woodland creation is a very cost-effective way of fighting climate change over the long term, but it requires an upfront investment. The Government is already doing this: woodland creation represents 60% of the grant aid administered by the Forestry Commission. But to realise the potential for 2050, we need to see a big increase in woodland creation – and we need to plant sooner rather than later. The Government will support a new drive to encourage private funding for woodland creation. If we could create an additional 10,000 hectares of woodland per year for 15 years, those growing trees could remove up to 50 million tonnes of carbon dioxide between now and 2050'.
- The Plan goes on to set out the other benefits derived from woodland creation: 'Well-targeted woodland creation can also bring other benefits, including a recreational resource, employment opportunities, flood alleviation, improvements in water quality, and helping to adapt our landscapes to climate change by linking habitats to support wildlife. The Government will ensure that woodland

creation policies continue to respect the benefits and demands of landscape, biodiversity and food security. This will allow businesses and individuals to help the UK meet its carbon budgets, whilst delivering the other benefits that woodlands can bring'. The Forestry Commission are now leading a Woodland Carbon Task Force, a multi-disciplinary team set up to facilitate "...a step-change in woodland creation for all that new woodlands can contribute to society – not just for carbon" (FC Policy & Programmes Group Update Note 019, March 2010).

- This message has been further bolstered by the Read Report (A National Assessment of Forestry and Climate Change, Forestry Commission, 2009) published by the Forestry Commission. In answer to a written Parliamentary question on the Report (from Joan Walley MP, 2/11/10), The Minister of State for Agriculture & Food Jim Paice replied: 'The role of trees in helping society to adapt is also important, and we have indicated that we will launch a tree planting campaign later in the year, addressing the report's recommendations that tree planting should be targeted to where people live and congregate'.
- As referred to above, in a letter to all Local Authorities calling for support for the Government's National Tree Planting Campaign ('The Big Tree Plant'), the Environment Minister Caroline Spelman has extolled the many virtues of trees: 'Trees offer so many benefits to our citizens. They capture carbon and hold soils together, prevent flooding and help control our climate. They also add immeasurably to our quality of life by making areas more attractive and healthier places to live. In recent years the number of trees being planted annually across the country has declined, and could decrease further, unless action is taken to reverse this trend' (letter to all Local Authorities, 12th November 2010).
- It is worth mentioning that the Minister of State for Agriculture & Food Jim Paice stated in an appearance before the Lords EU Agriculture and Environment Committee on 24th November 2010 that: 'I want to see a significant extension of forestry and woodland planting in this country. I certainly see the Forestry Commission as taking a greater enabling role in that'.
- An important publication from the Forestry Commission, The Case for Trees in development and the urban environment (Forestry Commission, July 2010), sets out 'The multiple value of trees for people and places – increasing greenspace and tree numbers is likely to remain one of the most effective tools for making urban areas more convivial', and lists (on p.10) the benefits as –
 - Climate change contributions
 - Environment advantages
 - Economic dividends
 - Social benefits.
- The South West Forestry Framework Implementation Plan 2009-2012 (Forestry Commission, 2009, Action 2.3) highlights the need to "Encourage tree planting and woodland establishment", and this is repeated in Action 3.6 - "Develop spatial framework for targeting tree planting and woodland creation".
- Support for woodland creation is becoming widely embodied in the Local Development Plans process across the country. Stockport Metropolitan Borough Council, in its LDF Core Strategy (submission version, June 2010), states that: 'Trees and woodlands are vital in maintaining and improving the quality of life for the inhabitants of the Borough' (para 3.347), adding that: 'Proposals that will result in an increase in the woodland cover of the borough (including planting of trees as a bio-fuel crop) will be given positive consideration as long as it is not harmful to existing habitats or eco-systems' (para 3.324).

The Trust can also help with delivery of woodland creation for green infrastructure –

- The Trust has a flexible woodland creation delivery tool called MOREwoods (<http://www.woodlandtrust.org.uk/en/plant-your-own-wood/morewoods/Pages/freewoods.aspx>) that can be tailored to the requirements of individual landowners – private, public or corporate. We can promote, advise, manage and deliver a woodland creation scheme for you, creating vital areas of new woodland for your community. We can also help with flagship educational or community tree planting events.
- One example of a successful local authority woodland creation partnership is the Essex Works programme in 2008/09 with Essex County Council. Prompted by a vote from residents, Essex pledged to plant 250,000 trees to enhance ecology and improve quality of life. Working with the Woodland Trust and a range of partners including district and parish councils, 421,000 trees were planted – far exceeding the original target and helping attract additional funding – see <http://www.woodlandtrust.org.uk/en/plant-your-own-wood/being-planted/pages/public-sector-businesses.aspx>.

- Another example of a successful local authority woodland creation partnership is an ongoing partnership scheme developed in South Hams District Council/Plymouth City Council - <http://www.woodlandtrust.org.uk/en/news-media/releases/Pages/south-hams-planting.aspx>. The project will see more than 30,000 native trees create 50 acres of new native woodland.

Change sought to make sound: We would like to see Policy CP7 and paragraph 6.57 support the use of native broadleaf woodland creation as a key tool for delivering green infrastructure, and for this to be backed up in a Trees & Woodlands Supplementary Planning Document (SPD).

Representation (legal compliance):

Change sought to make legally compliant:

Representation Reference: 262\5

Plan Reference: Paragraph 6.102

Representation (soundness): We would like to see this section of the Core Strategy reflect government policy on using trees and woodland to improve air quality and peoples' health, amongst the many other benefits that they can also provide. We draw the Strategy's attention to two key documents :-

1.The Case for Trees: Forestry Commission (2010)

Sets out 'The multiple value of trees for people and places – increasing greenspace and tree numbers is likely to remain one of the most effective tools for making urban areas more convivial', and lists those benefits (on p.10) as –

- Climate change contributions
- Environment advantages
- Economic dividends
- Social benefits.

The presence of trees encourages people to exercise, thereby reducing the incidence of heart attacks and type 2 diabetes. Trees absorb considerable quantities of airborne pollutants and the resulting cleaner air cuts asthma levels.

Wooded environments are known to calm people, relieve stress and provide a spiritual value that supports improved mental health and well being.

The general health dividend provided by trees has been scientifically proven. Dutch research shows neighbourhoods with good tree cover are significantly healthier than less green urban areas. Because trees provide increased shade, the risk of skin cancer in tree covered areas should be lower.

Trees near to buildings can improve home energy efficiency. As trees baffle sound, traffic noise levels are cut. Crime is reduced where streets are greened. Visually unappealing aspects or features can be hidden from view by trees.

Family and community environments are much more harmonious and closely knit where the urban setting includes trees. A sense of place and a feeling of pride in surroundings are also heightened.

The superior educational value of green classrooms is now widely accepted. There is also evidence to suggest that students perform better in premises where plants are present.

2.Forest Research Report on Benefits of Green Infrastructure (October 2010):

Trees and woods are vital to the health of people in the UK. There is a strong correlation between the quality of the natural environment where people live and their wellbeing. Increasing tree and woodland cover can be seen to reduce the impacts of poor air quality, mitigate some of the effects of a warming climate, particularly in urban areas, and increase opportunities for people to adopt a healthy lifestyle - see the Forestry Commission's publication Benefits of green infrastructure (Report by Forest

Research, October 2010).

More native trees and woods could save millions of pounds in healthcare costs in a time of constrained public expenditure. Around £110bn is spent each year in the UK on healthcare, equal to 8.5% of all income. It has been estimated (Natural England, Our Natural Health Service, 2009) that if every household in England had good access to quality green space, it could save around £2.1bn annually in health care costs and woodland can be a major contributor to this saving.

Trees further improve air quality through the adsorption of particulates from vehicle emissions and other sources – such that it has been estimated that doubling the tree cover in the West Midlands alone would reduce mortality as a result of poor air quality from particulates by 140 people per year. (Stewart, H., Owen S., Donovan R., MacKenzie R., and Hewitt N. (2002). Trees and Sustainable Urban Air Quality. Centre for Ecology and Hydrology, Lancaster University).

Change sought to make sound: We would like to see Paragraphs 6.100 – 6.102 reflect government policy on using trees and woodland to improve air quality and peoples' health, and for this to be backed up in a Trees & Woodlands Supplementary Planning Document (SPD).

Representation (legal compliance):

Change sought to make legally compliant:

Respondent Number: 263 Respondent: Wessex Water

RepresentationReference: 263\1

Plan Reference: Policy CP13: Infrastructure Provision

Representation (soundness): Dear Mr Trigwell,

Re: Draft Core Strategy- Publication Version

I refer to your letter of 13th December inviting comments on matters of soundness and legal compliance in connection with the Draft Core Strategy.

Wessex Water has previously provided high level comment on proposed development sites within the BANES area. We note that following the abolition of the RSS proposed development numbers have decreased, we will continue to liaise with the Planning Policy Team and developers in accordance with Policy DW1 point 7 "ensuring infrastructure is aligned with new development".

Change sought to make sound:

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 263\2

Plan Reference: Policy CP13: Infrastructure Provision

Representation (soundness): Dear Mr Trigwell,

Re: Draft Core Strategy- Publication Version

I refer to your letter of 13th December inviting comments on matters of soundness and legal compliance in connection with the Draft Core Strategy.

Wessex Water is the water sewage Undertaker for the majority of the Bath and North Somerset Region,

supplying sewerage and potable water services to customers within the area (with Bristol Water supplying potable water to customers to the West of Bath, including the Somer Valley and Keynsham).

Wessex Water has previously provided high level comment on proposed development sites within the BANES area. We note that following the abolition of the RSS proposed development numbers have decreased, we will continue to liaise with the Planning Policy Team and developers in accordance with Policy DW1 point 7 "ensuring infrastructure is aligned with new development".

We note and support the policies which are pertinent to our responsibilities: Policies CP2 sustainable construction; CP5 Flood Risk Management; and CP13 Infrastructure Provision.

We also welcome continuing involvement in preparation of the Infrastructure Delivery Programme as outlined in Core Policy 6g, 6.105 in the light of the change in development numbers; locations and new legislation within the Water Industry.

Whilst we understand that comments are invited on matters of soundness and legal compliance, we can advise the following as a basis to proceed on Water and Sewerage Infrastructure Planning: Engineering appraisal will be required for major sites to confirm the scope and extent of improvements to the existing infrastructure. On going consultation with Wessex Water should be maintained to ensure infrastructure capacity improvements are planned to match rate of development.

**Change sought to
make sound:**

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 263\3 S

Plan Reference: Policy CP2: Sustainable Construction

Representation (soundness): We note and support the policies pertinent to our responsibilities: CP2

**Change sought to
make sound:**

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 263\4

Plan Reference: Policy CP5: Flood Risk Management

Representation (soundness): We note and support the policies which are pertinent to our responsibilities: Policies CP2 sustainable construction; CP5 Flood Risk Management; and CP13 Infrastructure Provision.

**Change sought to
make sound:**

Representation (legal compliance):

Change sought to make legally compliant:

Respondent Number: 264 **Respondent:** Englishcombe Parish Council

RepresentationReference: 264\1 S

Plan Reference: Paragraph 1.11

Representation This Parish Council fully supports the proposal that remaining areas of Bath not contained within the
(soundness): AONB, namely part of Combe Hay Parish, Englishcombe Parish and Newton St Loe Parish, should be incorporated into the AONB.

This total area is fully deserving of inclusion by virtue of it being 'a precious landscape whose distinctive character and natural beauty are so outstanding that it is in the nation's interest to safeguard them'.

**Change sought to
make sound:**

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 264\2 S

Plan Reference: Chapter 1: Vision and District-wide Strategy

Representation This Parish Council fully and enthusiastically supports the principle contained in the policy above (and
(soundness): elsewhere in the Draft Core Strategy), that wherever possible Brownfield land should be given priority and utilised before Greenfield land.

**Change sought to
make sound:**

Representation (legal compliance): This Parish Council fully and enthusiastically supports the principle contained in the policy above (and elsewhere in the Draft Core Strategy), that wherever possible Brownfield land should be given priority and utilised before Greenfield land.

Change sought to make legally compliant:

RepresentationReference: 264\3 S

Plan Reference: Paragraph 1.31

Representation This Parish Council fully supports the principle of retaining the Green Belt within its current boundaries.
(soundness):

**Change sought to
make sound:**

Representation (legal compliance): This Parish Council fully supports the principle of retaining the Green Belt within its current boundaries.

Change sought to make legally compliant:

RepresentationReference: 264\4

Plan Reference: Policy CP10: Housing Mix

Representation The Parish Council fully and enthusiastically supports the whole of Policy 6c.
(soundness): We would additionally, however, like to see a commitment by B&NES to insist that Developers achieve seamless integration within a mixed development of owner occupied dwellings and social/affordable dwellings.

**Change sought to
make sound:**

Representation (legal compliance):

Change sought to make legally compliant: B&NES and Developers should ensure that all dwellings, whether owner occupied or affordable/social, should integrate seamlessly

RepresentationReference: 264\5

Plan Reference: Policy B5: Strategic Policy for Bath's Universities

Representation This Parish Council fully supports Policy B5. Currently one in twenty dwellings in Bath are classified as “**(soundness):** Houses in Multiple Occupation”, with the major proportion being occupied by students.

The result is that locations such as Oldfield Park virtually cease to be communities and houses which otherwise would be ideal for first time buyers are priced at a level way above that justified if the property were to be occupied by a single family, by virtue of the high rental income potential as student accommodation.

These houses were originally designed to be affordable single family housing and they should be returned to this use, by whatever means are necessary, in the shortest time possible.

We believe that the Universities have been negligent in expanding student places without providing sustainable accommodation and that it should be incumbent upon B&NES to insist on proper planning for student accommodation by the Universities.

Change sought to make sound:

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 264\6

Plan Reference: Paragraph 2.22

Representation The MOD land, especially Foxhill, is essential to Bath in achieving the housing targets set, within the **(soundness):** time scales planned. This is a Brownfield site close to areas of proposed employment with essential infrastructure in place. Locating housing and additional integrated employment areas on this site goes a long way to ensuring the Greenfield land is not unnecessarily and irresponsibly designated for building.

Change sought to make sound:

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 264\7

Plan Reference: Policy B4: The World heritage Site and its Setting

Representation The failure to include in the Policy proposals for a Buffer Zone around the World Heritage Site of Bath **(soundness):** as specified by UNESCO.

Change sought to make sound: Provision within the Core Strategy for a Buffer Zone

Representation (legal compliance): This Parish Council regrets the omission in Policy B4 for the proposal to include the Parishes of Combe Hay (part), Englishcombe & Newton St. Loe in the AONB.

Change sought to make legally compliant: Provision within the Core Strategy for a Buffer Zone

RepresentationReference: 264\8

Plan Reference: Paragraph 5.45

Representation As in many Parishes in the Rural Area, Englishcombe has a proportion of people either working from
(soundness): home all the time, or, rather than travelling to London or other major towns/cities, working from home one or two days a week.

This is hampered by slow and unreliable Broadband connection (my current speed is 0.65 Mbs); we therefore strongly support the Council in their efforts to provide substantially improved speed and reliability

Change sought to make sound:

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 264\9

Plan Reference: Policy CP6: Environmental Quality

Representation This Parish strongly supports the concept, aims and objectives of the council's policy and statements on
(soundness): Conservation Areas; and the regular review of these areas as set out in the above Policy and Proposal 6.42.

Change sought to make sound:

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 264\10

Plan Reference: Table 9: Monitoring of Strategic Objectives

Representation This Parish Council fully and enthusiastically supports the Annual Monitoring Review in 7.04 and the
(soundness): comprehensive 5 yearly reviews in 7.05.

This is in keeping with the principle in the 2010 consultation of 'Plan – Monitor – Manage' which had over whelming support from consultees.

Englishcombe Parish Council strongly believes that it and other like-minded councils actively participate in such reviews.

Change sought to make sound:

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 264\11

Plan Reference: Appendix 2: Saved Local Plan Policies

Representation Fails to carry forward Policies NE1 & NE2 from the saved Local Plan.
(soundness):

Change sought to make sound: Carry forward Policies NE1 & NE2 from the saved Local Plan.

Representation (legal compliance): Fails to carry forward Policies NE1 & NE2 from the saved Local Plan.

Change sought to make legally compliant:

RepresentationReference: 264\12

Plan Reference: Policy RA3: Community Facilities and Shops

Representation (soundness): This Parish Council supports Policy RA3 in respect of Community Facilities and Shops.

Change sought to make sound:

Representation (legal compliance): This Parish Council supports Policy RA3 in respect of Community Facilities and Shops

Change sought to make legally compliant:

RepresentationReference: 264\13

Plan Reference: Policy RA4: Rural Exception Sites

Representation (soundness): This Parish Council, whilst fully supporting the aims and objectives in RA4, has strong reservations in respect of the last sentence of 5.29 which refers to Community Right to Build.

Government Legislation in respect of Community Right to Build is at the present time far from clear and we feel that inclusion in the Core Strategy, as a firm policy, is premature and unwise.

Change sought to make sound: Say that B&NES will consider bringing this forward once the CRB legislation is clearer.

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 264\14 S

Plan Reference: Policy RA1: Development in the Villages meeting the listed criteria

Representation (soundness): This Parish Council fully supports the development of housing in the Villages meeting the DW1 policies and welcomes the recognition of the importance of the Parish Council in the decision process.

Change sought to make sound:

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 264\15

Plan Reference: Paragraph 6.83

Representation (soundness): This parish council fully supports the aims and objectives of Policy 6e together with the supporting Economic Strategy for B&NES 2010 – 2026, but feels that it falls short in specific proposals to attract the high value businesses to come to Bath and the adjoining towns.

There need to be specific incentives especially for new start-up enterprises both Commercial and “Industrial” (in all its guises hi-tech, low tech and everything in-between), making it easy and attractive to locate in the B&NES area.

With its Universities Bath should be producing people with ideas and ambitions for start-up businesses. It would benefit Bath and its economy for them to stay in Bath.
(Continue on a separate sheet if necessary)

Change sought to make sound: In the same way as there are proposals for “Affordable Housing”, the Core Strategy should contain similar proposals for Commercial and Industrial premises to encourage small and start-up businesses.

Such proposals as:

- A proportion of new and attractive, eco-friendly commercial and Industrial builds being Starter Units
- Premises should be made available on flexible leases to allow for easy expansion or contraction with consideration being given to a lease ‘holiday’ for the initial period
- Enterprise Zone type incentives, with scaled business rates over 3 - 5 year period.

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 264\16

Plan Reference: Diagram 2: Sub-regional Context

Representation (soundness): The diagrams appear to extend the urban boundary of Bath southwards down the A367, showing a small “blister” around the site of the Combe Down Park & Ride. This area and the land around it and to the west of the A367 are within the Parishes of Combe Hay and Englishcombe and are in the Green Belt.

Change sought to make sound:

Representation (legal compliance): The diagrams appear to extend the urban boundary of Bath southwards down the A367, showing a small “blister” around the site of the Combe Down Park & Ride. This area and the land around it and to the west of the A367 are within the Parishes of Combe Hay and Englishcombe and are in the Green Belt.

Change sought to make legally compliant: This “blister” should be removed.

RepresentationReference: 264\17

Plan Reference: Diagram 10: Bath's Neighbourhoods

Representation (soundness): The diagrams appear to extend the urban boundary of Bath southwards down the A367, showing a small “blister” around the site of the Combe Down Park & Ride. This area and the land around it and to the west of the A367 are within the Parishes of Combe Hay and Englishcombe and are in the Green Belt.

Change sought to make sound:

Representation (legal compliance): The diagrams appear to extend the urban boundary of Bath southwards down the A367, showing a small “blister” around the site of the Combe Down Park & Ride. This area and the land around it and to the west of the A367 are within the Parishes of Combe Hay and Englishcombe and are in the Green Belt.

Change sought to make legally compliant: This “blister” should be removed.

RepresentationReference: 264\18

Plan Reference: Diagram 18: Policy RA1 Villages

Representation The diagrams appear to extend the urban boundary of Bath southwards down the A367, showing a
(soundness): small “blister” around the site of the Combe Down Park & Ride. This area and the land around it and to the west of the A367 are within the Parishes of Combe Hay and Englishcombe and are in the Green Belt.

Change sought to make sound:

Representation (legal compliance): The diagrams appear to extend the urban boundary of Bath southwards down the A367, showing a small “blister” around the site of the Combe Down Park & Ride. This area and the land around it and to the west of the A367 are within the Parishes of Combe Hay and Englishcombe and are in the Green Belt.

Change sought to make legally compliant: This “blister” should be removed.

RepresentationReference: 264\19

Plan Reference: Diagram 19: Distric Heating Priority Areas

Representation The diagrams appear to extend the urban boundary of Bath southwards down the A367, showing a
(soundness): small “blister” around the site of the Combe Down Park & Ride. This area and the land around it and to the west of the A367 are within the Parishes of Combe Hay and Englishcombe and are in the Green Belt.

Change sought to make sound:

Representation (legal compliance): The diagrams appear to extend the urban boundary of Bath southwards down the A367, showing a small “blister” around the site of the Combe Down Park & Ride. This area and the land around it and to the west of the A367 are within the Parishes of Combe Hay and Englishcombe and are in the Green Belt.

Change sought to make legally compliant: This “blister” should be removed.

RepresentationReference: 264\20

Plan Reference: Diagram 20: Green Infrastructure Network

Representation The diagrams appear to extend the urban boundary of Bath southwards down the A367, showing a
(soundness): small “blister” around the site of the Combe Down Park & Ride. This area and the land around it and to the west of the A367 are within the Parishes of Combe Hay and Englishcombe and are in the Green Belt.

Change sought to make sound:

Representation (legal compliance): The diagrams appear to extend the urban boundary of Bath southwards down the A367, showing a small “blister” around the site of the Combe Down Park & Ride. This area and the land around it and to the west of the A367 are within the Parishes of Combe Hay and Englishcombe and are in the Green Belt.

Change sought to make legally compliant: This “blister” should be removed.

Respondent Number: 265 **Respondent:** Bath Heritage Watchdog

RepresentationReference: 265\1

Plan Reference: Paragraph 1.08

Representation In paragraph 1.08 “The city also serves as a regional shopping centre, characterised by independent
(soundness): and boutique shops” is no longer true. There remain some independent shops, but the majority of Bath’s retail outlets are now chains, multiples or franchises. The characteristic of Bath is now a typical southern England shopping centre with a few niche market shops, mostly outside the main centre.

Change sought to Either: end the sentence with a full stop after “shopping centre” and delete the remainder
make sound: Or: introduce a subdivision of Use Class A1 for “Independent Retail” so that change from independent retail to retail chain store is controlled by the planning system.

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 265\2

Plan Reference: Paragraph 1.12

Representation Under Climate Change it says “We will need to adopt environmentally friendly practices such as making
(soundness): buildings more energy efficient...” Whilst the introduction of energy efficiency into existing buildings is sound, it does not address the biggest embodied carbon penalties which arise from demolishing an otherwise sound building in order to build something else; and that something else being constructed with the expectation of having a fairly limited life. This leads to a scenario of a World Heritage Site permanently adorned by tower cranes.

As a consequence, huge amounts of energy are devoted to manufacturing steel and concrete and shipping them long distances to a building site, only to build what can only be regarded as a temporary building with a 30-50 year life, only to have large amounts of energy devoted to demolition and reclaiming the raw materials for recycling. By contrast, the Georgian properties have already lasted more than 2 centuries and the Victorian buildings can be expected to last a similar time, so from a “whole life” viewpoint they are already more energy efficient than most recent buildings.

Change sought to What is needed is a planning policy that has a presumption of refusing permission to demolish a
make sound: building unless what is proposed to replace it has a far greater life expectancy.

The strategic aim should be a policy of only permitting durable buildings, where durable is defined as having a life of more than a century.

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 265\3

Plan Reference: Strategic Objective 2: Protect and enhance the District's natural, built and cultural assets and provide green infrastructure.

Representation Objective 1, Bullet point 4 “promoting sustainable and energy efficient design and construction”.
(soundness): This is a sound objective as far as it goes, but it should embrace whole life costs not just design and construction. It does not address the biggest embodied carbon penalties which arise from demolishing an otherwise sound building in order to build something else; and that something else being constructed with the expectation of having a fairly limited life.. Huge amounts of energy are devoted to manufacturing steel and concrete and glass and then shipping them long distances to a building site, only to build what can only be regarded as a temporary building with a 30-50 year life, then to have large amounts of energy devoted to demolition and reclaiming the raw materials for recycling. Sustainable construction should include a longevity expectation of more than a century, which would probably rule out buildings build on steel frames with copious amounts of glass, cladding panels and of a short life-span.

Change sought to Add longevity targets, and an expectation that demolition should always be a last resort.
make sound:

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 265\4

Plan Reference: Strategic Objective 2: Protect and enhance the District's natural, built and cultural assets and provide green infrastructure.

Representation The statement "Helping to conserve & enhance the quality & character of our built & natural heritage"
(soundness): sounds acceptable, but past experience of planning decisions indicates that there is a lack of comprehension of what the quality and character of the built heritage is. Even when there is an attempt to define it for a particular location in an SPD, planning permission for developments that do not comply with the SPD are still granted. One specific example is planning application 06/00274/FUL (BFI Waste Systems) which was given planning permission despite not meeting several of the mandatory requirements of the Western Riverside SPD. There are many others.

Council behaviour indicates that the built & natural heritage are low on the agenda:

- There has been a reduction in staffing levels of the built heritage team and enforcement team which has left insufficient manpower to properly discharge the duties expected of them.
- There is a steadily increasing number of buildings at risk, a number of them council owned (and neglected) Despite the Government introducing a category for Locally Important Buildings, and the necessary policy to protect them being embodied in the Local Plan, the council has steadfastly refused to implement the mechanisms that would make it effective.
- Planning permissions have been granted for developments which put at risk heritage assets or their settings.

There has been a failure to protect the Green Belt from inappropriate or unauthorised developments (Woolly Valley), and approval of some plans which the Green Belt legislation should have prevented such as Bathampton Meadows (Park & Ride) and Claverton Down (Bath University expansion).

This part of the Core Strategy is unsound because the council has consistently ignored it in the past, and has made neither staffing nor funding provision to deliver it in the future.

Change sought to Without guidance where it does not already exist, and strict enforcement of the guidance where it
make sound: does, this Objective is undeliverable. The Core Strategy needs to include credible proposals for delivering this objective (even if it is only reference to documents yet to be written), and "Bathness" should be defined and enforced in the Local Plan. Bath Heritage Watchdog will assist in the production of these, if asked.

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 265\5

Plan Reference: Strategic Objective 2: Protect and enhance the District's natural, built and cultural assets and provide green infrastructure.

Representation Objective 2 Bullet Point 4 "Maintaining ... well linked green spaces". The use of the Newbridge section
(soundness): of the old LMS line for the BRT route destroys a valuable green corridor, even removing back gardens that were previously mandated in order for permission of the houses that would use them to be given. The granting of permission for a car park on Bathampton Meadows destroys an open space previously recognised as a wildlife haven. Planning permission has been given for the construction of a house on a green space previously conditioned to be a shared garden for nearby flats in perpetuity.

As an objective, it sounds good, but it is not believable.

Change sought to This council demonstrates time and time again that does not follow its own rules. There is nothing that
make sound: can be said on this subject that would sound credible, unless breaking the rules is made a disciplinary matter.

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 265\6

Plan Reference: Strategic Objective 2: Protect and enhance the District's natural, built and cultural assets and provide green infrastructure.

Representation Bullet Point 5 "Helping to conserve ... wildlife sites". As an objective it is desirable. As an objective that **(soundness):** is likely to be delivered, it is not believable. There was a site in Newbridge which was designated a Site of Special Scientific Interest by the council because of its flora and fauna along with its associated species. Then later the council raised a planning application to tarmac over a large section of this site, reduced the previously necessary maintenance of the site, and then granted itself planning permission to extend a car park.

The solution to the treasured flora and fauna was to take them from their shaded riverside alluvial flood plain where they have lived for many years, and transfer them to an open hilltop site with clay soil. If that happens, they will die; which shows the abysmal level of knowledge about how to conserve wildlife, and the lack of desire to preserve a habitat. Similarly, the impact of bright illumination on Bathampton Meadows which is a bat feeding area, was ignored in the desire of the council to grant itself permission for a car park there.

Change sought to make sound: This council demonstrates time and time again that does not follow its own rules. There is nothing that can be said on this subject that would sound credible, unless breaking the rules is made a disciplinary matter.

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 265\7

Plan Reference: Strategic Objective 2: Protect and enhance the District's natural, built and cultural assets and provide green infrastructure.

Representation Objective 2 Bullet Point 6 "Helping to avoid ... light and noise pollution". A worthy objective but **(soundness):** undeliverable.

There have been a number of occasions where buildings with very large areas of glass have been advocated by councillors and/or council officers; and several have been granted planning permission, the latest being the "Welcome Building" for Bath College. Little consideration is given to the impact of air conditioner noise late at night and early morning delivery vehicle in mixed use areas.

Change sought to make sound: Including a definition of "Bathness" in the Local Plan or a specification limiting the amount of glass that can contribute to light spill would help, provided it is enforced.

There is already sufficient protection against noise in legislation, but there needs to be more thought given to potential impacts in order to make a difference. The impact of noise on inhabitants of new developments is usually considered; the impact on existing neighbouring residents, less so.

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 265\8

Plan Reference: Strategic Objective 2: Protect and enhance the District's natural, built and cultural assets and provide green infrastructure.

Representation Objective 2 Bullet Point 7 "Capitalising on the role our heritage has". Most council descriptions of **(soundness):** heritage are limited to the Georgian and Roman periods. There are just token gestures to other periods and an unwillingness to recognise the Industrial Heritage and the value of the Victorian and Edwardian

eras towards the homogeneous impression of Bath given from many viewpoints. Almost every inter-war building that hasn't been listed has been lost by an unstated policy of permitting demolition. Local distinctiveness is so downplayed (even despised) that planning permissions can be given to a reflective ceramic clad extension to a Grade 1 listed Georgian Bath stone building; a sweeping roofline resembling raised eyebrows unlike anything anywhere else in Bath can be described as representative of Bath and be granted permission; and in a Conservation Area permission can be granted for walls vertically clad in black zinc! This despite an adopted SPD: "Bath City Wide Character Appraisal" which describes the essential character of each area of Bath

Change sought to make sound: This council demonstrates time and time again that does not follow its own rules. There is nothing that can be said on this subject that would sound credible, unless breaking the rules is made a disciplinary matter. Also the Core Strategy should specifically clarify that the entire city is a World Heritage Site, and its heritage is a continuous evolution from the Romans to the 20th Century.

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 265\9

Plan Reference: Strategic Objective 2: Protect and enhance the District's natural, built and cultural assets and provide green infrastructure.

Representation (soundness): Objective 2 Bullet Point 8 "Maintaining an outstanding built environment" This is now almost impossible to take seriously. The Western Riverside has got Outline permission for what will look like a Soviet Era housing estate, despite UNESCO requesting a redesign. Southgate is an overscaled poorly detailed 'pastiche' of the worst kind. Designs promoting large areas of glass and inappropriate materials are lauded. There is almost routinely a failure to adhere to local and national planning policies relating to the built environment. The natural environment is readily sacrificed for unpopular and unviable transport schemes with no proven benefit. There is a total failure to listen to the electorate.

Change sought to make sound: This council demonstrates time and time again that does not follow its own rules, or indeed the legislation on Conservation Areas and Listed buildings. There is nothing that can be said on this subject that would sound credible, unless breaking the rules is made a disciplinary matter.

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 265\10

Plan Reference: Strategic Objective 3: Encourage economic development, diversification and prosperity.

Representation (soundness): Objective 3 Bullet Point 1. We seriously question this need for modern office space in Bath. Approval was granted two years ago for a modern office block in Brougham Hayes there is no sign of it being built. Some offices that have been built and left empty have been attempting to get planning permission for retail instead, so depressed is the market. All over Bath there are 'office space to let' signs, as is the case in Bristol, Chippenham, Trowbridge, Frome and many other towns around Bath. The current availability far exceeds the demand. The current statistics on the economic recovery show that the only area of growth is manufacturing, with shop staff and administration staff numbers shrinking. Helpshire has recently withdrawn from half of its office accommodation, and that is a modern building, so the type of building is not likely to be a key factor, particularly when the Bath Building Society recently moved out of a Grade II listed building to move into a Grade I listed Georgian building. Most businesses agree it is possible to work successfully from a listed building, and it is managers rather than the junior staff who favour open plan working, from their separate offices alongside the open plan areas. There is contradictory evidence over the benefits and drawbacks of open plan working. The trend is for increased travel costs to be offset by increasing numbers of staff working from home. B&NES has plenty of empty office space of all types, and there are extant planning permissions in place

for new office space which isn't being built because of a lack of demand, and over the duration of the Core Strategy, that demand is likely to shrink further. If businesses move from the historic building office space, attracted perhaps by "sweeteners" to move into a newly built office what will happen to those emptied historic buildings? The best preservative for a historic building is to have it in use; vacant old buildings deteriorate rapidly. A policy of building large amounts of new office space is likely to result only in the short term benefit of construction companies, and yet within the timetable for the Core Strategy, office buildings constructed as "modern offices" are likely to result in acres of unwanted office floor space that will be difficult to adapt for any other use.

Generally speaking, large organisations seeking to relocate will look for not just floor space but on-site parking facilities for senior staff, visitors, and branch or sales staff who need to report in at intervals, and Bath's plans do not fit the bill, though the Somer Valley locations might if only the public transport links were better. More likely though, Wiltshire's more generous attitude to car use and parking are going to make such destinations far more attractive than B&NES.

Change sought to make sound: Remove the emphasis on modern office building. Instead, promote the use of those already lying empty. Office space should ideally be near shops to maximise local benefits. What are really going to be useful to Bath's prosperity are affordable small business premises for start-up businesses. And as new construction always costs much more than adapting an existing building, conduct proper research on what is already available. Office space alongside industrial space would be ideal. For council owned properties, lower initial rent until a new company gets established (perhaps with a profit share agreement during the subsidised period) would be better than no rent from an empty property, so that should become a policy to tempt new businesses in.

Representation (legal compliance):

Change sought to make legally compliant:

Representation Reference: 265\11

Plan Reference: Strategic Objective 3: Encourage economic development, diversification and prosperity.

Representation (soundness): Objective 3 Bullet Point 2 "Maintaining an appropriate supply of land for industrial processes" This is difficult to believe and rather ironic as the BRT route goes through a light industrial estate and has forced people out and relocated others to outside the area. Future regeneration plans will see further loss along the Lower and Upper Bristol Roads and Newbridge. There are contradictory sections in the Twerton & Newbridge Riverside sections which say that industrial space is to be allowed to contract, which pre-judges what an adequate supply might be.

There are no small business start up units in Bath which are needed. We need more industrial for a mixed economy because there is already an over-supply of office space.

Change sought to make sound: As a minimum, remove the contradiction of reducing industrial space and maintaining an adequate supply. The strategy should be written so that it sounds encouraging to industrial businesses. At the moment Industry sounds like an inconvenience, which is hardly going to tempt businesses in. Remember that at this stage of the recession, Industry is the only sector employing more people than it is shedding, and the Government's forecast is a long period of the same.

Representation (legal compliance):

Change sought to make legally compliant:

Representation Reference: 265\12

Plan Reference: Strategic Objective 3: Encourage economic development, diversification and prosperity.

Representation (soundness): Objective 3 Bullet Point 3 "enabling tourism to continue to contribute" The majority of tourists come to see the historic buildings and Roman Baths and take pleasure in seeing Bath stone which is so different

from the red brick and the glass and steel they see elsewhere. What they don't expect is stark modern buildings they can see at home. They want photographs of historic Bath, and will object to taking pictures with tower cranes in the background. If we are looking at a programme of regeneration over large swathes of the city, then it will become a vast building site and nothing will have a greater effect of putting off visitors than that. Planning permissions are already in place for a considerable increase in hotel accommodation and more attention should be paid to other types of visitor accommodation. Some increase may be needed but not more hotels: there are many people who will not stay in hotels so the B&B and self catering sectors also need to be boosted to create a balance. There is a distinct shortage of self catering holiday flats, for instance, but a typical family using one will want adjacent free parking because of the amount of luggage they bring, so this needs to be enabled by policies. By introducing inappropriate (ie not what the visitor expects to see) development to the city we will affect the very reason people come to the area and this will drive away visitors. Simple things such as using the WHS logo on leaflets & websites to raise the profile would be useful advertising. Bath does not use the WHS status to promote itself, and it should. A museum of Bath is needed as an interpretation centre, as required by UNESCO.

Change sought to make sound: This strategy needs to make up its mind whether to go for massive redevelopment and lose the tourists, or whether to scale down the modernising agenda and enforce the extant SPD that attempts to preserve local distinctiveness and thus promote tourism. They are contradictory futures and it is impossible to do both. It is perfectly possible to build what the tourists regard as a traditional looking building, and yet to have the interior as modern as the occupants wish. Our recommendation is to look after the tourists. Too many jobs are at stake if tourist numbers drop. That means enforced design codes that preclude eyesore buildings. That doesn't mean modern buildings can't be built, just that they must fit in. Compare Waterside Court and Charlton Court next door to see the wrong way and the right way to design modern buildings, which in this case have identical functions. Bath Heritage Watchdog will assist in the preparation of the necessary design codes if asked.

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 265\13

Plan Reference: Strategic Objective 3: Encourage economic development, diversification and prosperity.

Representation (soundness): Objective 3 Bullet Point 4 "Improving educational facilities to help provide the skills that support knowledge based sectors" Nowhere in the document does it define the "knowledge based sectors" nor identify what the skills are that support it. There is no evidence that the existing postgraduate provision is over-subscribed. This sounds like a "nice idea" rather than a thought through policy, and as such has no place in a strategy. There is a danger in relying too heavily on the universities now that the Government has raised the cap on fees. The forecast is that the demand for university places will reduce as more school leavers opt for a trade rather than a degree.

Change sought to make sound: The strategy should be to be alert for the opportunities of benefiting from the talents from the educational establishments rather than providing for them in advance and assuming they will follow.

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 265\14

Plan Reference: Strategic Objective 4: Invest in our city, town and local centres.

Representation (soundness): Objective 4 Bullet Point 2 "Enhancing Bath's central shopping area, to maintain its competitiveness, diverse offer & reputation for independent & niche retailing" There is no disagreement that the central shopping area is important, but Southgate has proved that it has no room for diverse, independent and niche retailing. Its shops are all too city-centric with nothing of interest to the lower income areas

south of the river. It is also not particularly diverse, consisting mostly of "High Street, Anywhere" shops and a few restaurants and coffee houses. Its car park is too expensive. Milsom Place is hardly any better for content. The cost has been the loss of stores up the main shopping axis as they all take advantage of the special deals enticing them to relocate, which must affect the trade of those that remain. Shops in the central area catering for the residents, particularly the over 50s, as opposed to for the under 30s, are hard to find. Where is the Pound Shop, the Wilkinsons, the "baked on the premises" traditional bakers?

By contrast, Bath's previous reputation for independent traders, niche products and small historic shops that people come to see is largely in the past. That type of shop has narrow profit margins, and rent rises have driven most into surrounding towns and villages. The street scene is also deteriorating as shops open in listed buildings and paint the historic shopfronts in garish colours, and on the few occasions when planning permission is actually sought permission is rarely refused. Mostly though, the premises is repainted without a planning application and the shop is allowed to get away with it. Part of the shopping experience is the character of the street, and startling colours, windows plastered in garish vinyl and electricity being wasted on unnecessary lights detracts from the street scene. More effort should be made to prevent inappropriate alterations which are having a cumulatively detrimental impact. The other major problem is clutter. "A" boards, unauthorised furniture etc make some pavements an obstacle course. Often they are in historic streets which ruin the photogenic qualities the location might otherwise have.

Change sought to There needs to be a policy of retaining, and if possible attracting more niche market shops. Ideally
make sound: there should be a separate Use Class of Independent Retail, to reserve affordable premises for them. There is a general attitude that big names are important, and as a result, Southgate is completely devoid of any curiosity value as far as product lines are concerned, and so few shops there have a shopfront of any character (just an aluminium frame holding large panes of glass, mostly) that most residents do not regard it as their shopping centre at all. The preservation of the character of historic shopfronts should be vigorously enforced. There should also be a saturation policy for all types of non-retail premises, which would have stopped Moorland Road being overrun with Estate Agents and central Bath with coffee shops and cafes. The public realm improvements need to cover a greater area of the city.

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 265\15

Plan Reference: Strategic Objective 4: Invest in our city, town and local centres.

Representation Objective 4 Bullet Point 3 "Introducing more commercial space" UNESCO asked for Mixed Use in Phase
(soundness): 1 of the Western Riverside, but planning permission was granted for a scheme without it. The Carr's Mill planning application for a mixed use development was refused permission. Other "mixed use" opportunities have been devoted to student residences. There is no evidence that there is any will to grant planning permission in Bath to increase commercial space. Quite the opposite. Thriving commercial business were removed from the Riverside Business Park. Including this in the Core Strategy looks like box ticking rather than an objective to be pursued.

Change sought to Identify what sort of business is expected to occupy commercial space, and a policy for attracting it.
make sound:

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 265\16

Plan Reference: Strategic Objective 4: Invest in our city, town and local centres.

Representation Objective 4 Bullet Point 6 "Improving the quality of the public realm" The ideas for the public realm as
(soundness): shown in the "Transform And Treasure" exhibition were mostly completely alien to the character of Bath. So while the idea of improving the public realm sounds attractive, the likelihood of what is currently being propose achieving an improvement seems too remote to be credible. The city centres public realm is poor, but lorry loads of pennant paving and shiny way markers don't create a place of fascination. The public realm strategy is again centre biased with no improvements south of the river or anything higher up the northern slopes than Queen Square. See also the comments made against Bullet Point 8. One thing that already ruins the public realm is the proliferation of "A" boards and other street detritus, and controlling these should be a priority. Some parts of Bath are an obstacle course because of them.

Change sought to The only way to discover what the public wants in the public realm is to ask the long term residents
make sound: (eg. Those resident in the 2001 census and still resident) what they would like to see in the public realm. The Core Strategy should be to ask first and then deliver what they want, rather than assuming that what has been done elsewhere would be appropriate. York has banned the placing of "A" boards on pavements. Bath should either do the same or require planning consent before one can be used, so that what sized board is used, where it should be placed, and what hours it can be placed there are fully controlled.

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 265\17

Plan Reference: Whole Document

Representation Objective 4 Bullet Point 8 "parks". This is far too narrow and should include gardens and visually
(soundness): important open spaces. This should include maintenance of views, including the felling or pruning of trees where they block important sight lines.
There are considerable doubts about the will to preserve, even improve, the value of these. There are no policies designed to define and control what happens to visually important open spaces, yet such spaces are an integral part of the Outstanding Universal Value of Bath. On a smaller scale, there was room for flower beds in Southgate Street and the Southgate shopping centre, but no requirement for them was included in the planning permission, leaving sterile hard surfaces in every direction. In St James Rampire, there was a raised bed garden which gave a splash of colour, and it was removed and replaced by stone paving.

Change sought to Extend the scope to Parks, gardens and visually important open spaces.
make sound:

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 265\18

Plan Reference: Strategic Objective 4: Invest in our city, town and local centres.

Representation The Rec is supposed to be retained as an open space in perpetuity, yet the council actively supports the
(soundness): aspirations to build on it.

Change sought to Recognise that there is a conflict of interest having councillors appointed as trustees of the Rec, and
make sound: introduce a strategy of having them stand down in favour of fully independent trustees, chosen by the residents of Bath from a list of nominees.

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 265\19

Plan Reference: Strategic Objective 5: Meet housing needs.

Representation Objective 5. The expected demographic is of an increasing aging population, yet the predominant **(soundness):** provision of new homes is in the form of flats. The term “High Quality” does not equate to contemporary. All homes should be built to last using where possible local materials and labour. Room spaces should be defined in an SPD and sufficiently generous that they all meet social housing minimum standards and with adequate amenity space provided, and so any private property built can, if desired, be purchased to increase the social housing stock. Students as far as possible must be accommodated on campus or in purpose built halls of residence outside the campus. At present a large percentage of Baths housing stock is HMOs. In some areas, whenever a family moves out of a house it is bought by a developer and converted into a HMO for students Some of the elderly, living alone in a family sized home, could sensibly downsize freeing a larger house, but do not want to because they can’t bear the thought of their lovely home they have lived in for years being ripped apart to make bedsits for students.

One of the things that allows the elderly to be self sufficient in their own home is ground floor accommodation and good neighbours There is a mismatch between the assumed housing needs and the future demographics. There is also a conflict between the need for permanent neighbours and the expectation of a growing student population, which if uncontrolled will gradually replace permanent residents. This means that in midsummer when the students are gone, the elderly have fewer and fewer neighbours to watch out for them as time goes on. The issue of necessary infrastructure is not well defined. More housing and more working age residents occupying it will make demands on doctors, dentists, hospitals, schools, water supplies, sewerage facilities, public transport, rubbish and recycling facilities, post offices and various council services. Some of these are outside the council’s control, and some are badly timed, so that an increased demand for school places is likely to follow soon after the number of schools has been reduced to save the cost of empty desks. Because of all this, the objective looks undeliverable as stated.

Change sought to The conversion into HMOs needs to be properly controlled through the planning system and a **make sound:** saturation level defined for any location to preserve much needed family sized accommodation. The plans for ensuring that there is sufficient infrastructure to accommodate the other parts of the objectives should be defined.

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 265\20

Plan Reference: Strategic Objective 6: Plan for development that promotes health and well being.

Representation Objective 6 Bullet Point 3 “Increased local food production”. The best way to achieve this is to increase **(soundness):** the amount of land available to allotments. Yet despite there being legislation governing the provision of allotments, residential developments rarely result in the ideal number of additional allotment plots being provided.

Change sought to Introduce a policy of requiring developments of more than 15 residential units being required to **make sound:** provide allotment plots as part of an S106 agreement.

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 265\21

Plan Reference: Strategic Objective 7: Deliver well connected places accessible by sustainable means of transport.

Representation Objective 7. The points are all valid; but it is by the proposed method of delivery that they become
(soundness): ineffective. The major plank in the Transport Package is the current “universal solve all” of the BRT running from a place only easily accessible by car to a place only accessible by car, on a route that offers no time saving, removes existing businesses and loses green space. The planning permission for the Transport Package is of dubious legality and there are those prepared to challenge it in court if it is pursued. The Compulsory Purchase Orders for some parts of the route are likely to be refused if the Public Inquiry proceeds. The BRT route cannot therefore be built, and pursuing it will be a waste of money.

The one easy way to make public transport more attractive would be to reduce the price of the fares and this appears impossible given the current near monopoly of First Bus. Parking might be expensive in Bath and act as a deterrent, but it remains cheaper to drive to Keynsham, park, shop and drive back than it is to take a bus from any of the denser populated areas into central Bath and back. For most residents who want to go to central Bath, it is often cheaper to drive to a Park and Ride site for a bus into Bath than it is to get a bus from their house to the centre. Unless those economic models changes significantly, public transport will never be the first choice option for any household that owns a car, except perhaps for Diamond Card holders. Thus far in the strategy no mention of river or rail use and improving these. Rail would be particularly beneficial for commuters to and from Box, Melksham and Corsham in Wiltshire.

Change sought to Delete the reference to the Transport Package: it will be impossible to deliver. Recognise that the cost
make sound: of the BRT route, running east-west where bus services are already adequate, would be better spent on promoting rail travel east-west to relieve the volume of traffic on the roads (something that buses contribute to!). Something overlooked is the need to improve transport links north-south. Add this.

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 265\22

Plan Reference: Paragraph 1.21

Representation Paragraph 1.21 Emphasis is placed on Bath being a World Heritage Site, and therefore the whole city is
(soundness): a “heritage asset” as defined by PPS5, but only parts of the city are covered by Conservation Areas and the legal protection derived from that designation, and Permitted Development rights remain outside them. So in that remainder, demolition of a building or felling trees that might be important in a view, or breaking a valued roofline with dormer windows could legally take place without seeking permission, to the detriment of the World Heritage Site. Proper protection of the heritage asset will only be possible if the conservation areas are extended to the WHS boundary or suitable Article 4 directives withdraw permitted developments. The council has approved the replacement of a Site of Special Scientific Interest (Newbridge) with a car park, which makes a mockery of claims to have properly assessed habitats.

Change sought to Include a commitment to extend Conservation Area boundaries to cover the entire World Heritage Site
make sound: of Bath, or a city-wide Article 4 directive and thus afford the protection implicit in PPS5. Abandon the commitment to the Transport Package (see also comment on 1C Objective 7) to preserve a natural habitat.

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 265\23

Plan Reference: Paragraph 1.27

Representation Paragraph 1.27. There is an immediate conflict between trying to address the volume of incommuting, **(soundness):** and the failure throughout the document to look over the border into Wiltshire. A considerable proportion of in-commuters live within a 12 mile radius to the east of Bath because there they can live in a nice house with garden for less than the cost of a small flat in Bath. Even if the economics are addressed, such people will not move because their quality of life is so much better.

Change sought to Recognise that Bath is not in a competitive position because its living costs, its traffic jams and its **make sound:** aversion to parking provision at places of work put Bath at a disadvantage compared to other nearby locations. Assuming that everything will be OK doesn't make it happen.

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 265\24

Plan Reference: Paragraph 1.27

Representation The other future problem overlooked is that attention has been paid to the possibility of securing MOD **(soundness):** sites for development, without considering what happens to the employees. The most likely relocation is to Abbey Wood, and the MOD will pay excess fares as part of the removals package (it is an MOD entitlement, so it can't be withheld), so several thousand MOD workers would suddenly become outcommuters. The railways barely cope with the last MOD migration, so most of the new tranche will commute by car, taking much of their spending power with them. This will offset much of the expectation for economic growth.

Change sought to Include a commitment to encourage the MOD to stay. The staff on average earn more than the people **make sound:** that are likely to replace them so retaining their jobs is more important to Bath's economy than securing their sites for redevelopment.

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 265\25

Plan Reference: Paragraph 1.27

Representation The fiction that office space has to be modern and is required in large amounts is addressed in 1C **(soundness):** Objective 3

Change sought to Reduce dependence on "smart growth" because history has shown that anything other than a wide **make sound:** spread of business sectors leaves vulnerabilities that can hit hard (hence in Bath the abundance of empty offices already built).

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 265\26

Plan Reference: Chapter 1: Vision and District-wide Strategy

Representation 1a Modern office space and heritage usually don't mix. Too much of one will impact on the other. See **(soundness):** the comments on Objective 3 which goes into details. The current practice of influencing office building designs so that they very obviously look like offices is in conflict with expectations that heritage would

be of primary importance in a World Heritage Site. Also it is not beyond the capabilities of a good architect to provide a modern interior to a building designed with an exterior to fit comfortably into its surroundings (Churchill House was an excellent example in its time, with Art Deco offices in a Georgian styled shell).

Change sought to Delete the word “modern” from 1a.
make sound:

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 265\27

Plan Reference: Chapter 1: Vision and District-wide Strategy

Representation 3. Clarify that the priority for brownfield sites does not include acceptance of the demolition of existing **(soundness):** serviceable buildings. See our comments on 1B and 1C Objective 1 for the details).

Change sought to Add “except where existing serviceable buildings have to be demolished” to 3.
make sound:

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 265\28

Plan Reference: Chapter 1: Vision and District-wide Strategy

Representation 4. UNESCO recommended a strengthening of the Green Belt around Bath, so the words “general extent” **(soundness):** are too loose and suggest a hidden agenda to reduce it.

Change sought to Delete the word “general” from 4.
make sound:

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 265\29

Plan Reference: Chapter 2: Bath

Representation Heading this section are inappropriate photographs. That view of the Buro Happold Offices (and note **(soundness):** that they are happy in an old building!) is no longer available because the council granted permission for a strange timber structure reminiscent of a giant air filter against the end wall. The view of Bath is even more out of date, and if anything it just shows what destruction an unsympathetic council can wreak on a photogenic scene. The old picture of the centre of Bath when it was complete. The view today is completely different and it should be noted it was the local authority that were largely responsible for what we see today. The prominent tower of St James Church was demolished to build Woolworths. 16th&17th Century houses and an elegant school behind it were demolished to make way for Marks & Spencers. Old Southgate was demolished to make way for a new concrete bunker with one of the then prominent new architects, who was feted and given an award for an unloved structure which was demolished after a very short life. It its now replaced by over-scaled 'pastiche' This is mentioned to highlight fears for our heritage because past events show it is at risk once the modernising bug strikes. The modern picture from the same viewpoint is far less picturesque.

Change sought to make sound: Use current pictures, not historic ones that can only serve to mislead.

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 265\30

Plan Reference: Paragraph 2.01

Representation Setting the Agenda. While largely accurate the paragraphs tend to skirt around the Victorian and Edwardian eras, and fail to mention the contribution of Bath's industrial contribution to the world. The mills and foundries employed a large proportion of the population, and their products can still be found advertising Bath as their origin in many countries. This section completely ignores the fact that wartime bombing destroyed only about a thousand buildings, mostly in the suburbs, and it was the local authority that tore down vast swathes in the central area to accommodate the modernist reconstruction (most of the buildings were perfectly sound). There may have been debate about how Bath should change but the voice of the electorate has not been listened to. If the setting of the scene is not accurate, how can lessons be learned from the mistakes of the past?

Change sought to make sound: Rewrite this section to give a background that does not gloss over the true facts.

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 265\31

Plan Reference: Bath: Strategic Issues

Representation Point 2
(soundness): This must have been written by those who (wrongly) regard Bath's heritage as just the Georgian Core, and decry anything designed to blend into its surroundings as "pastiche" in order to promote contemporary change, without explaining what they mean by contemporary. The Georgians and others built what was contemporary for their day but it was based on a thorough understanding of the past, and Georgian Bath is in fact a pastiche of ancient Greece with some Roman influences. There is nothing inherently wrong with contemporary (or pastiche for that matter) provided it bears the character and scale and palette of materials that are embedded in 'Bathness'. But its advocates have a rather different style in mind, which makes the use of the word dangerous.

Change sought to make sound: Rewrite to address the points above

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 265\32

Plan Reference: Bath: Strategic Issues

Representation Point 3 Again the emphasis is on modern offices, and our comments on 1C Objective 3 and on DW1
(soundness): explain why this is inappropriate. The phrase "low carbon economy" is so unspecific as to be meaningless. See our comments on 1C Objective 1 for our interpretation of what this ought to mean.

Change sought to make sound: Rewrite to address the points above

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 265\33

Plan Reference: Bath: Strategic Issues

Representation Point 4 As written, it is acceptable, but elsewhere in the Core Strategy document there are proposals
(soundness): which will see the loss of industrial land and employment, so the document as a whole is contradictory.

Change sought to Rewrite to address the points above
make sound:

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 265\34

Plan Reference: Bath: Strategic Issues

Representation Point 5 We question how this can be done given that currently approved plans are for a style of
(soundness): architecture that will spoil almost every view across Bath, and this document proposes a city in a state of upheaval and flux until at least 2026. Tourists will be deterred by large construction sites with their tower cranes, and they will be deterred even more by “contemporary” designs if they replicate what they could have seen anywhere else. Tourists enjoy the ambience of Bath, not just the few buildings that John Wood built.

Change sought to Rewrite to address the points above
make sound:

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 265\35

Plan Reference: Bath: Strategic Issues

Representation Point 8 While we would not disagree with this as an overall statement, the currently favoured spurious
(soundness): reasons such as the lack of a BRT bus route, lack of office space and a unacceptable and largely unconsulted vision should not be the drivers for redevelopment. Nor should there be development for developments sake. It must be argued that most recent developments hardly enhance the World Heritage Status and the Core Strategy does admit that it has been controversial. Building car parks on water meadows and allowing developers to ruin unspoiled valleys hardly indicate a willingness to protect the setting and the Green Belt. Recent history suggests that both the WHS and the Green Belt are secondary to a desire for development.

Change sought to Rewrite to address the points above
make sound:

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 265\36

Plan Reference: Bath: Strategic Issues

Representation Point 9. There is nothing to disagree with as written. But public realm has to be more than hard
(soundness): surfaces and way-markers. Recent areas have promoted bland, sterile environments with few trees or green space. Finishes and/or product quality and/or workmanship do not appear to be up to the job as the debacle of Dorchester Street, the slate pavement in Milsom Place, the recently laid paving in Westgate Street, and St James Rampire prove. Apart from the areas around the main shops, there are poor standards of cleanliness and a reluctance to clear autumn leaves. It is also hard when Council departments are cutting staff to justify the amount of expenditure proposed, some of it for little return. We remember about £1m spent on Milsom Street just to create easily destroyed surfaces (including carved poetry in fancy writing) for the Park and Ride buses and delivery lorries to run over and damage.

Change sought to make sound: Rewrite to address the points above

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 265\37

Plan Reference: Bath: Strategic Issues

Representation Point 10 Here we read the old chestnut of congestion. This mostly occurs at peak periods just as it does
(soundness): in other cities. It is mostly caused by an excessive use of traffic lights: many of them create more problems than they solve, being cases badly sited and often badly phased. It could be argued one of the main causes is the buses. In Dorchester Street it is common to see buses blocking the progress of other buses. Frequent problems also occur in the relatively narrow streets in the suburbs from the over-sized bendy buses. It should be noted the current transport proposals have no obvious benefits, and there are bus lanes that cause so great a tailback that buses are stuck in the queue waiting to get to the start of the bus lane. There are build-outs for bus stops that appear to have no purpose other than to prevent other traffic passing a bus while it is stopped. The only thing that would enable more of the travelling public to use public transport would be reduced fares, see our comment on 1C Objective 7.

Change sought to make sound: Rewrite to address the points above

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 265\38

Plan Reference: Bath: Strategic Issues

Representation Point 11 Old housing stock might not be as energy efficient as new buildings on a day to day basis, but
(soundness): it is certainly more sustainable as most of it has lasted some 200+ years, some six or eight times the life span of most of the current buildings. Our comments on 1C objective 1 give more details. There is an underlying concern that this issue is largely being used as a way to weaken or give more flexibility to policies currently protecting listed buildings, despite studies in hand to establish what is practical to improve the energy efficiency of listed buildings. There is an increasing use of energy consuming air conditioning in new builds instead of sash windows.

Change sought to make sound: Rewrite to address the points above

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 265\39

Plan Reference: Bath: Strategic Issues

Representation Point 12 Agreed but the current situation where ordinary housing can be converted into student
(soundness): bedsits without needing planning permission also needs addressing. There should be a saturation Bath and North East Somerset's Core Strategy – Publication Stage Representation Form quota to prevent an excessive number of student dwellings in any given location, and HMOs should be classed as a business and the premises liable to business rates.

Change sought to Rewrite to address the points above
make sound:

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 265\40

Plan Reference: Bath: Strategic Issues

Representation Strategic Issues: Point1. This mentions characteristics and distinctiveness. These should be more clearly
(soundness): defines as "It is Bath and it has 'Bathness'." The approach to planning must be based on this above all else. Its success is based on the way it looks. Making it look like anywhere else to appease developers and architects' egos puts everything at risk. There need to be accurately defined design codes, and these must be enforced if the character of Bath is to avoid the death of a thousand cuts.

Change sought to Rewrite to address the points above
make sound:

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 265\41

Plan Reference: Bath: Strategic Issues

Representation Point 13 This strains credibility to breaking point when the council is prepared to interfere with a bat
(soundness): habitat in order to get a car park on Bathampton Meadows.

Change sought to Rewrite to address the points above
make sound:

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 265\42

Plan Reference: Paragraph 2.08

Representation 2.08 The Public Realm and Movement Strategy, whilst it has its roots in some good ideas and
(soundness): supportable aims, has led to an interpretation of some of these which is highly questionable. There is a feeling that despite considerable input from the locals, the programme is driven by those who lack a specialist knowledge of the city. It is also too targeted almost exclusively at the city centre, with the total neglect of certain areas.

Change sought to Include proposals for areas not covered by the Public Realm and Movement Strategy. Revisit the
make sound: proposals for street furniture by airing them for a proper public consultation.

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 265\43

Plan Reference: Policy B1: Bath Spatial Strategy

Representation Page 34 Policy B1 Bath Spatial Strategy:

(soundness): 1 Natural and Built Environment: Apart from noting the omission of reference to the Green Belt, we would not disagree with a-e, but it all conflicts with what we see around us on a day to day basis. The words are fine but proof that they are taken seriously is short on the ground, leaving a huge credibility gap.

**Change sought to
make sound:**

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 265\44

Plan Reference: Policy B1: Bath Spatial Strategy

Representation 2 Economic Development Item c: Increase of office space. The claim that there over 15,000 m2 of

(soundness): unsuitable space is difficult to believe, particularly when some of this space was occupied and in use (by BBC Books) and they only vacated the premises (and took their jobs out of Bath!) when the council told them their building was scheduled for demolition. Consequently, all the evidence points to reference to the release of unsuitable space as just an engineered reason to free up land for the holy grail of “modern offices”. In sustainability terms this is totally unsupportable.

D Focusing office development with the city centre. Most offices by nature are not aesthetically pleasing buildings and usually carry large areas of glass this will produce conflict with the aim to protect the historic character of the central area and to reduce light pollution.

Change sought to Rethink the housing and office policies, because they are seriously flawed as proposed. Place greater
make sound: emphasis on mixed developments rather than housing and offices.

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 265\45

Plan Reference: Policy B1: Bath Spatial Strategy

Representation 3 Housing. This looks like a “cram it tight” policy, when the character of Bath is to have green sight

(soundness): lines, even in areas of dense housing like Oldfield Park. There is no guarantee MOD land will become available (and the Ensleigh site cannot because of the terms of the wartime lease) so this aspect must be considered a windfall if it happens rather than a strategic goal.

**Change sought to
make sound:**

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 265\46

Plan Reference: Policy B1: Bath Spatial Strategy

Representation There is no mention of trying to release the stock we have currently taken by HMOs for students, but
(soundness): this is important because about a quarter of Bath's family homes could be returned to family use if sufficient rooms in purpose built student accommodation were available.

**Change sought to
make sound:**

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 265\47

Plan Reference: Policy B1: Bath Spatial Strategy

Representation 4 Population, Labour and Employment. There is no hope of labour imported from neighbouring
(soundness): locations being reduced while it is cheaper to live in the neighbouring locations and commute than to live in Bath. The housing schemes planned are for a predominance of flats, when families generally prefer houses to flats (Estate Agents claim that the market for houses in Bath is healthy but the market for flats is very depressed), so the drive for the maximum number of housing units could be counter-productive. If the MOD vacate their Bath offices, then the despite the objective to reduce it, the level of out-commuting will escalate. Also incoming businesses often bring most of their senior staff but recruit at the junior levels, who because they are lowly paid will choose housing in the cheaper outlying areas and in-commute. This part of the policy has been badly thought out.

**Change sought to
make sound:**

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 265\48

Plan Reference: Policy B1: Bath Spatial Strategy

Representation 5 Previously Developed Land There is no objection to what is proposed in a-c, only to its interpretation.
(soundness): Most would disagree that the things proposed thus far are an attraction. The Western Riverside was, and still is, condemned for its poor architectural approach. It is also being promoted as a residential neighbourhood when UNESCO clearly called for a greater mix of uses and facilities, and the Core Strategy aims to reduce dependence on car transport, which would be best achieved by having jobs, recreation and retail within easy walking distance of any homes built. There is no guarantee MOD land will become available (and the Ensleigh site cannot because of the terms of the wartime lease) so this aspect must be considered a windfall if it happens rather than a strategic goal.

**Change sought to
make sound:**

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 265\49

Plan Reference: Policy B1: Bath Spatial Strategy

Representation 6 Shopping: a Southgate as not absorbed well. It should have been the other way round Southgate
(soundness): should have fitted around the shopping area. Although the previous appearance (of the now demolished Southgate Mall) was less than welcoming its mix of shops and services was better and residents used it regularly. Southgate is almost exclusively a fashion mall with a couple of convenience stores, and is rarely used by the over 30s except as a short cut from Stall Street to the Bus Station. What Southgate has done though is to drag shops from other parts of the city centre leaving empty premises behind, which gives the rest of Bath a run-down look. It is noted most of the stores about to occupy the vacated units due to these relocations are by and large standard high street units, damaging Bath's reputation for Independent and Niche shops even further.

Change sought to make sound: With a demographic of an increasingly elderly population it is important that Southgate, being the nearest shopping to the bus station, caters for their shopping needs.

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 265\50

Plan Reference: Policy B1: Bath Spatial Strategy

Representation b Milson Place is an example of this, being a high end fashion and restaurant area it is a moot point as
(soundness): to if it improves the "shopping offer" for the majority. The recently announced Waitrose proposals for the Podium removes mixes of shops in favour of a large single unit. It also raises the spectre of behind-the-scenes engineering, possibly with the aim of forcing the small businesses currently there to relocate enabling a wider stock line for Waitrose. This can only result in upsetting the balance and spread of retailers.

Change sought to make sound:

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 265\51

Plan Reference: Policy B1: Bath Spatial Strategy

Representation c Most local residents are concerned by the influx of small supermarkets into local centres because
(soundness): they impact on the profitability of the local independents, but don't carry the range of stock to be an acceptable replacement for the independents that they force to close.

Change sought to make sound: Introduce a saturation policy for convenience stores and retail types such as coffee shops and phone shops.

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 265\52

Plan Reference: Policy B1: Bath Spatial Strategy

Representation 8 Tourism, Culture and Rugby
(soundness): a This target would appear to have been reached if current proposals and planning applications come to fruition. Having a strategy for the next twenty years or so that has virtually been met while in draft seems rather pointless. However there is little evidence that this sort of facilities are desperately required and some proposals put forward already have stalled, one leaving internal walls of a listed

building exposed to the elements for over two years; others are in locations not compatible with the markets they seem to be promoting. We have our doubts about whether focusing on hotels actually meets the tourist needs. Rarely do we hear of all hotels being full, but “No Vacancies” signs on guest houses are a common sight and there is a real shortage of self-catering accommodation.

Change sought to make sound: Change “hotel bedrooms” to visitor accommodation.

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 265\53

Plan Reference: Policy B1: Bath Spatial Strategy

Representation (soundness):

Change sought to make sound:

Representation (legal compliance): 8 Tourism, Culture and Rugby
b Bath Rugby is a private commercial company, one that is technically bankrupt with debts of over £1Million and only the owner’s personal fortune is keeping it afloat. As a private company, it cannot be promoted by a Local Planning Authority more than other private companies in the same sector such as Bath City Football Club. Change the names and imagine the Core Strategy promoting Sainsbury’s at the expense of Tesco, and you can see that this policy is tantamount to pre-determination and bias, and leaves the council open to accusations of corruption. The fact that the council has been actively investigating land swap arrangements to undermine the covenants on the Rec suggests that perhaps the corruption has already taken place. It is made worse by identifying the central area as the chosen location. This, as any sequential test would show, narrows the possibilities down to the only possible location in the Central Area, and it is the one the club currently occupies. That is of course on land provided as an open space for the benefit of the city and its residents and held in trust in that form. The fact that the current Trustees are all councillors and the Core Policy proposes development there could leave the Trustees open to allegations of corruption unless they too violently oppose this part of the strategy. A private sports company is free to put forward a proposal for a stadium anywhere it chooses, but this must then be determined strictly in accordance with planning law (and in the case of the Rec, in accordance with its covenants), with no Core Strategy presumption of success.

Change sought to make legally compliant: Delete in its entirety - and publicly withdraw support for any land swap arrangement, and for development of the Sports Centre which is also on the Covenanted land.

RepresentationReference: 265\54

Plan Reference: Policy B1: Bath Spatial Strategy

Representation (soundness): 8 Tourism, Culture and Rugby

Change sought to make sound: c No objection to the idea of this but it needs to be more specific. Bath needs a concert hall. Bath needs a Museum of Bath and increased interpretation of the WHS as requested by UNESCO. The city archives cry out for a adequate location. These are not ideally suited to a common venue, and the central area is not the ideal location for a large venue. The reader is left wondering why this limitation is stated when there is no ideal location in the central area that springs to mind Is the Rec being considered, in which case is not acceptable and the council cannot be seen to be considering a policy of developing land held in trust as an open space. Sir Richard McCormack (URP) and English Heritage in a recent seminar advised against following the example of Liverpool and their area in a World Heritage Site. The background for theirs is the Anglican Cathedral ours is the Abbey. Were they sounding a warning about plans already in hand?

Change sought to make sound: Make “venue” plural and delete reference to the central area.

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 265\55

Plan Reference: Policy B1: Bath Spatial Strategy

Representation 9 Public Realm This seems to be well advanced, and as stated previously, although we agree with its **(soundness):** broad concept it should be city-wide not restricted to the central area. The proposals lack a distinctive Bath style (we were promised a public consultation on a pattern book yet the designs are largely set and in styles largely copied from elsewhere and somewhat alien to Bath) The sums spent in a period of economic austerity will be considered by many as wasteful. Existing “improvements” are bland and sterile and the materials and/or workmanship are not up to the task.

10 Transport a. The blind allegiance to a transport plan that is universally unloved has no significant benefit (established from the council’s own documentation in the planning applications), is based on unsuitable buses negotiating narrow streets to end up at a location nobody wants to go to is bewildering. Desperate solutions are now being advocated to finance it and even sections of it (the few that had public acceptance) scrapped. It will prove a monumental blunder.

B. The solution to parking seems to 'remove all existing multi-storey car parks to make way for regeneration into offices'. Given the demographics of an aging population, many of whom are likely to have “Disabled” parking permits, the reduction of in-city parking is likely to make traffic problems worse not better, yet decimate trade for Independent shops. The local shops would benefit enormously from “The first 30 minutes free” on-street parking which would bring those who consider the buses too expensive and who shop elsewhere because parking is cheaper than in Bath back into the centre for quickly conducted business. It is ironic the picture right next to this section shows the best (un-built through lack of demand but with planning permission) office space in Bath with extensive on-site parking! A commuter railway station lies a few hundred yards away. There is no mention of using the railways or the river as part of an integrated plan, a major flaw in the current transport strategy.

C. Some sets of traffic lights seem to be deliberately designed to cause congestion, and the evidence of this is that traffic flow improves when they fail. Some bus lanes have created more congestion for buses, not relieved it. The replacement of a roundabout by traffic lights has more than doubled the traffic queues for most of the day. Traffic lights on at least two roundabouts leave traffic waiting at red lights when the roundabout is empty of all other traffic. The traffic control systems seem to have been designed to deter traffic by impeding its progress, and reduced air quality caused by traffic congestion is the inevitable result. If the traffic system was re-examined with the aim of enabling traffic progress, air quality improvements would automatically follow.

Change sought to Abandon the current Transport Package, it is doomed to failure. Extend the scope of transport policies **make sound:** to include rail and river as well as road. Rethink the parking strategy – it will decimate the trade of small independent shops and is therefore in direct conflict with the shopping policy. Improve air quality by rethinking the traffic management arrangements.

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 265\56

Plan Reference: Paragraph 2.10

Representation 2C The Central Area and Western Corridor Neither of these names can be found on any map of Bath, so **(soundness):** used in isolation they are meaningless.

**Change sought to
make sound:**

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 265\57

Plan Reference: Paragraph 2.11

Representation 2.11 The term 'headline development location' would not survive a "clear English" assessment. This is
(soundness): the most visible part of the city when viewed from the hills, and any unsympathetic development will impact on the setting. We agree Conservation is needed, but the paragraph should also recognise the importance of views of and over this location, a heritage asset.

**Change sought to Amplify 2.11
make sound:**

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 265\58

Plan Reference: Paragraph 2.12

Representation 2.12 This is word play, largely gobbledegook, yet reading between the lines it means potentially wreak
(soundness): havoc on the current natural habitat in order to facilitate the kind of developments that failed the first time around.

**Change sought to improve 2.12
make sound:**

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 265\59

Plan Reference: Paragraph 2.13

Representation 2.13 This is Zoning in all but name. It is a tried and found disastrous policy that has had a detrimental
(soundness): effect on every town that has implemented it. Introducing it to Bath is folly.

**Change sought to delete all reference to zoning, stated or implied, from 2.13 and everywhere else in the document.
make sound:**

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 265\60

Plan Reference: Paragraph 2.14

Representation 2.14 Given the amount of criticism we have already raised on the first 36 pages of the document, this
(soundness): paragraph is demonstrably untrue.

**Change sought to
make sound:**

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 265\61

Plan Reference: Paragraph 2.15

Representation 2.15 The best way of resolving contentious issues is to listen when people say you are getting it wrong.
(soundness): The bullet points are all admirable and worthy aims but count for little if the voice of the residents of all the city are ignored. Past experience indicates that pre-determined and probably faulty solutions will be pursued regardless of any advice received.

Change sought to Reword to show a commitment to public consultation beyond that which is statutorily unavoidable
make sound: and actually heeding the replies.

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 265\62

Plan Reference: Diagram 6: The Central Area and Western Corridor

Representation Diagram 6 This shows the zoning but we note the shading of the central area does not match that in
(soundness): the previous map.

Change sought to
make sound:

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 265\63

Plan Reference: Paragraph 2.16

Representation 2.16 The Central Area

(soundness): Whilst we have no desire to totally oppose any development of this area it must be sensitively managed, and there needs to be a commitment to do so included here. The wording refers to "the heart of the World Heritage Site" and this two-tier approach is totally unacceptable. The whole city is the World Heritage Site and should be promoted and recognised as such.

The boundary of the central area on this map does not match that shown as the boundary on other maps in the Core Strategy document, leading to ambiguity of the definition. The map does not show the proper extent of the entrusted land that is the Recreation Ground, and from other references in the Core Strategy there is a hidden agenda to include this as a hot spot but the map carefully avoids show it as so. It is potentially the one spot that will have the greatest impact. South Quays is not a recognised location name for an area officially named "The Riverside Business Park" and we note some of the supporting documents showed the listed Newark Works removed entirely to make way for new developments which would be unacceptable: the Heritage Ministry of the Canadian Government regards this as the most important historic building in Bath. This would be the ideal site for a Museum of Bath.

Change sought to Remove any references implying a two-tier World Heritage Site.

make sound: Add a commitment to sensitive development.

Discontinue the use of "South Quays" because this area has never been known by that name.
Redraw the map so that consistent boundaries are used throughout the strategy.

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 265\64

Plan Reference: Policy B2: Central Area Strategic Policy

Representation (soundness): Item 2u. The flood mitigation measures are inadequate to satisfy PPS25

Change sought to make sound:

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 265\65

Plan Reference: Policy B2: Central Area Strategic Policy

Representation (soundness): Policy B2 Central Area Strategic Policy

There should be no promotion of a policy that deals with a specific area as a cultural asset; it has to cover the whole WHS.

Change sought to make sound:

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 265\66

Plan Reference: Policy B2: Central Area Strategic Policy

Representation (soundness): 1 The Role of the Central Area

There is no particular objection to any of the policies in a - h only that they should be city-wide. The lead-in paragraph should identify the central area as part of all the categories that follow.

Change sought to make sound:

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 265\67

Plan Reference: Policy B2: Central Area Strategic Policy

Representation (soundness): 2 Placemaking Principles

a-c The descriptions are accurate but the key words are height, scale, massing and architectural treatment and harmonious. Most modern developments and proposals do not adhere to these principles and that is the main reason they are so contentious. Even when the classical language is used, if these are not correct the project fails; Southgate is a monumental example of this. The policy must therefore include specific regulation relating to height, scale and massing. In particular there should be a specific policy on tall buildings (we understand the research has been Bath and North East Somerset's Core Strategy – Publication Stage Representation Form done) There should

be particular emphasis on individual storey heights. Distorted storey heights (such as seen in Southgate) show that what is classed as a three story structure is in fact the height of a nearby building of six stories. Ideally the design codes should limit the overall height of a building as measured from the nearest pedestrian surface.

There should not be closet design codes advocating a particular design style. We have seen a number of Council sponsored events that show structures with certain repetitive design codes (based on Western Riverside), and some recent planning applications have made reference to council input into the design process. Such presumption in favour of a particular architectural style is not supported by Policy PPS1, which also advises against undue council influence.

Change sought to make sound:

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 265\68

Plan Reference: Policy B2: Central Area Strategic Policy

Representation d The palette of materials is important but more importance should be attached to the word limited. **(soundness):** This should prevent ceramic or black zinc used for walls of for promotion of aluminium over timber. The Bath palette as recognised in the Outstanding Universal Value a restricted one, yet it is being eroded to appease developers or to massage the egos of architects. Approval of materials should be based on local Bath context, not that it has been used in Bristol! A number of recent decisions have been made by officers against the advice of their colleagues with specialist knowledge in the field, suggesting either a lack of training and knowledge preventing them from understanding the advice received, or behind-the-scenes pressure to reach a particular decision. Other decisions have been made by the DCC who have been heard to make statements along the lines of "it's the Lower Bristol Road you can get away with it down there", and this two-tier approach to the World Heritage Site needs to be stamped on. Authenticity of construction means it is built to last. This means a return to more traditional construction methods, not (for example) Bath stone sent to Italy to be cut into thin slices and stuck to a concrete backing where it cannot breathe and will therefore crumble too soon, or the oft used steel frame with cladding panels. A prime example is a recently built kit house which stands out like a sore thumb assembled by pre-built sections in the environs of a Grade 1 listed structure. High quality does not mean swathes of plastic, aluminium, etc, and contemporary should not mean temporary. An authentic construction should have a fully functional life of at least a century and a half.

Change sought to make sound:

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 265\69

Plan Reference: Policy B2: Central Area Strategic Policy

Representation e Adaptability does not seem to include offices, where the preference seems to be for demolition. Past **(soundness):** policy does not give much cause for optimism here. Churchill House could have been adapted; so could the Newark Works, which were in use until the council decided to evict all the tenants. This is now a good chance to show that more could be made of the current Bath Press Building.

Change sought to make sound:

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 265\70

Plan Reference: Policy B2: Central Area Strategic Policy

Representation f Again the words are not at fault but the past experience brings fear of the interpretation. The western
(soundness): end is to be littered with soviet inspired housing blocks, the central green lung is to have a 25,000 seat stadium on it, ancient water meadows and a Site of Special Scientific Interest both transformed into car parks if the council's current ideas come to fruition.

Change sought to make sound:

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 265\71

Plan Reference: Policy B2: Central Area Strategic Policy

Representation g It is a moot point whether the riverbank through the central area can be considered high quality. It is
(soundness): certainly not wide enough to avoid occasional conflict between walkers and cyclists.

Change sought to make sound:

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 265\72

Plan Reference: Policy B2: Central Area Strategic Policy

Representation h The river is Baths greatest unused asset more a glorified litter-strewn drainage channel in most
(soundness): places. Despite lots of fine words their appears little resolve to actually do anything meaningful with it. The Transport Plan ignores its potential, and the tourist plans do not even consider the possibilities of floating holiday accommodation. Large sections are inaccessible; most is of poor quality. Even though the new bus station was built right next to it, there is no ready access from one to the other. There is little that is natural in the central area apart from a few ducks and swans.

Change sought to make sound:

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 265\73

Plan Reference: Policy B2: Central Area Strategic Policy

Representation I Yes the area is compact but we would disagree that there is a high representation of independent or
(soundness): specialist retailers. It is a clone of just about every other city centre. There is an over dependence on café/eateries which cannot be sustained long term. Bath's historic shop front are a key strength yet you would not know it, because almost on a daily basis historic shop fronts are repainted gaudy colours,

have tacky plastic signs of lettering fixed to them Bath and North East Somerset's Core Strategy – Publication Stage Representation Form or are festooned with strings of lights. This is not helped by an almost powerless and understaffed Enforcement Team and a Historic Environment Team spread too thin on the ground. Above all there is a genuine reluctance to care. Shopping or the retail experience is not what it was and is far from what it should be. See our recommendation for Page 16 Objective 4 for suggestions for improvement.

Change sought to make sound:

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 265\74

Plan Reference: Policy B2: Central Area Strategic Policy

Representation j This wording is all out of the public realm manual. It equates to large amounts of glazing, open doors
(soundness): with tables and chairs spilling out onto the street. The point it misses is that if you display it all there is little worth going inside for, which reduces sales, and if pavements are too cluttered people will take another route. At the other extreme would be the recent Debenhams planning application, when the shop was quite bizarrely granted approval to blank out the windows of one whole elevation. Clearly those who make the decisions know nothing about shopping from a retailer's perspective.

Change sought to make sound:

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 265\75

Plan Reference: Policy B2: Central Area Strategic Policy

Representation k It is not specified what these are, and the statement is worthless without some examples being
(soundness): quoted. And what is walkable for one person might be a distance impossible to contemplate for another. In that respect the location of the premises providing mobility aids for shoppers is too distant from the buses to be of any practical use to many, but where in the strategy has anybody given any thought to a "Disabled Only" car park with Motability facilities to cater for an aging population forecast?

Change sought to make sound:

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 265\76

Plan Reference: Policy B2: Central Area Strategic Policy

Representation l This would be comparable to imposing giant photo-panels at key points largely sponsored by
(soundness): corporate organisations that impinge pedestrian movement, spoil tourist photos, are visually unattractive after a period of familiarity and would appear to be of little benefit to the city. Most stay too long and are past their sell-by date. Events which attract those from outside the city, like the

Christmas Market, need to be considered in the context of where the incoming cars and coaches will park. The promotion of such events without a suitable transport and parking strategy creates adverse opinions of the city, yet the current transport approach is one of "thou shalt not park" which over time will be hugely detrimental.

**Change sought to
make sound:**

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 265\77

Plan Reference: Policy B2: Central Area Strategic Policy

Representation m There still remains an awful lot of empty property in the city centre above shops and offices, and
(soundness): there doesn't seem to be any coherent policy to bring these into residential use. Yet doing so must be cheaper than building new.

**Change sought to
make sound:**

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 265\78

Plan Reference: Policy B2: Central Area Strategic Policy

Representation Risks to the Central Area

(soundness): n Most of the areas of poor quality post war development were council created in the first place and the great fear is that there is a desire to repeat the whole sorry exercise again. The tendency to favour large development projects is likely to result in "lowest specification for the lowest price" outcomes unless there are robust design codes in place and enforced. Central Bath evolved in relatively small developments but to a common set of proportions and materials, and anything other than this in the future will affect its character. A further area of riverbank was annexed by the construction of the bus station.

**Change sought to
make sound:**

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 265\79

Plan Reference: Policy B2: Central Area Strategic Policy

Representation o More words out of the public realm document to get more bridges. This idea could be good or bad,
(soundness): depending on location and design.

**Change sought to
make sound:**

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 265\80

Plan Reference: Policy B2: Central Area Strategic Policy

Representation p No argument about the statement made but it must be noted that we cannot maintain or keep clean
(soundness): what we already have. There is also a culture of lack of civic pride shown by many. Most of the public realm is littered with eyesores and excessive advertising, ranging from ugly timber photo frames to “A” boards to people with placards. Many tourist photos must be ruined by unwanted additions to the view. These issues need strong action before spending money on new signs and street furniture.

Change sought to make sound:

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 265\81

Plan Reference: Policy B2: Central Area Strategic Policy

Representation q Some of the volume of traffic is directly attributable to the council’s traffic management methods.
(soundness): When it is quicker to drive right through the shopping areas, down Milsom Street and up Walcot Street, than it is to take the shorter direct route along The Paragon, something is very wrong. Recommendations for transport improvements are in the comments to B1

Change sought to make sound:

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 265\82

Plan Reference: Policy B2: Central Area Strategic Policy

Representation r We believe the decline is more rapid than admitted. However the growth of internet and online
(soundness): shopping has greatly increased this. This has to be factored in and the retail sector adapted to find its own niche. There are things that can be done to preserve Independent shops, it needs a will to do so, and the end of trying to attract “big names” that can be found in plenty of other shopping centres.

Change sought to make sound:

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 265\83

Plan Reference: Policy B2: Central Area Strategic Policy

Representation s Apart from roads where the traffic system seems to be deliberately engineered to create congestion
(soundness): (London Road and Lower Bristol Road), there is adequate road capacity outside peak times. The difference in traffic volumes between school days and school holidays indicates that investment in attractively priced home to school transport would have a significant impact on traffic patterns.

Change sought to make sound:

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 265\84

Plan Reference: Policy B2: Central Area Strategic Policy

Representation t At present it appears it is the public transport, in particular the debacle that is the traffic scheme for
(soundness): Dorchester street and a (badly positioned and undersized) bus station largely unfit for purpose that is the main contributory factor. Articulated buses are particularly obstructive to other buses.

Change sought to make sound:

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 265\85

Plan Reference: Policy B2: Central Area Strategic Policy

Representation u A great fear is that this equates to extremely controversial measures (some based on fanciful ideas
(soundness): that would not survive scientific scrutiny) being taken elsewhere to provide mitigation to allow these developments to proceed. The assumptions that flooding will be caused by river levels rising overlook the cause of the major flood events outside Bath (Lynmouth and Betws-Ycoed for example) which were caused by water run-off from the hills, and out of city mitigation measures have no benefit in those circumstances, whereas developments in flood risk areas justified on the grounds that there are mitigation measures elsewhere will make flood events worse.

Change sought to make sound:

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 265\86

Plan Reference: Policy B2: Central Area Strategic Policy

Representation v More wording to engineer the ground for modern office development for which there is no proven
(soundness): need. You can work perfectly well from a Georgian Building (indeed some companies prefer them for the image they present) provided it has all modes of communication and other services available. Downplaying cannot be used to promote vast square footages of floor space.

Change sought to make sound:

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 265\87

Plan Reference: Policy B2: Central Area Strategic Policy

Representation w Another phase designed to facilitate demolition and regeneration. There are studies and workshops
(soundness): currently preparing recommendations for improving the energy efficiency of existing buildings, so this

statement is likely to be obsolete in the near future. It is always cheaper, and in sustainability terms more carbon friendly, to adapt an existing building than to build a new one.

**Change sought to
make sound:**

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 265\88

Plan Reference: Policy B2: Central Area Strategic Policy

**Representation
(soundness):**

**Change sought to
make sound:**

Representation (legal compliance): Item 4h. The plans for a new sports stadium are not legally compliant, see the comments on Page 35, Policy B1, 8b

Change sought to make legally compliant:

RepresentationReference: 265\89

Plan Reference: Policy B2: Central Area Strategic Policy

Representation 3 Key Development Opportunities

(soundness): There is no disagreement that these areas are in need of redevelopment, more a fear of a indiscriminate swing of the wrecking ball taking the good with the bad. It has to evolve more slowly and organically, rather than the gung ho approach that can be read between the lines: "if we can knock it down lets do it, and never mind the consequences. It's only history and shiny and modern is bound to be better."

Change sought to Add a commitment to prepare as soon as possible design codes compatible with the Outstanding
make sound: Universal Value (and have it approved by ICOMOS-UK as a correct interpretation), and then enforce this set of design code on every development within the World Heritage boundary. Bath Heritage Watchdog will assist in the preparation of the draft, if asked.

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 265\90

Plan Reference: Policy B2: Central Area Strategic Policy

Representation a- e Ongoing involvement of the residents and specialist groups is essential and there must be a
(soundness): genuine commitment to listen and adopt other ideas, not token gestures. There never has been a location of Bath Quays (whether North or South) and the majority in B&NES will not know what is meant. The use of this description must be discontinued.

**Change sought to
make sound:**

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 265\90

Plan Reference: Policy B2: Central Area Strategic Policy

Representation f The Recreation Ground and the Leisure Centre are located on the land given in trust to the residents
(soundness): of Bath as a recreational open space, and it is definitely not a development opportunity.

**Change sought to
make sound:**

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 265\92

Plan Reference: Policy B2: Central Area Strategic Policy

Representation g Creates further loss of existing businesses and employment, contrary to the commitment to retain
(soundness): industrial land, and the requirement to create jobs. There must be a guaranteed commitment to retain the listed Newark Works in it entirety: in a World Heritage Site it has direct links to New York, Antigua and Canada because of its architect (more famous overseas than in Britain).

There never has been a location of Bath Quays (whether North or South) and the majority in B&NES will not know what is meant. The use of this description must be discontinued. The description of Stothert and Pitt is misleading, because Stothert and Pitt operated from sites along the Lower Bristol Road from Churchill Bridge to Weston Island, a distance of nearly 2 miles. The correct description of the intended location is the Newark Works to Sydenham Road.

**Change sought to
make sound:**

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 265\93

Plan Reference: Policy B2: Central Area Strategic Policy

Representation h&l Further evidence of tacit support for interfering with the businesses of successful private
(soundness): companies in order to achieve expansion plans. Such interference will have an adverse impact on the various business sectors and jobs, much to the delight of the competitors of such companies. Retaining existing businesses must take priority over attracting new ones, and the Core Strategy should commit to that.

**Change sought to
make sound:**

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 265\94

Plan Reference: Policy B2: Central Area Strategic Policy

Representation 4 Scope and Scale of Change

(soundness): a At present we see no convenient location for this and fear should it take place it would be a mini-

Southgate full of the same retailers; because unless the council owns it and chooses its tenants, it will have only a very coarse control over usage through Use Classes. What is meant by "comparison" is not clear, and an unambiguous word should be used.

**Change sought to
make sound:**

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 265\95

Plan Reference: Policy B2: Central Area Strategic Policy

Representation b We still question this need for modern office space and there is no evidence that this level of **(soundness):** provision is required when most business models aim to reduce used floor space (witness the council's move to Lewis House, occupying a far smaller floor space than previously). It appears more of a figure assumed than a known requirement. As a very minimum the Core Strategy should aim for up to a floorspace figure so that there is not a commitment to build more than actually proves necessary. There are already large amounts of brand new office floorspace granted planning permission but not being built because no occupier can be found, including "the best office building in Bath" (see photo on Page 34) which got planning permission two years ago but has failed to attract an occupant. We wonder if modern offices in Bristol are being looked at with envy, ignoring the fact that most of their modern office space lies empty in lifeless environments.

**Change sought to
make sound:**

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 265\96

Plan Reference: Policy B2: Central Area Strategic Policy

Representation c Is this amount of floorspace already taken up? There seems to be a surfeit of convenience stores **(soundness):** already, almost entirely taken up by only two trading names; and overtrading would seem to be addressed by the recently proposed Waitrose expansion which has been announced after the draft Core Strategy was released.

**Change sought to
make sound:**

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 265\97

Plan Reference: Policy B2: Central Area Strategic Policy

Representation d A large bulk of this would be addressed if current proposals come to fruition but with one **(soundness):** development stalled for a couple of years and another showing no signs of movement we wonder if this is more of a desire than a genuine need. As stated elsewhere, other types of guest accommodation have been overlooked, as has the potential impact on the Independent visitor accommodation market.

**Change sought to
make sound:**

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 265\98

Plan Reference: Policy B2: Central Area Strategic Policy

Representation (soundness): e Is this number on the low side? Surely a city centre location would be an attractive proposition for work/ transport, possibly even for students for local access to leisure activities and yet with transport to the universities. Some of the hotel/office schemes should be mixed use to give life to what have the potential to be dead spaces.

Change sought to make sound:

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 265\99

Plan Reference: Policy B2: Central Area Strategic Policy

Representation (soundness): F The bus station is generally derided for its lack of information facilities and for scattering alighting points all around it because it wasn't designed for competing operators to share. None of the travelling public consider the changes to the railway station to be improvements. At a considerable loss of unique and irreplaceable historic material there are plans to provide another sterile plaza linking a railway station made worse for cyclists and the disabled to a bus station not fit for purpose in a traffic system that is chaos, and further from the trains than the previous now demolished bus station. It is far from the integrated wonder we were promised. Improvements are only improvements if they offer considerable benefits over the loss; and progress is not progress if the outcome is to make matters worse. Nothing seen in this location thus far convinces, and we recommend that this item is removed from the strategy to give the option of rethinking and/or not proceeding.

Change sought to make sound: Delete all reference to the Recreation Ground area being a development opportunity (and replace the current Trustees because as councillors they clearly have a conflict of interest).

Representation (legal compliance): Delete all reference to a sports stadium, and all references to the Recreation Ground as a potential development site.

Change sought to make legally compliant:

RepresentationReference: 265\100

Plan Reference: Policy B2: Central Area Strategic Policy

Representation (soundness): g Considerable improvements are needed but we question the consultation process. The design, the cost and above all the lack of resources to clean and maintain what we already have mitigate against "enhancements" that will place greater demands on the already scarce resources.

Change sought to make sound:

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 265\101

Plan Reference: Policy B2: Central Area Strategic Policy

Representation i Not acceptable in the central area, because the only sufficiently large space is the Recreation Ground
(soundness): which must not be built on.

**Change sought to
make sound:**

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 265\102

Plan Reference: Policy B2: Central Area Strategic Policy

Representation j Enhancement in the current location breaks existing covenants, so the proposal is not acceptable as a
(soundness): trade-off for other facilities

Change sought to Delete all reference to the Recreation Ground area being a development opportunity (and replace the
make sound: current Trustees because as councillors they clearly have a conflict of interest).

Representation (legal compliance): Delete all reference to a sports stadium, and all references to the Recreation Ground as a potential
development site.

Change sought to make legally compliant:

RepresentationReference: 265\103 S

Plan Reference: Policy B2: Central Area Strategic Policy

Representation k Supported. But likely to be bottom of the list and possibly in conflict with other proposals
(soundness):

**Change sought to
make sound:**

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 265\104

Plan Reference: Diagram 8: The Central Area in 2026

Representation Diagram 8

(soundness): This shows an expanded area encompassing the Recreation Ground that as previously stated is not a development location. The text states it is perceived as a total composition but as yet there is no cohesive masterplan on the table. It is difficult to reconcile the description of "lively streets" with the expectation of large numbers of vacant and deteriorating "modern" office blocks. It also seems hard to understand how totality will be achieved in an entirely uncomplimentary architectural style (at least the Abercrombie plan for all its faults understood this). There is then more trendy word play with terms such as stepping stones showing this is all the work of consultants rather than being imbued with true understanding of the character of Bath. Zoning and the inevitable disadvantages it brings lurks beneath the surface.

The next set of ideals of a car free centre might be harder to achieve. It will be difficult to prize people away from their cars especially when its newest shopping centre is replete with 1000 parking spaces! The Public Realm and Transport proposals are not universal cure alls. Given the demographic forecast

of a large increase in the over-65s, a significant part of the population will regard car free areas as no go locations and either shop elsewhere or opt for home deliveries. A growing number of Disabled badge holders will be excluded unless they are properly provided for, and will go elsewhere unless they can park within their limited walking distances to their destinations. Either way the impact on the city centre shops will be considerable. The availability of expanded pedestrian circuits does not guarantee that they will be used. Most pedestrians have a destination in mind and go there. Anybody doing proper justice to a cultural attraction is not going to have the time or inclination to go on to another unless they are tourists on a short visit.

Thus far we have seen little new development that meets the expectation of High Quality. The River Corridor is indeed important yet the trade off could see an upstream compromised to facilitate development in the central core which in turn could put added pressure on areas downstream, none of which are appropriate for the risk of run-off from the hills. We note the map still contains a bridge between North Parade and Pulteney Bridges which previous consultations promised to delete, and a never before seen bridge at the station.

Change sought to make sound: Replace wishful thinking with proper thought about the consequences of the sum total of all the policy elements.

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 265\105

Plan Reference: Policy B3: Twerton and Newbridge Riverside Strategic Policy

Representation (soundness): 2E The World Heritage Site and its Setting This subject is inadequately covered and needs more than two pages: What makes Bath a World Heritage site is the history reflected in its street plans building designs and materials, its open spaces and its geological setting. Therefore the World Heritage Site and its Setting is the key to its very existence. Two pages balanced against around a hundred other pages promoting the biggest upheaval the city will have seen in its lifetime! Does the photograph on page 52 give an indicator as to what the council and a number of others consider to be the WHS: a few buildings designed and built by John Wood? Bath is the only WHS in Britain which embraces the entire city, and it shares that with only a very few other cities in the world, yet the Core Strategy does not effectively promote that.

Change sought to make sound: Much more emphasis on preserving the Outstanding Universal Value of the World Heritage Site. A policy of consulting ICOMOS-UK on all major developments (the same criteria used for English Heritage consultations should be used) and allowing ICOMOS-UK a veto on planning permission being granted where they consider the Outstanding Universal Value would be damaged. (This because a World Heritage Site is held in trust for the current and future generations throughout the world, and past experience has shown that the decision makers on the council do not consider what the world wants in a World Heritage Site).

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 265\106

Plan Reference: Paragraph 2.31

Representation (soundness): 2.31 We totally disagree with this. It should be true, but it isn't, and judging from the aspirations elsewhere in the Core Strategy, there is no intention that it will be in the future. Almost without exception WHS status is well down the list of material considerations and is not even considered by most on the DCC who have been heard to scorn claims of damage to the setting The select set of values are correctly spelt out but few are willing to recognise them and even Bath and North East Somerset's

Core Strategy – Publication Stage Representation Form fewer understand them. The Seville meeting of the World Heritage Committee made a set of recommendations over a year ago, and thus far nothing has apparently been done to meet any of them.

**Change sought to
make sound:**

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 265\107

Plan Reference: Paragraph 2.32

Representation 2.32 The words are fine but day after day the reality is different. Proposals can be assessed against as **(soundness):** many policies as may exist, but equally whenever the wording is such that there is room for judgement, it is possible to judge to ignore them as frequently happens. How many times have we seen the public raise concerns about particular developments, and in a number of cases the council's own specialist officers advise against them or state they are not unacceptable as they stand, only for this specialist judgement and local knowledge to be totally overridden? We note the Setting Study may form the basis of an SPD. It should and it should be now, not in the future.

The trouble with all policies currently and possibly those to be adopted is, if they stand in the way of development or regeneration, pet projects and architectural whims, they will be tossed aside or circumvented. Patrick Abercrombie had it right, unique Bath is. Unique because it is the only city in Britain that was not an administration centre but a leisure centre. Unique because it has 'Bathness' His vision may have been flawed in places but if in places the more acceptable elements had been completed we would have had a cohesive whole to match the planning of Edinburgh new town. Unfortunately the sack of Bath saw the end of any unity that remained so what exists is a puzzle with a number of pieces missing, though what the entire picture was is still evident. The persistent fear is the remaining pieces will be reshaped to enable the new but the new will not fit with the old and gradually the original picture is lost. So too will be the Outstanding Universal Value that Justifies WHS status. Preserving a few of John Wood's buildings and a Victorian interpretation of what a Roman Baths looked like is never going to be sufficient to satisfy UNESCO and is unlikely to attract a sufficient number of tourists.

**Change sought to
make sound:**

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 265\108

Plan Reference: Paragraph 2.33

Representation 2.33 This is probably the most interesting set of words thus far as it sets out the underlying thinking in **(soundness):** plain English. There is a two way approach of responding to this. We would agree that responding to context is correct but then point out how much that is recently proposed utterly fails to do this. It is important that examples of this are provided as style is the most contentious of the issues when it comes to new development. Design and aesthetics are subjective but the one view must not prevail over the other. Look at the planning permissions given:

- The Holburne. A ceramic box on a classically proportioned stone building.
- The Bus Station. A steel and glass drum replacing a perfectly sound Neo-classical structure.
- The Dyson Academy. A glass palace towering over an all-but-demolished Heritage asset.
- The Western Riverside. Still the biggest threat and one that provoked the UNESCO mission. Vast

blocks of what are termed 'Bar Code Architecture'.

- Southgate. Overwhelming 'pastiche' which despite the architect's best efforts fails because it does not respond to context or proportions.

- Hayesfield School. In another location perhaps acceptable, but not conforming to the local context. The council's specialist officers opposed it.

These are some of the biggest offenders and we almost sound like a broken record repeating the list. But until it appears someone is listening and prepared to take notice, on the turntable it stays.

Recent proposals include the construction of a college building clad in black zinc. Paragraph 2.33 says the development should add a new layer to the earlier accumulations, but it should be pointed out that later periods built in a style of the past in order to present a appearance of unity. Even Abercrombie in the mid 1940s, with the exception of bus and rail stations, promoted neoclassical. We note the reference to the authentic Georgian Product, but even the UNESCO Mission commented on "Georgian" buildings that were in fact Victorian, so the definition is by no means as clear cut as the wording suggests. Let us also not forget that the council pulled down vast tracts of authentic Georgian artisan buildings justified (as the records of the time show) by the excuse that there were no authentic Georgian artisans to live in them. Most of the buildings that are currently unloved are from this period. Whilst we appreciate the aim to not preclude the restoration of set pieces we feel there is little real willingness to do this. There have been opportunities taken to do this, and more will no doubt come forward, but what we see is more of the repetitive architecture, uncharacteristic of Bath in scale and proportion, as prompted by the designs for the Western Riverside. Now the council has a weapon in the shape of the Vienna Memorandum they seem determined to use it or more particularly one phrase in it which does not advocate pseudo historical. It should be remembered "contemporary architecture" is over a 100 years old and some is now historical. The important bits of the memorandum about height, scale, massing, roofscape and respecting and reflecting the historical form are not mentioned; nor is the sage advice about materials and setting. If the Vienna Memorandum is to be mentioned in the Core Strategy, it is relevant in its entirety, and not selectively quoted (which is about as relevant as someone taking a test drive in a car and then only describing the comfort of the seat).

We noted at a recent seminar that in one of Europe's great classical cities no classicists were present, and how a large number of proposals and developments were being given to just one local firm.

**Change sought to
make sound:**

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 265\109

Plan Reference: Paragraph 2.34

Representation 2.34 If a building heights strategy has been prepared it should be enshrined in the local plan and Core
(soundness): Strategy. The Seville meeting of the World Heritage Committee recommendations warned against the creation of new barriers, and exaggerated heights based on floor to ceiling heights designed to incorporate suspended ceilings and service runs or structures. Accommodating offices and shops are the prime cause of this. Massing and bulk should be of equal importance.

2.35 Decisions should not be made based on height alone. Scale, massing and bulk and roofline are all considerations. The Vienna Document (in its entirety) would make a good starting point. If a basic design code or strategy was commissioned and agreed with all parties and stakeholders (which must include UNESCO or its UK agent ICOMOS-UK) incorporating the aims of the memorandum a lot of future conflict could be avoided.

A common misconception is that everybody wants Georgian style buildings and nothing else. Above all

we want buildings that belong in the scale and proportion of Bath and of such quality and materials that they are worthy additions to the city. Seven Dials is a good example: it is not a pastiche of anything else, it is not like any other building in Bath, but it blends in beautifully. If one architect can design something like that, it is not unreasonable to expect others to do so.

Change sought to make sound:

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 265\110

Plan Reference: Policy B4: The World heritage Site and its Setting

Representation Policy B4 The WHS and its Setting In our comments on Section 2e were listed just a selection of recent **(soundness):** proposals that the majority feel harm the Outstanding Universal Value of the World Heritage Site, its integrity and authenticity and setting, not necessarily individually but with a cumulative effect. UNESCO will not normally intervene until after the event, because until then there is always room for a change of mind. However they were concerned enough before Western Riverside and the Dyson Academy were built to send a Mission to Bath on the strength of local opinion, and if the problem persists they may do so again. We have repeated before that those with the power to refuse proposals seldom do so and totally ignore Policy As Policy B4 is worded we remain unconvinced the word “harm” will be interpreted in a way that will afford the level of protection it is reasonable to expect, so we propose a revised wording.

Change sought to Change the wording:

make sound: Proposals which would, in the judgement of ICOMOS-UK, harm the Outstanding Universal Value of the City of Bath World Heritage Site, including its authenticity and integrity, or which would harm the setting of the World Heritage Site will be refused. (Delete the remainder. The carbon footprint of preparing a site and manufacturing the materials subsequently assembled into a development will exceed any climate change benefits attributable to the development in use during its lifetime, so there does not need to be a clause allowing for this policy not to be applied.)

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 265\111

Plan Reference: Paragraph 2.36

Representation Baths Universities

(soundness): 2.36 to 2.38 Correctly lists and identifies the problems and concerns but in reality the problem has persisted unchecked for too long without taking decisive action, which leaves a difficult legacy to recover from.

Although this area is outwith our remit, some of the issues as mentioned previously do impact on character and setting. We believe a strong signal could be sent by the issuing of a city-wide Article 4 Directive removing Permitted Development rights to convert dwellings into HMOs, and that every effort should be made to tackle the existing problems, possibly by promoting better liaison between landlords and the local authority and university to ensure that appearance of property is maintained. Students should be reminded of the responsibilities to keep a premises tidy either by the university or landlord, as well as some programme of organised clear-up and maintenance work introduced.

Change sought to Include a commitment to introduce a city-wide Article 4 Directive removing Permitted Development

make sound: rights to convert dwellings into HMOs

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 265\112

Plan Reference: Policy B5: Strategic Policy for Bath's Universities

Representation Off Campus Student Accommodation This element sounds completely negative as written. There must
(soundness): be a preference for purpose build accommodation over the continued erosion of housing stock to make HMOs. Therefore a revised wording is proposed.

Change sought to Suggested rewording:

make sound: Proposals for purpose built student accommodation will be permitted where it meets a need for such accommodation and is in a location that does not conflict with other strategic policies and is in a style and scale that does not harm the Outstanding Universal Value of the City of Bath. Proposals to convert existing residential accommodation into student accommodation will be refused unless it can be shown that the benefits outweigh the loss of general housing stock.

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 265\113

Plan Reference: Paragraph 2.42

Representation 2G Infrastructure and Delivery

(soundness): 2.42 When the reference to Table 5 is followed, included in the Key Infrastructure are the showcase bus corridors that has recently been abandoned to save money according to the local press. Also the bus operator has wrecked any pretence that at least three of the routes can be considered "showcase" by timetable and route changes. Elsewhere in our comments on the Core Strategy we have identified why the Rapid Transit proposals are unjustified and are unlikely to be delivered.

Change sought to
make sound:

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 265\114

Plan Reference: Paragraph 2.42

Representation Table 5 indicates enhanced frequencies to Bristol but not in the other direction. This is not necessarily
(soundness): beneficial: it would enable easier out-commuting to Bristol, thus supporting the move of the MOD and making Bath more of a dormitory location than a place of employment. Elsewhere in our comments on the Core Strategy we have recommended including rail and river transport be added to ideas for road schemes, and such additions should be also reflected in this section.

Change sought to
make sound:

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 265\115

Plan Reference: Paragraph 2.43

Representation 2.43 This notes the key to development potential is the transport package. This claim undermines the **(soundness):** credibility of this entire section because the future of the city cannot be based on what most regard as a flawed scheme offering little benefit. If it does not proceed (and many believe it will be halted by a legal challenge), then every policy claimed to depend on it also falls and it is the height of folly to put a future strategy at risk for a hobby-horse that everyone except the council knows is broken. Effectively this requires the link between the Infrastructure strategy and the Infrastructure Delivery Programme to be removed, along with Table 5. Every building proposed for the Western Riverside is within a short walk of existing bus routes, so any claim for an interdependence between that development and transportation plans cannot be justified.

Change sought to make sound:

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 265\116

Plan Reference: Paragraph 2.44

Representation 2.44 Point 1 Gives basic details of the scheme highlighting the increase in spaces but not the impact of **(soundness):** these extra car journeys on the countryside and environs of the city, mostly Green belt or ANOB, plus the destruction of an ancient water meadow!

Change sought to make sound:

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 265\117

Plan Reference: Paragraph 2.44

Representation Point 2 Mentions 1.4km in the context of a segregated route from the Newbridge site to the city centre **(soundness):** which is a statement deliberately designed to mislead! It of course is not segregated in the true sense of the word because legally it will be a bus lane for the dedicated part and a shared road for the remaining 2.8km or so to the city centre; with yet another 3km still to go before reaching the other terminus at Bathampton Meadows. Effectively the park and ride bus route just shares road space for its journey, so it is of no value mentioning it here.

Change sought to make sound:

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 265\118

Plan Reference: Paragraph 2.44

Representation Point 3 This is no longer true. Most if not all of the “showcase” facilities have been deleted from the **(soundness):** scheme to save money, so Point 3 itself should be deleted.

**Change sought to
make sound:**

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 265\119

Plan Reference: Paragraph 2.44

Representation Point 4 This is very curiously worded. Providing “access changes on a number of streets” between
(soundness): pedestrian cyclists could mean anything between mounting platforms to assist pedestrians to become cyclists, and cycle racks at the point where cyclists become pedestrians. What is supposed to happen on streets no so provided? Plain English instead of consultant-speak would help.

**Change sought to
make sound:**

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 265\120

Plan Reference: Paragraph 2.45

Representation 2.45 More about how it will unlock the potential and reduction in car journeys most of which in peak
(soundness): periods is created by the school run and we have already commented on possible solutions to that. Other car journeys for the collection of bulky goods, shopping, etc are essential for many, but especially for the infirm, for whom walking or cycling (and in many cases public transport) is not an option; and this is the category which the demographic forecast says will increase.

The economic benefits of using the Bath car club compared with running a “cheap old banger” only favour the car club where infrequent short journeys are the norm. So whilst it is valid to mention the existence of the car clubs, it should not be made to sound like a panacea. For low paid workers car club membership (along with the buses) could be too expensive.

**Change sought to
make sound:**

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 265\121

Plan Reference: Paragraph 2.46

Representation 2.46 It is not obvious why this should be dependent on the Greater Bristol Metro Project when this is a
(soundness): route already served by scheduled services, and the service operator could increase frequency to meet demand. It sounds like more of an attempt to justify the existence of the project than a genuine strategic need.

Notably, this is about the only mention thus far of the railway. Again there is a reliance on another limited scope project but no infrastructure such as a station in the east Box, Corsham or a halt at Bathampton to negate or reduce the size of the eastern park and ride. No mention of a halt at Newbridge or the possible extension of the old Midland line at least as far as the park and ride; and no mention of improved services to Melksham and Trowbridge where a significant number of MOD

personnel live and in-commute by car.

**Change sought to
make sound:**

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 265\122

Plan Reference: Paragraph 2.48

Representation 2.48 Again we refer to previous concern regarding flood compensation and possible measures that **(soundness):** could impact on areas upstream. It makes mention of a masterplan except there is in real terms one that the public are aware of but haven't had access to within the consultation timescale. Most of the tinkering is designed to facilitate development regardless of potential impact, and it won't actually reduce the flood risk. Insurance for buildings in these locations is likely to be problematical.

No mention is made of the risk of surface run-off and the impact of all the new largely impervious hard landscaping at the bottom of the valley, or the fact that in some areas the drains are already unable to cope with the run-off of normal heavy rain, so abnormal quantities of rainfall pose a particular risk even without additional developments on the flood plain.

**Change sought to
make sound:**

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 265\123

Plan Reference: Paragraph 2.51

Representation 2.51 This section again shows the fragile reliance on other bodies and non-council funding. Things are **(soundness):** currently unstable in many areas and basing a strategy on such a fragile future could bring large gaps in what can realistically be achieved.

**Change sought to
make sound:**

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 265\124

Plan Reference: Paragraph 2.53

Representation 2.53 Yet another contradiction to the objective of conserving industrial floorspace, this time to meet an **(soundness):** undershoot of housing targets. It also casts doubts on the will to deliver the Newbridge Riverside proposals if at the same time the strategy uses it as a contingency.

**Change sought to
make sound:**

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 265\125

Plan Reference: Whole Document

**Representation
(soundness):**

Change sought to Delete all reference to the Transport Package and the Infrastructure Delivery Programme in which it is
make sound: embedded. Other changes as identified in part 6b

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 265\126

Plan Reference: Chapter 2: Bath

Representation World Heritage, Regeneration and 'Place' is incompatible as a heading. Regeneration implies the
(soundness): replacement of something, which must reduce the heritage and damage the sense of place.

Change sought to Improve 2.05; Delete 2.07
make sound: Add a commitment to deliver the World Heritage Site Management Plan.

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 265\127

Plan Reference: Paragraph 2.05

Representation 2.05 Recommendations from the World Heritage Committee included enhanced protection of the
(soundness): setting, and a number of recommendations for the Western Riverside. If there is a genuine desire to achieve all that is stated, embodying these recommendations in the strategy would be a good place to start. The summary of the Outstanding Universal Value omits the reference to Bath's visual homogeneity which is embodied in the criteria, and which is clarified in the Management Plan as a need to meet the test of authenticity in design, materials, workmanship or setting.

Change sought to Improve 2.05; Delete 2.07
make sound: Add a commitment to deliver the World Heritage Site Management Plan.

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 265\128

Plan Reference: Paragraph 2.06

Representation 2.06 The vision referred to was largely not offered for public consultation to a sufficient degree. What is
(soundness): have here are all the buzz words and soundbites in order to facilitate what are now termed 'modernist interventions'. Bath does not need to be re-branded and identified. We know where we are and where we live. We know what we like about it, and it is good enough to attract the tourists. And the need to preserve the Outstanding Universal Value places severe limitations on what is permissible in a contemporary context.

Change sought to Improve 2.05; Delete 2.07
make sound: Add a commitment to deliver the World Heritage Site Management Plan.

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 265\129

Plan Reference: Paragraph 2.07

Representation (soundness): 2.07 Giving Bath a 21st Century identity is directly contrary to the World Heritage Management

Change sought to Improve 2.05; Delete 2.07

make sound: Add a commitment to deliver the World Heritage Site Management Plan.

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 265\130

Plan Reference: Paragraph 2.07

Representation (soundness): The reference to places and neighbourhoods is merely the introduction of a policy of zoning without using that word. It has been tried elsewhere and it has been an unmitigated failure. In fact underneath the misleading descriptions are just the sort of developments that qualify for the description "ill conceived proposals", that the current generation, let alone the next one will roundly condemn. This is a recipe for losing the World Heritage Status, and has no place hiding under this heading: if certainly has no place in a Core Strategy.

Change sought to Improve 2.05; Delete 2.07

make sound: Add a commitment to deliver the World Heritage Site Management Plan.

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 265\131

Plan Reference: Diagram 5: Bath Spatial Strategy

Representation (soundness): The first thing to comment on is the map with its blue shaded central area. It is perhaps no coincidence that the boundaries appear to confirm what others call the 'Georgian' or Historic core, but the discrepancies between this map and that used later in 2.16 need to be resolved.

Change sought to Align the boundaries of the areas shown in the various maps.

make sound:

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 265\132

Plan Reference: Diagram 5: Bath Spatial Strategy

Representation (soundness): The annotation box says the historic character must be protected, which implies that the character of areas outside this central area are not similarly constrained. There is an extant SPD called the City Wide Character Appraisal which defines the character of each part of Bath and this should take precedence over vague strategic statements. Other areas are designated as having a specific use. This is back to the discredited policy of zoning; a policy which can only harm Bath.

Change sought to make sound: Clarify that protecting the character applies to all areas of the city.

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 265\133

Plan Reference: Diagram 5: Bath Spatial Strategy

Representation (soundness): There is a discrepancy between the Objective of additional jobs alongside additional housing and the assumption implicit in the note on the map that it is sufficient to lose thousands of MOD jobs and only to use the land thus freed for homes.

Change sought to make sound: Delete reference to MOD Enleigh.

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 265\134

Plan Reference: Diagram 5: Bath Spatial Strategy

Representation (soundness): We note the area for flood storage includes the Limply Stoke Valley. Not only is it in Wiltshire, and therefore not under B&NES control, but it is an area of special scenic value and the Valley Parishes Alliance (a united group of parish councils in the area) will fight tooth and nail to preserve it as it currently is. All the indications are that the Flood Storage aspirations in the Core Strategy will never be realised.

Change sought to make sound: Delete the references to flood storage that are outside the B&NES boundary.

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 265\135

Plan Reference: Diagram 9: Twerton and Newbridge Riversides

Representation (soundness): Page 46 Twerton and Newbridge Riversides. Diagram 9 This shows the development hotspot but makes no mention of the BRT route which effectively cuts the area in two, means the loss of businesses and jobs to the area, sees a green corridor and peoples back gardens destroyed. Examined closely this can be seen as more ground preparation in order to facilitate the regeneration on specific terms.

Change sought to make sound:

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 265\136

Plan Reference: Diagram 9: Twerton and Newbridge Riversides

Representation 1 The role of Twerton and Newbridge Riversides

(soundness): Having effectively isolated the two areas you can then assign them differing characteristics or zones. Point b should not be advocating or arranging the loss of industrial activity just because it is in the way of other schemes. If it is there and it is trading successfully, the location is a contributory factor to that success and must be respected.

Change sought to make sound:

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 265\137

Plan Reference: Diagram 9: Twerton and Newbridge Riversides

Representation The history of Bath is one of continuous evolution, and the character of any place has evolved because

(soundness): that is what is appropriate. Replacing it with what can only be described as social engineering is likely to do more harm than good, particularly when the Core Strategy bears all the signs of being prepared by those who do not come from Bath and do not understand its character.

2 Placemaking Principles

The wording places added emphasis on Newbridge at the expense of Twerton and makes no mention of the colossal impact of driving a dedicated roadway, effectively a barrier to north-south journeys except at specific crossing points, though all of it.

Change sought to make sound: Include a presumption that the continuation of a successful existing business takes precedence over any development plans to replace it. If there really is a need to reduce industrial floorspace, this will become evident from failed businesses, and should not be specifically planned. This will remove the incompatibility between the objective to preserve industrial premises to achieve a proper mix of employment and this section (amongst others) which identifies industrial locations for redevelopment.

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 265\138

Plan Reference: Policy B3: Twerton and Newbridge Riverside Strategic Policy

Representation c Mentions the area's heritage assets most of which are not English Heritage listed. There is no statutory

(soundness): protection because parts of it are outside a Conservation Area and there is no Locally Important Buildings Policy so most structures are open to Permitted Development, including demolition, and therefore at risk. Identifying them here when the council has steadfastly refused to implement a Locally Important Buildings Policy is hypocritical at best. No mention is made of the once valued route of the railway line as an important wildlife asset, which it is.

Change sought to make sound:

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 265\139

Plan Reference: Policy B3: Twerton and Newbridge Riverside Strategic Policy

Representation d Views are important yet little consideration was given about the impact of the Western Riverside, the
(soundness): largest single development in the history of the city. These are precisely the two areas which the appearance of the Western Riverside will have the greatest impact on.

Change sought to make sound:

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 265\140

Plan Reference: Policy B3: Twerton and Newbridge Riverside Strategic Policy

Representation e Agreed. However the Newbridge Park and Ride on the banks of the river is due to expand across a
(soundness): Site of Special Scientific Interest, and no mention is made of that.

Change sought to make sound:

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 265\141

Plan Reference: Policy B3: Twerton and Newbridge Riverside Strategic Policy

Representation f Generally agreed but we would encourage the use of the river as a means of transport to and from
(soundness): this location. Park and Float is very successful in Falmouth, and could be in Bath.

Change sought to make sound:

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 265\142

Plan Reference: Policy B3: Twerton and Newbridge Riverside Strategic Policy

Representation Risk to Twerton and Newbridge Riversides
(soundness): a This is contradictory to 1b in this same section, and the expectation is that the council will allow gradual decline in order to prepare the ground for pet schemes.

Change sought to make sound:

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 265\143

Plan Reference: Policy B3: Twerton and Newbridge Riverside Strategic Policy

Representation b Possibly true. All proposals should be based on a thorough understanding of the urban grain. Scale
(soundness): height and mass as well as materials are of equal importance here as in more high profile areas.

**Change sought to
make sound:**

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 265\144

Plan Reference: Policy B3: Twerton and Newbridge Riverside Strategic Policy

Representation d-e While the wording is acceptable as written it fails to mention that the BRT route will fragment and
(soundness): disconnect the whole area.

**Change sought to
make sound:**

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 265\145

Plan Reference: Policy B3: Twerton and Newbridge Riverside Strategic Policy

Representation f Again the words are not the problem only the probable interpretation. This statement can be used as
(soundness): a prelude for a whole host of so called 'landmark' or 'gateway' buildings. Failure to observe planning
guidance relating to height, scale and materials combined with the too often used phrase "its only car
showrooms down there" means things are unlikely to improve.

**Change sought to
make sound:**

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 265\146

Plan Reference: Policy B3: Twerton and Newbridge Riverside Strategic Policy

Representation g In peak times it does, but there is considerable evidence that this congestion is in someway
(soundness): engineered by poor road layout (including newly constructed build-outs) and traffic light timings to give
the illusion that the BRT would be an improvement. There is a pending planning application for the
Tesco Bath Press proposal which can further impact on this if it is approved despite the advice of the
council's Highways Officer to refuse it.

**Change sought to
make sound:**

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 265\147

Plan Reference: Policy B3: Twerton and Newbridge Riverside Strategic Policy

Representation h True but the Twerton barrage has somewhat reduced this. Most likely the problem will come from
(soundness): surface water run off from large areas of impenetrable surfaces arriving at inadequate drainage.

**Change sought to
make sound:**

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 265\148

Plan Reference: Policy B3: Twerton and Newbridge Riverside Strategic Policy

Representation 3 Key Development Opportunities

(soundness): Bath Press. The building is sound and could be reused, but the current plans are that most of it is to be demolished. Such a demolition represents the loss of approximately 5 acres of industrial premises, which makes unnecessary other reductions of industrial land proposed in the Core Strategy. Even if a change of use is permitted, there seems little justification for destroying the existing structure.

**Change sought to
make sound:**

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 265\149

Plan Reference: Policy B3: Twerton and Newbridge Riverside Strategic Policy

Representation Roseberry Place. This is one of the few current industrial areas that is sufficiently far from residences

(soundness): that it can accommodate virtually any kind of industrial business. Any proposals for this area needs careful consideration because potentially they could cause the export of jobs from Bath. It should not be a key development opportunity for that reason.

**Change sought to
make sound:**

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 265\150

Plan Reference: Paragraph 2.10

Representation Page 44 Western Riverside

(soundness): Another reference to Stothert and Pitt, and this time for a different location, reminds of the folly of referring to the Newark Works by that former company name. The continued opposition to the specific proposals for the Western Riverside as defined in the outline planning permission is a prime example of the hindrances to progress of inappropriate vision led developments in Bath and an indicator that the 2026 target is probably wildly inaccurate. It is also the best example of the local authority not listening to the will of the people. Thus it is not unexpected that all with a true commitment to the city will do there level best to ensure that any development is compatible with Bath rather than Soviet Era Eastern Europe. Despite the words of the Seville meeting of the World Heritage Committee, little has changed; we see no change of attitude regarded as significant, and yet that Committee has the power to remove World Heritage status from a defiant local authority, as it did for Dresden.

Extent of the Western Riverside

It is interesting to note how the city can be divided up into parcels given new titles, merged, unmerged, renamed something different, so the man in the street does not know which area is being referred to.

The city has its identity places, and areas have longstanding names that everybody knows. Use them. Confusing the public seems to have become a plaything for the strategists.

Western Riverside Policy Approach

There are also reams of supplementary planning documents which are designed to ensure that what ever is composed is compatible with Bath: documents that on a weekly bases are ignored, overturned or overruled in pursuit of the greater vision. Unless failure to heed the guidelines when reaching a planning decision becomes a disciplinary matter, no amount of accompanying SPD is going to make a scrap of difference to what is delivered. It is particularly ironic that the picture shows a unique Grade II* listed bridge owned by the local authority that has been allowed to fall into such a complete state of disrepair that it is even too dangerous to walk across, in a Conservation Area of a World Heritage Site. It now falls to a private developer to ensure its survival. It says it all really about the true commitment to the public realm and to our heritage.

Change sought to make sound: Scrap the current plans for the Western Riverside because they do not comply with the SPD and should never have been granted outline permission if planning legislation had been properly adhered to. Then rewrite the SPD because it does not comply with the Outstanding Universal Value of the City of Bath. Only then can there be any progress in meeting the strategy of developing the Western Riverside. The revised plans should include provision for jobs and leisure activities rather than just housing, to comply with other objectives of the Core Strategy.

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 265\151

Plan Reference: Paragraph 2.19

Representation 2d Bath's Neighbourhoods

(soundness): Given Bath is such a small compact city we are at a loss to see how some of these areas are classified as neighbourhoods.

Change sought to make sound:

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 265\152

Plan Reference: Paragraph 2.19

Representation 2.19 "Headline delivery location" is a meaningless catchphrase.

(soundness):

Change sought to make sound:

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 265\153

Plan Reference: Paragraph 2.20

Representation 2.20 The is little to disagree with in the words used, but the reality is somewhat different. Although the

(soundness):

Northern slopes and the significant proportion of heritage assets are more secure but not without problems in specific areas, the southern slopes have fared less well. Our remit is heritage but we have to point out where demographics impact on heritage or local appearance and characteristics. The biggest impact has come from the student population and HMOs. Large swathes are now unrecognisable from just 20 years ago: streets of many unkempt houses, hard surfaced and poorly maintained gardens and driveways; gardens replaced by car hard standings often with the loss of distinctive gate piers; timber sash windows replaced by UPVC or aluminium; roofs peppered with oversized dormers, skylights and solar panels.

To remove the Permitted Development rights that permit this destruction of the character of an area, the Conservation Area needs extending to the WHS site boundary. Another possibility is the imposition of a city-wide Article 4 directive. As in all other previous comments the actions seen do not fit the words written.

Change sought to make sound: Add commitments to bring HMOs under proper planning control

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 265\154

Plan Reference: Paragraph 2.22

Representation (soundness): 2.22 MOD Land A look at the Enleigh site with the permanent buildings already supplemented by temporary offices is a clear indication that Enleigh does not have the capacity to absorb the staff at Foxhill and Warminster Road. If the MOD vacate those sites the most likely destination for the staff is Abbey Wood, a net loss of almost 2,000 jobs in Bath and the transfer of a significant proportion of their spending power to Bristol. Furthermore, if two out of the three sites are moved, the probability of Enleigh also being closed and the staff moved is high because for business purposes, the co-location would improve efficiency even though the site is rented at a peppercorn rent. This loses another 2,000 jobs. It is very doubtful whether the land for 850 homes is adequate compensation for the loss of 4,000 jobs in Bath and the wages they spend in the city.

It is worth noting that when the first tranche of MOD staff went from Bath to Abbey Wood after Abbey Wood was built, nearly all the shops in the Foxhill area closed down through lack of trade. This despite all the homes in the area. Trading recovered later when the MOD transferred staff from Portland to Foxhill to occupy the vacated offices, proving that it is jobs, not homes that keeps the local economy afloat.

It is also worth noting that MOD moved staff from a modern open plan office block in Pinesgate to the wartime buildings in Warminster Road, after discovering that the drive for a reasonable return on investment by the developer makes newly built modern offices too expensive when faced with budget cuts, and refurbishing old existing buildings is far cheaper. This is another reason to question the wisdom of the Core Strategy's emphasis on building new offices. Finally, there is a lot of vital infrastructure just below the surface on the Foxhill site, which is why the buildings are placed on concrete rafts rather than having conventional foundations. To develop the site will require all this infrastructure to be rerouted, which will make any development there abnormally costly, and this will have to be reflected in the cost of the homes built. The Core Strategy is wrong to be anticipating the benefits of MOD land; instead it should advocate persuading the MOD to stay to retain the jobs locally. [This information was provided by an ex-MOD employee and is believed to be authentic]

Change sought to make sound: commitments to retain MOD jobs

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 265\155

Plan Reference: Paragraph 2.23

Representation 2.23 District and Local centres. There is complete agreement with what is written. However, a **(soundness):** successful local shopping centre appears to be a magnet for non retail businesses who see advantages in the local footfall. As a result, Moorland Road is being gradually eroded as a shopping centre by the take-over of vacant premises by non-retail, in particular there is a surfeit of estate agents and property rental businesses. The core strategy needs to introduce a presumption that there will be no permission granted for change of use in local and district shopping centres from retail on the ground floor unless the proposed new use would be unique to the centre and therefore fill a gap in the set of available businesses.

Change sought to make sound: if possible, commitments to protect local and district shopping centres from non-retail expansion

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 265\156

Plan Reference: Diagram 10: Bath's Neighbourhoods

Representation Diagram 10 This graphically indicates that the core area depicted on other maps is too small. It also **(soundness):** seems to cover a different area on this map using the railway as the southern boundary as opposed to the river. The two tunnels route not properly shown. A broader more cohesive strategy and master plan is needed, and it should cover local centres 1, 9, 10, 11, 12 and 18.

Change sought to make sound: There needs to be a masterplan providing a context for the whole of Bath, not just small sections.

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 265\157

Plan Reference: Paragraph 2.27

Representation 2.27 School Places There is an apparent discrepancy between the housing targets bringing more **(soundness):** residents (and therefore more school age children) into Bath, and the decision to close an entire school in a densely populated area because of the temporary inconvenience of a few empty desks in secondary schools. The Western Riverside plans include a primary but not a secondary school and the transport plans for the Western Riverside do not include convenient bus routes to secondary schools, so there will inevitably be a big hole blown in the hopes of reducing car use.

Change sought to make sound:

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 265\158

Plan Reference: Paragraph 2.28

Representation 2.28 Open Spaces and green corridors The two tunnels route will have a surface suitable for cycles, so
(soundness): cannot be classes as an addition to a green corridor, particularly when the route already exists and is not currently surfaced for cyclists. A number of current proposals threaten green corridors so do not equate to the desired aims. Open spaces should also include the Green Belt around Bath

Change sought to commitments to protect locally important hillsides and views.
make sound: Expand the Conservation Area boundary to match the WHS boundary

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 265\159

Plan Reference: Paragraph 2.29

Representation Nature Conservation

(soundness): 2.29 Just one site is marked, and it is not the Site for Special Scientific Interest. Bearing in mind all the visually important hillsides and valleys, the parks and gardens, this has to be considered poor. This has to be improved, or else their absence in the Core Strategy might make them vulnerable to unsuitable development. Too many planning appeals are allowed despite the dreadful visual damage they cause, because someone hadn't been careful enough in wording the planning policies.

Change sought to
make sound:

Representation (legal compliance):

Change sought to make legally compliant:

Respondent Number: 266 **Respondent:** The Bath Society

RepresentationReference: 266\1

Plan Reference: Paragraph 1.07

Representation Para 1.07 "well served by motorways"

(soundness): 1. The transport links to Bristol (no longer called International by the way) Airport are mere 'country lanes' .
2. There is no direct bus link from Bath but only to Bristol Temple Meads railway forecourt from which there is no 24 hour link from Bath.

Change sought to 1. Include encouragement for completion of the Bristol Ring Road (A4171)
make sound: 2. If there is no funding for a direct Bath – Airport link service, this could be included in the Vision for the future.

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 266\2 S

Plan Reference: Chapter 1: Vision and District-wide Strategy

Representation We are pleased to note that figures now presented for new homes and new jobs are nearer to those
(soundness): presented in the previous (Spatial options consultation) 'option 2', which we favoured then. We are pleased to note that the 'neighbourhood as an Urban Extension of Bath (SOC) is no longer considered to be needed.

However the local planning authority should remain alert to the developer pressures which will continue to be felt, even though the former RSS 'targets' have now been abandoned, and especially should adequate provision for new housing not be realised within the City of Bath [see also our response to Policy B1 3a Housing]

District Wide Spatial Strategy (1d)

It would appear that the previous (SOC) 'Option 1' has been selected,[Policy DW1] whereas the Bath Society favoured the previous 'Option 2' because it took what we saw as a more realistic view of the capacity of Bath to take new residential development. At the same time, we note that the figures for the City in the Key Diagram (6,000 new homes and 5,700 new jobs) are nearer to those presented as part of the previous 'Option 2'. We are pleased to note that the 'New Neighbourhood in an Urban Extension for Bath', considered at some length in the SOC, is no longer considered to be needed. However, we feel that BANES should remain alert to the developer pressures which will continue to be felt should adequate provision for new housing not be realised within the City. In this connection, we seriously question whether the new housing completions figure of 6,000 will be achieved within the timeframe of the Strategy [Policy B1 3a Housing]

**Change sought to
make sound:**

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 266\3

Plan Reference: Diagram 4: Bath and North East Somerset - The Key Diagram

Representation Diagrams 4 & 5 show 'Flood Storage Facility' as pink/orange dots within the river and in other areas
(soundness): already in the flood plain of the River Avon.

In Diagram 5 a small part of the railway is also included in the area of search for location of Flood Storage facilities. This could lead to subsidence of the railway track.

Change sought to The dots should be removed from Diagrams 4 & 5 to a new map showing areas of search for Flood
make sound: Storage included in the Flooding section on pages 112 - 113

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 266\4

Plan Reference: Diagram 5: Bath Spatial Strategy

Representation 1.The cancellation of the Regional Spatial Strategy plan for extra housing at Newton St Looe removes
(soundness): the pressure to enlarge the Newbridge Park and Ride and weakens the case for the dedicated Rapid Transit Bus route and the associated Compulsory Purchase Orders.

Change sought to remove referenve to BTP
make sound:

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 266\5

Plan Reference: Diagram 5: Bath Spatial Strategy

Representation 2. The proposed Park and Ride site on the ancient water meadows of Bathampton is unsound and in **(soundness)**: conflict with PPS 25. It will not achieve any of the hoped for improvements in traffic congestion and air quality locally or in the City generally (agreed by B&NES planning officers at the time of the planning applications). and will be a blot on the surrounding landscape as agreed by the Inspector at the 1990 Public Inquiry ..

3. After the removal of the unsuitable Lambridge Park and Ride site from the BTP, there was no public consultation on the selection of alternatives. Bathampton Meadows was announced as the site despite it being overlooked by thousands of residents, is too small and incapable of expansion because of the River Avon flood plain nearby.

4. Sites in Wiltshire and South Gloucestershire were not considered and Charmy Down airfield was discounted without proper examination.

5. The beautiful landscape entry to Bath by road and rail (whether from east or west) is too important to be damaged by inappropriate developments and should be protected not only by Green Belt and Cotswold AONB designations but by World Heritage status and local policy protection.

Change sought to 1.Remove 'Expanded' Newbridge and 'New' East of Bath P&R sites from Diagram 5.

make sound: 2.The Bath Transport Package is out dated and unacceptably expensive. It should be thoroughly examined and the unsound elements within it should be dropped. Many of Bath's transport needs could be met by more and more efficient use of the existing Rail Infrastructure.

3. As most P & R users will have travelled from or through Wiltshire or South Gloucestershire it would seem more appropriate for plans for new Park & Rides to be over the boundary within the area of those local authorities.

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 266\6

Plan Reference: Diagram 5: Bath Spatial Strategy

Representation 6. The supporting document for CP5 – Flood Risk Management suggests the possibility of using **(soundness)**: Bathampton Meadows as one possible site for Compensatory Flood Water Storage. Flood compensation plans have already been rejected by the council in the past as intrusive and environmentally damaging. Other consultants' studies since have agreed that the harm done to the valley could not be justified.

Change sought to
make sound:

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 266\7

Plan Reference: Policy B1: Bath Spatial Strategy

Representation Policy B1 Bath Spatial Strategy (pp. 34-35) We are pleased to see the World Heritage Site first on the **(soundness)**: list within the very first of the 11 policy areas.

Change sought to
make sound:

Representation (legal compliance): We are pleased to see the World Heritage Site first on the list within the very first of the 11 'policy areas'

Change sought to make legally compliant:

RepresentationReference: 266\8

Plan Reference: Policy B1: Bath Spatial Strategy

Representation We seriously question whether the new housing completion figure of 6,000 for Bath will be achieved
(soundness): within the timeframe of the Strategy.

B1 (3) Housing See earlier reference to a lack of realism about new housing completions.

Change sought to make sound: Some kind of contingency plan to deal with lower than expected new housing completions.

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 266\9

Plan Reference: Policy B1: Bath Spatial Strategy

Representation The Bath Recreation Ground is a highly important open space in the World Heritage Site. Building a
(soundness): 25000 capacity stadium (probably two tiers of seating) would be seriously detrimental to the character and appearance. The Ground forms part of a flood plain. Building in it would increase the risk of flooding elsewhere. The Ground has flooded periodically in the past.

B1 (8) Tourism,Culture and Rugby Does the statement in 8b imply that a decision has already been made to develop a new stadium on the Recreation Ground , which is included within the 'central area' in Diagrams 6 and 7 (pages 37 and 38) ?

Change sought to make sound: Omission of building on the land. Inclusion of a policy designating Bath Western Riverside land as a possible location for a stadium , not just for rugby.

Representation (legal compliance): It is proposed that a new stadium for Bath RFC is sited on the Bath Recreation Ground , part of the Central Area. On 1 February 1956 the Ground was conveyed to the Mayor, Aldermen And Citizens of Bath in Trust, subject to the protective conditions that the land is used only as an open space and that there should be no undue preference for any one use. Both these conditions would be breached should a proposed 25 000 capacity stadium be built.

Change sought to make legally compliant: Omission of building on the land.

RepresentationReference: 266\10

Plan Reference: Policy B1: Bath Spatial Strategy

Representation Does the statement in 8b (page 35) imply that a decision has already been made to develop a new
(soundness): stadium on the Recreation Ground, which is included within the 'central area' as defined in Diagrams 6 & 7 (pp. 37 & 38) ?

Change sought to make sound: Nature of any change would be dependent on outcome of the above.

Representation (legal compliance): The current legal position with the Trust for the Recreation Ground could make the policy in relation to 'rugby' unsound.

Change sought to make legally compliant: There should be no statutory policy commitment to develop a new stadium on the Bath Recreation Ground unless, or until, the legality issue is resolved.

RepresentationReference: 266\11

Plan Reference: Policy B1: Bath Spatial Strategy

Representation Public Realm
(soundness):

Just as important, if not more so, as new information systems etc, to enhancement of the public realm in Bath City centre, is better attention to street cleaning and proper maintenance of pavement surfaces etc.

Policy B2 Central Area Strategic Policy (page 39) notes that one of the 'key risks to the central area' is the 'poor quality of the public realm', which is said to have 'a negative impact on the experience of the city centre'. We very much agree with this assessment.

B1 (9) Public Realm Just as important, if not more so, as new information systems etc, to the enhancement of the public realm, is better attention to street cleaning and the proper maintenance of pavement surfaces etc. It is noted that in Policy B2 Central Area Strategic Policy (page 39) that one of the 'key risks to the central area' is the 'poor quality of the public realm' which is said to have ' a negative impact on the experience of the city centre'

Change sought to make sound: Needs implicit corporate action 'back up' terms of effective maintenance of the Bath City centre public realm.

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 266\12

Plan Reference: Policy B2: Central Area Strategic Policy

Representation
(soundness):

Change sought to make sound:

Representation (legal compliance): We agree that the poor quality of the public realm is a problem for Bath city centre, but expenditure on adequate maintenance is probably more important than capital works 'improvements' . See our comments on B1 (9) Public Realm .

Change sought to make legally compliant:

RepresentationReference: 266\13

Plan Reference: Policy B1: Bath Spatial Strategy

Representation Residential led development is acceptable, the published design is not. The regimented blocks of flats
(soundness): and the layout are reminiscent of failed 1960 housing schemes. Heights of 7,8 and 9 stories are excessive.

B1 (3) Housing See earlier reference to a lack of realism about new housing completions.

Change sought to make sound: A complete redesign.

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 266\14

Plan Reference: Paragraph 2.32

Representation 2.32 is concerned with the setting of the World Heritage Site (WHS) beyond the designated boundary.

(soundness): The UNESCO Report on Bath referring to the issue of protection of the landscape setting of the WHS states "the State Party should reinforce protection of the views to and from the City of Bath and of the attributes bearing the Outstanding Universal Value." It is not clear if the WHS Setting Study is concerned only within the designated boundary or whether it would be extended to include to area outside the boundary deemed to be necessary to protect the setting of the WHS.

Change sought to 2.32. To protect the WHS beyond the designated boundary a defined (mapped) protection zone, the **make sound:** buffer zone, completely surrounding the WHS should be established to form part of the Policy B4. The buffer zone should have an equal measure of protection of the WHS as within the designated boundary. If the Setting Study is eventually turned into a Supplementary Planning Document it should be as effective in its function as a protection to the WHS.

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 266\15

Plan Reference: Policy B4: The World heritage Site and its Setting

Representation Policy B4 The World Heritage Site and its setting (2e pp.52-53).

(soundness):

We very much welcome the specific identification of this subject and the policy B4. To us, the Patrick Abercrombie quotation (page 53) says it all!

However the status of the important 'setting study' should be clarified now, as should that of the 'building heights strategy'. Are these to be DPD's or SPD's?

The mass and form of buildings can be just as critical as their height in providing an appropriate 'setting'.

Change sought to status of setting study and building heights study should be clarified.

make sound:

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 266\16

Plan Reference: Policy B5: Strategic Policy for Bath's Universities

Representation We are pleased to note that the Draft Core Strategy recognises the growing issue of student

(soundness): accommodation, especially that off-campus within the City, We support Policy B5 in relation to the Bath Spa Newton Park Campus and the Green Belt.

However, should a similar reference to no further incursions into the Green Belt not also be included in the University of Bath Claverton Down Campus statement?

2g Infrastructure & delivery (pp.56-57)

Whilst we welcome the City-specific detail about these matters contained in this little sub-section, we are concerned that what little is said about transportation in the document overall, is more or less limited to just three paragraphs, plus Table 5, here (page 57). We note that all the main elements of the £54million 'Bath Transport Package' are listed here, but remain unconvinced that all are needed in order to 'enable the programme of development set out in the spatial strategy...' (para 2.45) and, in particular, the segregated bus route in Newbridge. We also have serious concerns about the siting of the new eastern park and ride on Bathampton Meadows.

The 'lonely' four lines of text on rail transport (para 2.46) indicate that opportunities for further fixed rail contributions to public transport in BANES in general, and Bath in particular, have been side-lined. We would fully support the Authority in pressing any case for further investment in rail infrastructure and services.

See our detailed representations on transport policy

It is of some concern that certain documents, said to supplement or relate to the Draft Core Strategy itself, and being large and requiring time to study, have only been published at the start of what is a relatively short consultation period. Eg. Flood risk assessment material. See our detailed representations on this subject.

**Change sought to
make sound:**

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 266\17

Plan Reference: Paragraph 6.93

Representation Paras 244 – 246 Transportation

(soundness): 1.No mention of use of rail to relieve road congestion and other local transport problems into, across and out of the World Heritage Site.

2. Para 2.46 The Greater Bristol Metro Project is currently unfounded.

Change sought to Lobby for the upgrading of rail signalling via West of England Partnership PLUS Wiltshire, for the
make sound: increased and more efficient use of existing rail Infrastructure by increasing links to local stations east and west of Bath and to Frome. The reopening of Corsham station is a priority.

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 266\18

Plan Reference: Policy CP3: Renewable Energy

Representation Policy CP3 Renewable Energy , including CP4 proposals for District Heating are laudable though very

(soundness): ambitious . There are significant limitations to what a local planning authority is able to request or achieve

Responding to climate change [Policies CP1 – CP5]

These responses appear sensible and pragmatic, using the most up to date data and approach. There are however significant limitations to what the local authority can either achieve or request. CP3 Renewable Energy including proposals for district heating [CP4] , is laudable though very ambitious. The Authority's 'enhanced role' in terms of flood risk management [CP5 Flood Risk Management] has been prescribed for it by new statute (Flood & Water Management Act 2010) and it is to be hoped that it will have the resources to meet these extra responsibilities. We regard the 'Flood Risk Management Strategy' , especially as it affects the centre of Bath, as being of critical importance. See our detailed representations on this topic.

**Change sought to
make sound:**

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 266\19

Plan Reference: Policy CP5: Flood Risk Management

Representation Responding to climate change [Policies CP1 – CP5]

(soundness): These responses appear sensible and pragmatic, using the most up to date data and approach. There are however significant limitations to what the local authority can either achieve or request. CP3 Renewable Energy including proposals for district heating [CP4], is laudable though very ambitious. The Authority's 'enhanced role' in terms of flood risk management [CP5 Flood Risk Management] has been prescribed for it by new statute (Flood & Water Management Act 2010) and it is to be hoped that it will have the resources to meet these extra responsibilities. We regard the 'Flood Risk Management Strategy' , especially as it affects the centre of Bath, as being of critical importance. See our detailed representations on this topic.

**Change sought to
make sound:**

Representation (legal compliance):

The Local Authority's enhanced role in terms of flood risk management has been prescribed for it by new statute (Flood & Water Management Act 2010) and it is to be hoped that it will have the resources to meet these extra responsibilities.

We regard the 'Flood Risk Management Strategy' ,especially as it affects the centre of Bath, as being of critical importance.

Change sought to make legally compliant:

RepresentationReference: 266\20 S

Plan Reference: Policy CP6: Environmental Quality

Representation We note and very much support the continued emphasis in such statutory planning documents on high

(soundness): quality design , including the references to the historic environment and the importance of Bath's landscape setting.

We note and very much support the continued emphasis on high quality design , including the references to the historic environment, and the importance of Bath's landscape setting [CP 6 Environmental Quality] .It is noted that a 'Green Infrastructure Strategy' is being prepared [CP7 Green Infrastructure] and we support the emphasis being put on the 'river corridor through Bath' as a key green infrastructure(GI) asset. However, does the Authority have the resources and expertise to protect this corridor ? We are aware that GI Strategies are emerging in many parts of the UK now and hope that lessons and 'best practice' examples will be drawn from these. We note that the Green Belt [Policy CP8] is seen to play 'a vital role in maintaining the setting of the World Heritage Site of Bath' (para 6.61), a position which we very much support.

**Change sought to
make sound:**

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 266\21

Plan Reference: Policy CP7: Green Infrastructure

Representation We note and very much support the continued emphasis on high quality design , including the

(soundness): references to the historic environment, and the importance of Bath's landscape setting [CP 6

Environmental Quality] .It is noted that a 'Green Infrastructure Strategy' is being prepared [CP7 Green Infrastructure] and we support the emphasis being put on the 'river corridor through Bath' as a key green infrastructure(GI) asset. However, does the Authority have the resources and expertise to protect this corridor ? We are aware that GI Strategies are emerging in many parts of the UK now and hope that lessons and 'best practice' examples will be drawn from these. We note that the Green Belt [Policy CP8] is seen to play 'a vital role in maintaining the setting of the World Heritage Site of Bath' (para 6.61), a position which we very much support.

**Change sought to
make sound:**

Representation (legal compliance): It is noted that a 'Green Infrastructure Strategy' is being prepared and we support the emphasis being put on the 'river corridor through Bath' as a key GI asset . However, does the Authority have the resources (manpower and expertise) to properly protect this corridor ?

We are aware that 'GI Strategies' are emerging now in many parts of the UK and hope that lessons and 'best practice' examples will be drawn from these.

Change sought to make legally compliant:

RepresentationReference: 266\22 S

Plan Reference: Policy CP8: Green Belt

Representation We note and very much support the continued emphasis on high quality design , including the
(soundness): references to the historic environment, and the importance of Bath's landscape setting [CP 6 Environmental Quality] .It is noted that a 'Green Infrastructure Strategy' is being prepared [CP7 Green Infrastructure] and we support the emphasis being put on the 'river corridor through Bath' as a key green infrastructure(GI) asset. However, does the Authority have the resources and expertise to protect this corridor ? We are aware that GI Strategies are emerging in many parts of the UK now and hope that lessons and 'best practice' examples will be drawn from these. We note that the Green Belt [Policy CP8] is seen to play 'a vital role in maintaining the setting of the World Heritage Site of Bath' (para 6.61), a position which we very much support.

**Change sought to
make sound:**

Representation (legal compliance): We very much support this policy, noting that the Green Belt is seen to play 'a vital role in maintaining the setting of the World Heritage Site of Bath' (para 6.61 page 120)

Change sought to make legally compliant:

RepresentationReference: 266\23 S

Plan Reference: Policy CP12: Centres and Retailing

Representation A Prosperous Economy 6e
(soundness): Wherever and whenever possible, and certainly in Bath, retail premises falling vacant should, as a priority, be considered for workspace for small businesses rather than for flats (see para 6.85) and we feel that Policy CP12 Centres and retailing should be amended to include this.

**Change sought to
make sound:**

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 266\24 S

Plan Reference: Policy CP12: Centres and Retailing

Representation We fully endorse what is said about the need for upgrading London Road as a 'declining centre' (para (soundness): 6.90).

Change sought to make sound:

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 266\25

Plan Reference: Policy CP12: Centres and Retailing

Representation Mindful of PPS 4 & PPS 5, we oppose the inappropriate conversion of shops into flats where (para 6.91) (soundness): Local Plan Policies S.5 and S.8 have failed.

Change sought to make sound: Allow non-viable retailing premises to change to "places of employment" ie offices and workshops as needed by Creative, Technology and Software Business speakers at the recent 'Treasure and Transform Seminars on 19, 20, 21 January 2011 and as referred to in para 6.85 on page 126.
We support para 6.90 and hope that para 6.91 will not prevent such potentially enhancing change of use.

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 266\26

Plan Reference: Paragraph 6.94

Representation Construction of an A36/A46 link road would devastate the landscape to the east of Bath , part of the (soundness): setting of the World Heritage Site. The Inspector who conducted the Batheaston By Pass Public Enquiry rejected the link proposal out of hand. He said the adverse impact on the landscape would be totally

Change sought to make sound: Omission of the A36/A46 link road from the Strategy. Inclusion of a ban on HGV using the Cleveland Bridge.

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 266\27

Plan Reference: Chapter 7: Monitoring

Representation We agree that the District Wide Strategy (and the Core Strategy in general) should put emphasis on (soundness): infrastructure provision as a key issue. The information in Table 2 (pp.22-25) should provide a valuable ' checklist' in monitoring progress on strategy implementation, especially in relation to Policy CP 13.

Perhaps the material in Table 2 should somehow be incorporated into Table 9 Monitoring of strategic objectives (pp.135-137)

We are pleased to see that an 'Infrastructure Delivery Programme' is to be prepared (page 132)

Change sought to make sound:

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 266\28

Plan Reference: Paragraph 6.93

Representation Para 6.93 Railways are not mentioned in the list.
(soundness):

Change sought to make sound: 2.Include investigation of possible RAIL based solutions to Transport and Movement problems.

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 266\29

Plan Reference: Paragraph 6.93

Representation Para 6.94 The Inspector's report, at the 1990 Public Inquiry into the Swainswick and Batheaston
(soundness): bypasses and the A46/A36link rejected the latter as intolerable on its impact on the landscape. The Cotswold Area of Outstanding Beauty and Green Belt, which are part of the World Heritage Site, must continue to be protected. A link road would not solve Bath's air quality and congestion problems. Most car drivers have business in the B&NES area and would not benefit from the link road.

Change sought to make sound: 1.Remove all mention of an A46/A36 Link road from the Core Strategy. (para 6.94)

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 266\30

Plan Reference: Paragraph 6.93

Representation Para 6.95 JLTP3 has dropped the idea of an A46/A36 link road. B&NES should do the same. There is
(soundness): no mention of policies to control or remove HGV's in this area. Where are the restrictions proposed for the A36 or Cleveland Bridge.

Change sought to make sound: Remove all mention of the A46/A35 link road. Invite Wiltshire to participate in seeking Transport and Movement solutions particularly regarding HGVs.

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 266\31

Plan Reference: Chapter 1: Vision and District-wide Strategy

Representation Section 1 Spatial Vision & Strategic Objectives

(soundness): We note that the six strategic spatial objectives for the whole District, as presented in the Spatial Options Consultation document (SOC) have been re-cast as seven 'strategic objectives'. There are obviously many different ways in which the multiple strands of such a vision can be 'packaged' and whilst we would generally support all of these (as we did in the SOC), we are disappointed to note that the unique historic urban environment of Bath and its World Heritage Site status, is still not specifically identified in Objective 2 (which appears to be a re-cast of the former Objective 4 ?).Neither is this referred to in the 'preamble' to the Objectives [para 1.13] , though it is referred to in the subsequent '

preamble' to the District Wide Spatial Strategy.[para 1.21].

Change sought to 4.Ensure policies are included to control visiting coaches and their passengers.

make sound:

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 266\32

Plan Reference: Diagram 5: Bath Spatial Strategy

Representation Diagram 5 Bath Spatial Strategy does not really show very much, but does, at least, act as a useful

(soundness): point of reference to the five 'sub-areas' which are each the subject of more detailed proposals.

Change sought to

make sound:

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 266\33

Plan Reference: Chapter 1: The Spatial Vision

Representation Vision & spatial strategy for the City 2b

(soundness): The fact that this 'vision' is now more concisely expressed is probably realistic now that options and opportunities for change have been essayed and tested in more detail since the Core Strategy production process began. On the process issue however, whilst we fully appreciate the need for adequate consultation and for a sound 'evidence base', we are concerned that more than three years has elapsed since the publication of the 'Core Strategy Issues Report ' for consultation (September 2007)

Change sought to

make sound:

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 266\34

Plan Reference: Chapter 1: The Spatial Vision

Representation 2c The Central Area & Western Corridor (pp.36-47)

(soundness): We note that a 'Placemaking Plan' is to be prepared to 'set out a more detailed planning and design framework for specific sites'(para 2.15). Will this have DPD status and will there be public consultation on this ? We strongly support measures to enhance riverside access and habitat. Different areas of the riverside in Bath are indeed 'poorly connected' and the state of the riverside towpath and adjacent public areas downstream of Churchill Bridge is a disgrace and a further example of poor public realm management, In this connection, we fully endorse what is said (later on page 47) about the risks to the Newbridge and Twerton Riversides.

Change sought to

make sound:

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 266\35 S

Plan Reference: Chapter 1: The Spatial Vision

Representation Western Riverside (page 44)

(soundness): We support the general planning principles, as they have existed now for sometime, for this critically important development area, but we remain concerned about the emerging building designs.

**Change sought to
make sound:**

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 266\36 O

Plan Reference: Whole Document

Representation 2g Infrastructure & delivery (pp.56-57)

(soundness): Whilst we welcome the City-specific detail about these matters contained in this little sub-section, we are concerned that what little is said about transportation in the document overall, is more or less limited to just three paragraphs, plus Table 5, here (page 57). We note that all the main elements of the £54million 'Bath Transport Package' are listed here, but remain unconvinced that all are needed in order to 'enable the programme of development set out in the spatial strategy...' (para 2.45) and, in particular, the segregated bus route in Newbridge. We also have serious concerns about the siting of the new eastern park and ride on Bathampton Meadows.

The 'lonely' four lines of text on rail transport (para 2.46) indicate that opportunities for further fixed rail contributions to public transport in BANES in general, and Bath in particular, have been side-lined. We would fully support the Authority in pressing any case for further investment in rail infrastructure and services.

**Change sought to
make sound:**

Representation (legal compliance):

Change sought to make legally compliant:

Respondent Number: 267 **Respondent:** Bristol City Council

RepresentationReference: 267\1 S

Plan Reference: Whole Document

Representation Thank you for the opportunity to comment on the Bath and North East Somerset Draft Core Strategy

(soundness): Publication version.

A report detailing the contents of the document was recently considered by the Executive Member for Strategic Housing and Regeneration, Councillor Anthony Negus and met with his approval.

The report concluded that the proposals in the Core Strategy to focus development in the urban areas of Bath, Keynsham and Somer Valley to support greater self-containment and limit the degree of commuting into Bristol support the principles of sustainability and are welcomed and supported by Bristol City Council.

In addition I would add that the spatial strategy for Bristol City Council included within the Core

Strategy does not make provision for any urban extensions, and it prioritises the use of brownfield land for new development whilst retaining the Bristol-Bath Green Belt. This largely mirrors the approach taken in your Core Strategy.

The Bath and North East Council Core Strategy Publication Version is thus considered sound in all respects.

Change sought to make sound:

Representation (legal compliance):

Change sought to make legally compliant:

Respondent Number: 268 Respondent: Tony Marwood

Representation Reference: 268\1 S

Plan Reference: Policy RA1: Development in the Villages meeting the listed criteria

Representation As Cabinet Member for the introduction and acceptance of the B&NES Core strategy document I would **(soundness):** very much appreciate if you would take 5 minutes out of your very busy schedule to read this 'potted history' on recent events in Clutton, in order for you to be aware of an attempt to undermine the authority and integrity of the Parish Council.

You will remember that following our inclusion as a 'Core' village on the first Core Strategy review we asked that our status be reconsidered as we actually no longer fulfilled the key criteria of having a 'general stores' shop, and that while we did have the other 3 criteria, we had very little else to form the infrastructure for enlargement. We were reassured to see that in the data attached to the draft Strategy, a chart which showed that on the larger sample of 22 key criteria that Clutton fell short on most of the facilities that other villages have, clearly justifying our redefinition as an RA2 village. However, now that we are an RA2 village instead of being an RA1, the change has caused serious upset to one Landowner who bought a field recently (shown on the SLAA as Clu.3). Consequently over the last 2 months there has been a concerted effort by this Landowner and his Agent to canvass local support to overturn the Village's Core status. Equally disappointing is that our District Councillor also believes that the village should be enlarged, so he has been working in parallel with this Landowner to undermine the Parish Council's position, and its role of being representative of the village.

The Parish Council's view has been developed over the last 6 years during the making and introduction of the Parish Plan. Over that time the Parish Council did everything it could to engage the Parishioners including, flyers through everyone's door, presentations at the Village Hall, discussions with local groups, a 'Parish Council' tent at the Village Show, and with a draft Parish Plan on show for comment in August 2009, which was finalised in Oct 2010. All that notwithstanding 6 years worth of Parish Council meetings with the progress and aims of the Parish Plan well publicised in the minutes which were paraphrased in the Parish magazine, and printed in full for the Village Notice Board and the Village Web Site.

Despite our doing the right thing by the Parish, we are under attack from this specific Landowner/Agent. You would have seen his letter to all Parish Councillors and which was copied to yourself following December's PC meeting, where he lambasted the PC during the Public Submission session over our failure to let all Parishioners know of his (not yet submitted) plans. What you may not know is that he has also circulated a flyer through everyone's door (attached above) which contained numerous inaccuracies and in my view was possibly libellous towards the PC. At a meeting he called on the 13th Jan he canvassed local support of his development, and allegedly made various promises of 'extras' that would be provided if the Core status were to change and permissions given, and encouraged folk to complete the B&NES Draft Core Strategy 'Publication Version Representation Form'

in order to pressurise B&NES into changing the Core Strategy and have more development.

How many local folk he persuaded to sign his petition is unknown, but unfortunately there is always the possibility that someone from one side of a village will support a development on the other side of the village (not in their back yard). What such people may not realise is that there are actually 3 named sites (Clu.1, Clu.2 & Clu.3) which are virtually east, west, and centre of the Village and that if the RA2 status were to change I am positive that the other developers would be equally keen to offer incentives to be able to build, hence the new development may be on their doorstep after all.

At the same time, our esteemed Ward Councillor has also put 'his own' questionnaire through everyone's door, asking many things but again seeking if there's a wish for development. Whether he is solely supporting this specific Landowner, or other developers, or a separate agenda, is unknown. However he is certainly not supporting the Parish Plan or the Parish Council, and his knowledge and understanding of what the Village needed was exposed a few PC meetings ago when he didn't even know that the village Post Office/Shop had ceased trading all general stores the year previous !!! What results and analysis this questionnaire will claim is also so far unknown.

To conclude, I believe that our Parish Clerk's response to Simone De Beer very accurately sums up the Parish Council's agreement and support for the B&NES Core Strategy especially for our designation, and for the best for our Village. However we are worried that the concerted efforts by developers to undermine and discredit our views will carry some weight especially when aided and abetted by the Ward Councillor. Whilst this issue may also be prevalent in other Parishes across B&NES where certain people can see £££'s before their eyes, it unfortunately is most prevalent here in Clutton. Obviously any help, advice, or assurance that you could offer to us over this matter would be very welcomed.

Change sought to make sound:

Representation (legal compliance):

Change sought to make legally compliant:

Respondent Number: 269 Respondent: Barratt Homes Bristol

RepresentationReference: 269\1

Plan Reference: Chapter 1: Vision and District-wide Strategy

Representation Policy DW1 – District Wide Spatial Strategy

(soundness): Whilst the principle of the District Wide Spatial Strategy is supported, objections are lodged to a number of criteria namely 1(e) and 2 as follows:

With regards criterion 1e, support is given to the principle of development being located in the rural areas at settlements with a good range of local facilities. This is in line with the advice in Planning Policy Statement 7, 'Sustainable Development in Rural Areas' which states (paragraph 3):

"Away from larger urban areas, planning authorities should focus most new development in or near to local service centres where employment, housing (including affordable housing) services and other facilities can be provided close together. This should help to ensure these facilities are served by public transport and provide increased opportunities for access to walking and cycling. These centres which might be a country town, a single large village or a group of villages should be identified in the development plan as the preferred location for such development."

Objections are lodged on the basis that there is no definition of 'good access to public transport', neither is there any acknowledgement that development will sustain and improve existing services, facilities and public transport. The criterion needs to be amended to recognise that new development can sustain and improve public transport and other facilities within settlements in the Rural Areas. With regards to criterion 2, objections are lodged to the proposed net housing increase of 11,000 new

dwellings in the period 2006-2026. However, it is apparent from paragraph 1.26 that this housing provision excludes 'windfall' housing developments for which there is no specific requirement. This is unacceptable and provides no transparency in terms of the precise housing provision for the District and accordingly no certainty on housing delivery. This is contrary to national planning policy.

Objections are lodged on the basis that the overall housing provision is too low and does not adequately take into account population growth, migration, household formation and economic growth in the area. If a proper analysis of these issues were undertaken the level of housing growth would be considerably higher i.e. closer to the RSS requirement of 21,300 dwellings.

In this respect the submissions made by the Home Builders Federation are supported, particularly:

- The South West Regional Spatial Strategy remains the emerging spatial plan for the region and as such should be accorded significant weight – the housing requirement figure within the document (21,300 for BANES) was the outcome of a lengthy public examination based on credible evidence.
- The housing requirement figure is too low and lower than the figure submitted by the Regional Assembly for the draft RSS.
- Based on the West of England Strategic Housing Market Assessment, the current housing requirement would not satisfy the demand for affordable housing let alone the need for open market housing.
- A revised housing figure must take into account the Council's shortfall in meeting the housing requirements to date. The average completion rate for the period 2006-2010 was 198 dwellings compared to the RSS requirement of 1,065 dwellings per annum.

Change sought to Changes Required

make sound: The Core Strategy should acknowledge that additional growth in rural areas can help sustain existing services and facilities. It should also clarify certain terminology such as "good access to public transport" etc.

The Core Strategy should clearly set out the level of housing provision for the period 2006-2026, including windfall development. In any event the housing provision is too low and should be increased to 21,300 new dwellings to take account of the actual need for additional housing in the District based on an analysis of the evidence.

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 269\2

Plan Reference: Paragraph 5.13

Representation Rural Areas

(soundness): Paragraph 5.13 Policy Framework

Support is given in principle to the provision of new residential and employment development in the Rural Areas. However, objections are lodged on the basis that the level of new housing provision in the Rural Areas is too low. Paragraph 5.13 states that there will be "around 800 houses and 500 jobs in the rural areas including an additional 250 dwellings in excess of existing commitments".

Given the clearly identified need both for open market, affordable dwellings and housing for the elderly in the Rural Areas it is considered that 250 new dwellings in the period up to 2026 is totally insignificant and will not assist in meeting the high need for housing development in the Rural Areas. It is considered that the level of new housing development in the rural areas should be increased up to 2,000 new dwellings (above existing commitments). Objections have already been made in respect of the Policy DW1 District Wide Spatial Strategy.

**Change sought to
make sound:**

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 269\3

Plan Reference: Chapter 1: Vision and District-wide Strategy

Representation Meeting Local Need for Housing and Employment
(soundness): Paragraphs 5.17 – 5.23, Policy RA1 and Diagram 18

Objection is made to the fact that Clutton has not been identified on Diagram 18 as a RA1 settlement which can accommodate additional residential development. Clutton is has a reasonable level of local services and facilities including a post office, shop, three public houses, village hall, butcher, hairdresser and a primary school which is currently under capacity. It also had a reasonable level of public transport provision. Furthermore, Clutton is one of the few rural settlements which has services and facilities but is not restricted by Green Belt or AONB designations. It is therefore a suitable location for new development. New housing in the village would generate new pupils for the schools and help sustain the local services which according to the Clutton Parish Plan (2010) need more business.

The Clutton Parish Plan also highlights the need for a new village scout hut as the current facility has been deemed unsafe and is to be demolished. New development in the village could contribute towards the provision of a new scout hut.

It would therefore appear that the only reason why Clutton is not identified as a settlement capable of accommodating additional development is due to the lack of local support. Objection is made to the criteria in paragraph 5.17. Whilst access to facilities and public transport and the capacity for development within a settlement are considered appropriate criteria, the requirement for community support is not. The need for community support in order to provide additional growth in a settlement is unreasonable and will not assist the District in meeting its housing requirements. Whilst the issue of community support is a material consideration it should not be a pre-requisite in deciding where additional development should be located.

Objections are also lodged against paragraph 5.21 which states that the scale of development in villages identified in Policy RA1 will be up to and around 30 dwellings. It is unclear from the submitted evidence base where this figure has been derived. There are clearly some rural settlements which could and should accommodate additional development especially where there has been limited development in recent years. One such settlement is Clutton. This quantum of development would not sustain and enhance local services and facilities. It is therefore recommended that the figure be increased to take into account the individual circumstances of each settlement. The figure however is likely to be above 30 dwellings but will depend on the availability of suitable sites and capacity of local services and facilities.

Change sought to Changes Required

make sound: i) Identify Clutton as an RA1 settlement.

ii) Remove criterion from Policy RA1 which requires community support.

iii) Increase scale of development permitted based on local circumstances.

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 269\4

Plan Reference: Paragraph 5.21

Representation Meeting Local Need for Housing and Employment
(soundness): Paragraphs 5.17 – 5.23 and Policy RA1

Support is given to the identification of Whitchurch as a rural settlement which can accommodate additional residential development. Whitchurch has a reasonable level of local services and facilities including a pub, hairdresser, community centre and a primary school which is currently under capacity. It also has an hourly public transport service. New housing in the village would generate new pupils for the school and help sustain the local services. However, objections are lodged against paragraph 5.21 which states that the scale of development in villages identified in Policy RA1 will be up to and around 30 dwellings. It is unclear from the submitted evidence base where this figure has been derived. There are clearly some rural settlements which could and should accommodate additional development. One such settlement is Whitchurch. This quantum of development would not sustain and enhance local services and facilities. It is therefore recommended that the figure be increased to take into account the individual circumstances of each RA1 settlement. The figure however is likely to be above 30 dwellings but will depend on the availability of suitable sites and capacity of local services and facilities.

Change sought to Change Required

make sound: Increase scale of development permitted based on local circumstances.

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 269\5

Plan Reference: Policy CP2: Sustainable Construction

Representation Policy CP2 - Sustainable Construction

(soundness): Objections are lodged against the inclusion of a table setting out the standards required to be met by major development. The Coalition Government is currently considering the removal of the raft of existing building standards which place additional burdens on the development industry. It intends to create a simpler, less costly system of building standards. Until such time that the new system of regulation is established, it is considered that these local requirements should be removed and national regulations relied upon.

Change sought to Removal of table in Policy CP2.

make sound:

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 269\6

Plan Reference: Policy CP9: Affordable Housing

Representation Policy CP9 – Affordable Housing

(soundness):

It is clear from past delivery rates of affordable housing as set out in the Council's Viability Study (June 2010) that the percentage of affordable housing is nowhere near being met and therefore to propose a requirement of 35% would be setting an unachievable target.

Change sought to Change Required

make sound: The level of affordable housing sought by Policy CP9 is unrealistic and is unlikely to be met based on past delivery rates. The level should be reduced.

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 269\7

Plan Reference: Policy CP10: Housing Mix

Representation Policy CP10 – Housing Mix

(soundness): The principle of providing a mix of housing type and tenure is supported in principle having regard to the existing mix of dwellings in the locality and the character and accessibility of the location. However, within rural areas where local communities have indicated support for additional development consideration should be given to the view of these communities in terms of the housing mix that should be delivered from allocated site.

Change sought to Change Required

make sound: Policy CP10 needs to be amended to include reference to the view of the local communities which would be in line with Policy RA1.

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 269\8

Plan Reference: Paragraph 6.93

Representation Well Connected

(soundness): Paragraphs 6.93-6.95

Objections are submitted against the continuing safeguarding of the route for the Whitchurch bypass scheme.

During the preparation of the Bath & North East Somerset Local Plan the Inspector concluded that the need for the bypass had not been fully determined and recommended that the policy in relation to the bypass (Policy T.17) be deleted from the Plan. The Inspector stated:

“In my view the possibility of a future urban extension is not good enough reason to retain these safeguarded routes, and gives no indication that the routes are likely to be developed during the plan period. In the event that an urban extension is planned in the Whitchurch area, studies would be required on the traffic implications and proposals for new routes/bypasses should be properly formulated, costed and funded at that time.”

In respect of the A37 bypass, final draft Joint Local Transport Plan 3 (which is due for adoption in March 2011) includes the Whitchurch bypass in a list of ‘Other Significant Transport Schemes’. However, paragraph 11.9.1 of the document states:

“It should be acknowledged that at the funding levels emerging from the Comprehensive Spending Review, opportunities to bring forward these schemes through the major schemes process in the period to 2026 appear significantly constrained.”

Furthermore, in response to the Inspector’s Report the Council published its Statement of Decisions stated as follows:

“Previous studies have indicated that neither of the two A37 bypasses at Whitchurch and Clutton/Temple Cloud are justified by existing traffic levels but this is likely to change as a result of the Regional Spatial Strategy proposal for south Bristol development including the proposal for an Urban Extension at south Bristol.”

The draft Core Strategy removes this requirement for an urban extension and therefore the need for a bypass at Whitchurch is questionable. It is therefore considered that there is no need to safeguard the alignment for the bypass which has no justification and is unlikely to ever obtain funding. PPS12 ‘Local Spatial Planning’ states that proposals should only be pursued where they have a realistic prospect of implementation within the plan period. This bypass has no prospect of being implemented in the plan period. Furthermore it has no transport or economic justification and should be deleted.

Change sought to Change Required

make sound: Remove reference to the continuing safeguarding of the Whitchurch bypass scheme.

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 269\9

Plan Reference: Policy CP13: Infrastructure Provision

Representation Policy CP13 – Infrastructure Provision

(soundness):

Whilst no objection is made to the principle of this policy, there is no reference to the guidance contained within Circular 05/05 'Planning Obligations' and the need for such contributions to be necessary, fair and reasonable, and directly related to the development.

Change sought to Change Required

make sound: Reference needs to be made within Policy CP13 or the supporting text to Circular 05/05 'Planning Obligations' and to the fact that contributions would only be requested when clearly justified.

Representation (legal compliance):

Change sought to make legally compliant:

Respondent Number: 270 **Respondent:** Blue Cedar Homes

RepresentationReference: 270\1

Plan Reference: Chapter 1: Vision and District-wide Strategy

Representation Policy DW1 – District Wide Spatial Strategy

(soundness): Whilst the principle of the District Wide Spatial Strategy is supported, objections are lodged to a number of criteria namely 1(e), 2 and 3 as follows:

With regards criterion 1e, support is given to the principle of development being located in the rural areas at settlements with a good range of local facilities. This is in line with the advice in Planning Policy Statement 7, 'Sustainable Development in Rural Areas' which states (paragraph 3):

"Away from larger urban areas, planning authorities should focus most new development in or near to local service centres where employment, housing (including affordable housing) services and other facilities can be provided close together. This should help to ensure these facilities are served by public transport and provide increased opportunities for access to walking and cycling. These centres which might be a country town, a single large village or a group of villages should be identified in the development plan as the preferred location for such development."

Objections are lodged on the basis that there is no definition of 'good access to public transport', neither is there any acknowledgement that development will sustain and improve existing services, facilities and public transport. The criteria needs to be amended to recognise that new development can sustain and improve public transport and other facilities within settlements in the Rural Areas. With regards to criterion 2, objections are lodged to the proposed net housing increase of 11,000 new dwellings in the period 2006-2026. However, it is apparent from paragraph 1.26 that this housing provision excludes 'windfall' housing developments for which there is no specific requirement. This is unacceptable and provides no transparency in terms of the precise housing provision for the District and accordingly no certainty on housing delivery. This is contrary to national planning policy.

Objections are lodged on the basis that the overall housing provision is too low and does not adequately take into account population growth, migration, household formation and economic growth in the area. If a proper analysis of these issues were undertaken the level of housing growth would be considerably higher i.e. closer to the RSS requirement of 21,300 dwellings.

In this respect the submission made by the Home Builders Federation are supported, particularly:

- The South West Regional Spatial Strategy remains the emerging spatial plan for the region and as such should be accorded significant weight – the housing requirement figure within the document (21,300 for BANES) was the outcome of a lengthy public examination based on credible evidence.
- The housing requirement figure is too low and lower than the figure submitted by the Regional Assembly for the draft RSS.
- Based on the West of England Strategic Housing Market Assessment, the current housing requirement would not satisfy the demand for affordable housing let alone the need for open market housing.
- A revised housing figure must take into account the Council's shortfall in meeting the housing requirements to date. The average completion rate for the period 2006-2010 was 198 dwellings compared to the RSS requirement of 1,065 dwellings per annum.

The housing requirement figure should also take into account the historic shortfall in delivery of housing in Bath and North East Somerset. Brownfield sites such as that at Bath Western Riverside and are not coming forward as quickly as anticipated and this needs to be reflected in the proposed housing requirement.

Change sought to Changes Required

make sound: The Core Strategy should acknowledge that additional growth in rural areas can help sustain existing services and facilities. It should also clarify certain terminology such as "good access to public transport" etc.

The Core Strategy should clearly set out the level of housing provision for the period 2006-2026, including windfall development. In any event the housing provision is too low and should be increased to 21,300 new dwellings to take account of the actual need for additional housing in the District based on an analysis of the evidence.

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 270\2

Plan Reference: Paragraph 5.12

Representation Rural Areas

(soundness): Paragraph 5.12 Strategic Issues

The acknowledgement that a lack of affordable housing to meet local needs as well as the needs of the ageing population may impact on the social sustainability of rural areas is welcomed.

**Change sought to
make sound:**

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 270\3

Plan Reference: Paragraph 5.13

Representation Rural Areas

(soundness): Paragraph 5.13 Policy Framework

Support is given in principle to the provision of new residential and employment development in the Rural Areas. However, objections are lodged on the basis that the level of new housing provision in the Rural Areas is too low. Paragraph 5.13 states that there will be "around 800 houses and 500 jobs in the rural areas including an additional 250 dwellings in excess of existing commitments".

Given the clearly identified need both for open market, affordable dwellings and housing for the elderly in the Rural Areas it is considered that 250 new dwellings in the period up to 2026 is totally insignificant and will not assist in meeting the high need for housing development in the Rural Areas. It is considered that the level of new housing development in the rural areas should be increased up to 2,000 new dwellings (above existing commitments). Objections have already been made in respect of the Policy DW1 District Wide Spatial Strategy.

Change sought to make sound:

Representation (legal compliance):

Change sought to make legally compliant:

Representation Reference: 270\4

Plan Reference: Policy RA1: Development in the Villages meeting the listed criteria

Representation Meeting Local Need for Housing and Employment
(soundness): Paragraphs 5.17 – 5.23 and Policy RA1

Support is given to the identification of Farmborough as a rural settlement which can accommodate additional residential development. However, further clarification in respect of the requirement to provide a 'sustainable transport link to local shopping facilities' is necessary.

Farmborough has access to facilities including a primary school, community hall and employment, as well as an hourly public transport service. Whilst the village shop has recently closed down, this has been due to a lack of business as a result of an absence of new development in the settlement in recent times. The addition of new housing in the area will generate more customers and therefore the potential for the village shop to reopen thereby improving the settlement's sustainable credentials further.

Objection is made to the criterion (a) of Policy RA1. The criterion does not allow for occasions where the post office is located within a convenience shop. Neither does it acknowledge those settlements which have a very good school and thriving shop but no post office but have the capacity for additional development. The criterion needs to allow for some flexibility.

Objection is also made to criterion ©. The requirement for community support for a development is not considered an appropriate criterion. The need for community support in order to provide additional growth in a settlement is unreasonable and will not assist the District in meeting its housing requirements. Whilst the issue of community support is a material consideration it should not be a prerequisite in deciding where additional development should be located.

Land off Brookside Drive adjacent to the primary school, Farmborough (see attached Location Plan) is available for development. Development here would provide housing to meet both general and local housing needs as well as an identified need for retirement accommodation. The site is free from statutory environmental and landscape constraints and there are no technical constraints such as access, drainage etc which would prohibit its development.

The Local Plan Inspector confirmed that Farmborough could accommodate additional development. When commenting on the site at Brookside Drive she stated:

"In the DDLP land was proposed for residential development at Brookside Drive, Farmborough. This is a Greenfield site which was removed from the green belt and safeguarded in the Wandsdyke Local Plan as adopted by the Council for development control purposes in September 2000 for development post 2001. There are a number of objections to the development of this site and further work would be required to assess floodrisk and access and impact on the adjoining school. However the site relates

well to the development area of the settlement and its development would not be unduly intrusive in the wider countryside. With a site of 1.3ha it would provide an appropriate scale of development for Farmborough together with an opportunity for the provision of affordable housing as part of the development. I therefore recommend that GDS/1/V9 is reinstated for 30 dwellings as an allocation in the plan.”

The primary school is fully supportive of development at Brookside Drive. The school is currently under capacity and would welcome the additional pupils generated from such a proposal. The funds raised from the sale of the school land to enable access into the site will be used to improve facilities at the school.

Objections are lodged against paragraph 5.21 which states that the scale of development in villages identified in Policy RA1 will be up to and around 30 dwellings. It is unclear from the submitted evidence base where this figure has been derived. There are clearly some rural settlements which could and should accommodate additional development. One such settlement is Farmborough. This quantum of development would sustain and enhance local services and facilities. It is therefore recommended that the figure of 30 dwellings be replaced by up to 50 dwellings as being more appropriate.

Change sought to Changes Required

- make sound:** i) Amend criterion (a) of Policy RA1 to allow more flexibility.
ii) Remove criterion (c) from Policy RA1.
iii) Increase scale of development permitted based on local circumstances.

Representation (legal compliance):

Change sought to make legally compliant:

Representation Reference: 270\5

Plan Reference: Policy CP2: Sustainable Construction

Representation Policy CP2 - Sustainable Construction

(soundness): Objections are lodged against the inclusion of a table setting out the standards required to be met by major development. The Coalition Government is currently considering the removal of the raft of existing building standards which place additional burdens on the development industry. It intends to create a simpler, less costly system of building standards. Until such time that the new system of regulation is established, it is considered that these local requirements should be removed and national regulations relied upon.

Change sought to Removal of table in Policy CP2.

make sound:

Representation (legal compliance):

Change sought to make legally compliant:

Representation Reference: 270\6

Plan Reference: Policy CP9: Affordable Housing

Representation Policy CP9 – Affordable Housing

(soundness):

It is clear from past delivery rates of affordable housing as set out in the Council’s Viability Study (June 2010) that the percentage of affordable housing is nowhere near being met and therefore to propose a requirement of 35% would be setting an unachievable target. The proposed site size threshold of 0.5 ha or 10 dwellings is not based on sound evidence. Such a low threshold would result in smaller developers being priced out of the market as they would be financially unable to provide affordable

housing on these smaller sites. A higher site size threshold should be proposed. We object to the blanket split between social rented and affordable intermediate housing as 75:25 respectively. The tenure split should be site specific and based on the local needs of the area.

Change sought to Changes Required

make sound: i) The level of affordable housing sought by Policy CP9 is unrealistic and is unlikely to be met based on past delivery rates. The level should be reduced.

ii) The site size threshold should be increased so as not to discourage smaller house builders from developing sites.

iii) The tenure split between rented and intermediate housing should be site specific and therefore reflect local needs.

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 270\7

Plan Reference: Policy CP10: Housing Mix

Representation Policy CP10 – Housing Mix

(soundness): The principle of providing a mix of housing type and tenure is supported in principle having regard to the existing mix of dwellings in the locality and the character and accessibility of the location. However, within rural areas where local communities have indicated support for additional development consideration should be given to the view of these communities in terms of the housing mix that should be delivered from allocated site. The reference to the need to contribute to the provision of homes that are suitable for older people is welcomed.

Change sought to Change Required

make sound: Policy CP10 needs to be amended to include reference to the view of the local communities.

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 270\8

Plan Reference: Policy CP13: Infrastructure Provision

Representation Policy CP13 – Infrastructure Provision

(soundness):

Whilst no objection is made to the principle of this policy, there is no reference to the guidance contained within Circular 05/05 'Planning Obligations' and the need for such contributions to be necessary, fair and reasonable, and directly related to the development.

Change sought to Change Required

make sound: Reference needs to be made within Policy CP13 or the supporting text to Circular 05/05 'Planning Obligations' and to the fact that contributions would only be requested when clearly justified.

Representation (legal compliance):

Change sought to make legally compliant:

Respondent Number: 271 **Respondent:** Amie Smirthwaite

RepresentationReference: 271\1

Plan Reference: Policy B1: Bath Spatial Strategy

Representation I am writing to object to the proposed designation in the draft Strategy of the Lower Field as suitable
(soundness): for housing development. Development of this site would have a number of negative consequences for the area, including:

- negative impact on the local environment, as resulting loss of wildlife corridor
- negative impact on traffic, with increase in through-roads and resulting increase in traffic, with consequent risks for local residents and the local environment
- negative impact on Beechen Cliff students, with inadequate outdoor recreation space
- loss of green space much enjoyed by local residents

Change sought to make sound:

Representation (legal compliance):

Change sought to make legally compliant:

Respondent Number: 272 Respondent: National Grid

Representation Reference: 272\1

Plan Reference: Policy CP13: Infrastructure Provision

Representation National Grid has recently appointed Entec to review and respond to development plan consultations
(soundness): on its behalf. We are instructed by our client to submit the following representation with regards to the current consultation on the above document.

Overview – National Grid

National Grid is a leading international energy infrastructure business. In the UK National Grid's business includes electricity and gas transmission networks and gas distribution networks as described below.

Electricity Transmission

National Grid, as the holder of a licence to transmit electricity under the Electricity Act 1989, has a statutory duty to develop and maintain an efficient, co-ordinated and economical transmission system of electricity and to facilitate competition in the supply and generation of electricity.

National Grid operates the national electricity transmission network across Great Britain and owns and maintains the network in England and Wales, providing electricity supplies from generating stations to local distribution companies. We do not distribute electricity to individual premises ourselves, but our role in the wholesale market is key to ensuring a reliable and quality supply to all. National Grid's high voltage electricity system, which operates at 400,000 and 275,000 volts, is made up of approximately 22,000 pylons with an overhead line route length of 4,500 miles, 420 miles of underground cable and 337 substations. Separate regional companies own and operate the electricity distribution networks that comprise overhead lines and cables at 132,000 volts and below. It is the role of these local distribution companies to distribute electricity to homes and businesses.

To facilitate competition in the supply and generation of electricity, National Grid must offer a connection to any proposed generator, major industry or distribution network operator who wishes to generate electricity or requires a high voltage electricity supply. Often proposals for new electricity projects involve transmission reinforcements remote from the generating site, such as new overhead lines or new development at substations. If there are significant demand increases across a local distribution electricity network area then the local network distribution operator may seek reinforcements at an existing substation or a new grid supply point. In addition National Grid may undertake development works at its existing substations to meet changing patterns of generation and supply.

Gas Transmission

National Grid owns and operates the high pressure gas transmission system in England, Scotland and Wales that consists of approximately 4,300 miles of pipelines and 26 compressor stations connecting to 8 distribution networks. National Grid has a duty to develop and maintain an efficient co-ordinated and economical transmission system for the conveyance of gas and respond to requests for new gas supplies in certain circumstances. New gas transmission infrastructure developments (pipelines and associated installations) are periodically required to meet increases in demand and changes in patterns of supply. Developments to our network are as a result of specific connection requests e.g. power stations, and requests for additional capacity on our network from gas shippers. Generally network developments to provide supplies to the local gas distribution network are as a result of overall demand growth in a region rather than site specific developments.

Gas Distribution

National Grid also owns and operates approximately 82,000 miles of lower-pressure distribution gas mains in the north west of England, the west Midlands, east of England and north London – almost half of Britain's gas distribution network, delivering gas to around 11 million homes, offices and factories. National Grid does not supply gas, but provides the networks through which it flows. Reinforcements and developments of our local distribution network generally are as a result of overall demand growth in a region rather than site specific developments. A competitive market operates for the connection of new developments.

National Grid and Local Development Plan Documents

The Energy White Paper makes clear that UK energy systems will undergo a significant change over the next 20 years. To meet the goals of the white paper it will be necessary to revise and update much of the UK's energy infrastructure during this period. There will be a requirement for:

- An expansion of national infrastructure (e.g. overhead power lines, underground cables, extending substations, new gas pipelines and associated installations).
- New forms of infrastructure (e.g. smaller scale distributed generation, gas storage sites).

Our gas and electricity infrastructure is sited across the country and many stakeholders and communities have an interest in our activities. We believe our long-term success is based on having a constructive and sustainable relationship with our stakeholders. Our transmission pipelines and overhead lines were originally routed in consultation with local planning authorities and designed to avoid major development areas but since installation much development may have taken place near our routes.

We therefore wish to be involved in the preparation, alteration and review of Development Plan Documents (DPDs) which may affect our assets including policies and plans relating to the following issues:

- Any policies relating to overhead transmission lines, underground cables or gas pipeline installations
- Site specific allocations/land use policies affecting sites crossed by overhead lines, underground cables or gas transmission pipelines
- Land use policies/development proposed adjacent to existing high voltage electricity substation sites and gas above ground installations
- Any policies relating to the diverting or undergrounding of overhead transmission lines
- Other policies relating to infrastructure or utility provision
- Policies relating to development in the countryside
- Landscape policies
- Waste and mineral plans

In addition, we also want to be consulted by developers and local authorities on planning applications, which may affect our assets and are happy to provide pre-application advice. Our aim in this is to ensure that the safe and secure transportation of electricity and gas is not compromised.

National Grid infrastructure within Bath and North East Somerset Council's administrative area

Electricity Transmission

National Grid has no high voltage electricity overhead transmission lines / underground cables within Bath and North East Somerset Council's administrative area.

Gas Transmission

National Grid has the following gas transmission assets located within the administrative area of Bath and North East Somerset Council:

- Pipeline: 1498

- Feeder Detail: 14 Feeder Pucklechurch / Ham Street National Grid has provided information in relation to gas transmission assets via the following internet link:

<http://www.nationalgrid.com/uk/LandandDevelopment/DDC/GasElectricNW>

Gas Distribution

Wales and the West Utilities own and operate the local gas distribution network in Bath and North East Somerset Council's administrative area. Contact details for Bath and North East Somerset Council's can be found on the Energy Networks website: www.energynetworks.org

Further Advice

National Grid is happy to provide advice and guidance to the Council concerning our networks. If we can be of any assistance to you in providing informal comments in confidence during your policy development, please do not hesitate to contact us. In addition the following publications are available from the National Grid website or by contacting us at the address below:

- National Grid's commitments when undertaking works in the UK – Our stakeholder, community and amenity policy
- Specification for Safe Working in the Vicinity of National Grid High Pressure Gas Pipelines and Associated Installations – Requirements for Third Parties
- A sense of place – Design guidelines for development near high voltage overhead lines

Please remember to consult National Grid on any Development Plan Document (DPD) or site-specific proposals that could affect our infrastructure.

Change sought to make sound:

Representation (legal compliance):

Change sought to make legally compliant:

Respondent Number: 273 Respondent: Transition Bath

RepresentationReference: 273\1

Plan Reference: Whole Document

Representation We find the lack of correlation to the previous document with a multiple of changes highly confusing, **(soundness):** lacking a concise focus as if it has been designed to hinder rather than make clear the future aspirations for the benefit of the whole community.

There are lots of fine words particularly in relation to climate change, and peak oil is mentioned. However this sometimes seems to be putting the emphasis on adapting to climate change rather than the importance of mitigating climate change before it develops further.

Change sought to make sound:

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 273\2

Plan Reference: Paragraph 2.30

Representation (soundness): As to sustainable transport modes, we agree that the priorities are 1st Walking, 2nd Cycling, 3rd Public Transport, all of which fulfil so many of the stated aims of the Core Strategy, climate change, improving health and tackling obesity, well being and community cohesion. Yet this document lacks detail or any sense of real commitment to these priorities.

We are still seriously disappointed that the Strategy focuses only on the city centre, rather than the city as a whole. Though the local centres are listed it is not possible to see how the local centres and neighbourhoods will benefit or contribute to much of the core strategy's objectives.

Change sought to make sound:

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 273\3

Plan Reference: Paragraph 6.93

Representation (soundness): Many times walking and cycling are mentioned and there is a section 'to continue the longstanding theme of reducing car dependency and working towards making walking, cycling and the use of public transport, the more attractive option for travel'. However, elsewhere BANES seem to have put the emphasis on predicting and providing for car growth. Providing for the car is now acknowledged as a key factor in actually encouraging car use, and Bath has so far failed in 'reducing car dependency' or in providing substantial improvements for pedestrians, cyclists or public transport. This problem needs to be addressed.

Change sought to make sound:

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 273\4

Plan Reference: Paragraph 6.97

Representation (soundness): We very much regret that the document does not appear to demonstrate how the principles to govern the provision of sustainable transport network for the whole City will be applied over the plans period.

We appreciate the statement 'better and more sociable places are created where people dominate, rather than vehicular traffic. Streets are not just for movement; they form the shared public space between buildings, where city, town or village life takes place'.

Change sought to make sound:

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 273\5

Plan Reference: Paragraph 2.30

Representation ‘Improvements to transport infrastructure will be made to enhance links between the neighborhoods
(soundness): of Bath and the city center. These improvements will have an emphasis on pedestrian, cycling and public transport facilities’.

Both statements are very good though we would like to see real commitment, not just the façade of ‘ emphasis’.

We are concerned that the draft does not robustly address the primary need for transportation to make a significant contribution towards reducing CO2 emissions in the district and their environmental and social impact within the plan period.

**Change sought to
make sound:**

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 273\6

Plan Reference: Paragraph 6.94

Representation We are very pleased to see that reducing carbon emissions, and ‘to minimise the adverse effect of
(soundness): traffic,’ has a central role in the Core Strategy and ‘Enhancement of local centres and other facilities within close walking or cycling distance from where people live’ ,is acknowledged as making ansignificant contribution.

**Change sought to
make sound:**

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 273\7

Plan Reference: Whole Document

Representation We are disappointed to see that so much of the Core Strategy is based on growth. For example, in
(soundness): section 1e Table 3, Strategic objectives and SCS drivers, every point includes the word ‘Growth’ including ‘Deliver well connected places accessible by sustainable means of transport’. The document does not address the key challenge of how growth may be balanced by reducing fossil fuel consumption and CO2 emissions.

**Change sought to
make sound:**

Representation (legal compliance):

Change sought to make legally compliant:

Respondent Number: 274 **Respondent:** Sport England

RepresentationReference: 274\1 S

Plan Reference: Policy CP13: Infrastructure Provision

Representation 1. COMMENT – Local Development Framework Evidence Base

(soundness): The LDF Core Strategy has made reference to Government’s PPG17 ‘Planning for Open Space, Sport and Recreation’ (ODPM, 2002). This national planning policy document states the Government’s guidance in developing a planned approach for open space, sport and recreation. This includes playing pitches, courts, swimming pools, sports halls, etc.

We have in the recent past worked with and financed the Council’s Sport and Active Lifestyles team to develop an evidence base. We are aware that there is a Built Facilities Strategy and Playing Pitch Strategy. Sport England is committed to helping the Council ‘refresh’ this work as and when needed. This includes developing an audit of sport and recreation facilities, developing ‘local standards’ and ‘gaps’ in provision be identified. This will then led to a strategy for the provision of new and enhancement of existing sport and recreation facilities. This work should pick up cross border issues.

2. SUPPORT – Planning Obligations/Community Infrastructure Levy to Sport

Sport England supports use of planning obligations/community infrastructure levy as a way of securing the provision of new or enhanced places for sport and a contribution towards their future maintenance, to meet the needs arising from new development. This does need to be based on a robust PPG17 evidence base. This includes indoor sports facilities (swimming pools, sports halls, etc) as well as playing fields and multi use games courts.

All new dwellings in BaNES in the plan period (11,000) should provide for new or enhance existing sport and recreation facilities to help create opportunities for physical activity whilst having a major positive impact on health and mental wellbeing.

There is already in place a SPD seeking planning obligations to sport (built facilities) from new housing BUT this needs to be reviewed and enhanced to include enhancements to playing fields.

**Change sought to
make sound:**

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 274\2 S

Plan Reference: Policy CP7: Green Infrastructure

Representation 3. COMMENT – Green Infrastructure Strategy

(soundness): Sport England supports the development of a Green Infrastructure Strategy but seeks confirmation that this includes playing pitches and other sport and recreation spaces.

**Change sought to
make sound:**

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 274\3

Plan Reference: Policy CP6: Environmental Quality

Representation 4. COMMENT – Active Design

(soundness): Sport England believes that being active should be an intrinsic part of everyone’s life pattern. The master planning of new housing proposal has a vital role in providing easy access to a choice of opportunities for sport and physical activity to suit all age groups for making new communities more active and healthy.

Sport England commissioned David Lock & Associates to investigate the contribution that masterplanning can make to create new environments that maximise opportunities for participation in sport and physical activity. This work including a developer's checklist has been completed and can be accessed via www.sportengland.org.

Through an analysis of the current health agenda and urban design principles and good practice, the term ACTIVE DESIGN has been adopted to describe ways in which master planning can promote healthy environments through creating healthy environments through creating conditions for participation in sport and physical activity and the use of active travel modes (walking and cycling). Three overlapping Active Design objectives have been identified that should be promoted by master plans: improving accessibility; enhancing amenity and increasing awareness.

Sport England would encourage the developers to design future proposals in BaNES in line with the Active Design principles.

**Change sought to
make sound:**

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 274\4

Plan Reference: Chapter 7: Monitoring

Representation 5. COMMENT – Monitoring

(soundness): Sport England is concerned with the effectiveness proposed to monitor 'sport and recreation'. The factors and indicators for monitoring should be developed further and possibly include comparison with other local authorities.

**Change sought to
make sound:**

Representation (legal compliance):

Change sought to make legally compliant:

Respondent Number: 275 **Respondent:** Redrow Homes (South West) Ltd.

RepresentationReference: 275\1

Plan Reference: Policy KE1: Keynsham Spatial Strategy

Representation The Core Strategy is unsound as it does not meet housing needs. The Secretary of State's proposed

(soundness): changes to the RSS identified the need to alter the general extent of the Green belt at Keynsham in order to accommodate an urban extension to meet housing needs.

Objection is made to the following points of the Policy:

1. Natural and Built Environment

The policy maintains the Green Belt surrounding Keynsham. The need to review the Bristol/Bath Green Belt has been a long standing issue and was raised in RPG10 Published in 1994, paragraph 4.11 stated that the need to provide for additional development consistent with the principle of reducing the need to travel set out in PPG13, may require some physical reappraisal of the current configuration of green belts. This was then taken forward in RPG 10 published in 2001 which became the interim RSS in 2004 pending the review of RPG10.

Policy SS 4: Green Belt set out the policy framework for the region- while Green Belts should continue

should continue to fulfil the purposes as set out in PPG2, Local Planning Authorities should:
"...Critically review the Green Belt to examine whether boundary alterations are needed to allow for long term sustainable development needs;"
"remove land from the Green Belt for development, if on balance, this would provide the most sustainable solution for accommodating future development requirements."

Policy SS4 of the RPG 10 (i.e. the interim RSS) concluded that there was a need for the Green Belts in the region to be critically reviewed in the next round of Structure Plans. This Review was intended to examine whether the Green Belts needed to be amended to meet the long term sustainable development needs, given climate change objectives.

The Avon Joint Replacement Structure Plan (JRSP) 2002 states that the full implications of the new RPG10 (the 2001) version would be addressed in the next review of the Structure Plan. However, with the introduction of Regional Spatial Strategies in 2004 – the strategic review of the Green Belt became the responsibility of the South West Regional Assembly and was undertaken by the West of England Partnership Joint Study Area Section 4 (4) authorities during the preparation of the RSS.

The urban extension to Keynsham was identified following the debate at the Regional EIP and was a recommendation of the Panel in their report Dec 2007. This was endorsed by the Secretary of State in the Proposed Changes to the RSS in 2008. In view of the housing need as evidenced in the latest DCLG 2008 based household projections, the need to remove land from the Green Belt remains justified, consequently Policy KE1 should reflect this and make provision to change the boundaries of the Green Belt.

2 Housing

The Core Strategy makes provision for 1,500 new homes at Keynsham in the plan period 2006 – 2026 this is half the number of new homes that the RSS envisaged for Keynsham in Policy HMA1: West of England HMA. The RSS considered that in order to make the necessary provision for new homes and to fulfil the role of the SSCTs in terms of their economic potential, which could not be met in the existing urban areas, then the most sustainable solution is to provide for urban extensions to the SSCTs. This was debated at the Regional EIP and was a recommendation of the Panel. To address these exceptional circumstances, the RSS makes changes to the general extent of the Green Belt, removing the designation from the areas required to accommodate the proposed urban extensions.

The Panel considered that Keynsham was a suitable sustainable location for housing development in order to support economic growth in the Bath TTWA. Keynsham was considered as a suitable location as it would allow development to serve the wider needs of the conurbation. The Panel considered that Keynsham can provide a wide range of community services for new development and that it would be an attractive location for associated employment development. The combination of these factors makes Keynsham a sustainable location. The Panel considered that there was sufficient scope for development around Keynsham to allow development to proceed without threatening the integrity of the separation that the Green Belt ensured.

This was endorsed the Secretary of State in the Proposed Changes to the RSS. The Secretary of State agreed that Keynsham has a strong function relationship with Bristol and forms part of the Bristol SSCT. It was considered that there were opportunities at Keynsham both for housing and employment to strengthen its role, so it could better serve its own population and that of the surrounding area.

The vision for Keynsham should, as part of the vision for BANES and be in general conformity with the Bath and North East Somerset's Core Strategy – Publication Stage Representation Form RSS (albeit that it is the Interim RSS i.e. the former RPG 10 of September 2001 that is the RSS in the absence of the latest RSS being finally adopted). Nevertheless, the evidence base of the latest RSS is a material consideration. Whilst in principle the need to critically review the Green Belt was established through RPG10 in order to allow for long term sustainable development, the evidence base

of the latest version of the RSS is a material consideration.

Clearly the vision is not in general conformity with the RSS, as the Core Strategy has not reviewed the Green Belt in the context of making provision for long term sustainable development needs.

3. Economic Development

The Core Strategy proposes that some of the former Cadbury Somerdale site should be used for housing rather than and greenfield sites in Keynsham. It is not clear what the justification is for reducing the amount of employment on this site, when the BANES Economic Strategy states that the future use of the Somerdale site will be critical to the future of Keynsham, and the action plan places an emphasis on developing employment space on this site.

The BANES Economic Strategy page 41 also states that:

“A targeted inward investment plan should be put together for Keynsham in order to raise its profile as a future alternative office location to Bristol as the area has good transport links and the strategic employment site of Somerdale.”

The Core Strategy seeks to focus new employment development in the central area of Keynsham including the town centre and the 25 hectare Somerdale Factory site and the transition area between the northern end of the High Street and the Somerdale Factory. The strategy is seeking to provide more High Value Added Jobs in order to reduce the current pattern of out-commuting. It is noted that the town centre is a regeneration priority areas which is key to the successes of the local economy and the district as a whole.

Some land (approximately 10 hectares) within the Somerdale site falls within Flood Zone 2 (partly) and this is expected to accommodate 600 dwellings. The justification for this is that there are no alternative sites to offer the same level and type of opportunity to serve the town as a whole. It is noted that the allocation of this site has not taken place as yet and that further work on the sequential test will need to be undertaken. Master planning for Somerdale has not been undertaken – but it is stated that the most vulnerable uses should be directed to flood Zone 1; but as no master planning has been done for the site it is not clear how this relates to the design proposals for the site. The SFRA also identified that part of the area is subject to increased risk from climate change.

Given the above uncertainties about the deliverability of the Somerdale site and its role and location in terms of accommodating jobs; and given the need to accommodate BANES housing needs sustainably; land to the south west of Keynsham should be considered as a strategic location. The exceptional circumstance for removing this land from the Green Belt has already been proven through the preparation of the latest RSS, the site is not within the Flood Zones and can be delivered to serve the town and complement the employment opportunities at Keynsham that will be delivered through the regeneration of the town centre.

Change sought to Policy KE1 should be amended as follows:

make sound: 1. Natural and Built Environment

a. Land to the south west of Keynsham will be removed from the Green Belt.

2. Housing

a. Make provision for around 3,000 new homes (net) between 2006 and 2026.....

b. Allow for residential development if it is within the housing development boundary defined on the proposals map or if it forms an element of Policy KE2. The housing development boundary will be revised to include land within south west Keynsham.

Representation (legal compliance): The Core Strategy is not legally compliant as it is not in general conformity with the development plan as set out in PPS 12 paragraph 4.50 i.e. it should conform generally to the Regional Spatial Strategy. The Core Strategy is not legally compliant as it fails to make adequate provision for housing needs during the plan period. It does not conform to latest Government guidance in terms of the latest evidence base for the SW RSS or the latest DCLG 2008 based household projections. The Councils own Strategic Housing Market Assessment indicate that there is a very high housing need, both in terms of household growth and in relation to likely total future supply.

Change sought to make legally compliant: In order to make the Core Strategy legally compliant, the preparation of the Core Strategy should have completed a review of the Green Belt, this would be consistent with Policy SS4 of the Interim RSS and also the evidence base for latest RSS. Provision should be made to meet the latest household projections.
The housing figures for the Core Strategy plan period should be increased to at least 18,500 dwellings.

RepresentationReference: 275\2

Plan Reference: Paragraph 1.25

Representation (soundness): The Core Strategy is unsound as the Council states in paragraph 1.25 that it has taken account of the sub-regional context. The spatial strategy must take account of the strategies and programmes of neighbouring authorities, especially the West of England.

The local authorities worked together to submit First Detailed Proposals for the West of England Joint Study Area to the South West Regional Assembly as Section 4 (4) authorities in 2005. This formed the basis of the housing figures in the Draft RSS as submitted in June 2006. Whilst to some extent joint working has continued through the West of England Partnership with the preparation of the Multi Area Agreement and the submission for the Local Enterprise Partnership the issue is that the local Bath and North East Somerset's Core Strategy – Publication Stage Representation Form authorities in determining the level of housing provision should take into account relevant local, subregional, regional and national policies and strategies i.e. PPS 3 paragraph 32 and also PPS 3 paragraph 33.

However, if the housing provision of the local authorities in the West of England is examined, the shortfall for each local authority and the West of England is evident. The shortfall for BANES on the RSS dwelling figures is 10,300 dwellings and compared with the 2008 based household projections in the order of at least 6,000 dwellings.

Local Authority Core Strategy proposed housing figures RSS Proposed Changes 2008 based household projections

BANES	11,000	21,300	16,000
Bristol	26,400	36,500	72,000
South Glos	21,500	32,800	32,000
North Somerset	13,400	26,750	36,000
Total for West of England	72,300	117,350	156,000

It is the implications of the shortfall both in the local authority and the West of England in terms of housing need and the implications for the local economy that should be addressed. The West of England SHMA (June 2009) demonstrates the need for housing. The West of England HMA represents the largest concentration of business activity and employment in the South West region. One of the key messages in the SHMA is that there is a high level of need for affordable housing which is not being met through existing policies and levels of delivery. The SHMA states in the Executive Summary that migration is likely to continue at current levels but with migrants coming from outside the UK, households moving to the area from the UK are likely to be economically active.

The Local Enterprise Partnership (LEP) September 2010 sets out its priorities as being :
(i) to facilitate the supply of readily available workforce and the skills that businesses need,
(ii) to encourage the high levels of business start-up and growth of small businesses and (iii) to facilitate new housing and community infrastructure. Within the priorities the LEP aim to promote the key growth sectors in the West of England, both nationally and abroad, to contribute to 3.4% cumulative annual growth in total Gross Value Added (GVA) by 2020.

Change sought to make sound: The Core Strategy should be amended to reflect the latest published household projections in accordance with PPS 3 paragraph 33

Representation (legal compliance): The Core Strategy is not legally compliant as it is not in general conformity with the development plan as set out in PPS 12 paragraph 4.50 i.e. it should conform generally to the Regional Spatial Strategy. The Core Strategy is not legally compliant as it fails to make adequate provision for housing needs during the plan period. It does not conform to latest government guidance in terms of the development plan and also taking into account the latest evidence base for the SW RSS. Neither does the Core Strategy take into account the latest DLG 2008 based household projections. The Council's own Strategic Housing Market Assessment indicates that there is a very high housing need, both in household growth and in relation to likely total future supply.

Change sought to make legally compliant: The Regional Spatial Strategy remains part of the development plan, despite the Coalition Government announcing that the RSS was to be abolished. The 6th July 2010 revocation of Regional Strategies was announced with immediate effect. The 6th July revocation decision was then subject to challenge in the Cala Homes (South) Ltd case. The effect of the Cala Homes decision was that the Regional Strategy as it stood on 5th July forms an ongoing part of the development plan. PINs Advice confirms that the RS is part of the development plan until legislation to formally repeal or revoke the RS is implemented. The Core Strategy should be consistent with the development plan and the latest national advice, which now includes the DCLG 2008 based household projections. In the South West the regional strategy remains part of the development plan and in this case that is RPG10 September 2001 which became the Interim RSS in 2004.

The Core Strategy does not conform to the Regional Spatial Strategy and no local justification is provided for the lack of conformity. The housing figures for the plan period should be increased to at least 18,500 dwellings.

Representation Reference: 275\3

Plan Reference: Chapter 1: The Spatial Vision

Representation (soundness): The Core Strategy is considered to be unsound as it is not justified, effective and consistent with national policy. There are questions about the evidence base relying on short term trends in the economy to reduce the ability in the long term of the council to meet housing needs. The implications of reducing the housing provision have already been acknowledged by the Council in 2009 in the Bath and North East Somerset's Core Strategy – Publication Stage Representation Form Spatial Options consultation paragraph 2.29 which was based in the housing figure of 15,500 dwellings for the plan period and not that dissimilar to the First Detailed Proposals that were submitted by the Council.

"If this level of housing is not provided then it will have serious implications, preventing some people having access to a decent home, making housing less affordable (to buy or rent) and in the longer term damaging the local economy by reducing labour supply and mobility." This was the argument used by the Secretary of State, and the Panel in producing their Panel Report following the Regional EIP, that there was a need to increase the housing requirement from that set out in the Draft RSS of 15,500 to 21,300 dwellings.

In determining the local level of housing provision, PPS 3 advises in paragraph 33 that the advice from the NHPAU should be taken into account. The West of England Housing Market Assessment (June 2009) states in paragraph 11.1.8 that "Regional analyses by NHPAU indicate that the South West region is one where greater housing supply will be needed to moderate affordability pressures and meet demographic demand." There is a high level of need for affordable housing which is not being met through existing policies and levels of delivery.

The spatial vision seeks to provide "...opportunities for all, whilst maintaining and enhancing the environmental attractiveness of the unique heritage." However, by reducing the housing provision the Council will not be providing opportunities for all – the implications for failing to meet housing supply are well known and have been set out above. Evidence of housing need from the West of England Strategic Housing Market Assessment (June 2009) is that approximately 850 dwellings per annum are required in BANES to meet those in need of social rented and intermediate housing. The overwhelming

message therefore is one of very high housing need, in relation both to household growth and in relation to likely total future supply.

Reducing the housing figure to 11,000 dwellings in the latest version of the Core Strategy will have a deleterious effect on the ability of people to access the housing market and moreover, on the quantum of affordable housing that it likely to be provided. The strategy emphasises the delivery of new housing on brownfield sites, however, this will fail to meet housing needs, as past experience during the Local Plan period has shown only in four years of the Local Plan period were housing completions above that envisaged.

The shortfall in housing provision in BANES will increase commuting, as people working in parts of BANES will not be able to afford to live there. The economic strategy seems to be planning for lower level of growth throughout the plan period rather than recognising that it should plan for more than one economic cycle. The role of the Core Strategy is to set out the long term spatial vision for BANES up to 2026 and the broad locations for new housing, jobs and other strategic development over the plan period.

The Roger Tym and Partners Report (Update June 2010) refers in the conclusions paragraph 4.3 that if BANES Council choose to review its job growth target at this time then it recommends that it should be done so jointly with the other local authorities in the West of England. However, what has happened in practice is that the individual Local Authorities, although aware that their neighbouring authorities are considering lower levels of growth have not undertaken analysis on a collective basis of the wider implications of lower levels of growth for the West of England. This is in conflict with the local authorities' collective approach set out in the Local Economic Partnership (LEP) which is based on contributing to 3.4% cumulative annual economic growth in total GVA by 2020.

The Roger Tym work has stated that if each authority were to make its own forecasts and establish its own targets, at different times and using different approaches from its neighbours, it is very unlikely that the figures would add up to a reasonable future for the West of England as a whole. This will have implications for local economic growth and the aspirations of the LEP for the economy of the sub Bath and North East Somerset's Core Strategy – Publication Stage Representation Form region.

The Strategy will be subject to plan, monitor manage so the level of development can be monitored. It is inappropriate to base the long term spatial vision on the current economic climate. If planning is based on a low growth scenario, high growth will create severe market distortions.

There is a danger that the South West's historical under housing provision is exacerbated if planning figures are linked solely to a particular low "average" growth rate scenario. In turn, this tends to create higher carbon outcomes in terms of commuting and extended travel to work areas.

Over the life of the Core Strategy it is inevitable that the economic climate will change, consequently the Core Strategy should be prepared so as to enable appropriate levels of housing provision to occur over the lifetime of the Plan and for it to be monitored accordingly.

The spatial vision does not refer to the need to support economic growth in the Bath TTWA by ensuring that sufficient housing is available in addition to that which is provided at Bath. Bath itself is constrained and relying on the redevelopment of brownfield sites which as referred to in representations on paragraphs 2.40 – 2.49 there are concerns about the deliverability especially given the amount of public sector investment required and the fact that approximately 20% of the dwellings are within Flood Zones 2 and 3a.

The spatial vision for Keynsham is that it will continue to be a market town and service centre for the surrounding area. The Panel at the Regional EIP noted that as Bath was relatively constrained then Keynsham could meet the housing needs in a sustainable way. Development at Keynsham was promoted since Keynsham's location would allow for development to serve the wider needs of the

conurbation. The Panel considered that Keynsham could provide a wide range of community services for the new development and that it would also be an attractive location for associated employment development (paragraph 4.1.65 of the Panel Report). Keynsham is well related to the A4 and the railway line to Bristol. The Panel considered that there was sufficient scope for development around Keynsham to allow for development to proceed without threatening the integrity of the separation of Keynsham and Bristol by the Green Belt. The Panel proposed a total of 3,000 dwellings at this location. Para 4.1.65 of the Panel Report December 2007.

The Panel also concluded paragraph 4.0.32 that the scale of demand and the application of the principles of Sustainable Future for the South West as set out Policies SD 1- 4 provide the exceptional circumstances to justify alterations to the Green Belts within the region. The spatial vision for BANES should reflect the need to make provision for at least 18,500 dwellings in BANES during the plan period and also to accommodate development at Keynsham.

Change sought to make sound: The spatial vision for BANES should be revised to reflect the need to provide for additional dwellings in accordance with the latest 2008 based household projections. The spatial vision for Keynsham in particular should be amended to include the opportunities for development at south west Keynsham.

Representation (legal compliance): The Core Strategy is not legally compliant as it is not consistent with the development plan. PPS12 paragraph 4.50 states that under the Planning and Compulsory Purchase Act 2004 S 20 (5) (a) an Inspector is charged with firstly checking whether the Core Strategy has complied with legislation. It is considered that for two reasons the Core Strategy is not legally compliant as it is not in generally conformity with the development plan (i.e. the RS has now be re-instated as part of the development plan and will remain so until the Localism Bill is enacted – this is envisaged to be late in 2011) and secondly as it fails to take account of national policy in terms of PPS 3 paragraph 33, the Governments latest published household projections (2008 based published in Nov 2010) and evidence of current and future need as stated in the West of England Housing Market Assessment June 2009.

Change sought to make legally compliant: In order to make the Core Strategy legally compliant, the preparation of the Core Strategy should have completed a review of the Green Belt, this would be consistent with Policy SS4 of the Interim RSS and consistent with the evidence base of the latest RSS. Provision should be made to meet the latest household projections. The housing figures for the plan period should be increased to at least 18,500 dwellings and greater co-ordination required with Bristol Council to make sure its needs are properly met.

RepresentationReference: 275\4

Plan Reference: Policy CP8: Green Belt

Representation (soundness): The Core Strategy is unsound as it does not alter the Green Belt around Keynsham as advocated in the Secretary of State's Proposed Changes to the RSS. Although the Secretary of State's Proposed Changes to the RSS were not finalised, the evidence base to support the RSS is a material consideration and sets out the exceptional circumstances which justifies the changes to the general extent of the Green Belt. The Interim RSS (i.e RPG10 September 2001) set out in Policy SS 4 Green Bath and North East Somerset's Core Strategy – Publication Stage Representation Form Belt, the need to critically review the Green Belt and examine whether boundary alterations were needed to allow for long term sustainable development needs.

There is a need to allocate more housing not only to meet housing forecasts consistent with the latest 2008 based household projections, but also to provide sufficient flexibility in housing delivery should the funding for the Central Area and Western Corridor not come forward in the timescale and to allow for a reduced density on sites in accordance with PPS3.

The Core Strategy is unsound as it does not meet housing needs. The Proposed Changes to the RSS identified the need to alter the general extent of the Green Belt at Keynsham in order to accommodate an urban extension to meet housing needs and indicated that provision is needed for 3,000 dwellings. The RSS considered that in order to make the necessary provision for new homes and to fulfil the role of the SSCTs in terms of their economic potential which could not be met in the existing urban areas, then the most sustainable solution is to provide for urban extensions to the SSCTs. This was debated at

the Regional EIP and was a recommendation of the Panel. To address these exceptional circumstances, the RSS makes changes to the general extent of the Green Belt, removing the designation from the areas required to accommodate the proposed urban extensions.

The Panel considered that Keynsham was a suitable sustainable location for housing development in order to support economic growth in the Bath TTWA. Keynsham was considered as a suitable location as it would allow development to serve the wider needs of the conurbation. The Panel considered that Keynsham can provide a wide range of community services for new development and that it would be an attractive location for associated employment development. The combination of these factors makes Keynsham a sustainable location. The Panel considered that there was sufficient scope for development around Keynsham to allow development to proceed without threatening the integrity of the separation that the Green Belt ensured.

This was endorsed by the Secretary of State in the Proposed Changes to the RSS. The Secretary of State agreed that Keynsham has a strong function relationship with Bristol and forms part of the Bristol SSCT. It was considered that there were opportunities at Keynsham both for housing and employment to strengthen its role, so it could better serve its own population and that of the surrounding area.

Given the above, land at south west Keynsham is considered to be suitable, available and deliverable. Development south west of Keynsham would not compromise the principles of the Green Belt. Keynsham as a market town should be the focal point for locally significant development including the provision of the bulk of district housing provision outside the Bath SSCT and also taking into account Bristol SSCT, thereby increasing its self containment.

Redrow Homes consider that additional land is needed in order to meet the housing requirement, and that land south of Lays Farm is available and deliverable. (Representations including a Site Location Plan were submitted in response to the Spatial Options Consultation in January 2010.) (see representations in particular on Policy DW01 and Policy KE1)

Change sought to make sound: The Core Strategy should be amended to reflect the latest published household projections in accordance with PPS 3 paragraph 33 so that provision is made for in the order of 18,500 dwellings and the general extent of the Green Belt is redefined at Keynsham so that land south west of Keynsham is removed from the Green Belt and development needs can be accommodated sustainably in accordance with national guidance.

Changes would need to be made to Policy DW01 to increase the housing provision for the plan period to at least 18,500 dwellings. Changes would need to be made to the spatial vision for Keynsham and also to Policy KE1 to reflect the strategic location and the need to make provision for 3,000 dwellings instead of 1,500 dwellings at Keynsham. Policy KE1 would also need to define the general extent of the Green Belt by removing land to the south west of Keynsham from the Green Belt.

Changes would need to be made to Policy CP8 to redefine the boundary of the Green Belt South West of Keynsham. The changes to the wording are as follows:-

“The general extent of the Green Belt is set out on the Core Strategy Key Diagram. Land to the south west of Keynsham has been removed from the Green Belt. The detailed boundaries and inset villages are defined on the Proposals Map.....” See proposed changes to Policy KE1

Representation (legal compliance): The Core Strategy is not legally compliant as it does not conform generally with the development plan as set out in PPS 12 paragraph 4.50 i.e. it should conform generally to the Regional Spatial Strategy.

In this case the development plan comprises the Interim RSS i.e. RPG10 of September 2001. The evidence base of the latest RSS is a material consideration, although the RSS has not progressed beyond the stage of the Secretary of State's Proposed Changes.

The Core Strategy is not legally compliant as it fails to make adequate provision for housing needs during the plan period. It does not conform to the latest Government guidance of the latest DCLG 2008 based household projections. The Councils own Strategic Housing Market assessment

indicates that there is a very high housing need, both in household growth and in relation to likely total future supply.

Change sought to make legally compliant: The Core Strategy is not legally compliant with the development plan. In order to make the Core Strategy legally compliant, the preparation of the Core Strategy should have completed a review of the Green Belt, this would be consistent with Policy SS4 of the Interim RSS and also consistent with the evidence base of the latest RSS. Provision should be made to meet the latest household projections in the most appropriate sustainable locations; exceptional circumstances have been demonstrated to make the changes to the general extent of the Green Belt.

Representation Reference: 275\5

Plan Reference: Chapter 1: Vision and District-wide Strategy

Representation (soundness): The Core Strategy is unsound as is based on 11,000 dwellings for the plan period 2006 – 2026, which is a significant reduction on the housing figure in the Proposed Changes to the RSS and in the latest 2008 based household projections. It is even a reduction on the First Detailed Proposals that BANES submitted to the preparation of the Regional Spatial Strategy in December 2005. The figure of 15,500 dwellings was included in the RSS which was in effect the First Detailed Proposals.

The housing figures in the RSS were based on the 2003 based household projections and by the time the Examination in Public had taken place and the Secretary of State Proposed Changes were published the 2004 based projections had been updated and amended. By increasing the housing figures the Secretary of State took into account a number of factors which still remain relevant to the Bath and North East Somerset's Core Strategy – Publication Stage Representation Form consideration of housing provision for BANES. These factors are the strategic context, economic growth, demographic evidence, long term affordability, strategic potential, deliverability and the Sustainability Appraisal. The Secretary of State's Proposed Changes to the RSS increased the figure for BANES to 21,300 dwellings based on the 2004 household projections.

BANES in producing the Core Strategy Spatial Options consultation in October 2009 reduced the housing figure from 21,300 dwelling to the figure included in the Draft RSS of 15,500 dwellings, on the basis that major changes had taken place in the country's economic position. However, the 2009 consultation document stated in respect of the 15,500 dwellings "If this level of housing is not provided then it will serious implications, preventing some people having access to a decent home, making housing less affordable (to buy or rent) and in the longer term damaging the local economy by reducing labour supply and mobility."

It must be questioned what has changed in the last 12 months for BANES to reduce the housing figure by 26%. The South West Gross Value Added (December 2010) produced by the South West RDA provides the GVA figures for the South West which shows that the South West region has a relative degree of resilience to the recession during 2009. It states that: "Sub regionally the pattern showed relative strength in the counties of Cornwall, Bristol and Bournemouth and Poole all showing growth in 2008. "

The latest 2008 based household projections for England and the Regions indicate that for BANES the increase from 2006 – 2026 will be 16,000 households which is equivalent of 800 households per annum. In terms of dwellings this amounts to approximately 16,720 dwellings i.e. 850 dwellings per annum. Although this is less than the RSS Proposed Changes it is still nearly 50% above the draft Core Strategy. Neither does the strategy make any allowance for the increase in households predicted for the Bristol conurbation which the 2008 based projections now arrives at almost twice the RSS Proposed Changes, i.e. 72,000 as opposed to 36,500. There is clearly a need for cross boundary co-ordination as Bristol clearly cannot meet this revised total some of which will need to be taken into account in the surrounding authorities. The importance of this is explained PPS 3 paragraph 33 Evidence of the total households in need as set in SHMA in Figure 20 of the Executive Summary (June 2009) Table 4.11 in the

Main Report indicates that there are 847 per annum in housing need i.e. those who need social rented and intermediate housing. For the period 2009 – 2021, provision needs to be made for 10,164 dwellings to meet those in housing need; however this only corresponds to 12 years of the plan period. If this figure were replicated for the remaining years of the plan period i.e. 17yrs from the 2009 base years this would equate to the need for 14,399 dwellings that would need to be provided to meet those in housing need. A 20 year plan period based on 847 per annum would equate to a need to provide for 16,940 dwellings (this figure is similar to the latest 2008 based household projections of 16,000 households i.e. 16,720 dwellings), but only meets those in need of affordable housing as opposed to also meeting needs for market housing. The Core Strategy is unsound as it is not justified, effective and consistent with national policy. It is not founded on a robust and credible evidence base as it is based on projections of lower levels of growth of recent years rather than taking a long term approach for the plan period. There is a danger that the South West's historical under provision is exacerbated if planning figures are linked solely to a particular low "average" growth rate scenario. In turn, this tends to create higher carbon outcomes in terms of commuting and extended travel to work areas and negative social externalities related to housing affordability.

The Core Strategy should take a more long term view rather than basing its assumptions on the recent years. It is inappropriate to base the long term spatial vision on the current economic climate. If planning is based on a low growth scenario, higher growth will create severe market distortions when it occurs. The SWRDA report "Economic Prediction and the Planning Process" January 2011 states that:- "There is a danger that the South West's historical under provision is exacerbated if planning figures are linked solely to a particular low "average" growth rate scenario. In turn, this tends to create higher carbon outcomes in terms of commuting and extended travel to work areas and negative social externalities related to housing affordability." The report states that there is not a simple arithmetical relationship between a particular growth rate and the need for new housing.

The housing target should not be focussed on the short term i.e. what has happened in the last 2 years. The amount of housing growth affects growth in the economy. SWRDA report "Economic Prediction and the Planning Process" January 2011 <http://economy.swo.org.uk/publications/special-economy-modulepublications/> sets out key messages. The assumptions of less buoyant economic and demographic growth for twenty years were built into the Oxford Economics work because at the time this is what those commissioning the report wanted to be investigated. The SWRDA report states that a more rounded approach would be based on:-

- Demographic change implies a growing demand for new housing going forward across SW England, regardless of the economic growth rate average achieved within the likely range (1.5 – 3.0% per annum.)
- There is already a backlog of unsatisfied, ineffective demand in the region, which distorts a range of behaviours linked to employment, commuting, affordability and cohesion.
- In the short term, economic and employment growth will be restrained below pre-recession experience because of government policies and ongoing crisis adjustment .
- Current policy is designed to improve sustainable growth and job creation rates in the longer run (including efforts to encourage living closer to places of work) when that kicks in, growth potential is expected to be higher than before . Whether the South West gets the growth sooner or later, it still gets it and the broad scope of housing need is unaffected and planning policy should therefore reflect this.
- A return to real incomes growth will generate fresh demands for housing, including multiple home ownership, formation rates, dependency ratios and new unit size mixes.
- Even the modest growth forecast in Oxford Economics work for the 2020s, implies much smaller reductions in house build numbers than local authorities are calculating at present. A 29% reduction in central growth forecast (from 2.8% to 2.0%) extrapolates into cuts in housing need of much less than half that once all relevant economic factors are computed.

The paper also states that: predictive planning should be based on a range of scenarios, including one

that envisages a return to high growth because single point estimates will be wrong, national and local economic policy wants and expects higher future growth. It is easier to adjust plans lower in the event of a relatively subdued growth outcome than to correct the errors of under planning retrospectively. The report concludes that it would be a major constraint and distortion of future local SW economic development if at the outset, low growth rates are assumed for the analysis of planning.

The SW real growth rate for 1998 - 2008 was 2.5% per annum compound, this is slightly better than the UK average of 2.4%. The SWRDA report states that without a permanent, negative step change in the economy's development process, which implies an unprecedented loss of inventive and entrepreneurial spirit in the SW region, it is difficult to argue that growth rates around 2.5% per annum will not reoccur going forward. Growth rates could return to 2.8%- 3.2% range that existed before the current malaise once economic rebalancing is achieved.

Latest figures indicate that the trend GVA figure is 2.25%, evidence indicates that there is no reason why a full economic recovery is not possible to pre-recession rate of about 3.2% per annum. The evidence from the SWRDA does not point to restricted potential in growth and it is important to plan for full recovery.

SWRDA evidence points to SW growth patterns after the recession for future growth between full recovery to recovery with loss. Restricted potential is not envisaged.

Bath and North East Somerset's Core Strategy – Publication Stage Representation Form

The Core Strategy is not consistent with national guidance in PPS3 paragraph 9 which states that "The Government's key housing policy goals to ensure that everyone has the opportunity of living in a decent home, which they can afford, in a community where they want to live." Constraining the housing supply to 11,000 dwellings for the plan period will fail to meet the Government's key housing objective.

Constraining the supply of housing is not consistent with the overall national objective of increasing the availability of housing. This has been reiterated in recent ministerial statements and in particular the White Paper "Local Growth: realising every place's potential" October 2010. Box 2A states: "Local authorities have a critical role to play in supporting the economy in their area and have wide range of levers at their disposal.... Supporting growth and development through ensuring a responsive supply of land that supports business growth and increases housing supply;"

PPS 3 (June 2010) paragraph 32 states that:

"The level of housing provision should be determined taking a strategic, evidence based approach that takes into account relevant local, sub-regional, regional and national policies and strategies achieved through widespread collaboration with stakeholders."

PPS 3 paragraph 33 is also relevant to this point, it states that

"In determining the local,.... Level of housing provision, Local Planning Authoritiesworking together should take into account:

Evidence of current and future levels of housing need and demand for housing and affordability levels based upon:

- Local and sub regional evidence of need and demand, set out in Strategic Housing Market Assessments and other relevant market information such as long term house prices.
- Advice from the National Housing Planning Advice Unit (NHPAU) on the impact of the proposals for affordability in the region.
- The Government's latest household projections and the needs of the regional economy, having regard to economic growth forecasts."

Local and sub- regional evidence of the availability and suitability of land for housing using the SHLAA...

..

The Government's overall ambitions for affordability across the housing market, including the need to

improve affordability and increase in housing supply.....”

Policy DW01 Criterion 3

Policy DW01 prioritises the use of brownfield sites, whilst this is consistent with PPS 3 it should not be at the exclusion of non brownfield sites. There is an over reliance on brownfield sites to meet the housing need. Evidence from the Local Plan period shows that a reliance on brownfield sites led to a shortfall in housing provision. Only in four years of the Local Plan period did completions reach and exceed the Local Plan target. There is a need to provide a sufficient quantity of housing taking into account need and demand and seeking to improve choice, which is set out in PPS 3 planning for housing policy objectives.

The figure of 11,000 dwellings is based on the capacity of the SHLAA which is based on density assumptions of 50 dph which are much higher compared to what is likely to be achieved. If lower densities were to be achieved then there would be a need for more locations to be included in the Core Strategy even based on the Council’s assumptions of 11,000 dwellings.

Policy DW01 Criterion 4

Policy DW01 retains the Bristol Bath Green Belt within BANES with no strategic change to the boundaries of the Green Belt within the Plan period. The need to review the Green Belt was Bath and North East Somerset’s Core Strategy – Publication Stage Representation Form recognised in the 1994 Regional Planning Guidance 10, paragraph 4.11 and subsequently in RPG10 in 2001 which became the Interim RSS in 2004. Policy SS4 Green Belt stated that as a key element of the future planning of the region , local planning authorities when preparing their development plans:

- “ critically review the Green Belt to examine whether the boundary alterations are needed to allow for long term sustainable development needs;
- Remove land from the Green Belt for development, if on balance, this would provide the most sustainable solution for accommodating future development requirements.”

A review of the Green Belt for Bath and Bristol was required. This was to be taken forward in the review of the Joint Avon Structure Plan; however this was overtaken by the review of the RSS. In order to make the necessary provision for new homes and to fulfil the Strategically Significant Cities and Towns economic potential which cannot be met in the existing urban areas; the most sustainable solution is to provide for urban extensions.

There are exceptional circumstances that require the review of the Bristol – Bath Green Belt; namely the need to accommodate development required in the period to 2026 in the most sustainable locations. It is necessary for BANES to examine the review the detailed boundaries of the Green Belt given that the RSS makes changes to the general extent. To address these exceptional circumstances, the RSS makes changes to the general extent of the Green Belt, removing the designation from areas required to accommodate the proposed urban extensions. The supporting text to proposed Policy HMA1 sets out the exceptional circumstances which justify the changes to the general extent of the Green Belt.

Irrespective of the fact that the RSS has not been finally approved the evidence base is up-to-date and endorse the need to alter the boundaries of the Green Belt. (This need was also originally raised in the RPG 10 Interim RSS for the South West). This need is further supported by the latest 2008 based household projections. Consequently, there is a need to remove land from the Green Belt given the level of housing that needs to be provided to meet the forecast requirements.

The Core Strategy is therefore unsound; by failing to review the Green Belt the Council is failing to meet housing needs in BANES for the plan period.

The housing provision in Policy DW01 of 11,000 dwellings for the plan period fails to meet the housing needs of BANES, “Housing Growth Requirements to 2026: Stage 2 Report” provides insufficient justification for the lower housing figure included in the Core Strategy. The approach is inconsistent with national guidance and is based on a low economic growth scenario of recent years rather than taking a view of the long term. It is inappropriate to base the long term spatial vision on the current

economic climate. Over the life of the Core Strategy, it is inevitable that the economic climate will change; consequently the Core Strategy should be prepared so as to enable appropriate levels of housing provision to occur over the lifetime of the Plan and for it to be monitored accordingly.

Failure to provide sufficient housing will have serious implications as the Council has indicated previously in the Consultation on the Spatial Options against the higher figure of 15,500 dwellings, preventing some people having access to a decent home, making housing less affordable (to buy or rent) and in the longer term damaging the local economy by reducing labour supply and mobility.

Change sought to make sound: The housing figures for the plan period should be increased to at least 18,500 dwellings. Amend sub-paragraph 2 of Policy DW01 to read, "making provision for.....at least 925 dwellings to be constructed annually (18,500 between 2006 and 2026). Amend sub-paragraph 4 of Policy DW1 to provide for the release of land at Keynsham from the Green Belt, and amend the Key Diagram to this effect.

Representation (legal compliance): The Core Strategy is not legally compliant as it fails in Policy DW01 to make adequate provision for housing needs during the plan period. It does not conform to the development plan as the Interim Regional Strategy set out the need to critically review the Green Belt. The latest 2008 based household projections indicate the need for higher levels of housing provision than in the Core Strategy. The Council's own strategic Housing Market Assessment indicates that there is a very high housing need, both in household growth and in relation to likely future supply.

Change sought to make legally compliant: The Regional Spatial Strategy remains part of the development plan, despite the Coalition Government announcing that the RSS was to be abolished. The 6th July 2010 revocation of Regional Strategies was announced with immediate effect. The 6th July revocation decision was then subject to challenge in the Cala Homes (South) Ltd case. The effect of the Cala Homes decision was that the Regional Strategy as it stood on 5th July forms an ongoing part of the development plan. PINs Advice confirms that the RS is part of the development plan until legislation to formally repeal or revoke the RS is implemented. The Core Strategy should be consistent with the development plan and the latest national advice, which now includes the DCLG 2008 based household projections. In the South West the regional strategy remains part of the development plan and in this case that is RPG10 September 2001 which became the Interim RSS in 2004.

The Core Strategy does not conform to the Regional Spatial Strategy and no local justification is provided for the lack of conformity. The housing figures for the plan period should be increased to at least 18,500 dwellings.

Representation Reference: 275\6

Plan Reference: Keynsham: The Vision

Representation (soundness): The Core Strategy is unsound as it does not meet housing needs.

The Secretary of State's Proposed Changes to the RSS in 2008 identified the need to alter the general extent of the Green Belt at Keynsham in order to accommodate an urban extension of 3,000 dwellings to meet housing needs. The RSS considered that in order to make the necessary provision for new homes and to fulfil the role of the SSCTs in terms of their economic potential which could not be met in the existing urban areas, then the most sustainable solution is to provide for urban extensions to the SSCTs. This was debated at the Regional EIP and was a recommendation of the Panel. To address these exceptional circumstances, the RSS makes changes to the general extent of the Green Belt, Bath and North East Somerset's Core Strategy – Publication Stage Representation Form removing the designation from the areas required to accommodate the proposed urban extensions.

The Panel considered that Keynsham was a suitable sustainable location for housing development in order to support economic growth in the Bath TTWA. Development at Keynsham would serve the wider needs of the conurbation. The Panel considered that Keynsham can provide a wide range of community services for new development and that it would be an attractive location for associated employment development. The combination of these factors makes Keynsham a sustainable location. The Panel considered that there was sufficient scope for development around Keynsham to allow development to proceed without threatening the integrity of the separation that the Green Belt ensured.

This was endorsed by the Secretary of State in the Proposed Changes to the RSS. The Secretary of State agreed that Keynsham has a strong functional relationship with Bristol and forms part of the Bristol SSCT. It was considered that there were opportunities at Keynsham both for housing and employment to strengthen its role, so it could better serve its own population and that of the surrounding area.

The vision for Keynsham should, as part of the vision for BANES be in general conformity with the RSS (albeit that it is the Interim RSS i.e. the former RPG10 of September 2001 that is the RSS in the absence of the latest RSS being finally adopted. RPG 10 set out the need to critically review the Green Belt and to examine whether boundary alterations were need to allow for long term sustainable needs. The evidence base of the latest RSS is also a material consideration as it sets out the exceptional circumstances.

Clearly the vision is not in general conformity with the RSS, as the Core Strategy has not reviewed the Green Belt in the context of making provision for long term sustainable development needs. The latest 2008 based household projections also endorse the need for provision to be in sustainable locations.

The Economic Strategy for Bath and North East Somerset 2010 – 2026 states that the Green Belt around Keynsham has led to out commuting. In order to maintain Keynsham as a viable, sustainable market town there is an urgent need to build on its strategic location and transport links to expand and diversify the employment base. This would help to reduce out commuting and replace some of the jobs lost at Cadbury. The Economic Strategy states on page 41 that:

“The future use of the Somerdale site will be critical to the future of Keynsham and the action plan places emphasis on developing employment on this site. A targeted inward investment plan should be put together for Keynsham in order to raise its profile and as a future potential alternative office location to Bristol, as the area has good transport links and the strategic employment site of Somerdale.”

The Action Plan in the Economic Strategy sets out priorities for 2010 – 2013 and listed for Keynsham is: “Bring forward new employment space in Keynsham town centre and at Cadbury Somerdale”, the action was to bring forward a Regeneration Delivery Plan covering Keynsham Town Centre and Cadbury Somerdale, the output is listed as development of the centre which could deliver 10,000sqm of office space, 1,000sqm retail space, 2,000 sqm leisure and community space and up to 600 new and relocated jobs.

Given Keynsham’s acknowledged suitability as a sustainable location for housing development in order to support economic growth in the Bath TTWA, it is not clear what the justification is for developing housing on part of the Somerdale employment site. This location is a suitable employment location in the Economic Strategy, and Keynsham has been identified as an alternative location to Bristol for office development. The Somerdale site falls within Flood Zone 2 and yet is expected to accommodate 600 dwellings. The SFRA has also identified that part of the area is subject to Bath and North East Somerset’s Core Strategy – Publication Stage Representation Form increased risk from climate change. The loss of employment land at Somerdale will not support the self containment of Keynsham and will lead to a further imbalance between housing and employment provision. On this basis an objection is made to the use of the Cadbury Somerdale site for residential development.

Given the above, land to the south of Lays Farm, to the west of Charlton Road, south west Keynsham is considered to be suitable, available and deliverable. Development at Lays Farm would not compromise the principles of the Green Belt nor lead to the coalescence of Keynsham and Stockwood or Keynsham and Saltford. Whilst development of the site would extend development westward, it would not materially change the general disposition of built form and settlement boundaries between Stockwood and Keynsham. Representations were made on behalf of Redrow Homes to the Spatial Options Consultation in 2009 promoting the suitability of the site at Lays Farm to meet development needs.

Keynsham as a market town should be the focal point for locally significant development including the provision of the bulk of district housing provision outside the Bath SSCT and also taking into account

Bristol SSCT, thereby increasing its self containment.

Change sought to make sound: The Core Strategy should be amended to reflect the latest published household projections in accordance with PPS 3 paragraph 33 so that provision is made for in the order of 18,500 dwellings and the general extent of the Green Belt is redefined at Keynsham so that land west of Keynsham is removed from the Green Belt and development needs can be accommodated sustainably in accordance with national guidance.

Changes would need to be made to Policy DW01 to increase the housing provision for the plan period to at least 18,500 dwellings. Changes would need to be made to the spatial vision for Keynsham and also to Policy KE1 to reflect the strategic location and the need to make provision for 3,000 dwellings instead of 1,500 dwellings at Keynsham. Policy KE1 would also need to define the general extent of the Green Belt by removing land to the south west of Keynsham from the Green Belt.

See proposed changes to Policy KE1

Representation (legal compliance): The Core Strategy is not legally compliant as it is not in general conformity with the development plan as set out in PPS 12 paragraph 4.50 ie it should conform generally to the Regional Spatial Strategy. The Core Strategy is not legally compliant as it fails in Policy DW01 to make adequate provision for housing needs during the plan period. It does not conform to the development plan as the Interim Regional Strategy set out the need to critically review the Green Belt. The latest DCLG 2008 based household projections indicate the need for higher levels of housing provision than in the Core Strategy. The Council's own Strategic Housing Market Assessment indicates that there is a very high housing need, both in household growth and in relation to likely future supply.

Change sought to make legally compliant: In order to make the Core Strategy legally compliant, the preparation of the Core Strategy should have completed a review of the Green Belt, this would be consistent with Policy SS4 of the Interim RSS and also consistent with the evidence base of the latest RSS. Provision should be made to meet the latest household projections. The Core Strategy does not conform to the Regional Spatial Strategy and no local justification is provided for the lack of conformity. The housing figures for the plan period should be increased to at least 18,500 dwellings.

Respondent Number: 276 Respondent: Hignett Family Trust

Representation Reference: 276\1

Plan Reference: Policy CP3: Renewable Energy

Representation (soundness): The Council's overall objectives to address climate change and reduce CO2 emissions in the face of planned growth in jobs and homes means that renewable energy must form a key role in securing this objective. The current performance of the District is woeful and therefore the policy should create a stronger requirement between new major development and the provision of renewables, so that delivery of low carbon technology is secured. The approach of the Council towards secure renewable targets should be aligned in the same way as affordable housing. Delivery through Section 106 agreements attached to residential/ commercial development should be part of the Council's strategy.

The capacity of the New Neighbourhood to make a contribution should be recognised., particularly where the other major scheme at Bath , BWR , fails to secure renewable energy sources. (Amend the policy wording). The policy states that "Development should contribute to achieving the following minimum level of Renewable Energy and Heat generation by 2026:

110 Mwe (Megawatt Electricity)
165 MWth (Megawatt Thermal)".

Whilst the CS proposes development at a number of locations it does not make clear how such substantial targets for Renewable Energy are to be delivered in practice over the coming 15 years.

In the case of the proposed New Neighbourhood at Odd Down, the site is already crossed by the appropriate electrical infrastructure namely a 33Kv cable bringing power into the City from the south. Photovoltaic generation, whether from roof fixed cells on commercial and residential premises, or from ground mounted equipment (producing approximately 120Kw per acre) may thus be fed into the grid

with minimal inconvenience, thereby assisting both in achieving the Council's CP3 target and also ensuring that the New Neighbourhood as a whole is carbon neutral or positive. The likely estimate of capacity at the New Neighbourhood is upto 1-2 MW.

HFT are already growing biomass (miscanthus which is used for renewable heat generation) on a commercial scale elsewhere within B&NES.CSSO Part 1 This locally sourced energy could find itself in the renewable mix at the New Neighbourhood. HFT are endeavouring to obtain the necessary consents to generate electricity through micro-hydro also within B&NES. Each of these activities will assist towards the delivery of these challenging targets.

Change sought to Amend Policy CP3 by adding the following at the end of the policy:

make sound: "e. the need to provide renewable energy in association with major, mixed-use development including at the New Neighbourhood."

Add to delivery text new item 6.

" 6. Renewable energy schemes will be required at major residential schemes to reduce their carbon footprint . The Council will support such a scheme at the New Neighbourhood at Odd Down

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 276\2

Plan Reference: Diagram 4: Bath and North East Somerset - The Key Diagram

Representation (soundness): The Key Diagram shows the scale and distribution of housing and jobs which needs amending to better distribute the growth in a more sustainable manner and to address the proper scale of the growth, particularly in Bath. The information on the Key Diagram means it is unsound. The lack of information means that the key Diagram fails to properly fulfil the advice in PPS12 and the Local Plan 2004 Regulations.

An extract from PPS12 , Annex A is below.

A1. Key diagram: this is a diagrammatic interpretation of the spatial strategy as set out in the core strategy. Authorities may wish to use a key diagram to enable them to illustrate the broad strategy for the area in a similar fashion to existing key diagrams in structure plans. It is most likely to be appropriate to an area of significant change where the general location of broad areas of future development can be identified together with linkages between such areas and the relationship to other strategies and neighbouring areas. Broad areas of protection/little anticipated change can also be shown.

The Key Diagram fails to show: any linkages between areas in the Plan , key transport initiatives and movements that will drive sustainable development , transport infrastructure ie railways/stations, linkage and relationship with neighbouring authorities, New Neighbourhoods . The JRSP 2002 provides a help guide to the sort of information that should be attached to the Key Diagram... including inset plans for broad strategic areas.

The Key Diagram should include amongst other information, the location of the New Neighbourhood at Odd Down and an extension of the District Heating Priority Area at Odd Down, as shown on the amended Key Diagram.

Details of the scale and distribution of growth will require amendment, to accord with the other representations including HLT1.

Change sought to The text which supports key Diagram 4 will need consequential changes and any changes to policy,

make sound: inset diagrams, new policy proposals should be taken into account in a new Key Diagram

Representation (legal compliance): The Key Diagram needs to show through inset plans, where more detailed strategic proposals and

policies are defined? At present the CS has 21 diagrams, some of which set out spatial policies and proposals, in places some are defined as illustrative. It is therefore not clear what the status is of many of these diagrams are and how they relate to the Key Diagram. TCP Local Plan Regulations 2004, together with PPS12, provides the details that should be followed in Key Diagram and other inset plans. This has not been followed.

The advice on the content of the Key Diagram
The LDD does not contain a submission proposals map (This is referred to in the LDS) but is not provided. Therefore the saved policies within the Local Plan continue to run in the Adopted Proposals Map despite the revisions to the Policies (Appendix 1) , the new policies in the CS and the proposed Saved Policies as set out in Appendix 2. (Many of these saved policies will require deletion or amendment, see Repts on Appendix 2 , which together will impact on the Adopted Proposals Map).For example, the inset plans ie Diagram 7 and Policy B2 contain site specific proposals, which require changes to the Proposals Map. The strategic allocations in the CS, including those proposed to be added to the CS at a New Neighbourhood, will require amendment to the Key Diagram and the Proposals Map. Area based policies in the CS also need to be expressed in the Proposals Map, in accordance with the LDS. The lack of a draft Submissions Proposals Map makes the process almost impossible to understand the impact of these revised policies and is possibly non-compliant.

Change sought to make legally compliant: Some of the Key Diagram changes are shown below.

Note : no strategic links with neighbouring authorities either for economic transport , environmental reasons. This needs to be rectified . For details of revised jobs and homes distribution see Rep HFT1.

RepresentationReference: 276\3

Plan Reference: Policy CP4: Distric Heating

Representation The District heating priority areas should include the New Neighbourhood at Odd Down. The location
(soundness): of the strategic site alongside the Residual Waste Treatment Facility means that there are sources of supply that provide a most sustainable solution to district heating.

Change sought to Amend Policy CP4 by the addition of the following words at the end of the policy :
make sound: "6. At the residual waste facility in association with the New Neighbourhood at Odd Down'.

Amend diagram 19 to include reference to the New Neighbourhood at Odd Down ,see below

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 276\4

Plan Reference: Bath: The Vision

Representation The proposed Vision for Bath does not reflect the feedback from the consultation process, or the SCS,
(soundness): nor does it address the key spatial development challenges that Bath faces. These were succinctly set out in Section 3 CSSO, page 75, see extracts below:

“Confirmation of the key spatial development challenges for Bath

3.20 Public responses to the 2007 Core Strategy Launch document and the Future for Bath & North East Somerset, the results of the various studies undertaken and our continuing contact with government agencies, local interest groups, surrounding parish council's, and other public service providers confirm that the key spatial issues and challenges facing Bath are:

The need to:

- Conserve and enhance Bath's built and natural environment, protect the outstanding universal values of the World Heritage Site and to manage change so that it reflects positively on Bath's international profile.
- Maintain Bath as an important economic and employment centre, enabling a realistic level of growth and job creation.

- Respond to housing shortages both of open market, social rented and intermediate properties and to bring forward a suitable mix of housing types and sizes.
- Physically regenerate large areas along the river corridor.
- Successfully integrate a new neighbourhood into the urban fabric of the city.
- Make sure that the shopping experience offered by the city centre is maintained and enhanced and to turn around the deterioration of the public realm.
- Make sure that local convenience shopping needs are well catered for.
- Maintain the city as an important visitor destination and manage the environmental impacts of tourism.
- Support the development of the universities and address the need for student accommodation.
- Make sure new development contributes to investment in social infrastructure and community facilities including school buildings, school places, healthcare, and leisure.
- Improve access into, and circulation within, the city by modes other than the car and to alleviate congestion.
- Underpin the spatial structure of the city with a green infrastructure network both to protect and enhance natural assets for their inherent worth and for recreational purposes.”

The text of CSSO goes on to explain:

“3.21 If these challenges are not addressed Bath’s standing relative to other domestic and international cities will decline across a wide spectrum of socio-economic and environmental indicators. Change is inevitable and in many instances desirable but it needs to be managed sensitively so that Bath becomes an incrementally better place to be.

3.22 The spatial vision proposes the key aims and ideas that will guide the evolution of Bath over the coming years. It is informed by an analysis of the characteristics of the city, the challenges it faces and the direction provided by the Sustainable Community Strategy, the Council’s Corporate Vision for Bath and North East Somerset, the Regenerative themes of the ‘Future for Bath and North East Somerset’ and the draft Regional Spatial Strategy for the South West.

3.23 Bath is a place of well-marked individuality and the spatial vision sets out to make sure that change is well managed to serve the well-being of residents, businesses and visitors whilst enhancing the city’s profile. Bath must be a ‘living city’ that accommodates the changing circumstances of a wide range of people whether they are making good or falling on hard times, settling down or breaking up, fitting in or dropping out, growing up or growing old.”

The new text for the Vision becomes much more about protecting the city against change, centralizing its development options to the Central Area and Western Corridor and the growth of a low carbon economy. The key political driver to avoid the need for any ‘urban extension’ to the city, is the desire to only focus on brownfield sites thereby limiting growth and investment. This ‘one option’ approach, ignores the huge challenges and uncertainty that comes with these sites. Their delivery is not proven, nor has the evidence upon which they are based, been subjected to scrutiny, including the SHLAA. It will be as part of this CS Inquiry process. The history of Bath’s reliance on these very options is amply demonstrated in the output from the Local Plan 2007, which shows a complete lack of delivery of jobs and homes in the City (see AMR) set against much more modest targets and a period of stronger economic growth. The continuing decline in Bath’s economy will be guaranteed with this Vision and this Strategy, as we move into a period of no/low public investment in economic growth in our cities and a dependence on the private sector. The Vision is full of great words but it is not founded in realism and will therefore suit those that seek little change and who are comfortable with the status quo.

The Vision should therefore reflect upon the realistic needs of the city for all, not just a small narrow group who prefer to conserve it at all costs. It is summed up by the 3 paragraphs, 3.21 -3.23 above, from the Council’s CSSO. The Vision should therefore be reworded taking the words from the CSSO page 79, Bath Spatial Vision, see below.

The Vision should provide proper support for the New Neighbourhood which will show the Council’s recognition of its role in securing Bath’s economic success whilst reducing carbon emissions.

Change sought to Action: Delete the Vision, 2b, on page 32 and replace with the following text from the CSSO, page 79*.

make sound: * the word "south" has been added to the text to properly reflect the geographic orientation of the proposed New Neighbourhood at Odd Down.

The Bath Spatial Vision Bath's identity, founded on its cultural and built heritage, thermal springs and landscape setting, encapsulated in its designation as a World Heritage Site will be enhanced as the need for change is harnessed to strengthen its role as an attractive place for people to live and work and an appealing destination for shopping and tourist visitors.

Bath will be a prosperous and productive city with a buoyant, resilient and diversified carbon conscious economy, supported by an educated and multi skilled work force. The wealth created locally will benefit the sub-region as a whole and improve its competitive position both regionally and nationally.

Regeneration along the river corridor and the realisation of urban renewal opportunities within the central area will make a clear statement of Bath's ambition for the future, whilst respecting and complimenting its cultural inheritance and renowned urban design traditions. The regenerative themes of water and well being, pleasure and culture, imagination and design, knowledge and invention and living heritage will combine to shape the evolution of the core part of city during the first part of the 21st century.

Economic development and employment growth will be supported by new housing, mostly within but also adjoining the city and tailored to a range of household types. Residents will benefit from a high quality range of health, educational, and recreational services and facilities that combine to enhance the liveability of existing neighbourhoods.

A new neighbourhood will grow as part of a mixed use urban extension to the south, south west of the city. Bath will draw its history of city building to create a contemporary model for long term urban development, demonstrating par excellence the integration of architecture, landscape setting and functionality.

Residential neighbourhoods will be served by vital and viable local service and shopping hubs which provide for the day-to-day needs of the suburbs. Residential areas will be linked to the city centre via sustainable modes of transport, whilst movement into and across the city will be managed to ensure efficient circulation and access in a manner that allows more environmentally responsible travel choices to be made.

New development both within and adjoining the city will be designed to enhance its surroundings and the impact on the wider environmental commons will be mitigated through sustainable construction methods.

As a tourist destination Bath will be a place which people aspire to visit not only for its built environment and historical interest but because it is simply an enjoyable place to be. A beautiful city, widely known, highly regarded, and in the premier league of historic European destinations. A vibrant, distinctive place with a strong independent and creative spirit reflected in the range and variety of its shops restaurants, cultural life, places to stay and access to beautiful countryside.

The text accompanying the Vision found at 2a , paras. 2.01 -2.09 will need change to reflect the changes , including the New Neighbourhood.

The Strategic Issues 1-13 on page 29 will need change to reflect the need for a flexible approach to secure delivery including a New Neighbourhood, the challenges facing the council by lack of delivery, loss of public sector employment over the next decade, climate change problems facing the City ie flooding , air quality congestion, ageing population etc etc.

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 276\5

Plan Reference: Policy CP5: Flood Risk Management

Representation The CS preparation has involved the carrying out of a Strategic Flood Risk Assessment 1 & 2 which **(soundness):** confirms that significant parts of the District lie within areas at risk of flooding, especially within the River Avon Catchment as it passes through Bath. This risk is heightened by future climate change, which will lead to more extreme flood events as witnessed in the UK over the last 5 years.

The risk is further increased where more vulnerable development, such as residential development, is located in areas at risk of flooding, now or in the future. Not surprisingly this has led to the development of national policy to encourage local authorities to locate new development in sustainable locations, at least risk of flooding, taking into account vulnerability to flooding. This policy position is universally understood and it is repeated in the text at 6.26 and in Policy CP5 where it states ...'avoiding inappropriate development in areas at high risk of flooding and directing development away from areas at highest risk, in line with Government Policy (PPS25).

In that context and having regard to all the evidence provided by the Council in the SFRA and the Flood Risk Management Strategy, it must call into question the soundness of a strategy that seeks to locate upto 3500 new homes and 100,000m² of office development within a river corridor with a long history of flooding problems and located predominantly in Zone 2 and Zone 3a flood plain. In addition, the development of the strategy on a piecemeal basis is not sound, as it has not been demonstrated that both protection works and flood storage capacity can be delivered on sites in the river corridor to the satisfaction of the EA.

The locating of development within Flood Plain will impact on flood storage capacity and flood pathways, as mapped in the SFRA. This in turn will risk further property, residential or commercial, that would otherwise not suffer flooding. In a City as densely developed as Bath, this means that managing flood risk and protection of existing property is finely balanced.

Both the Interim and the Final Sequential Test Report make clear that there are no other areas which are available at Bath that are at lower risk of flooding and are available and capable of accommodating development. This is plainly wrong and consequently calls into question the soundness of the CS where a key strategic policy is predicated on this basis. This element of the strategy was brought to the attention of the Council in the CSSO Reps 2009, where the New Neighbourhood at Odd Down was confirmed as being in Zone 1 Flood Plain. The best location in terms of flood risk.

Flood Risk Management Strategy 2010 concludes that the flooding risk arising from the River Avon through the City of Bath is significant. The river flows at time of flood will be extreme, more than 450 m³/sec., which means that flood storage/mitigation works upstream will not reduce flood water levels to any significant degree to reduce flooding. Nevertheless the Report concludes that such upstream flood storage capacity will be required to accommodate development proposed in the CS due to loss of flood storage. This has been calculated to be approx. 350,000m³ of flood storage capacity that will be required by way of compensation. The CS provides no evidence to demonstrate that this is achievable or deliverable in the timescale contemplated by the policies of the CS or at all. This means the CS is unsound.

The evidence in the SFRA, the Sequential Test and the Flood Risk Management Strategy will show that the Policy B1 is unsound on flood risk management grounds. The Council will need to show how the plan can be made sound and deliver the amount and type of development given the flood risk. An alternative of site in Zone 1 is available and deliverable without any risk of flooding or major upstream compensation works. This site at Odd Down will complement the sites in the river corridor whose delivery will be uncertain and of a use less vulnerable to flooding events.

Policy CP5 will need to be substantially amended to reflect the challenges facing the development industry and the residents of Bath as they try to strategically plan for flood risk.

Change sought to make sound: Amend the text and the policy wording to reflect the challenges that exist to address flood risk, esp. at Bath.

Details of how flood storage compensation will be delivered to secure the strategic policies in the CS will need to be shown to be sound and within policy CP5.

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 276\6

Plan Reference: Policy B2: Central Area Strategic Policy

Representation (soundness): Policy B2 sets out elements that are intended to form strategic policy for the Central Area in the CS. This area is also intended to be covered by numerous Saved Policies (Appendix 2 CS) for example policy ET2 Bath City Centre Core Office Employment Area, as well as by amended Saved Policies Bath City Centre Boundary Proposal Map change (Appendix 3). In such circumstances it is vital to ensure that policies support one another, are clear, succinct and easily understood. This cannot be said about Policy B2 and therefore it is unsound.

Firstly the Central Area covers two distinct areas as shown on Diagram 7. The key economic development strategy is to accommodate up to 100,000m² of modern office space and creative workspace, 500 new homes, 500-750 hotel bedrooms as well as retail development, sports stadium, a cultural arts venue etc etc. There is no credible evidence presented that such scale of economic development is capable of being physically delivered within those areas of the Central Area. They are in multiple ownership and in many cases occupied by businesses that provide employment. The Council must show by reasoned justification and through evidence, capable of being tested at Inquiry that the sites are available and deliverable.

The high flood risk associated with many of the named regeneration opportunities is discussed in detail in HLT3 and should be taken into account in Policy B2. The assumption that flood risk management is overcome thereby releasing land in the Central Area for development, housing or otherwise, is unsound. (see HLT3).

The concentration of economic development in such a small area is not sound, it contradicts the advice given specifically in the Economic Strategy (see HLT3) and will lead to a strategy of large scale office blocks in the Central Area with little realistic market potential, in order to achieve the floorspace targets set in this policy and in B1. The policy approach should be about

Change sought to make sound: See Repts in HLT 3

Representation (legal compliance): B2 is entitled Central Area Strategic Policy with the whole of the content of pages 39 and 40 to be included as policy. This is not sound as the text of most of the 'policy is either background information or descriptions of the location or of issues. There is little by the way of proper policy structure as set out in PPS12 and therefore the section B2 should be rewritten making clear what is policy and what is not and include clear reasoned justification. Below is guidance which sets out some of the key principals of policies contained in LDDs (extract from PPS12):
The format of local development documents should be clear, succinct and easily understood by all, with the strategy and associated policies expressed in terms which emphasise the means and timescale by which the objectives derived from the spatial vision will be met. A comprehensive and credible evidence base should underpin the policies in local development documents.
PPS12.
The policy should be written using those elements from sections 3 and 4 only, subject to the test of soundness, see below

Change sought to make legally compliant: Delete policy B2 and rewrite in the form of a policy that will be compliant with PPS12 and the 2004 Act.

RepresentationReference: 276\7

Plan Reference: Policy CP7: Green Infrastructure

Representation The policy as drafted fails to link the opportunities to secure GI as part of mitigation strategies
(soundness): associated with development , particularly major development.

The key role of GI is at urban areas providing greater opportunities for communities to access and experience a network of multi-functional green spaces which supports natural and ecological processes and is integral to the health and quality of life of communities. Bath is the largest urban area in the district containing over 50 % of the population and 70 % of the employment. Despite its apparent wealth and high house prices, it suffers considerable economic deprivation ,health inequalities and an ageing population. Details of the state of the city are well documented by the Council in their latest studies, which will be referred to at the inquiry.

Therefore the policy together with the Illustrative plan fails to indicate the importance of GI at the urban area , within and at the fringes , to help support the health and quality of life of deprived communities. The Council's studies show the extent of deprivation including health inequalities is most apparent in South Bath although there are pockets of deprivation elsewhere in the city.

Access on foot , bicycle or by public transport to GI in these locations are likely to have significant benefits and should be prioritised.

The Diagram 20 only shows GI in Bath through the River Corridor which although important , contains much pedestrian and public access already through formal parks and corridors. The plan should show at a great scale or describe in words the desire to extend the GI network throughout the City and in particular the southern neighbourhoods to address health and quality of life issues.

The Policy fails to address opportunities to secure GI through major development that can help link up fractured or disconnected corridors and provide greater accessibility to communities through the urban area and outwards into the Countryside. The policy should be amended to secure opportunities at major development schemes as without this , the means of delivery through adopted policy will not exist.

Finally the policy fails to recognise the opportunities for GI at specific strategic allocations in the CS. The New Neighbourhood at Odd Down will provide a major opportunity to secure GI, details of which are set out below, following earlier representations to the CSSO. The absence of tangible progress of the Council's GI Strategy and Delivery Plan means that assessing the proposals and the policy against the Council's adopted Green Space Strategy was undertaken.

5 A Provisional Green Space/Infrastructure Strategy at the New Neighbourhood . Odd Down.

5.1

5.1.1 The Council's Core Strategy Spatial Options Document calls for certain Key Infrastructure and Delivery requirements. Under the Green Infrastructure heading it is stated that "the provision of Green Infrastructure will need to be made in accordance with the Council's Green Infrastructure Strategy which is currently being prepared". We are also advised that "Strategic Green Infrastructure 'corridors' will be included within urban extensions".

5.1.2 In the absence of a Council GI Strategy it is informative to examine their Green Space Strategy formally adopted in March 2007. This was produced in response to pressure from the Audit Commission and Government Guidance in PPG17. The strategy looked at all freely accessible green space, regardless of owner or manager, and divided it into three land types: formal green spaces (parks, gardens, recreation grounds and open spaces), natural green spaces (woodland, natural and semi-natural areas) and allotments. After examining the evidence the standards agreed for new development were as follows:

- Type of Green Space Standard (sq. m. per person)
- Formal 15
- Natural 15
- Allotments 3

5.1.3 In order to apply this standard to the proposed new neighbourhood, some assumptions are required on the likely population levels. For the purposes of these provisional representations we will take this to be some 3,400 people, of all ages, living in some 1,500 dwellings. On this basis the 2007 GSS would require some 5.1 hectares of parks, gardens, recreation grounds and open space, some 5.1 hectares of woodland, natural and semi-natural areas and some 1.03 hectares of allotments.

5.2 How might this requirement be met within option SWB2, the Odd Down Plateau? The starting point in answering this question is the existing green infrastructure and that which will be required as a result of known constraints. There is already extensive tree planting and other natural green space on the plateau, see attached plan. The tree belts to the east of the plateau along South Stoke Lane (which may need to be widened and strengthened) and to the southern edge already comprise some 3.65 ha. Sulis Manor sits in some 3.2 ha of landscaped grounds including mature tree belts and more formal gardens. Depending upon its use, this has good potential to fulfil a significant proportion of the formal landscaping requirement.

There is a well established Public Footpath network with east-west routes to the north and the south of that part of SWB2 to the east of Combe Hay Lane.

Immediately east of Combe Hay Lane is a partially undermined field of some 4ha which is less attractive for building and could therefore play a significant role in the provision of green space, either as a recreation area if restored, or as more formal parkland. The Wansdyke Scheduled Ancient Monument should be respected and its setting enhanced so that it may be better appreciated than at present. This will require a linear green space to the south of the SAM to continue that already created during the development of Sulis Meadows. If this is based on the same 25m width, then this will generate some 2.5ha of formal green space in addition to that already in place.

Playing fields exist at the Odd Down Football Club and also at St Gregory's School. However, a cricket pitch was lost during the recent re-development of the St Martins Hospital site, and the Hayesfield School playing field site is designated for retail/mixed use in the current local plan. Funds are expected to be obtained from these developments to upgrade existing sports facilities elsewhere on Odd Down. To the west of Combe Hay Lane, there is significant planting associated with the Park & Ride which might be adapted if this location is to become an employment site. To the north of the A367, there will be considerable landscaping requirements if the Park & Ride is to be re-located to this part of the plateau. Our landscaping assessment finds that this area has considerable exposure to the west and north and this would require substantial carefully designed screening if the impact is to be kept to a satisfactory minimum. Similar considerations apply to the Fuller's Earth Works site, proposed as a Waste Treatment Location but not included, at present, in the Council's definition of SWB2.

5.3 What are the opportunities for the provision of Green Space/Infrastructure on land adjacent to the plateau land in Green Belt? The present extensive public footpath network on and around the Odd Down Plateau as defined in SWB2 is a matter of record. The Core Strategy Document states "this location (SWB2) also has the potential to offer significant access to informal green space and to ecological enhancements and management of the surrounding countryside could be explored". It also states "opportunities for this area to link to the countryside are apparent and therefore links to local food production might be achieved". The Urban Extension Core Strategy Information Paper proposes Green Infrastructure Opportunities of SWB2 thus: "Development could link into the numerous footpaths in the area. The nearby Middle and Vernham woods (to the north west) and Horsecombe Vale (to the east) provide further Green Infrastructure opportunities."

5.4 Provisional Green Space/Infrastructure proposals:

5.4.1 Allotments: land to the south of the Odd Down plateau and to the east of the Combe Hay Lane is in the ownership of the Hignett Family Trust. An area of this, extending to perhaps 2ha, lends itself to the provision of a substantial allotment space on south facing land of reasonable quality, at present in arable production. This would be accessed on foot from the existing public footpath down the track at the south west corner of Sulis Manor's grounds. It would also be accessible by vehicle via the Old Combe Hay Lane and the Old Fuller's Earth Workings location. This would not only fulfil B&NES' existing Green Space standards (see above, 1.03ha required for the new neighbourhood) but also meet the existing well documented shortfall in allotment availability in Sulis Meadows and the wider Odd Down community. Based on approximately 350 dwellings on Sulis Meadows, an anticipated population of some 800 people would require approximately 0.24 ha of allotments under current Council standards. This would still leave further allotment space of some 0.73 ha capable of serving a wider population of some 2,430 people to assist in meeting the acknowledged shortfall of allotments elsewhere in the city (e.g. at Lyncombe). It is perhaps worth noting that South Stoke already has sufficient village allotments from the Hignett Family's land via a long standing arrangement with the Parish Council.

This provision of allotments will not only meet a conveniently, well located need, it will ensure meeting the Council's new standard of provision for new development and make up for the current shortfall in the surrounding community. It will also make provision of a healthy lifestyle accessible to all and thereby improve significantly residents' quality of life and health.

Proposed Green Infrastructure at New Neighbourhood Odd Down

5.4.2 Enhanced access: The valley land to the south of the plateau has been farmed by the Hignett Family for about 100 years. It has been very carefully managed throughout that time to enhance and to safeguard an exceptional ecosystem. It contains many rare and important species. This is a very significant resource which must be guarded with great care for future generations. While, in principle, enhanced access to this resource is desirable it is essential that such access is controlled with the greatest care. With this in mind, a management and resource centre is proposed to be located on the brown field land vacated by the Fuller's Earth Grove Mine facility, with access from the Old Combe Hay Lane. Provisionally this location might fulfil a number of roles some of which are set out below. The experience of trying to farm the Odd Down Plateau land between Combe Hay Lane and South Stoke Lane for the past 50 years has demonstrated how essential it is to think through the careful management of public access. The Family's farming policy during that time has largely been dictated by the constraints brought about by the adjacent urban population. At present there is constant danger of wanton damage (stones thrown at tractors, wire fences cut within days of installation), invasion by youths on motorcycles, arson to crops, machinery and buildings (running to over £200,000 in the past decade), abuse from those asked to return to the extensive public footpath network, the demolition and theft of stone walls etc. etc. There has to be a better way, and it must involve education and explanation followed by a "self-policing ethos" engendered in the public.

5.4.3 The history of the Grove Mine: The Grove Mine was the source of all Fuller's Earth mined in the Bath area from the 1960's until operations ceased in 1980. The clay was extracted on a narrow gauge railway and then tipped into substantial concrete bins prior to being hauled by road to the works for processing. In addition to the bins and the railway there were a number of buildings housing equipment and an electricity transformer supplying the power for lighting the mine, pumping the water from the mine and driving the mining equipment. This location remains a brown field site, unused for agriculture since it is a flat plateau and access roads of made up ground substantially comprising stone ballast. It has underground electricity mains running beneath it, and good highway access from the Old Combe Hay Lane. The land was acquired by the Hignett Family from its former owners and operators, Laporte Industries Ltd., during the 1980's following its repeated illegal occupation by itinerants.

5.4.4 Management/Education/Interpretation/Access Resource Centre: It is provisionally proposed that this location should be considered for a multi-purpose resource centre specifically dedicated to the purposes of managing and maintaining the green infrastructure and bringing access to and knowledge

of the Cotswold Area of Outstanding Natural Beauty, its countryside and its heritage, to everyone who visits the City and to those living locally, particularly young people. Amongst other functions, the following may be thought appropriate for further discussion with interested parties:

1. An exhibition/display focusing on the Area of Outstanding Natural Beauty ,its distinctiveness and the local fauna and flora and the peculiarities of the local ecosystem: greater horseshoe bats, limestone grassland, orchids, blue butterflies, Bath Asparagus, etc. A nature trail might follow this exhibition, and possibly the opportunity provided in supervised groups to study bat activity on summer evenings etc.
 2. An exhibition/display focusing on the local geology and particularly the ground breaking local work of William Smith, the father of English Geology. This could be associated with the history of mining locally including : coal mining in the North Somerset Coalfields, together with the North Somerset Coal Canal and subsequent North Somerset Coal Railway which ran through the Cam valley; Fuller's Earth extraction, processing and its many uses, extending back to Roman times; the (on-going) history of Bath Stone extraction.
 3. The Roman and dark ages heritage found locally in the Fosse Way and the Wansdyke. Once again, carefully defined walks including interpretation, might be arranged dedicated to the study of each of these features.
 4. Spaces for visiting school parties, disabled access and others, including the disadvantaged, incorporating refreshments and lavatories.
 5. Advice and parking for those wishing to access the countryside, whether on foot (walking or running), bicycling or horse riding. The location sits at the crossing of a major north-south route leading from the city to Combe Hay and thence to footpaths and bridleways to the south, and the east-west route from South Stoke and beyond (Horsecombe Vale and the two tunnels project) to Vernham Wood and beyond (the Bath and North East Somerset's Core Strategy – Publication Stage Representation Form Englishcombe Valley).
 6. Stabling for horses and bicycle hire facilities.
 7. A location for the people and equipment employed in the management and maintenance of all the green spaces of the new neighbourhood.
 8. A means of controlling the vehicular access to the allotments and a location where locally produced food might be sold.
- 5.4.5 Interested Parties for consultation: Local schools, the residents of Sulis Meadows, Combe Hay and South Stoke, Allotment Groups, Bath Organic Group, walking organisations, ornithology organisations, the Cotswold AONB Board, Natural England, English Heritage, the Somerset Coal Canal Society, Riding for the Disabled, all relevant departments in B&NES, Avon & Somerset Constabulary and many others.
- 5.5 Conclusion: It is clear from the above, that Option SWB2 on the Odd Down Plateau, together with adjoining land that is available, suitable and deliverable ,will achieve the objective of meeting and exceeding the current B&NES standards for green spaces in new neighbourhoods.

It is also, hopefully, clear that the location is capable of delivering a series of benefits to the new neighbourhood and to the wider community in the south of Bath which will result in healthier lifestyles and more fulfilled and productive lives for both the existing community and the new neighbourhood. This is also key objective of these proposals.

Finally the location, features and land at the Odd Down Plateau provides extensive recreational opportunities for the local community, the wider public including tourism, thereby achieving the objective of enhancing access to and understanding of the Area of Outstanding Natural Beauty.

Engagement with interested parties to examine these possibilities in greater detail is sought with a view to setting achievable and desirable policy objectives for the next 15-20 years. In addition to health and quality of life objectives, the opportunities for GI at the New Neighbourhood will benefit important wildlife habitats that support the nearby SAC. Therefore the following objectives will be pursued through GI at the New Neighbourhood:

- 1) Masterplanning to minimise the impact of lighting and disturbance on foraging areas
- 2) Increasing the area and quality of bat foraging habitat in the Southstoke valley to the south, which is

also in the ownership of HFT; to include both improvements to existing habitats, and the conversion of arable land to cattle grazed pasture with optimal management for bats
3) Developing strategic flight lines along Southstoke valley to allow bats safe passage and providing a link to foraging areas in Englishcombe Valley to the north-west
(Consequently Policy CP7 should include reference to securing valuable GI at the New Neighbourhood Odd Down to benefit both new and existing residents in South Bath.
Diagram 20 should be amended to take account of the potential opportunities at the New Neighbourhood.)

Change sought to Policy CP7 should be amended to prioritise GI at urban areas esp. South Bath .

make sound: Policy CP7 should make clear the requirement to secure GI major development sites., including management of GI

Policy CP7 should include reference to securing valuable GI at the New Neighbourhood Odd Down to benefit both new and existing residents in South Bath, including securing a new interpretation centre on the edge of Bath to enhance the enjoyment of GI and the wider countryside ,including the AONB. Diagram 20 should be amended to take account of the potential opportunities at the New Neighbourhood as well as priority areas for GI at south Bath. A revised Diagram 20 is set out below. See also below the plan which could be adapted as an inset plan to Diagram 20.

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 276\8

Plan Reference: Policy CP9: Affordable Housing

Representation In 6.76 the SHMA has demonstrated a high level of need for affordable housing which is unmet. Indeed
(soundness): based on this evidence we are told “the Council could theoretically require 100% of all future planned residential development to be affordable housing”. This is a remarkable admission.

The relevant Strategic Objective arising from the Spatial Vision is Objective 5: Meeting Housing Needs, yet there is no over-riding objective of meeting affordable housing need.

As a consequence of past failure in planning and achieving delivery of new dwellings as revealed in AMR 's the demand for homes in the Bath travel to work area has exceeded supply and this has inevitably lead to ever higher prices and ever reducing affordability. Indeed Bath has consistently been at the very top of the national statistics for unaffordability as measured by the ratio between average house prices and average incomes. This has severely disadvantaged sections of the indigenous population whose plight seems to be largely ignored by the Council. Those with a relatively modest income are clearly expected either to live and work elsewhere (hence the planned reduction in manufacturing workspace achieved in the past and proposed again for the plan period to 2026) or else they are expected to move out to the Somer Valley or neighbouring authorities such as the West Wiltshire Towns or Bristol, and to commute in to the City (in conflict with Key Objective 1, “reducing the need to travel by achieving closer alignment of homes, jobs, infrastructure and services”).

Policy CP9 attempts to address this challenge in the same way which has so manifestly failed to deliver affordable housing in the past: it gears the number of affordable dwellings to the delivery of open market housing. But as we make clear elsewhere, there has been a serious failure to deliver open market housing in the past, and every sign that this Council is just as unconcerned over this issue for the coming plan period. For this reason the Policy is unsound.

The strongest and most vociferous anti-housing lobby is comprised of existing homeowners who have seen the value of their realty rise dramatically as a direct consequence of the Local Authority's policy of housing non-delivery. Their green arguments have a strong underlying tinge of commerciality and a clear lack of concern for their less fortunate fellow citizens.

Ultimately the route to improved affordability is (i) to raise the average income of the indigenous population by supporting and encouraging all types of high wage employment (not just office based) and (ii) to increase substantially the supply of new dwellings, thereby lowering their market price. This should be the Council's medium term objective. Until this policy begins to deliver results an enhanced level of provision of Affordable Homes will be required. Accordingly we believe that the Council should have a policy commitment to deliver a specifically targeted number of affordable homes each year during the plan period, and furthermore that these should be located where the demand is and designed and specified for the age and family requirements of the occupants concerned, including sheltered and very sheltered provision for the rapidly increasing elderly population.

Change sought to make sound: CP9 should include annual delivery requirements for affordable housing apportioned between the geographical areas of the Authority and the age range of the residents to ensure that a significantly greater proportion of the demand is met.

Propose amendment to Policy CP 9 by adding the following wording at the beginning of the policy, namely:

The CS shall deliver a minimum 230 affordable units per year (avg over a 5 year period) at the following locations:

Bath annual total residential ie total residential /20 x (minimum of 25 %) 10150/20 x 25% =126 units
Keynsham
NR

Reasons :Affordable housing should not be directly related to open market delivery, new definition of affordable housing (Coalition Gov.) wider definition from SPD 'extra care residential' , securing a stronger commitment in policy to delivering this need for affordable housing.

Given that central Government support of such delivery through HCA is likely to be severely restricted once the present tranche of funds is exhausted, the market will depend upon the ability of RSL's to develop innovative schemes integrated with or with out open market housing.

The proposed New Neighbourhood at Odd Down will be well placed to deliver a considerable range and number of affordable dwellings, including extra care residential in a sustainable location and for this reason this proposal should be supported. The adjacent scheme at Sulis Meadows constructed in the 1990's arose from the same land ownership (the Hignett Family Trust) which was instrumental in ensuring that a substantial affordable component was included among the 350 homes built at that time. The Landowners' commitment to the provision of affordable housing remains just as strong 20 years later. Good housing in cohesive communities remains critical to strong families and all the good things which flow from a sound family life. (Include within policy for New Neighbourhood)

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 276\9

Plan Reference: Policy B1: Bath Spatial Strategy

**Representation
(soundness):**

Change sought to make sound: A New Neighbourhood at Odd Down, Bath

Summary

The Hignett Family Trust are proposing a new policy to be included within the Core Strategy, to provide for a New Neighbourhood at Odd Down, Bath. This development will provide a low carbon mixed- use scheme capable of accommodating upto 1500 new homes and stimulate upto 1600 new jobs on the

edge of Bath. The Council have considered the need for a new neighbourhood on the edge of Bath at Odd Down and have rejected this option. HFT will demonstrate that this decision is not sound and that a New Neighbourhood at Odd down represents a key part of the CS, in order to deliver the Councils Vision and strategic objectives.

Introduction

The representations made in respect of this new policy will necessarily include supporting text and diagrams, as would be expected in such a strategic allocation in a CS. Therefore this representation offers such text and diagrams in support of the policy, as part of the reasoned justification and to demonstrate soundness. The Council is invited to engage in a dialogue over the content of the strategic allocation, including policy wording, and to invite wider consultation in order to receive views from other stakeholders and the public.

These representations will include as background, the representations that were made by the HFT in respect of earlier development plans, where these are relevant to this proposed allocation and to the policy wording. In particular, these representations will draw upon the evidence and proposals as submitted in the Core Strategy Spatial Options Consultation 2009 (CSSO), as these still remain valid today.

New Neighbourhood at Odd Down: extract from Core Strategy Spatial Options Consultation 2009

The representations in support of this strategic allocation should also be read alongside the representations and the evidence made in respect of the remainder of the CS by HFT, as they support the need for a new policy for a New Neighbourhood at Odd Down, are part of the reasoned justification and are evidence of soundness of this new policy.

A list of the evidence base and background information, can be found on the Council's website, together with the links from that website to other sources of public information, ie West of England Partnership. HFT will draw from this evidence base now and in preparation for the public inquiry but will provide as attachments to these representations, copies of all other evidence, whether previously submitted or not, so that the Council, the public and the Inspector have a complete record of this information.

The evidence base includes an assessment of the New Neighbourhood under the Habitats Regulations in consultation with Council, following their interim assessment, this is discussed below.

The Council indicated that if there were to be a New Neighbourhood at Bath, their preferred choice would be a location at West Twerton/ Newton St Loe, (CSSO). HFT have therefore provided evidence, from Baker Associates, in support of this new policy, to demonstrate that Odd Down performs significantly better than the West Twerton /Newton St Loe alternative, namely: 1. A Comparative Accessibility Appraisal and 2. A Comparative Sustainability Appraisal (App1 CSSO Reps). This evidence will be used to support the soundness of the new policy and will be reviewed to bring it up to date, having regard to the new Policies in the CS, other stakeholder representatives and development on the ground. HFT will draw upon this evidence base where alternative, competing schemes are proposed, which do not form part of the CS.

A New Neighbourhood

Chapter 3 of the CSSO provides ample reasoned justification for the development of the Vision for the New Neighbourhood at Bath including stakeholder engagement. HFT has fully participated in this process and will rely upon the evidence in Chapter 3 of the CSSO, together with the CSSO Reps Part 2:

- 3.6 New Neighbourhood in an Urban Extension in Bath
- 4.0 Green Belt
- 5.0 Area of Outstanding Natural Beauty
- Proposed Recommendations in support of the proposed new vision, strategic objectives and policy for a New Neighbourhood at Odd Down.

Together with Appendices

App 4 Odd Down Plateau SWB2: proposed extensions SWB2.1-4

App 5 A Provisional Employment Strategy

App 6 Landscape Report Novell Tullet 2006

App 7 Landscape Report A Novell 2009

App 8 Health Impact Assessment (extract from 2009 study)

App 9 Former Fullers Earth Works, Fosse Way, Bath (B12) extract from Draft Joint Waste Core Strategy 2010

The New Neighbourhood at Odd Down

Proposed Spatial Vision for a New Neighbourhood

The following vision is proposed for the New Neighbourhood and takes account of the comments made in the CSSO Reps 3.6.1. It is proposed that this vision is included in the CS. (Insert the following vision in the CS)

The Vision for a New Neighbourhood at Odd Down

The new neighbourhood at Odd Down will be a mixed use extension to the urban edge of the city. It will be an attractive and vibrant new part of the city which exemplifies sustainable living. Buildings will be zero carbon, and opportunities for using local energy resources and local food production will be a core part of the development.

The new neighbourhood will be part of the city and will be well linked to the city centre and other areas using sustainable methods of transport, including public transport, cycling and on foot. With the highest quality urban design, the new area will provide a range of housing and will encourage safe and healthy lifestyles.

This neighbourhood will play an important role in the growth of Bath, supporting regeneration of relatively deprived areas in the south of Bath and will complementing the redevelopment of the river corridor and the renewal of the city centre.

The development will be located and designed in a way that respects the World Heritage Site status and that minimises the potential harm to the setting of Bath. Opportunities to increase access to green space and the countryside and enhance ecology will be realized so as to protect and enhance the recreational opportunities within the Cotswold Area of Outstanding Natural Beauty. The neighbourhood will reflect the form and character of Bath.

Spatial Objectives

A number of spatial objectives have also been developed and these may form the basis of future development principles, which will help shape the look and feel of the area. The following objectives are recommended for inclusion alongside and in support of the new policy (see CSSO Reps 3.6.1)

Spatial Objectives of the New Neighbourhood

The New Neighbourhood at Odd Down will:

1. Be an exemplar of low carbon development, exceeding government targets
2. Have a mix of uses which will make sure that there is vibrancy and activity, while also offering easy, safe and affordable access to local employment, and educational opportunities.
3. Offer access to a wide range of services and facilities and will support the needs of the new and existing communities
4. Provide a mix of housing types, tenures and sizes, including affordable housing to meet the identified needs of all sectors of the community
5. Contribute to the sustainable economic vitality of the area and the city as a whole by the provision of a variety of employment types
6. Be well linked into Bath and work as a new neighbourhood in the city
7. Minimise the impact on the integrity of the villages close to the city including maintaining the general extent of the Bristol-Bath Green Belt subject to boundary changes to accommodate the New Neighbourhood

8. Be located and designed in a way that minimises any negative impact on environmental assets and the views of, and from, them including the World Heritage Site and its setting and the Wansdyke
9. Be designed and developed in a way that makes sure that measures are taken to enhance and otherwise mitigate and compensate for harm to the landscape of the Cotswold Area of Outstanding Natural Beauty including improving recreational opportunities and to protect and enhance nature conservation interests and their habitats
10. Include a network of connected high quality accessible green infrastructure providing local recreation and biodiversity opportunities and visual benefits
11. Be a high quality place with its form and appearance responding to the character and context provided of the site and the wider area, but at the same time encouraging the efficient use of land
12. Be a place that is easy access and move around with excellent walking, cycling and public transport links both within the community and with the surrounding urban area and surrounding countryside
13. Have good access, via a range of transport modes including walking, cycling, public transport and car to Bath and the wider area
14. Be designed and developed in a way that results in a more sustainable use of resources and minimising impact on flooding, heat gain, water resources and water quality and maximizing the use local building materials
15. Be designed to meet the needs of a varied community and provide a safe, playful and healthy environment
16. Provide an integrated waste management infrastructure. Any scope for integrating waste management and heat generation should be exploited where practicable.

Odd Down Plateau

In developing the policy for the New Neighbourhood at Odd Down in the context of the Vision and Spatial Objectives, HFT carried studies of the potential area of the New Neighbourhood on the Odd Down Plateau. Full details of those studies of the Plateau Area and the Southstoke Valley alongside, together with the conclusions, are attached as separate documents, that originally formed part of the CSSO submissions, which should be read in support of the policy and reasoned justification to these representations. These submissions are CSSO Part 1 with Appendices 1,2,3 and CSSO Part 2 with Appendices 4-9.

In addition studies in support of Habitat Regulations Assessment and Land Stability are described below together with their recommendations. In response to Policy CP 3 Renewable Energy, there is additional information relating to the New Neighbourhood.

Habitat Regulations

The proposed New Neighbourhood at Odd Down lies in proximity to the Bath/Bradford on Avon SAC, which is situated to the east, in the community of Combe Down. The importance of this mine location for certain species of bat is well recognised both in terms of species and population numbers to the extent that it is registered under the Habitats Directive as a Natura 2000 Site (SAC) and consequently must be taken into account when proposing planning policies in an LDF document or determining a planning application.

HFT have engaged in detailed discussions with the Council and with Natural England to support site monitoring of bats as part of an Appropriate Assessment carried out by the Council in the Interim Habitat Regulations Assessment of the CSSO. Details of the Councils interim assessment are set out in CSSO Part 2 3.6.9. HFT commissioned further studies to address the potential indirect impact upon the SAC and to identify appropriate safeguards and mitigation that would assist its long term integrity. Details of those studies and recommendations were included in two CSSO Representations :

1. Response to the Interim HRA for the B&NES Core Strategy - Assessment of likely impacts and mitigation options for bats at Combe Down Mines SAC due to the proposed New Neighbourhood at Odd Down Option SWB 2.A report prepared by Mrs Lyn Jenkins & Dr. Laurent Duvergé Kestrel Wildlife Consultants Ltd, and
2. Addendum to the response to the Interim HRA for the B&NES Core Strategy Spatial Options - Assessment of likely impacts and mitigation options for bats at Combe Down Mines SAC due to the proposed New Neighbourhood at Odd Down Option SWB 2.

Details of the overall conclusions and recommendations are set out below: (reference to Option SWB2 is the proposed new policy area at Odd Down)

Executive Summary

The proposed New Neighbourhood at Odd Down Option SWB 2:

- Has no direct impacts on the bat roost at the Combe Down Mines, part of the Bath and Bradford-on-Avon SAC.
 - Lies outside the 1km sustenance zone for young bats, but within the 4km roost sustenance zone for adult bats.
 - Bats use the southern boundary of Option SWB 2 as a flight corridor and also occasionally for foraging. Horseshoe bats have not been recorded over the rest of the site.
 - There are a total of 1.66 km of good quality hedgerow (located to the south-east of the current Park and Ride, and at the eastern end of Option SWB 2) which would be affected by the proposed development. These could potentially be useful as a flight/foraging corridors, but there is little/no evidence that they are being used by horseshoe bats.
 - The potential impacts identified in the Interim HRA can be mitigated for by:
 - 1) Master planning on SWB 2 to minimise the impact of lighting and disturbance on foraging areas
 - 2) Increasing the area and quality of bat foraging habitat in the Southstoke valley to the south of Option SWB 2, which is also in the ownership of the promoters of the scheme; to include both improvements to existing habitats, and the conversion of arable land to cattle grazed pasture with optimal management for bats
 - 3) Developing strategic flight lines along Southstoke valley to allow bats safe passage around Option SWB 2 and providing a link to foraging areas in Englishcombe Valley to the north-west
 - The poor performance of the maternity roost is not associated with the proposed development. However, the creation of a Bat Conservation Zone in Horsecombe Vale could assist in the long term conservation of the SAC and therefore could be supported by contributions from promoters of the Option SWB 2 scheme.
 - There is one record (from Billington's 2000 report) of a bat night roost, at the Fullers Earth Mine Processing Plant. The actual roost site was not determined at the time. It may be possible to retain this in situ, or to provide alternative roosts within improved foraging areas in the valley to the south
 - The potential in combination effects of other plans, including the proposals for a residual waste treatment plant at the Fullers Earth site, will be considered in a separate Addendum to this report
- Given the low level of bat use on Option SWB 2, and the potential for effective mitigation, we suggest that the HRA should conclude there is no likely adverse effect on the SAC. The inclusion of appropriate policy wording covering the need for effective mitigation and enhancement of the SAC would ensure that the Combe Down mines bat roost and associate foraging areas are safeguarded in the long term.
- Prepared by Mrs Lyn Jenkins & Dr. Laurent Duvergé Kestrel Wildlife Consultants Ltd 2009

The proposed Strategic Policy for the New Neighbourhood set out below includes appropriate safeguards for the SAC.

Land Stability

The area of the Odd Down Plateau has been subjected to mining in the past both for Fuller's Earth and for Bath Limestones. The remnants of this historic mining that goes back to perhaps Roman times, is most evident in the former processing works to the western end of the plateau, now allocated for residual waste treatment (JWCS). Consequently the western parts of the New Neighbourhood, nearby Combe Hay Lane and to the north and south of the A367, have been undermined and suffered historic subsidence. Recent development at the park and ride has also taken place on undermined ground, following treatment.

The Council commissioned Arup & Partners to carryout an investigation into land stability at Odd Down, together with the alternative site at West Twerton/Newton St Loe. A copy of the report dated March 2010 is attached to these representations. The report identified the presence of land instability beyond those areas intended for residential development ,ie to the west of Sulis Meadows. The report

recommended either the use of piled foundations or cement grouting to stabilise these areas, in the event that residential development were to take place. This form of ground remediation is standard engineering practice and the evidence supports a viable scheme being capable of being delivered on these areas if required. (Arup & Partners: Slope, Geological Instability and Undermining Study: March 2010)

Renewable Energy at the New Neighbourhood

The Policy CP3 states that "Development should contribute to achieving the following minimum level of Renewable Energy and Heat generation by 2026:

110 Mwe (Megawatt Electricity)

165 MWth (Megawatt Thermal)".

Whilst the CS proposes development at a number of locations, it does not make clear how such substantial targets for Renewable Energy are to be delivered in practice over the coming 15 years.

In the case of the proposed New Neighbourhood at Odd Down, the site already contains the appropriate electrical infrastructure namely a 33Kv cable bringing power into the City from the south. Photovoltaic generation, whether from roof fixed cells on commercial and residential premises, or from ground mounted equipment (producing approximately 120Kw per acre) may thus be fed into the grid with minimal inconvenience, thereby assisting both in achieving the Council's CP3 target and also ensuring that the New Neighbourhood as a whole is carbon neutral or positive. Initial estimates suggest that photovoltaic generation could amount to as much as 1-2 MW at Odd Down.

Policy B6 Strategic Policy for the New Neighbourhood at Odd Down

The strategy for the New Neighbourhood is to:

- Natural and Built Environment

- Protect, conserve, and where possible, enhance:

a. The World Heritage Site and its setting including that part which is designated as Cotswolds Area of Outstanding Natural Beauty.

B. The conservation area and its setting.

C. Archaeology ,including the Fosse Way and the Wansdyke scheduled ancient monument.

D. The network of green spaces and wildlife corridors alongside the plateau, Local Nature Reserves, informal parks and recreational areas, trees and woodlands.

E. The biodiversity resource including species and habitats of European importance, including effective mitigation and enhancement of the SAC to ensure that the Combe Down mines bat roost and associate foraging areas are safeguarded in the long term by:

- Ensuring Masterplanning will minimise the impact of lighting and disturbance on foraging areas

- Increasing the area and quality of bat foraging habitat in the Southstoke valley to the south to include both improvements to existing habitats, and the conversion of arable land to cattle grazed pasture with optimal management for bats

- Developing strategic flight lines along Southstoke valley to allow bats safe passage and providing a link to foraging areas in Englishcombe Valley to the north-west

Public Realm and Access to the Countryside

Facilitate enhancement of the public realm and access of the plateau area and countryside alongside by :

a. Improvement in interpretation of local historical and natural features together with a Movement Strategy; and

b. the provision of Green Infrastructure

Energy Conservation and Generation

a. Enable renewable energy generation including energy from residual waste treatment , biomass and on-site photovoltaics

b. The development of a district heating network to include Sulis Meadows and nearby community facilities

c. Enable new development to feature low/zero carbon energy efficiency in both residential and non

residential development

d. Minimise waste and maximise recycling during the construction phase utilising local, including on-site materials where possible

Economic Development

Plan for an overall increase of upto 1600 jobs at or near the New Neighbourhood between 2006-2026 including the following:

a. Continuing expansion of Manor Farm Buildings to accommodate 250 new jobs aimed at SME knowledge economy.

B. Redevelop the P&R Site to form a Science/Business Park with exceptional transport links capable of accommodating small industrial/manufacturing and office infrastructure.

C. Provision of live/work units to provide for increasing self employed workers

d. The provision of Community facilities to serve the New Neighbourhood, including a new or extended primary School, local shops, GP surgery .

E. Provision of good links to nearby centres and employment on foot, bicycle or public transport, providing greater choice. The objective will be to provide a variety of employment types which are easily accessible to the whole community.

Housing

Plan for the development of upto 1500 new homes including:

a. A range of homes that contributes to providing choice in tenure and housing type having regard to the character and accessibility of the area

b. Both market and affordable housing to accommodate a range of different households as evidenced by local needs

c. A range of specialist housing that meets the needs of older or disabled people, including supported housing projects, as well as live/work units.

D. Proposals that deliver high quality designs in harmony with nature and natural materials, with the surrounding landscape, with the local vernacular as seen in the best of buildings constructed over the past 500 years and more

Retail and Community Facilities

Plans for the New Neighbourhood will include:

a. Strong pedestrian and cycle links to the District Centre on Frome Rd

b. Public transport links within walking distance of all homes, that provide frequent services to the City Centre, RUH, Bath University and the Railway Station along showcase bus routes with enhanced frequencies

c. Access to local schools within walking distance and on safe routes

d. Existing On-site GP Surgery (enlarged)

e. Provision of allotments with capacity to serve new and existing homes

f. Provision for Green Infrastructure to include a local interpretation centre to enhance recreational activities within the countryside (AONB)

g. Community based energy strategy which supports existing and new residents to reduce energy consumption and to use renewable sources on-site.

H. Support for the new 'sport hub' and facilities at Odd Down Playing Fields

Transport and Access

Plans for the New Neighbourhood will include:

a. Enhancement of existing public transport services to provide greater frequency and ease of access from the New Neighbourhood to City Centre

b Excellent walking and cycling links

c Further bus priority measures in the Bath Package

D Arrangements for a car club and local Travel Plan

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 276\10

Plan Reference: Policy B1: Bath Spatial Strategy

**Representation
(soundness):**

**Change sought to
make sound:** A New Neighbourhood at Odd Down, Bath

Summary

The Hignett Family Trust are proposing a new policy to be included within the Core Strategy, to provide for a New Neighbourhood at Odd Down, Bath. This development will provide a low carbon mixed- use scheme capable of accommodating upto 1500 new homes and stimulate upto 1600 new jobs on the edge of Bath. The Council have considered the need for a new neighbourhood on the edge of Bath at Odd Down and have rejected this option. HFT will demonstrate that this decision is not sound and that a New Neighbourhood at Odd down represents a key part of the CS, in order to deliver the Councils Vision and strategic objectives.

Introduction

The representations made in respect of this new policy will necessarily include supporting text and diagrams, as would be expected in such a strategic allocation in a CS. Therefore this representation offers such text and diagrams in support of the policy, as part of the reasoned justification and to demonstrate soundness. The Council is invited to engage in a dialogue over the content of the strategic allocation, including policy wording, and to invite wider consultation in order to receive views from other stakeholders and the public.

These representations will include as background, the representations that were made by the HFT in respect of earlier development plans, where these are relevant to this proposed allocation and to the policy wording. In particular, these representations will draw upon the evidence and proposals as submitted in the Core Strategy Spatial Options Consultation 2009 (CSSO), as these still remain valid today.

New Neighbourhood at Odd Down: extract from Core Strategy Spatial Options Consultation 2009

The representations in support of this strategic allocation should also be read alongside the representations and the evidence made in respect of the remainder of the CS by HFT, as they support the need for a new policy for a New Neighbourhood at Odd Down, are part of the reasoned justification and are evidence of soundness of this new policy.

A list of the evidence base and background information, can be found on the Council's website, together with the links from that website to other sources of public information, ie West of England Partnership. HFT will draw from this evidence base now and in preparation for the public inquiry but will provide as attachments to these representations, copies of all other evidence, whether previously submitted or not, so that the Council, the public and the Inspector have a complete record of this information.

The evidence base includes an assessment of the New Neighbourhood under the Habitats Regulations in consultation with Council, following their interim assessment, this is discussed below.

The Council indicated that if there were to be a New Neighbourhood at Bath, their preferred choice would be a location at West Twerton/ Newton St Loe, (CSSO). HFT have therefore provided evidence, from Baker Associates, in support of this new policy, to demonstrate that Odd Down performs significantly better than the West Twerton /Newton St Loe alternative, namely: 1. A Comparative Accessibility Appraisal and 2. A Comparative Sustainability Appraisal (App1 CSSO Reps). This evidence will be used to support the soundness of the new policy and will be reviewed to bring it up to date, having regard to the new Policies in the CS, other stakeholder representatives and development on the

ground. HFT will draw upon this evidence base where alternative, competing schemes are proposed, which do not form part of the CS.

A New Neighbourhood

Chapter 3 of the CSSO provides ample reasoned justification for the development of the Vision for the New Neighbourhood at Bath including stakeholder engagement. HFT has fully participated in this process and will rely upon the evidence in Chapter 3 of the CSSO, together with the CSSO Reps Part 2:

- 3.6 New Neighbourhood in an Urban Extension in Bath
- 4.0 Green Belt
- 5.0 Area of Outstanding Natural Beauty
- Proposed Recommendations in support of the proposed new vision, strategic objectives and policy for a New Neighbourhood at Odd Down.

Together with Appendices

App 4 Odd Down Plateau SWB2: proposed extensions SWB2.1-4

App 5 A Provisional Employment Strategy

App 6 Landscape Report Novell Tullet 2006

App 7 Landscape Report A Novell 2009

App 8 Health Impact Assessment (extract from 2009 study)

App 9 Former Fullers Earth Works, Fosse Way, Bath (B12) extract from Draft Joint Waste Core Strategy 2010

The New Neighbourhood at Odd Down

Proposed Spatial Vision for a New Neighbourhood

The following vision is proposed for the New Neighbourhood and takes account of the comments made in the CSSO Reps 3.6.1. It is proposed that this vision is included in the CS. (Insert the following vision in the CS)

The Vision for a New Neighbourhood at Odd Down

The new neighbourhood at Odd Down will be a mixed use extension to the urban edge of the city. It will be an attractive and vibrant new part of the city which exemplifies sustainable living. Buildings will be zero carbon, and opportunities for using local energy resources and local food production will be a core part of the development.

The new neighbourhood will be part of the city and will be well linked to the city centre and other areas using sustainable methods of transport, including public transport, cycling and on foot. With the highest quality urban design, the new area will provide a range of housing and will encourage safe and healthy lifestyles.

This neighbourhood will play an important role in the growth of Bath, supporting regeneration of relatively deprived areas in the south of Bath and will complementing the redevelopment of the river corridor and the renewal of the city centre.

The development will be located and designed in a way that respects the World Heritage Site status and that minimises the potential harm to the setting of Bath. Opportunities to increase access to green space and the countryside and enhance ecology will be realized so as to protect and enhance the recreational opportunities within the Cotswold Area of Outstanding Natural Beauty. The neighbourhood will reflect the form and character of Bath.

Spatial Objectives

A number of spatial objectives have also been developed and these may form the basis of future development principles, which will help shape the look and feel of the area. The following objectives are recommended for inclusion alongside and in support of the new policy (see CSSO Reps 3.6.1)

Spatial Objectives of the New Neighbourhood

The New Neighbourhood at Odd Down will:

1. Be an exemplar of low carbon development, exceeding government targets
2. Have a mix of uses which will make sure that there is vibrancy and activity, while also offering easy, safe and affordable access to local employment, and educational opportunities.
3. Offer access to a wide range of services and facilities and will support the needs of the new and existing communities
4. Provide a mix of housing types, tenures and sizes, including affordable housing to meet the identified needs of all sectors of the community
5. Contribute to the sustainable economic vitality of the area and the city as a whole by the provision of a variety of employment types
6. Be well linked into Bath and work as a new neighbourhood in the city
7. Minimise the impact on the integrity of the villages close to the city including maintaining the general extent of the Bristol-Bath Green Belt subject to boundary changes to accommodate the New Neighbourhood
8. Be located and designed in a way that minimises any negative impact on environmental assets and the views of, and from, them including the World Heritage Site and its setting and the Wansdyke
9. Be designed and developed in a way that makes sure that measures are taken to enhance and otherwise mitigate and compensate for harm to the landscape of the Cotswold Area of Outstanding Natural Beauty including improving recreational opportunities and to protect and enhance nature conservation interests and their habitats
10. Include a network of connected high quality accessible green infrastructure providing local recreation and biodiversity opportunities and visual benefits
11. Be a high quality place with its form and appearance responding to the character and context provided of the site and the wider area, but at the same time encouraging the efficient use of land
12. Be a place that is easy access and move around with excellent walking, cycling and public transport links both within the community and with the surrounding urban area and surrounding countryside
13. Have good access, via a range of transport modes including walking, cycling, public transport and car to Bath and the wider area
14. Be designed and developed in a way that results in a more sustainable use of resources and minimising impact on flooding, heat gain, water resources and water quality and maximizing the use local building materials
15. Be designed to meet the needs of a varied community and provide a safe, playful and healthy environment
16. Provide an integrated waste management infrastructure. Any scope for integrating waste management and heat generation should be exploited where practicable.

Odd Down Plateau

In developing the policy for the New Neighbourhood at Odd Down in the context of the Vision and Spatial Objectives, HFT carried studies of the potential area of the New Neighbourhood on the Odd Down Plateau. Full details of those studies of the Plateau Area and the Southstoke Valley alongside, together with the conclusions, are attached as separate documents, that originally formed part of the CSSO submissions, which should be read in support of the policy and reasoned justification to these representations. These submissions are CSSO Part 1 with Appendices 1,2,3 and CSSO Part 2 with Appendices 4-9. In addition studies in support of Habitat Regulations Assessment and Land Stability are described below together with their recommendations. In response to Policy CP 3 Renewable Energy, there is additional information relating to the New Neighbourhood.

Habitat Regulations

The proposed New Neighbourhood at Odd Down lies in proximity to the Bath/Bradford on Avon SAC, which is situated to the east, in the community of Combe Down. The importance of this mine location for certain species of bat is well recognised both in terms of species and population numbers to the extent that it is registered under the Habitats Directive as a Natura 2000 Site (SAC) and consequently must be taken into account when proposing planning policies in an LDF document or determining a planning application.

HFT have engaged in detailed discussions with the Council and with Natural England to support site monitoring of bats as part of an Appropriate Assessment carried out by the Council in the Interim Habitat Regulations Assessment of the CSSO. Details of the Councils interim assessment are set out in CSSO Part 2 3.6.9. HFT commissioned further studies to address the potential indirect impact upon the SAC and to identify appropriate safeguards and mitigation that would assist its long term integrity. Details of those studies and recommendations were included in two CSSO Representations :

1. Response to the Interim HRA for the B&NES Core Strategy - Assessment of likely impacts and mitigation options for bats at Combe Down Mines SAC due to the proposed New Neighbourhood at Odd Down Option SWB 2. A report prepared by Mrs Lyn Jenkins & Dr. Laurent Duvergé Kestrel Wildlife Consultants Ltd, and 2. Addendum to the response to the Interim HRA for the B&NES Core Strategy Spatial Options - Assessment of likely impacts and mitigation options for bats at Combe Down Mines SAC due to the proposed New Neighbourhood at Odd Down Option SWB 2.

Details of the overall conclusions and recommendations are set out below: (reference to Option SWB2 is the proposed new policy area at Odd Down)

Executive Summary

The proposed New Neighbourhood at Odd Down Option SWB 2:

- Has no direct impacts on the bat roost at the Combe Down Mines, part of the Bath and Bradford-on-Avon SAC.
- Lies outside the 1km sustenance zone for young bats, but within the 4km roost sustenance zone for adult bats.
- Bats use the southern boundary of Option SWB 2 as a flight corridor and also occasionally for foraging. Horseshoe bats have not been recorded over the rest of the site.
- There are a total of 1.66 km of good quality hedgerow (located to the south-east of the current Park and Ride, and at the eastern end of Option SWB 2) which would be affected by the proposed development. These could potentially be useful as a flight/foraging corridors, but there is little/no evidence that they are being used by horseshoe bats.
- The potential impacts identified in the Interim HRA can be mitigated for by:
 - 1) Master planning on SWB 2 to minimise the impact of lighting and disturbance on foraging areas
 - 2) Increasing the area and quality of bat foraging habitat in the Southstoke valley to the south of Option SWB 2, which is also in the ownership of the promoters of the scheme; to include both improvements to existing habitats, and the conversion of arable land to cattle grazed pasture with optimal management for bats
 - 3) Developing strategic flight lines along Southstoke valley to allow bats safe passage around Option SWB 2 and providing a link to foraging areas in Englishcombe Valley to the north-west
- The poor performance of the maternity roost is not associated with the proposed development. However, the creation of a Bat Conservation Zone in Horsecombe Vale could assist in the long term conservation of the SAC and therefore could be supported by contributions from promoters of the Option SWB 2 scheme.
- There is one record (from Billington's 2000 report) of a bat night roost, at the Fullers Earth Mine Processing Plant. The actual roost site was not determined at the time. It may be possible to retain this in situ, or to provide alternative roosts within improved foraging areas in the valley to the south
- The potential in combination effects of other plans, including the proposals for a residual waste treatment plant at the Fullers Earth site, will be considered in a separate Addendum to this report .

Given the low level of bat use on Option SWB 2, and the potential for effective mitigation, we suggest that the HRA should conclude there is no likely adverse effect on the SAC. The inclusion of appropriate policy wording covering the need for effective mitigation and enhancement of the SAC would ensure that the Combe Down mines bat roost and associate foraging areas are safeguarded in the long term. Prepared by Mrs Lyn Jenkins & Dr. Laurent Duvergé Kestrel Wildlife Consultants Ltd 2009

The proposed Strategic Policy for the New Neighbourhood set out below includes appropriate safeguards for the SAC.

Land Stability

The area of the Odd Down Plateau has been subjected to mining in the past both for Fuller's Earth and for Bath Limestones. The remnants of this historic mining that goes back to perhaps Roman times, is most evident in the former processing works to the western end of the plateau, now allocated for residual waste treatment (JWCS). Consequently the western parts of the New Neighbourhood, nearby Combe Hay Lane and to the north and south of the A367, have been undermined and suffered historic subsidence. Recent development at the park and ride has also taken place on undermined ground, following treatment.

The Council commissioned Arup & Partners to carry out an investigation into land stability at Odd Down, together with the alternative site at West Twerton/Newton St Loe. A copy of the report dated March 2010 is attached to these representations. The report identified the presence of land instability beyond those areas intended for residential development, i.e. to the west of Sulis Meadows. The report recommended either the use of piled foundations or cement grouting to stabilise these areas, in the event that residential development were to take place. This form of ground remediation is standard engineering practice and the evidence supports a viable scheme being capable of being delivered on these areas if required. (Arup & Partners: Slope, Geological Instability and Undermining Study: March 2010)

Renewable Energy at the New Neighbourhood

The Policy CP3 states that "Development should contribute to achieving the following minimum level of Renewable Energy and Heat generation by 2026:

110 Mwe (Megawatt Electricity)

165 MWth (Megawatt Thermal)".

Whilst the CS proposes development at a number of locations, it does not make clear how such substantial targets for Renewable Energy are to be delivered in practice over the coming 15 years. In the case of the proposed New Neighbourhood at Odd Down, the site already contains the appropriate electrical infrastructure namely a 33Kv cable bringing power into the City from the south. Photovoltaic generation, whether from roof fixed cells on commercial and residential premises, or from ground mounted equipment (producing approximately 120Kw per acre) may thus be fed into the grid with minimal inconvenience, thereby assisting both in achieving the Council's CP3 target and also ensuring that the New Neighbourhood as a whole is carbon neutral or positive. Initial estimates suggest that photovoltaic generation could amount to as much as 1-2 MW at Odd Down.

Policy B6 Strategic Policy for the New Neighbourhood at Odd Down

The strategy for the New Neighbourhood is to:

Natural and Built Environment

Protect, conserve, and where possible, enhance:

A The World Heritage Site and its setting including that part which is designated as Cotswolds Area of Outstanding Natural Beauty.

B the conservation area and its setting.

C Archaeology, including the Fosse Way and the Wansdyke scheduled ancient monument.

D The network of green spaces and wildlife corridors alongside the plateau, Local Nature Reserves, informal parks and recreational areas, trees and woodlands.

E The biodiversity resource including species and habitats of European importance, including effective mitigation and enhancement of the SAC to ensure that the Combe Down mines bat roost and associated foraging areas are safeguarded in the long term by:

- Ensuring Masterplanning will minimise the impact of lighting and disturbance on foraging areas
- Increasing the area and quality of bat foraging habitat in the Southstoke valley to the south to include both improvements to existing habitats, and the conversion of arable land to cattle grazed pasture with optimal management for bats
- Developing strategic flight lines along Southstoke valley to allow bats safe passage and providing a link to foraging areas in Englishcombe Valley to the north-west

Public Realm and Access to the Countryside

Facilitate enhancement of the public realm and access of the plateau area and countryside alongside by :

- a. Improvement in interpretation of local historical and natural features together with a Movement Strategy and
- b. The provision of Green Infrastructure

Energy Conservation and Generation

- a. Enable renewable energy generation including energy from residual waste treatment , biomass and on-site photovoltaics
- b. The development of a district heating network to include Sulis Meadows and nearby community facilities
- c. Enable new development to feature low/zero carbon energy efficiency in both residential and non residential development
- d. Minimise waste and maximise recycling during the construction phase utilising local, including on-site materials where possible

Economic Development

Plan for an overall increase of upto 1600 jobs at or near the New Neighbourhood between 2006-2026 including the following:

- a. Continuing expansion of Manor Farm Buildings to accommodate 250 new jobs aimed at SME knowledge economy.
- B. Redevelop the P&R Site to form a Science/Business Park with exceptional transport links capable of accommodating small industrial/manufacturing and office infrastructure.
- C. Provision of live/work units to provide for increasing self employed workers
- d. The provision of Community facilities to serve the New Neighbourhood, including a new or extended primary School, local shops, GP surgery .
- E. Provision of good links to nearby centres and employment on foot, bicycle or public transport, providing greater choice

The objective will be to provide a variety of employment types which are easily accessible to the whole community.

Housing

Plan for the development of upto 1500 new homes including:

- a. A range of homes that contributes to providing choice in tenure and housing type having regard to the character and accessibility of the area
- b. Both market and affordable housing to accommodate a range of different households as evidenced by local needs
- c. A range of specialist housing that meets the needs of older or disabled people, including supported housing projects, as well as live/work units.
- D. Proposals that deliver high quality designs in harmony with nature and natural materials, with the surrounding landscape, with the local vernacular as seen in the best of buildings constructed over the past 500 years and more

Retail and Community Facilities

Plans for the New Neighbourhood will include:

- a. Strong pedestrian and cycle links to the District Centre on Frome Rd
- b. Public transport links within walking distance of all homes, that provide frequent services to the City Centre, RUH, Bath University and the Railway Station along showcase bus routes with enhanced frequencies
- c. Access to local schools within walking distance and on safe routes
- d. Existing On-site GP Surgery (enlarged)
- e. Provision of allotments with capacity to serve new and existing homes
- f. Provision for Green Infrastructure to include a local interpretation centre to enhance recreational activities within the countryside (AONB)

g. Community based energy strategy which supports existing and new residents to reduce energy consumption and to use renewable sources on-site.

H. Support for the new 'sport hub' and facilities at Odd Down Playing Fields

Transport and Access

Plans for the New Neighbourhood will include:

- a. Enhancement of existing public transport services to provide greater frequency and ease of access from the New Neighbourhood to City Centre
- b. Excellent walking and cycling links
- c. Further bus priority measures in the Bath Package
- d. Arrangements for a car club and local Travel Plan

Representation (legal compliance):

Change sought to make legally compliant:

Representation Reference: 276\11

Plan Reference: Policy CP12: Centres and Retailing

Representation (soundness): Policy CP12 replaces policies S1 and S2 of the Local Plan . The Local Plan identified the particular circumstances of Bath which justified the provision of additional convenience shopping floorspace in the southern part of the densely-developed southern sector of the city where there is very little alternative provision at present.

The development at Hayesfield School playing fields was identified to fulfill that role as set out in policy S3. The development is now underway for a medium size (1800m2) Sainsbury supermarket which was supported by the 2009 Retail Strategy which recognized the shortfall of convenience shopping capacity in the southern half of the city.

The new store lies on the Frome Road to the east of the "Frome Road/Bloomfield Road (Odd Down)" local centre described in the CP12.

The scale and type of retail development at Hayesfield is clearly more than local needs/top up convenience store, however it is well situated to complement existing local centres such as at Odd Down, Combe Down, Southdown and Bear Flat. Its transport links mean that it will serve a wide catchment around south Bath avoiding the need for more convenience shopping trips to the City Centre or to edge of centre supermarkets.

The role and significance of this new retail centre in South Bath should be recognized in policy CP12. The role of this location is clearly much more than a local centre and therefore the policy should be amended to include it under the definition of District Centre.

The purpose of Policy CP12 has developed to include not just retailing (S1 and S2) but other uses appropriate to a centre. The result is to encourage more sustainable patterns of development and efficiency of public transport usage around key centres of activity. The policy emphasizes the importance of high levels of accessibility by public transport, walking and cycling and should be supported.

The Policy refers to defining the centres on the Proposals Map however the only reference to this relates to the Bath City Centre, Appendix 3 of the CS which amends the former on the Proposals Plan. The Hayesfield School Site should be identified on the Proposals Map as a Centre CP12. See reference HLT 2d Bath's Neighbourhood for further amendments. Further evidence will be provided to support case for a District Centre at Odd Down.

Change sought to Amend Policy CP12 Centres and retailing as follows:

make sound: - Add "Frome Rd ,Bath " to the list of District Centres.

- Amend the Proposals Map to delete reference to policy GDS.1 /B18 as this is now under development and replace with allocation of District Centre CP12 .

- Consider extending the boundary of the Centre on the Proposals Map to include other significant retail units along Frome Rd/ Bloomfield Rd and Frome Rd /Midford Rd all under the definition of Odd Down Centre.

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 276\11

Plan Reference: Policy CP12: Centres and Retailing

Representation (soundness): Policy CP12 replaces policies S1 and S2 of the Local Plan . The Local Plan identified the particular circumstances of Bath which justified the provision of additional convenience shopping floorspace in the southern part of the densely-developed southern sector of the city where there is very little alternative provision at present.

The development at Hayesfield School playing fields was identified to fulfill that role as set out in policy S3. The development is now underway for a medium size (1800m2) Sainsbury supermarket which was supported by the 2009 Retail Strategy which recognized the shortfall of convenience shopping capacity in the southern half of the city.

The new store lies on the Frome Road to the east of the "Frome Road/Bloomfield Road (Odd Down)" local centre described in the CP12.

The scale and type of retail development at Hayesfield is clearly more than local needs/top up convenience store, however it is well situated to complement existing local centres such as at Odd Down, Combe Down, Southdown and Bear Flat. It transport links mean that it will serve a wide catchment around south Bath avoiding the need for more convenience shopping trips to the City Centre or to edge of centre supermarkets.

The role and significance of this new retail centre in South Bath should be recognized in policy CP12. The role of this location is clearly much more than a local centre and therefore the policy should be amended to include it under the definition of District Centre.

The purpose of Policy CP12 has developed to include not just retailing (S1 and S2) but other uses appropriate to a centre. The result is to encourage more sustainable patterns of development and efficiency of public transport usage around key centres of activity. The policy emphasizes the importance of high levels of accessibility by public transport , walking and cycling and should be supported.

The Policy refers to defining the centres on the Proposals Map however the only reference to this relates to the Bath City Centre, Appendix 3 of the CS which amends the former on the Proposals Plan. The Hayesfield School Site should be identified on the Proposals Map as a Centre CP12.

See reference HLT 2d Bath's Neighbourhood for further amendments.

Further evidence will be provided to support case for a District Centre at Odd Down.

Change sought to Amend Policy CP12 Centres and retailing as follows:

make sound: - Add "Frome Rd ,Bath " to the list of District Centres.

- Amend the Proposals Map to delete reference to policy GDS.1 /B18 as this is now under development and replace with allocation of District Centre CP12 .

- Consider extending the boundary of the Centre on the Proposals Map to include other significant retail units along Frome Rd/ Bloomfield Rd and Frome Rd /Midford Rd all under the definition of Odd Down Centre.

Representation (legal compliance):

Change sought to make legally compliant:

Representation Reference: 276\12

Plan Reference: Policy CP8: Green Belt

Representation (soundness): Policy CP8 proposes to maintain the existing boundaries of the Green Belt surrounding Bath. National policy states that the general extent of the Green Belt should be altered only in exceptional circumstances.

The need to provide for sufficient new homes and jobs in the most sustainable locations in B&NES and in particular at the City of Bath means that exceptional circumstances may now exist to alter the detailed boundaries of the Green Belt to accommodate this need during the period of the CS.

The CS concludes that sufficient capacity already exists within the City of Bath (6000 homes) to accommodate the entire growth requirements of the City up to 2026. The policy position is unsound as the Council have over estimated the urban capacity of the City of Bath and its capacity to deliver, underestimated the need for homes and jobs at Bath and have planned to distribute the growth across the district in a manner that will lead to unsustainable patterns of growth, contrary to PPS 12.

The CS and Policy CP8 will be sound if it retains the general extent of the Green Belt between Bristol and Bath, whilst altering the detailed boundary at Odd Down, to accommodate the New Neighbourhood. This alteration will be defined on the Proposals Map. (The wording of Policy CP8 is amended to take account of the change to the boundary of the Green Belt at Odd Down and the Proposals Map shall be so altered.

Reasoned Justification:

Alterations to the Green Belt

Alterations to the detailed boundaries of the Bristol- Bath Green Belt have taken place in the past. The most recent alterations were made in the last Local Plan (2007) at Bath University Campus and at Keynsham. Exceptional circumstances existed at that time to allow development to take place on green field /Green Belt land for residential use between 2001 and 2011. The detailed boundaries of the Proposals Plan were altered to accommodate these changes (500 new homes).

In the earlier Bath City/ Wansdyke Environs of Bath Local Plans, the Green Belt area at Odd Down was subject to alteration. This resulted in the present land use allocation at the New Neighbourhood, Odd Down. This allocation led to the new residential development known as Sulis Meadows, the AONB designation and the Green Belt.(See the background details at CSSO Part 1& 2). The majority of the land here being promoted for a New Neighbourhood was recommended by the Inspector at the Wansdyke Environs of Bath Local Plan for development, but the then Local Authority chose to disregard this advice and build at Peasedown St John instead. At that time, some 30 years ago, sustainability was not the major consideration which it has become today.

It is perhaps no great surprise therefore that as a new Development Plan, in the form of the CS, is being prepared, Green Belt review is again part of the process.

Review of the Green Belt

The planning process that has resulted in this CS, arose from a review of the Regional Spatial Strategy, formally RPG 10, in 2004. Whilst the Coalition Government have clearly signalled its intention to scrap the Regional Plans, they remain the Development Plan for the time being and are therefore relevant to this process. Notwithstanding this, the Coalition has signalled its desire for all LPAs to press on with their CS without delay, having regard to an evidence based approach, when drawing up plans and

policies in LDDs.

RPG 10, 2001-2016, proposes a review of the Green Belt at PUAs such as Bath. The relevant policies of RPG10 are Policy SS2, SS4 and SS9 incl. the text at 3.25 and 3.26.

Policy SS 2: Regional Development Strategy

Local Planning Authorities, in their development plans and other agencies and developers in their plans, policies and programmes, should consider the needs of the whole of their area and the best opportunities to promote more sustainable patterns of development, in accordance with the vision, aims and principles of development set out in section 2, taking into account the following strategic guidance:

- the 11 PUAs identified in this RPG offer the best opportunity for accommodating the majority of development in the most sustainable way. The aim should be to concentrate most development at the PUAs;
 - development should take place primarily within the defined PUAs. Where this is not possible, development should be in the form of planned urban extensions to the PUA in sustainable locations with good access to the urban area by public transport, cycle and foot;
 - other designated centres for growth can provide for sustainable and balanced growth to meet other identified sub-regional growth. The aim in designating towns as centres for growth should be to maintain and enhance the range of employment, housing and other facilities in areas of the region beyond the direct influence of the 11 PUAs and to reduce the need to travel. The level of growth to be accommodated in these centres, however, must be considered in relation to their function and not provide for growth that can be accommodated at the PUAs;
 - new settlements should be considered and be identified in structure plans only where they are clearly more sustainable than meeting development needs in PUAs, or urban extensions to PUAs, or by the designation of other centres for growth;
 - outside the PUAs and other designated centres for growth towns should be designated to act as local service centres for the wider rural areas of the region, other small towns and villages in rural areas should provide for local needs;
20. policies should also resist the continuing substantial planned expansion of residential development of small dormitory towns within easy commuting distance of the PUAs that has occurred historically.

Policy SS 4: Green Belt

Green Belts in the region should continue to fulfil the purposes set out in PPG2. As a key element of the future planning of the region, local authorities when preparing their development plans should:

- critically review the Green Belt to examine whether boundary alterations are needed to allow for long term sustainable development needs;
- remove land from the Green Belt for development if, on balance, this would provide the most sustainable solution for accommodating future development requirements;
- include additional land within the Green Belt where clearly necessary for the purposes set out in PPG2.

3.25 Bath is an important regional centre. It has a vibrant economy including tourism and fulfils an important role as a business, cultural and shopping centre. The entire city is designated as a World Heritage Site. It is surrounded by Green Belt and, largely, by the Cotswolds AONB.

3.26 A balance needs to be struck between preserving and enhancing the city's unique architectural, historic and landscape quality and encouraging and accommodating sustainable development. Bath is a living city, not a museum. If past unsustainable commuting trends are to be reversed, it is essential that increased opportunities be identified to provide adequate residential development at the PUA. In this area of national and international importance, optimum use needs to be made of any opportunities, including the reassessment of existing sites allocated for other uses, for residential and mixed use development. These will help to achieve wider urban renaissance objectives and ensure that a high quality of design and living continues into the future. It will also be important to maintain a broad economic base and identify an adequate range and supply of employment sites. Car-based traffic detracts from the unique environment and needs to be reduced.

Policy SS9: Bath

The local authority, developers, infrastructure and transport providers and other agencies should work together to achieve the following for Bath:

- Ensure that Bath's unique environment is conserved and enhanced;
- Encourage development for housing within the city where it can be achieved without damage to environment quality;
- Recognise the need for economic development that enhances its role as a centre for business, cultural activities, retailing and tourism;
- Give a high sub-regional priority to new public transport initiatives and other measures to reduce road traffic and congestion within the city, including that arising from road traffic between the M4 and the South;
- Review the Green Belt in accordance with Policy SS 4.

A review of the Green Belt was carried at Bath as part of RSS 10 preparation in 2005, and was subject to independent examination in 2007. The conclusions of that review and examination led to the publication of the South West EiP Panel Report Dec 2007. Whether the Regional Spatial Strategy, RSS 10, is adopted or not and taking into account the Government's intention to scrap Regional Planning, the evidence gathered as part of Green Belt Review at the Inquiry is still material to the examination of strategic planning at the Core Strategy level. The Panel Inspector concluded that overall, exceptional circumstances existed at Bath to justify alteration of the Green Belt (4.0.32). The process that led to the identification of the broad locations for alteration of the Green Belt was sound and that such alteration would not threaten the main purposes of the Bristol Bath Green Belt (4.034-36). The Secretary of State agreed with the broad conclusions of the Panel and confirmed the location at Odd Down as an area of search for the New Neighbourhood.

As part of the CS process, the Council carried out additional review work of the Green Belt surrounding Bath as set out in the CSSO and supporting publications. These will be referred to as evidence to demonstrate further public consultation on review of the Green Belt. HFT made representations in support of the potential alteration to the Green Belt to accommodate the New Neighbourhood, CSSO Part 2 Sect 4. In addition the representations included comparative analysis of the Green Belt at two alternative locations on the edge of Bath. Those representations shall be used as further evidence to justify the alteration of the Green Belt at Odd Down.

HFT also proposed extending the boundary of the Green Belt beyond that originally proposed by the Council, to include a number of adjoining, brown field areas, including the former Fullers Earth Works site. The reasons for these additional areas to be excluded from the Green belt are set out in CSSO Part 2 Sect 4.8 and in Appendix 4.

Finally, the detailed boundaries of the revised Green Belt are assessed to determine whether they are more or less likely to be permanent and provide an adequate buffer to the edge of the City including capacity for Green infrastructure, CSSO Part 2 Sect 4.7.

Change sought to Policy CP 8 will be amended by the insertion of the following words ' which will be amended to
make sound: accommodate the New Neighbourhood at Odd Down' after Proposals Map at the end of the 2nd sentence.

The boundary of the Green Belt will be altered to accommodate the New Neighbourhood and the Proposals Map will be amended to show the new boundaries of the Green Belt as set out below.

Representation (legal compliance):

Change sought to make legally compliant:

Respondent Number: 277 Respondent: Ashtenne Industrial Fund Limited Partnership

Representation Reference: 277\1 S

Plan Reference: Chapter 1: Vision and District-wide Strategy

Representation Dear Sir/Madam
(soundness):

Bath and North East Somerset Local Development Framework Draft Core Strategy – January 2011

In regards to the above public consultation in the Bath & North East Somerset Core Strategy, GVA Grimley Ltd, on behalf of our client Ashtenne Industrial Fund Limited Partnership, would like to take this opportunity to provide representations to the BANES Draft Core Strategy (January 2011). Having reviewed the document, we would like to respond to a number of points relating to the land within our clients ownership, namely land at Wansdyke Business Park, Oldfield Lane, Bath for consideration as a future housing site. The site was previously submitted in response to SHLAA 'Call for Sites' in August 2008 in representations made by GVA Grimley on behalf of our client. Representations were also made to the Core Strategy Spatial Options document in December 2009. The below comments should be read in conjunction with these historic representations.

For your information, the site comprises of approximately 0.25 hectares and is located at the junction of Oldfield Lane, Monksdale Road and Beckhampton Road (please refer to attached Site Location Plan). The site currently comprises nineteen partially vacant employment units which are low grade in nature and are therefore difficult to let at a standard market rental due to the sites poor configuration and access. The site is therefore classified as 'brownfield' in nature and is conveniently located within close proximity to a suburban shopping centre providing a wide range of facilities and services and is accessible by a range of public transport including rail and bus services.

My client strongly believes the site has a positive contribution to make in relation to the offer and choice of previous development sites suitable for redevelopment within the BANES Core Strategy. The draft Core Strategy is significantly more focused than the previous consultation documents, our comments are set out in the order in which they appear in the document, I trust this is an acceptable approach.

Strategic Vision

Ashtenne supports the strategic vision, in particular the delivery of new housing on brownfield sites to help create more sustainable communities.

Objective One

Ashtenne supports the objective of ensuring the location and layout of new development enables and encourages people to make the fullest possible use of public transport, walking and cycling

Objective Two

Ashtenne supports the objective to protect and enhance the District's natural, built and cultural assets by ensuring that growth and development takes place within the environmental capacity of the district and by making optimum use of the brownfield opportunities in meeting housing and economic development needs and avoiding Greenfield land as far as is possible.

Spatial Strategy – Scale and Location of Growth

Ashtenne acknowledges the Core Strategy provision for 11,000 new homes and 8,700 jobs over the plan period. Ashtenne supports the strategy to locate development in the most sustainable location and the priority to steer growth to brownfield land in urban areas of Bath and other larger settlements. Ashtenne also supports the aim to provide more modern employment space in Bath. As previously identified, the accommodation at Wansdyke is no longer fit for purpose and the location and surrounding uses would restrict the potential for redevelopment for economic purposes.

Policy DW1 – Spatial Strategy

Ashtenne supports the provision of 6,000 dwellings within Bath to be directed towards brownfield sites

Summary

Ashtenne is generally supportive of the Draft Core Strategy, and is pleased that the Council is seeking to contain growth within the existing urban area of Bath. Ashtenne would like the Council to consider the suitability of the Wansdyke site for redevelopment during the plan period for residential provision. Ashtenne acknowledges that this is likely to be given greater consideration within the emerging Placemaking Plan, but are satisfied that the basis for allocation of the site has been established through the Core Strategy.

We would like to thank you for the opportunity to submit representations towards the Core Strategy, and look forward to further participation within the Bath and North East Somerset Local Development Framework in the future.

In the meantime, should you wish to discuss any of the above, please do not hesitate to contact me on 0117 988 5224.

Yours faithfully

Jo Davis MRTPI
Senior Director
For & on behalf of GVA Grimley Limited

**Change sought to
make sound:**

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 277\2

Plan Reference: Policy B1: Bath Spatial Strategy

Representation (soundness): Policy B1 – Bath Spatial Strategy

Ashtenne notes the Council's housing strategy to direct 3,500 dwellings to the Central Area and Western Corridor, with around 2,500 homes to come forward within Bath's neighbourhoods. It is identified that surplus Ministry of Defence land will play a major role in these areas. Ashtenne is concerned that this text will restrict the role of other brownfield, sequentially preferable sites, such as Wansdyke. Ashtenne therefore requests that text is inserted at 3(a) to state "Ministry of Defence land and redevelopment of other brownfield sites will play a major role".

Strategic Issues – Bath

Ashtenne notes strategic issue 8 which identifies that there are considerable areas of derelict and underperforming land and a number of prominent sites in need of redevelopment in order to enhance the World Heritage Site and protect its setting and the Green Belt from incursion. Ashtenne believes that redevelopment of Wansdyke would help to achieve this.

**Change sought to
make sound:**

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 277\3

Plan Reference: Paragraph 2.23

Representation 2d – Baths Neighbourhoods
(soundness):

Ashtenne supports the identification of Bath's neighbourhoods for 2,500 dwellings over the plan period, and acknowledge that 'The Placemaking Plan' will consider specific sites in more detail. Ashtenne notes the proximity of their site at Wansdyke to the local centre of Oldfield Park and Bear Flat (Local Centre 13) and the sustainability benefits that co-location of housing to local centres brings.

Change sought to make sound:

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 277\4 S

Plan Reference: Policy CP8: Green Belt

Representation Policy CP8 – Green Belt
(soundness):

Ashtenne supports the protection of the existing Green Belt extent, instead focusing development on existing brownfield opportunities to prevent urban sprawl and to protect the integrity of the World Heritage Site.

Change sought to make sound:

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 277\5

Plan Reference: Policy CP9: Affordable Housing

Representation Policy CP9 – Affordable Housing
(soundness):

Ashtenne acknowledges the 35% affordable housing targets. The Council has recognised within the supporting text that in some cases, the viability of schemes may be jeopardised by affordable housing if there are higher than normal redevelopment costs. This is often the case when redeveloping brownfield land, and it is therefore important to retain this acknowledgment.

Change sought to make sound:

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 277\6

Plan Reference: Paragraph 6.84

Representation 6e – A Prosperous Economy
(soundness):

Ashtenne acknowledges the text within section 6e, which seeks to ensure a prosperous economy in Bath. Ashtenne notes the objective to have a more environmentally sustainable economy, including a reduction in the contribution made by commerce and industry to the carbon footprint of the area. It should be noted that the environmental performance of the buildings at Wansdyke is extremely poor

due to the age and building technology of the existing buildings. It would require considerably investment to improve their performance retrospectively.

Change sought to make sound:

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 277\7 S

Plan Reference: Strategic Objective 3: Encourage economic development, diversification and prosperity.

Representation (soundness): Objective Three

Ashtenne acknowledges the Council's objectives for economic development, and supports the objective of increasing the availability of modern office space in Bath. Ashtenne acknowledges the objective to maintain an appropriate supply of land in Bath for industrial processes to ensure the city retains a mixed economy. Ashtenne reiterates that the site at Wansdyke is no longer appropriate for continued employment purposes due to surrounding uses and the low grade nature of the buildings. In terms of employment land, it is important to note that there are a number of employment sites within the administrative area which would benefit from being redeveloped for alternative land uses as they are not longer viable for their existing purpose. Our client's site is one such example and no longer lends itself to employment use given its constrained nature and residential context.

Change sought to make sound:

Representation (legal compliance):

Change sought to make legally compliant:

Respondent Number: 278 **Respondent:** Cotswolds Conservation Board

RepresentationReference: 278\1 S

Plan Reference: Chapter 1: Vision and District-wide Strategy

Representation (soundness): The Cotswolds Conservation Board supports the District Wide Spatial Strategy set out in Policy DW1

Change sought to make sound:

Representation (legal compliance): The Cotswolds Conservation Board supports the District Wide Spatial Strategy set out in Policy DW1

Change sought to make legally compliant:

RepresentationReference: 278\2 S

Plan Reference: Paragraph 1.11

Representation (soundness): The Cotswolds Conservation Board notes that in paragraph 1.11 it is stated that the parish councils of Combe Hay, Englishcombe and Newton St Loe are discussing proposals with Natural England to extend the Cotswolds AONB so that it surrounds the city of Bath.

The Board would consider carefully proposals the merits of proposals to alter the boundary of the designated area were Natural England to propose such changes following their assessment of landscape quality.

Change sought to make sound:

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 278\3

Plan Reference: Appendix 2: Saved Local Plan Policies

Representation (soundness): The Cotswolds Conservation Board notes that Local Plan “saved” policies NE1 “Landscape Character” and NE2 “Areas of Outstanding Natural Beauty” are omitted from the list of “saved” policies in Appendix 2 of the Draft Core Strategy.

The Board assumes this omission is in error, since in Table 3 “Policy framework and mechanisms for delivering the strategic objectives” on page 24

reference is made to Local Plan saved policies for:

“• Implementation, Design, Community Facilities & Services, Sport & Recreation, Green Belt, Natural Environment, Built and Historic Environment” as “Policy framework and mechanisms to support delivery of” “Strategic Objective 2 “Protect and enhance the District’s natural, built and cultural heritage and provide green infrastructure.”

Policies NE1 and NE2 are included in the list of saved Local Plan policies in the GOSW document on the Council’s website.

Change sought to make sound: Include Local Plan Policies NE1 and NE2 in Appendix 2

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 278\4

Plan Reference: Policy B1: Bath Spatial Strategy

Representation (soundness):

Change sought to make sound:

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 278\5

Plan Reference: Policy B4: The World heritage Site and its Setting

Representation (soundness): The Cotswolds Conservation Board supports the “World Heritage Site and its setting” policy as Policy B4

Change sought to make sound:

Representation (legal compliance): The Cotswolds Conservation Board supports the “World Heritage Site and its setting” policy as Policy B4

Change sought to make legally compliant:

RepresentationReference: 278\6

Plan Reference: Policy CP6: Environmental Quality

Representation (soundness): CP6. The Cotswolds Conservation Board supports the policy for “Environmental Quality” as set out in Policy CP6.

Change sought to make sound:

Representation (legal compliance): The Cotswolds Conservation Board supports the policy for “Environmental Quality” as set out in Policy CP6.

Change sought to make legally compliant:

RepresentationReference: 278\7

Plan Reference: Policy CP9: Affordable Housing

Representation (soundness): The Cotswolds Conservation Board supports the policy for “Affordable Housing” as set out in Policy CP9.

Change sought to make sound:

Representation (legal compliance): The Cotswolds Conservation Board supports the policy for “Affordable Housing” as set out in Policy CP9.

Change sought to make legally compliant:

RepresentationReference: 278\8 S

Plan Reference: Policy RA4: Rural Exception Sites

Representation (soundness): RA4. The Cotswolds Conservation Board supports the policy for “Rural Exceptions Sites” as set out in Policy RA4.

Change sought to make sound:

Representation (legal compliance): The Cotswolds Conservation Board supports the policy for “Rural Exceptions Sites” as set out in Policy RA4.

Change sought to make legally compliant:

RepresentationReference: 278\9 S

Plan Reference: Policy RA1: Development in the Villages meeting the listed criteria

Representation (soundness): The Cotswolds Conservation Board supports the policy for “development in the villages meeting the listed criteria” as set out in Policy RA1

Change sought to make sound:

Representation (legal compliance): The Cotswolds Conservation Board supports the policy for “development in the villages meeting the listed criteria” as set out in Policy RA1

Change sought to make legally compliant:

RepresentationReference: 278\10

Plan Reference: Policy RA2: Development in the Villages outside the Green Belt not meeting Policy RA1 Criteria

Representation The Cotswolds Conservation Board supports the policy for “development in the villages not meeting
(soundness): Policy RA1 criteria” as set out in Policy RA2

**Change sought to
make sound:**

Representation (legal compliance): The Cotswolds Conservation Board supports the policy for “development in the villages not meeting
Policy RA1 criteria” as set out in Policy RA2

Change sought to make legally compliant:

RepresentationReference: 278\11 S

Plan Reference: Policy RA3: Community Facilities and Shops

Representation The Cotswolds Conservation Board supports the policy for “Community facilities and shops” as set out
(soundness): in Policy RA3.

**Change sought to
make sound:**

Representation (legal compliance): The Cotswolds Conservation Board supports the policy for “Community facilities and shops” as set
out in Policy RA3.

Change sought to make legally compliant:

Respondent Number: 279 **Respondent:** English Heritage

RepresentationReference: 279\1

Plan Reference: Chapter 1: The Spatial Vision

Representation Bath and North East Somerset Council Draft Core Strategy Publication Version
(soundness):

Thank you for providing the opportunity to comment on the latest version of emerging Core Strategy.

English Heritage broadly welcomes the emerging Core Strategy’s aspirations for the district’s historic environment expressed within the Vision and Objectives and note the proposed sustainable pattern of growth responsive to the districts environmental capacity and the significance of its heritage assets.

Change sought to We do however consider that further adjustments should be considered to ensure an effective strategy
make sound: for the conservation and enjoyment of the historic environment and in so doing, a robust, successful and sound development plan document in accordance within national planning policy, particularly PPS5 Planning for the Historic Environment, March 2010 and its associated practice guide.

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 279\2

Plan Reference: Policy B1: Bath Spatial Strategy

Representation Policy B1 should be adjusted to replace where possible with where appropriate as the distinction lies in
(soundness): an expectation that development makes a positive contribution where the circumstances demonstrate it would be appropriate to do so. Policy B1 should be updated to reflect PPS5 and an appreciation of non designated heritage assets.

**Change sought to
make sound:**

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 279\3

Plan Reference: Policy B4: The World heritage Site and its Setting

Representation (soundness): Policy B4 refers to Outstanding Universal Values in the plural. In UNESCO terminology, the Outstanding Universal Value of a World Heritage property is a unity and should therefore be referred to in the singular.

Bath World Heritage Site Management plan

The Core Strategy should highlight the key features of the management plan and how the Local Development Framework (Core Strategy and/or heritage strategy SPD) will help deliver it.

World Heritage Site buffer

The Core Strategy's response to Circular 07/2009 and the issue of a buffer zone is unclear. We would welcome a meeting to discuss this matter.

World Heritage Site Setting Study

This is an important piece of evidence and will be expected to inform development management decisions. Is there an intention to adopt it as SPD? If so when? It may be appropriate to review the setting study having regard to The setting of Heritage Assets: English Heritage Guidance, consultation draft, 2010.

**Change sought to
make sound:**

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 279\4

Plan Reference: Policy B5: Strategic Policy for Bath's Universities

Representation (soundness): Policy B5 relating to Bath Spa University should include a caveat as follows "...should seek to optimise opportunities...and having regard to sites environmental capacity and the significance of the heritage assets".

**Change sought to
make sound:**

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 279\5

Plan Reference: Glossary

Representation (soundness): It may also be appropriate to include the definition of a heritage asset (PPS5 annex) in your glossary.

**Change sought to
make sound:**

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 279\6

Plan Reference: Policy CP6: Environmental Quality

Representation Heritage management

(soundness): Policy CP6 refers to preserving or enhancing the historic environment. In our experience it has proved extremely difficult for Core Strategies to avoid repeating national policy to some extent and with the uncertainty surrounding the form of a new national planning framework we would suggest policy CP6 reads will be preserved and where appropriate enhanced.

A positive and proactive strategy for the historic environment

The Local Development Framework should establish a proactive conservation response to the relative condition of the heritage assets in the district (PPS5, policy HE3). What is the Core Strategy's intended approach to addressing the conservation areas, listed buildings and scheduled monuments (e.g. the Wansdyke) under threat as highlighted in the evidence base (heritage@risk surveys)?

The section titled delivery associated with Policy CP6 refers to conservation appraisals, management plans, supplementary planning documents, guidance and other proactive strategies to support effective implementation. These initiatives are obviously welcomed although further clarification and detail will be required demonstrating what they will cover, when they will be prepared and by who? Are all conservation appraisals completed and up to date?

In addition English Heritage would encourage the preparation and adoption of a 'local list' of heritage assets in partnership with the local community; the identification of areas and/or sites of potential archaeological interest; and village design statements (refer to PPS5 and the associated practice guide).

Having regard to your evidence including heritage at risk surveys, you may also wish to consider whether the exercise of permitted development rights undermines the aims for the historic environment. Might article 4 directions be advocated to ensure any development is given due consideration?

We note a commitment to the preparation of for example, a Green Infrastructure Strategy to be applied to secure contributions towards the upkeep of 'natural' assets and to undertake new initiatives across the District. English Heritage recommends the preparation of an equivalent heritage strategy to do likewise and conserve and enhance its 'historic' infrastructure. This could draw together the various heritage related initiatives to be undertaken, as above, and confirm how they will be applied.

Please note that the survey undertaken demonstrating Keynsham town centre conservation area 'at risk' was undertaken by BANES not English Heritage (para 3.19).

Will significant heritage assets be included on the proposals map?

**Change sought to
make sound:**

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 279\7

Plan Reference: Policy CP1: Retrofitting Existing Buildings

Representation CP1 Retrofitting.

(soundness): To assist the effective delivery of this policy we would encourage the completion and ratification of the BANES, Bath Preservation Trust and Centre for Sustainable Energy Low Carbon initiative which seeks to demonstrate how carbon emissions and heating costs of Bath's historic buildings can be reduced via appropriate energy efficiency improvements.

Change sought to make sound:

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 279\8

Plan Reference: Paragraph 5.26

Representation Protection and enhancement of social infrastructure

(soundness): Components of social infrastructure such as schools, libraries and other community focused buildings are also often significant heritage assets. Their value to local communities should be recognised and their continued use, and where necessary, their sensitive refurbishment could be advocated, at point 5.26 for example, in order to continue, where permitting, their community and social function.

Change sought to make sound:

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 279\9

Plan Reference: Policy CP13: Infrastructure Provision

Representation Delivery

(soundness): Heritage assets should be recognised (at 2.49 for example) as key 'infrastructure' as historic buildings, spaces and places are essential components that contribute to the quality of the local environment and are highly valued by their local community. English Heritage wishes to draw attention to the potential for promoting improvements to the historic environment, in order to support the delivery of emerging core strategy policy that relate to the historic environment. This is particularly relevant given the new emphasis given to plan making and the historic environment in PPS5 Policy HE3 '...Local Development Frameworks should set out a positive, proactive strategy for the conservation and enjoyment of the historic environment in their area'.

In the context of the Community Infrastructure Levy (see CLG Community Infrastructure Levy – An overview, November 2010, and the Planning Act 2008), a wide definition of infrastructure continues to be promoted in terms of what can be funded to support the development of an area. The key areas include: Open space: as well as parks and green spaces, this might also include wider public realm improvements, conservation area appraisal and management plans, and green infrastructure; 'In kind' payments, including land transfers: this could include the transfer of an 'at risk' building; repairs and improvements to heritage assets where they are an infrastructure item as defined by the 2008 Act, such as cultural or recreational facilities.

Section 106 agreements also offer further opportunities for funding to enhance and/or mitigate the impact on the historic environment, such as archaeological investigations, access and interpretation,

and the repair and reuse of buildings or other heritage assets. Significant new development in Bath will increase the use, demand and impact on the built heritage and townscape features. Is it reasonable therefore to expect development value generated by the historic environment to contribute towards its upkeep?

Change sought to make sound:

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 279\10

Plan Reference: Chapter 7: Monitoring

Representation Section 7 - Monitoring and review

(soundness): The section fails to include measures that monitor the impact or effectiveness of the plan in delivering the objectives for the historic environment. Indicators to be applied could include:

- Number/percentage of historic assets at risk;
- The number of up-to-date Conservation Area appraisals and management plans;
- The adoption of a historic environment SPD;
- The delivery of World Heritage Site Management Plan actions;
- The completion of public realm improvement schemes

Change sought to make sound:

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 279\11

Plan Reference: Policy CP7: Green Infrastructure

Representation Green Infrastructure

(soundness): The heritage value of open spaces with regards to Green Infrastructure planning should be explicitly recognised. For example many of the open spaces that form the network are of historic origin in terms their design, relationship with their surroundings and continued management. Not all of the open spaces are naturally derived.

Also the term 'green' can be misleading, as many of the key open spaces that help define the network are hard in landscape character. Many include a hard surface but 'greened' by tree planting or managed borders. English Heritage or local heritage officers should be included as a key stakeholder in the development of the Green Infrastructure Strategy. It is important to ensure that it is developed from a basis of understanding the heritage value of open spaces and historic landscapes across the district. Many of which are Registered Historic Parks and Gardens, represent a component part of the special character of conservation areas or provide the setting to listed buildings and schedule monuments.

Change sought to make sound:

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 279\12

Plan Reference: Paragraph 6.103

Representation Transport

(soundness): Many past transport interventions have had a detrimental impact, whether this is through changes to the road system, or additional street clutter.

When considering any transport strategy including changes in road network capacity and the net benefits to the environment, it is essential that the impacts of these changes upon the historic environment are carefully considered.

Greater emphasis therefore must be placed upon the need for transport infrastructure to be of high quality design that respects local context and character, including the historic environment. The Core Strategy provides an opportunity to make this case at a strategic level.

What design principles will apply to highway/traffic/transport schemes within sensitive historic locations? How can you ensure the works associated with showcase bus routes are appropriate to a world heritage site? How will excessive signage and lighting be avoided for example? How can sensitive practice be assured?

Change sought to make sound:

Representation (legal compliance):

Change sought to make legally compliant:

Respondent Number: 280 Respondent: Scott Brownrigg

RepresentationReference: 280\1 S

Plan Reference: Chapter 1: The Spatial Vision

Representation Bath and North East Somerset Draft Core Strategy, December 2010

(soundness): Comments by Scott Brownrigg in respect of Bath, comments submitted 3 February 2011
1C Spatial Vision and Strategic Objectives, page 14

We support the emphasis on improving Bath's environmental quality through the realisation of a range of development opportunities within the Central Area, in order to improve the City's environment and design aspirations and enable Bath to position itself as a more business friendly place. We also support the delivery of new housing on brownfield sites to help to create a more sustainable relationship between the City's labour and job markets and support Bath's economic potential whilst retaining the integrity of it's landscape.

Change sought to make sound:

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 280\2 S

Plan Reference: Strategic Objective 2: Protect and enhance the District's natural, built and cultural assets and provide green infrastructure.

Representation Strategic Objectives, pages 15, 16 and 17

(soundness):

Objective 2 - We support the objective to seek to ensure that growth and development takes place within the environmental capacity of the District.

Objective 3 - We support the objective to seek to enable 'tourism to continue to make an important contribution to the economy of Bath.

Objective 4 - We support the introduction of suitable commercial space as part of new mixed use developments on underperforming sites in Bath City Centre, and improvements to the quality of the public realm.

Objective 5 - We support the Council's objective to provide housing that responds to need in terms of demographic and social changes and to support labour supply.

Objective 7 - We support the delivery of well connected places assessable by sustainable means of transport by locating and designing new development in a way that reduces the need and desire to travel by car and encourages the use of public transport, walking and cycling.

**Change sought to
make sound:**

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 280\3 S

Plan Reference: Chapter 1: Vision and District-wide Strategy

Representation Policy DW1 District-wide Spatial Strategy, page 20

(soundness): We support the strategy to promote sustainable development by focusing new development including housing and jobs in Bath.

**Change sought to
make sound:**

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 280\4

Plan Reference: Policy B1: Bath Spatial Strategy

Representation Policy B1 - Bath Spatial Strategy, page 34

(soundness): We support the provision of new housing within Bath's neighbourhoods and better use of previously developed land through the regeneration and repair of parts of the Central Area. We further support the provision of new hotel bedrooms to widen the accommodation offer of the city, increase overnight stays and the competitiveness of the City as a visitor destination, but we do not support the inclusion of an identified upper limit in terms of bed spaces to be provided (500-750). Hotel use is a suitable use in a city centre location in line with national planning guidance, and it is for the market to decide on the number of bedspaces to be provided.

**Change sought to
make sound:**

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 280\5

Plan Reference: Policy B2: Central Area Strategic Policy

Representation Policy 2B Central Area Strategic Policy & Key Development Opportunities, page 39

(soundness): We support the identification of Key Development Opportunities for mixed use development proposals, including Kingsmead House, and support policy allowing for additional hotel bedrooms to be located within the Central Area.

Change sought to make sound:

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 280\6

Plan Reference: Policy B4: The World heritage Site and its Setting

Representation Policy B4 The World Heritage Site and its Setting, page 53

(soundness): We agree with supporting text to this policy (paragraph 2.33) which clarifies that 'New development, whilst responding to its context, should add a 21st Century layer to the accumulation of Medieval, Georgian, Victorian and 20th Century buildings that comprise today's city.'

Change sought to make sound:

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 280\7 S

Plan Reference: Policy CP8: Green Belt

Representation Policy CP8 Green Belt, page 120

(soundness): We support the continued protection under national guidelines of the Green Belt which is an essential and integral part of the setting of the City which is a World Heritage Site.

Change sought to make sound:

Representation (legal compliance):

Change sought to make legally compliant:

Respondent Number: 281 **Respondent:** Natural England

RepresentationReference: 281\1

Plan Reference: Bath: Strategic Issues

Representation (soundness):

Change sought to make sound:

Representation (legal compliance): Section 2 – Bath, Strategic Issues

Paragraph 13 – we are pleased to see that the Special Area of Conservation is included in the list of strategic issues for Bath and agree that care must be taken to ensure that the impact of change and

development on bats is taken into account, however, the wording here needs to go further and specify that:

“in accordance with the Habitats Regulations, the impact of development on bats will be carefully assessed and mitigated if necessary.”

Change sought to make legally compliant:

RepresentationReference: 281\2

Plan Reference: Paragraph 1.11

Representation While we do not consider it necessary to return any completed representation forms there is one **(soundness):** further aspect of the Publication Version that we suggest could be improved and others we believe that are particularly worthy of praise. In hopes that this will be of interest to the authority we would, therefore, like to offer the following informal observations:

Section 1b – Spatial Portrait and Key Strategic Issues

We note the reference in Paragraph 1.11 of this section to discussions with Natural England on the question of the AONB around Bath. It is important that expectations concerning the AONB are well managed and it should be noted that, with the reduction in its resources, this will not necessarily be one of Natural England’s priorities.

Change sought to make sound:

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 281\3 S

Plan Reference: Strategic Objective 1: Cross cutting objective - Pursue a low carbon and sustainable future in a changing climate.

Representation While we do not consider it necessary to return any completed representation forms there is one **(soundness):** further aspect of the Publication Version that we suggest could be improved and others we believe that are particularly worthy of praise. In hopes that this will be of interest to the authority we would, therefore, like to offer the following informal observations:

Spatial Vision and Strategic Objectives

We welcome Objective 1 and the aim of pursuing a low carbon and sustainable future. In particular, we are pleased to see that this objective includes reference to the important contribution which multi-functional Green Infrastructure can make to climate change adaptation.

Change sought to make sound:

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 281\4 S

Plan Reference: Strategic Objective 2: Protect and enhance the District's natural, built and cultural assets and provide green infrastructure.

Representation While we do not consider it necessary to return any completed representation forms there is one **(soundness):** further aspect of the Publication Version that we suggest could be improved and others we believe that are particularly worthy of praise. In hopes that this will be of interest to the authority we would, therefore, like to offer the following informal observations:

Spatial Vision and Strategic Objectives

We also welcome Objective 2 and are particularly pleased to see the protection of natural assets and the provision of Green Infrastructure so high up in the Core Strategy's list of priorities.

**Change sought to
make sound:**

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 281\5

Plan Reference: Policy B1: Bath Spatial Strategy

Representation While we do not consider it necessary to return any completed representation forms there is one **(soundness):** further aspect of the Publication Version that we suggest could be improved and others we believe that are particularly worthy of praise. In hopes that this will be of interest to the authority we would, therefore, like to offer the following informal observations:

Policy B1 – Bath Spatial Strategy

We welcome the recognition that the natural environment is part of Bath's heritage and contributes to its status as a World Heritage Site, and to its setting. We particularly welcome the identification of networks and corridors as being essential for multi-functional Green Infrastructure.

**Change sought to
make sound:**

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 281\6

Plan Reference: Policy B3: Twerton and Newbridge Riverside Strategic Policy

Representation While we do not consider it necessary to return any completed representation forms there is one **(soundness):** further aspect of the Publication Version that we suggest could be improved and others we believe that are particularly worthy of praise. In hopes that this will be of interest to the authority we would, therefore, like to offer the following informal observations:

Policy B3 – Twerton and Newbridge Riverside Strategic Policy

We welcome the recognition of the importance of the river corridor as a wildlife resource. Taken together with policy B2 – which provides for major riverside access and habitat enhancements, the conflict between public access to the river corridor and its importance as a wildlife corridor can be successfully resolved.

**Change sought to
make sound:**

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 281\7

Plan Reference: Policy CP6: Environmental Quality

Representation While we do not consider it necessary to return any completed representation forms there is one **(soundness):**

further aspect of the Publication Version that we suggest could be improved and others we believe that are particularly worthy of praise. In hopes that this will be of interest to the authority we would, therefore, like to offer the following informal observations:

Policy CP6 – Environmental Quality
(4) Nature Conservation

We welcome the broad wording and wide-ranging nature of this policy which reflects the high priority which the authority gives to nature conservation. In particular, we welcome the recognition of the contribution which can be made by new development to nature conservation and see this policy working well with strategic policies and with the forthcoming Placemaking DPD.

We have one comment on the supporting text to this policy at paragraph 6.49. Whilst we endorse the wording which has been used, this paragraph needs to make clear that, “proposed development will be required to assess potential impacts on protected sites and species and the adequacy of proposed mitigation measures.”

Please do not hesitate to contact us if we can be of further assistance at this stage. We shall look forward to playing an active part in delivering aspects of the final Core Strategy and also contributing to the development of the further Bath & North East Somerset Development Framework documents. Thank you for your consideration.

**Change sought to
make sound:**

Representation (legal compliance):

Change sought to make legally compliant:

Respondent Number: 282 Respondent: Liberal Democrat Party

RepresentationReference: 282\1

Plan Reference: Policy CP6: Environmental Quality

Representation I support the Core Strategy and the work done on this draft. It has listened to the concerns of the
(soundness): public expressed during the first consultation process (Dec 2009 – Feb 2010). I fully agree with the proposal to have no urban extension particularly to the area to the South and West of Bath that would have affected the residents of Newton St Loe because it would have coalesced their village with Twerton. Ref. 6.61 p120.

**Change sought to
make sound:**

Representation (legal compliance):

Change sought to make legally compliant:

Respondent Number: 283 Respondent: Prior Park College and Paragon School

RepresentationReference: 283\1

Plan Reference: Chapter 1: Vision and District-wide Strategy

Representation Dear Sir

(soundness): Bath and North East Somerset Local Development Framework Draft Core Strategy – January 2011

I write to you on behalf of my client, Prior Park College and Paragon School, to make representations to the Bath and North East Somerset Draft Corer Strategy. My client’s interest relates to the Prior Park

College campus, which located to the south west of Bath within a prominent location overlooking the World Heritage City and the Paragon School Lyncombe Vale Bath.

Prior Park College is set in 20.25ha, which comprises of a complex of Grade I, II* and II listed building, which date back to 1742. The College is one of the largest and high profile, fully co-educational Catholic independent boarding and day schools in the country. The entire College site lies within a major development area in the Bristol and Bath Green Belt, Area of Outstanding Natural Beauty (AONB) and the Bath Conservation Area. Since 2000, the College has been the subject of a programme of refurbishment and reconfiguration in order to ensure that it remains able to offer the high standard of facilities required to remain one of the leading schools in the country.

The Paragon School, the primary school affiliated with the College is located off Lyncombe Vale in the Bath Green Belt, it is well contained and due to the surrounding topography and established woodland has no visual impact on the openness of the Green Belt. The property includes a range of buildings including the main listed house. The operation of the primary school at this location is severely restricted by its designation in the Green Belt.

My client's predominant concern is that the Core Strategy allows for the continued upgrade and investment in facilities at the College and Paragon School sites, so that both education institutions are able to maintain and improve its reputation as a leading provider of high standard education. Our representations to the Core Strategy are set out in reference to specific policy and text; I trust this approach is acceptable:

Policy DW1 and Paragraphs 1.27 and 1.31

Policy DW1 and paragraphs 1.27 & 1.31 identify that there are no changes proposed to the general extent of the Green Belt in the form of either extensions or deletions. The College wishes to object to this conclusion.

Whilst the College supports the protection of the Green Belt, it wishes to make representations on two points. Firstly, it is unclear if the Council proposes to retain the College campus as a major developed site within the Green Belt, as per the allocation within the adopted Local Plan. The College would appreciate clarity on this issue, as it is a key designation to allow continued investment in the college to maintain its high standards. A plan of the existing Local Plan designation is attached for completeness. Secondly, as discussed above the Paragon School site does not benefit from a major developed site in the Green Belt status and its current designation in the Green Belt is significantly restricting the operational requirements of the school and role as custodian to the listed building. The Paragon School requires as part of its business plan to undertake limited expansion to improve the education offer on site (for example new changing rooms and reconfiguration of existing music rooms to meet current educational standards). This submission requests the Council designates the Paragon School Site as a major developed site in the Green Belt consistent with the approach at Prior Park Campus, Ralph Allen Drive. This would ensure limited and sensitive infilling, respectful of the historic and environmental considerations across the site can take place over the plan period to ensure the operational requirements of the Paragon School can be secured. A plan of the site is attached to this submission for consideration.

Prior Park College & Paragon School are therefore seeking the following changes to the Core Strategy in relation to policy DW1, paragraph 1.27, 1.3.1 and the diagram 5:

1. Prior Park College Campus Ralph Allen Drive remains a major developed site in the Green Belt.
2. The Paragon School Lyncombe Vale is allocated as a major development site in the Green Belt. The extent of the allocation is set out in the accompanying plan.

The College and Paragon School appreciates the opportunity to comment upon the Draft Core Strategy and looks forward to future involvement within the emerging BANES Local Development Framework.

We would also welcome the opportunity to discuss these submissions with officers at the earliest

opportunity. I am available on 0117 988 5224 or alternatively by email at jo.davis@gva.co.uk

Yours faithfully
Jo Davis
Senior Director
For and on behalf of GVA Grimley Limited

Change sought to Summary

make sound: Prior Park College and Paragon School are very keen to protect its ability to re-invest and enhance the high standard of facilities currently offered by the College and the School. To achieve this, the Council needs to recognise the key role of the establishment and to plan for its enhancement by continuing the College's designation as a major site within the Green Belt. If this designation is lost then the College will experience significant barriers to continue the ongoing programme of investment.

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 283\2

Plan Reference: Bath: Strategic Issues

Representation 1b: Spatial Portrait and Key Strategic Issues

(soundness): The key strategic issues identifies that there will be a projected 17% increase in the number of 4-11 year olds in the district over the plan period. This will have a knock on effect within the future and it is therefore crucial that the Council plans and prepares for the expansion and enhancement of education facilities across all age groups.

Change sought to Summary

make sound: Prior Park College and Paragon School are very keen to protect its ability to re-invest and enhance the high standard of facilities currently offered by the College and the School. To achieve this, the Council needs to recognise the key role of the establishment and to plan for its enhancement by continuing the College's designation as a major site within the Green Belt. If this designation is lost then the College will experience significant barriers to continue the ongoing programme of investment.

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 283\3 S

Plan Reference: Strategic Objective 2: Protect and enhance the District's natural, built and cultural assets and provide green infrastructure.

Representation Strategic Objective 2

(soundness): Prior Park College and Paragon School supports the objective to protect and enhance the District's natural, built and cultural assets and provide green infrastructure. The college particularly support the aim to capitalise on the role of heritage has in promoting local distinctiveness, place making and regeneration. The continued identification of Prior Park College as a major developed site in the Green Belt will help to facilitate continued investment in the facilities.

Change sought to Summary

make sound: Prior Park College and Paragon School are very keen to protect its ability to re-invest and enhance the high standard of facilities currently offered by the College and the School. To achieve this, the Council needs to recognise the key role of the establishment and to plan for its enhancement by continuing the College's designation as a major site within the Green Belt. If this designation is lost then the College will experience significant barriers to continue the ongoing programme of investment.

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 283\4

Plan Reference: Diagram 5: Bath Spatial Strategy

Representation Diagram 5 – Bath Spatial Strategy

(soundness): The College & Paragon School objects to the Bath Spatial Strategy diagram as it does not identify or define the College site which is currently designated as a major developed site within the Green Belt and seeks a new designation for the Paragon Site for the reasons stated above. Other major institutions such as the University of Bath and Bath Spa University are identified. The College seek clarity on the future of the designation, and request that the College is identified as a major developed site in the Green Belt.

Change sought to Summary

make sound: Prior Park College and Paragon School are very keen to protect its ability to re-invest and enhance the high standard of facilities currently offered by the College and the School. To achieve this, the Council needs to recognise the key role of the establishment and to plan for it's enhancement by continuing the College's designation as a major site within the Green Belt. If this designation is lost then the College will experience significant barriers to continue the ongoing programme of investment.

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 283\5

Plan Reference: Policy B1: Bath Spatial Strategy

Representation Policy B1 – Bath Spatial Strategy

(soundness): Strategy point 7 of the Bath Spatial Strategy sets the framework for Higher Education. The College and Paragon School believes that this should go further to include all education stages – primary, higher education and further education. A further criterion should be included to allow for further re-investment into existing facilities to cater for growing needs.

Change sought to Summary

make sound: Prior Park College and Paragon School are very keen to protect its ability to re-invest and enhance the high standard of facilities currently offered by the College and the School. To achieve this, the Council needs to recognise the key role of the establishment and to plan for it's enhancement by continuing the College's designation as a major site within the Green Belt. If this designation is lost then the College will experience significant barriers to continue the ongoing programme of investment.

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 283\6

Plan Reference: Paragraph 2.27

Representation Paragraph 2.27

(soundness): This paragraph is within section 2d (Bath's neighbourhoods) and refers to school places. It is identified that there will be a growing need for secondary school places. It is identified that the Infrastructure Delivery Programme provides more information on this. The document does not make and specific reference to numbers or educational facilities.

Change sought to Summary

make sound: Prior Park College and Paragon School are very keen to protect its ability to re-invest and enhance the

high standard of facilities currently offered by the College and the School. To achieve this, the Council needs to recognise the key role of the establishment and to plan for its enhancement by continuing the College's designation as a major site within the Green Belt. If this designation is lost then the College will experience significant barriers to continue the ongoing programme of investment.

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 283\7

Plan Reference: Policy CP8: Green Belt

Representation Policy CP8 Green Belt

(soundness): It is identified that the general extent of the Green belt is identified on the Core Strategy Key Diagram.

The College and Paragon School are concerned that the diagram does not identify Prior Park Campus as a major development site within the Green Belt and is therefore no consistent with current status of the site. This will compromise future reinvestment into the facility and ability for the College to manage and maintained the suite of listed buildings across the site. It is noted that the supporting text identifies that 'The Existing Buildings within the Green Belt' SPD will continue to guide decisions on proposals within the Green Belt. This is misleading, as the SPD is actually Existing Dwellings in the Green Belt, and does not set the context for other facilities such as Prior Park College and Paragon School.

Whilst the College notes that Policy GB.3 'Major Existing Developed Sites' is to be saved until replaced through the Bath LDF, we are concerned that a lack of reference to the continued role of the College or any identification of the site and its important role in the Core Strategy could lead to it being overlooked. This would place a considerable restriction on the ability for the College to continue its programme of investment. On this basis, the College seeks some form of recognition of both its role, and the future strategic designation attached to it within the Green Belt. Secondly, the College would seek the designation of the Paragon School site as a new major developed site in the Green Belt to reflect its current status and to enable the school to maintain and improve the education offer from the site through the plan period.

Change sought to Summary

make sound: Prior Park College and Paragon School are very keen to protect its ability to re-invest and enhance the high standard of facilities currently offered by the College and the School. To achieve this, the Council needs to recognise the key role of the establishment and to plan for its enhancement by continuing the College's designation as a major site within the Green Belt. If this designation is lost then the College will experience significant barriers to continue the ongoing programme of investment.

Representation (legal compliance):

Change sought to make legally compliant:

Respondent Number: 284 **Respondent:** Sara Keane

RepresentationReference: 284\1

Plan Reference: Policy B1: Bath Spatial Strategy

Representation Dear Sirs,

(soundness):

I write to register my objection to the inclusion of the Beechen Cliff School Lower Field in the SHLAA which I understand is a key document in the Council's draft Core Strategy.

The Lower Field is part of Beechen Cliff School's playing fields, and should remain as such given the current size of the school and the likely effect the proposed closure of Culverhay School will have on pupil numbers. Pupils use the field on a daily basis for a number of activities, and it also gives them vital

space for recreation during lunch hours and after school. The field was gifted to the school for use as a playing field and it is simply morally wrong to allow it to fall into the hands of speculators for short-term gain. It would be extremely ironic if the Council were to allow this playing field to be sold off just as the Olympic Games are being staged in the UK and when we are confronted by an obesity epidemic, and I'm sure this fact would not be lost on thousands of voters. Rather than designating it as suitable for housing development, the Lower Field should be robustly protected by the Council and left as a legacy for the benefit of future generations of schoolchildren.

Furthermore, the Lower Field is a public space used by large numbers of local people for jogging, dog walking etc. and constitutes an important green space and wildlife corridor, in particular the ancient hedgerow that runs along its border with Greenway Lane. It is also used by many Beechen Cliff pupils as a way in and out of the school, thereby relieving pressure of both motor and pedestrian traffic on the narrow roads in Poets' Corner. Recently, the pavements in Greenway Lane were improved as part of the government's Safe Routes to School initiative, in recognition of the fact that this is a route used by hundreds of pupils every day.

The Lower Field is also part of the historic setting for the Grade II listed Devonshire Buildings, and as such is worthy to be kept as it is for the enjoyment of future generations. As front line guardians of our World Heritage City, I urge you to give as much thought to protecting the green spaces that enhance our historic buildings as you do to the conservation of the buildings themselves. Once a field has gone, it is gone forever.

I therefore urge you to remove the Beechen Cliff School Lower Field from the SHLAA immediately.

Change sought to make sound:

Representation (legal compliance):

Change sought to make legally compliant:

Respondent Number: 285 Respondent: Aviva

Representation Reference: 285\1

Plan Reference: Policy KE1: Keynsham Spatial Strategy

Representation CROXLEY HOUSE

(soundness): Site Context

Croxley House is located in Keynsham on the A4 Keynsham bypass, on the edge of the Town Centre in close proximity to Keynsham Train Station. The site extends to approximately 1.5ha (3.7 ac) and is predominantly used for warehouse purposes. Site access is provided off Unity Road. The building is currently let to NATS (the provider of air traffic control services for the UK), but the lease is due to expire in 5 years. We enclose an illustrative site plan to identify the site.

In the Bath and North East Somerset Local Plan (adopted 2007), the site is positioned within a designated Core Business Area, where Class B2 industrial and B8 warehouse and distribution uses are encouraged and protected (Policy ET.3). However, the site is located on the edge of this employment area next to residential development and is situated within Flood Zone 1 (1:200 years low risk area), which means it is suitable for all forms of development.

In both the emerging Regional Spatial Strategy for the South West and the Core Strategy, Keynsham is identified as a significant area of growth for residential development and employment and is anticipated to undergo fundamental transformation through the regeneration of the Town Centre and redevelopment of the Cadbury Somerdale site, which is due to close in 2011.

Croxley House Site Specific Designation

It is our view that the Croxley House site has considerable potential to contribute to and to complement the future development of Keynsham. Whilst we acknowledge that the site is currently a protected employment site, it is also identified that the demand for industrial type uses has significantly declined over recent years and will continue to decline in the future.

The Core Strategy Economic Development and Employment Distribution Information Paper (November 2009) identifies that over the plan period to 2026, there will be a requirement for 17,000 jobs but less than 1% of this employment growth will be in the industrial sectors. In Keynsham, it is also anticipated that the majority of growth will be located within the proposed Strategic Site comprising Cadbury Somerdale which has been identified to accommodate 20,000 sq m of mixed commercial space, the Town Centre where approximately 8,000 sq m of office space may be located and the train station area. In addition, the Roger Tym and Partners and Cluttons Business Growth and Employment Land Study (March 2009) identifies that some additional 7,000 sq m of office space and 8,500 sq m of industrial floor space could be located at South West Keynsham and Broadmead Lane.

Conversely, the draft Core Strategy identifies a requirement for 11,000 dwellings and 8,700 jobs to be provided during the plan period to 2026, with development being prioritised on brownfield sites. PPS 1, 'Delivering Sustainable Communities' states in paragraph 27 that 'In preparing development plans, planning authorities should seek to.....(iv) Bring forward sufficient land of a suitable quality in appropriate locations to meet the expected needs for housing, for industrial development, for the exploitation of raw materials such as minerals, for retail and commercial development, and for leisure and recreation – taking into account issues such as accessibility and sustainable transport needs, the provision of essential infrastructure, including for sustainable waste management, and the need to avoid flood risk and other natural hazards'.

In this context, given the identified lack of demand for industrial uses and the identification of other sites to accommodate Class B uses, we consider that our client's site should be released for alternative uses and identified as a development opportunity site for either residential development or economic development uses including non Class B sector employment generating uses.

As the site is located within Flood Zone 1, it would provide suitable land for residential development and other more sensitive uses and could assist the Council to meet their demand for these uses given the lack of available land for this form of development in Keynsham. Instead, industrial uses could be located elsewhere, including on land in Flood Zone 2, which is suitable for employment uses.

Given the potential of the site and the growth which is anticipated within Keynsham, the site should be identified as a development opportunity site in the emerging Core Strategy and subsequent Site Allocations Document, in accordance with PPS12 which seeks to identify strategic development sites within the Core Strategy.

Conclusion

We consider that the Croxley House site should be allocated as a development opportunity site for residential development or for alternative economic uses (as defined and promoted in PPS4) and trust that our comments to the merging policies will be taken into account accordingly.

We reserve the right to supplement these representations and would be pleased to meet with officers to discuss the potential of the site in more detail.

**Change sought to
make sound:**

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 285\2

Plan Reference: Policy CP9: Affordable Housing

Representation Affordable Housing

(soundness): Policy CP9 states that affordable housing will be required as on-site provision in developments of 10 dwellings or 0.5 hectare (whichever is the lower) and above. An average affordable housing percentage of 35% will be sought on these large development sites. This is on a grant free basis with the presumption that on site provision is expected. Higher affordable housing proportions (up to a maximum of 45%) may be sought in individual cases, taking account of: a) whether the site benefits from above average market values for the district; or b) whether grant or other public investment may be available to help achieve additional affordable housing. In some cases the scheme viability may justify the Council accepting a grant free provision of affordable housing below the average of 35%.

The proposed policy for the district's affordable housing is to achieve an average of 35 % affordable housing on large development sites. Whilst we do not object to the principle of setting 35% affordable housing as a target, we object to the current wording of the policy. The policy in its current form is highly restrictive as it would only support lower levels of affordable housing on schemes which are unsupported by grant funding. However, other site constraints, improvements and infrastructure costs will affect development viability and may warrant lower levels of affordable housing being provided on sites. The policy should therefore be reworded to take account of this and to allow the actual level of affordable housing to be provided within a development to be considered on a site by site basis, subject to robust viability testing. The same approach should apply to the 45% threshold.

Policy CP9 also identifies that the Council will seek an affordable housing tenure split of 75% social rented and 25% intermediate housing and that whilst the size and type of affordable units will be determined by the Council to reflect the identified housing need, there will be an aspiration to achieve at least 60% of affordable housing as family houses including some large 4/5 bed dwellings.

Again, we object to this aspect of the policy as it is inflexible. The actual size and type of affordable housing to be provided should be determined on a site by site basis, to take account of local need and viability. This approach in turn will not threaten the viability of development and restrict the ability of sites to come forward in accordance with Circular 05/05.

Change sought to make sound:

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 285\3

Plan Reference: Policy CP13: Infrastructure Provision

Representation Infrastructure Provision

(soundness): Policy CP13 'Infrastructure Provision' identifies that new developments must be supported by the timely delivery of the required infrastructure. Developer contributions will be based on the Planning Obligations SPD and its successors.

Table 6 in section 3D of the draft Core Strategy identifies the infrastructure required at Keynsham to support the development strategy. This includes:

- Flood protection measures at Somerdale;
- Major improvements to improve sewerage capacity;
- Secondary road access to the Somerdale site;
- Improvements to Keynsham Train Station and Enhanced Service Frequency; and
- Improvements to public transport and enhanced connectivity between cycling, public transport and

walking routes.

Paragraph 3.2.1 also sets out the desirable infrastructure items of importance to the town.

We recognise the need for new development to ensure that infrastructure requirements generated by development are addressed. However, we consider that requirements should be considered on a site specific basis. Any planning obligations sought should be reasonable and should relate to the scale and kind of development proposed. The overall costs arising from Section 106 obligations should not affect the financial viability or delivery of a scheme, in accordance with the fundamental principles set out within the ODPM Circular 05/2005 on Planning Obligations Provision should also be made in this policy for infrastructure requirements and planning obligations to be prioritised by the Council to ensure preference is given to the most urgent needs where viability issues arise.

**Change sought to
make sound:**

Representation (legal compliance):

Change sought to make legally compliant:

Respondent Number: 286 Respondent: Horseworld

Representation Reference: 286\1

Plan Reference: Chapter 1: Vision and District-wide Strategy

Representation The Spatial Strategy fails to include an urban extension at Whitchurch on the edge of Bristol but within
(soundness): BANES district.

The land at Whitchurch (including land controlled by Horseworld) has been subject to significant assessment through the emerging RSS and earlier stages of the LDF process and was considered to be appropriate for development.

The land at Whitchurch has been proved to be suitable to provide a sustainable urban extension which can serve the greater Bristol and Bath areas.

The land at Whitchurch could be removed from the Green Belt without compromising the goals of the Green Belt designation as defined in PPG2. The development of the land area for a sustainable urban extension would coincide with related development proposals at Bath, Bristol and Keynsham and Bath and North East Somerset's Core Strategy - Publication Stage Representation Form support the growth of the sub-regional economy.

The release of a limited amount of land at Whitchurch would ensure that adequate housing provision is made within BANES for the period up to 2026 without placing excessive pressure on the delivery of housing within the existing urban areas, particularly Bath. The current wording of the Core Strategy will result in the majority of new housing being delivered in Bath - such delivery cannot be guaranteed, as demonstrated by the continued delays to the delivery of Western Riverside. The development of some Greenfield land is required to provide a balanced mix of developable land to promote a sustainable supply of housing land and economic growth.

The current Core Strategy approach seems to fail to recognise that its implementation relies on the development industry, an industry which is currently feeling the full brunt of the economic downturn - if BANES is to grow and prosper the development industry will require a mixed supply of development land which can be brought forward as the industry market dictates - despite the proposed 'interventions' that the Council advocates in the Core Strategy it is the market that will deliver housing, jobs and economic growth - the market requires a balanced mix of development land to sustain supply and achieve growth.

The current spatial strategy is too inflexible and does not ensure delivery of housing land because it promotes a single approach which focuses on the development of Brownfield land, some of which may prove to be unviable. The land at Whitchurch has been promoted by developers, it is clearly Suitable, Available and Achievable for development in accordance with guidance provided by PPS3. The allocation of land at Whitchurch must be considered to be essential to secure the delivery of the goals of the Core Strategy.

Change sought to make sound: Amend the Spatial Strategy (Policy DW1) and related references and plans to allocate land at Whitchurch for an urban extension to ensure the delivery of an appropriate amount of housing and to ensure the effective delivery of the Core Strategy.

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 286\2

Plan Reference: Chapter 1: Vision and District-wide Strategy

Representation (soundness): Policy DW1 of the Core Strategy is unsound because it is neither 'justified' nor 'effective'. The evidence base for the Core Strategy (and therefore policy DW1) lacks robustness and credibility. Policy DW1 is based on the premise that 'smart growth' will provide scope for pursuing high levels of economic growth without departing from the locational strategy. However, the evidence that 'smart growth' is achievable is not sufficiently robust having regard to the document "Smart Economic Growth for BANES - Achieving a Higher Growth Economic Scenario to 2026 (Final Draft December 2010). "Smart Economic Growth for BANES - Achieving a Higher Growth Economic Scenario to 2026 Bath and North East Somerset's Core Strategy - Publication Stage Representation Form does not provide any indication that the smart growth strategy which is advocated is deliverable. The document does not provide robust information on how the strategy can be delivered, by who and indeed when. The document refers to interventions on the part of the Council but does not specify how those interventions will be delivered and indeed how they will be funded. The lack of a credible plan and the lack of consideration of the proposed interventions mean that the Core Strategy is not based on a sound evidence base and cannot be proved to be deliverable.

Flexible

The Core Strategy does not leave any room for manoeuvre in respect of "windfall provision of additional jobs", for example new businesses moving into the district which are currently unexpected. Furthermore, the Core Strategy does not appear to have regard to the fact that net in-migration into BANES is characterised by non economic movement i.e. people moving to BANES not because of the need to find a job or to work but due to the other characteristics of the locality.

The Core Strategy is unsound because it is based on a single choice with regard to the future growth of the District. The Core Strategy provides no room for flexibility in either the provision of additional facilities for employment growth or in the provision of additional housing capacity. The Core Strategy is not sound on the basis that it is not 'effective' because it is not flexible to future changes in job growth rates or the need for additional housing.

Change sought to make sound: The Core Strategy is not compliant with PPS 12 paragraphs 4.36 - 4.52. To make the Core Strategy compliant there need to be fundamental changes to the smart growth scenario and there must be a full assessment of the ability of the Council to deliver the interventions which are proposed.

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 286\3

Plan Reference: Strategic Objective 5: Meet housing needs.

Representation SCS Objective 5 seeks to meet housing needs by enabling the delivery of the new homes which are
(soundness): required to respond to expected demographic and social changes and to support the labour supply to meet economic development objectives. Objective 5 also seeks to ensure that new homes are provided with a suitable design quality and which reflect and cater for a range of incomes and types of household, including those in need of affordable housing.

Whilst the principle of seeking to deliver new homes which respond to the expected demographic and social changes and, significantly, which seek to deliver a range of house types including the provision of affordable housing is a sound objective for the Core Strategy, it is considered that the overriding themes of the Core Strategy will fail to allow the objective to be achieved. Bath and North East Somerset's Core Strategy - Publication Stage Representation Form

As demonstrated in other representations submitted on behalf of Horseworld the Core Strategy proposes to deliver 11,000 homes over the plan period which equates to a maximum provision of approximately 3,400 affordable homes if the Council is able to achieve its desired affordable housing threshold on every residential development site.

Given the current economic conditions (which are clearly reflected in the current wording of the Core Strategy) it seems highly unlikely that BANES will be able to achieve 35% affordable housing on each and every residential development site which is brought forward within the BANES district. Furthermore, the total provision of 11,000 homes is unlikely to allow BANES to achieve its economic drivers, given that there is not appropriate scope to make provision for additional housing demand should, for example, a new business or enterprise decide to relocate to the district. In short the lack of housing supply will become a constraint to the economic driver which is the focus of the Core Strategy.

Change sought to make sound: Recognise the need for additional housing in accordance with the housing numbers proposed in the Draft RSS (15,500) or the SoS Proposed Changes (21,300).
Propose an urban extension at Whitchurch to deliver additional housing in a sustainable and environmentally appropriate location. Cross reference Objective 5 or related changes to Policy DW1.

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 286\4

Plan Reference: Paragraph 1.26

Representation Paragraph 1.26 of the Core Strategy states that the strategy will make a provision for around 11,000
(soundness): new homes and 8,700 new jobs. This level of growth is proposed due to infrastructure deficiencies, environmental constraints and the results of the community engagement. The Core Strategy argues that that the level of growth equates with the future likely need for development and comments that the district's particular circumstances constrain the space available for development. It appears that the Council's principal aim in the Core Strategy is not to deliver housing and employment land to meet the needs of the District but to provide for significantly less land for housing than is generally accepted to be required based on desire to protect all Greenfield land from development.

The lack of provision of a viable quantum of housing land is ill-conceived and fails to have regard to the needs of the whole of the District. The strategy is unsound because it has not given due consideration to a reasonable alternative which would see some Greenfield development, best delivered by an urban extension at Whitchurch, to deliver the cumulative affordable and market housing needs of the district for the plan period. It is noted that the housing numbers proposed are 48% less than those recommended by the Secretary of State in the Proposed Changes (21,300) and 29% less than the

housing figures proposed in the Stage 1 Draft RSS (15,500). The justification for this significant reduction in housing numbers is not sufficiently robust and does not have due regard to the pressing need to deliver more housing to reduce house price rises and deliver affordable housing for current and future residents.

The Core Strategy is unsound because it is not sufficiently justified and it is not effective in terms of its delivery of a strategy for providing sufficient numbers of new homes. Furthermore, it has discounted reasonable alternatives (as outlined the in RSS) without due consideration.

Change sought to make sound: Increase the housing supply for BANES to provide a reasonable amount of housing (market and affordable housing) to meet the needs of the district.

Housing numbers should be increased to at least the numbers proposed in the Draft RSS (15,500), and more realistically to the figure proposed in the SoS Proposed Changes (21,300).

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 286\5

Plan Reference: Paragraph 6.83

Representation (soundness): Paragraph 6.83 of the Core Strategy states that the recent recession has "served to remind us that it is in everybody's interest to support the development and growth of a prosperous economy across BANES".

Paragraph 6.85 then recognises that the district's economy is dominated by micro and small businesses which reflect an entrepreneurial spirit. It further notes that the district has more residents educated to degree level than the national average and is "therefore well equipped to take up job opportunities locally, should they be created".

Whilst the Core Strategies aim to build on the economic strengths of the district are supported the proposal to follow a 'smart growth' agenda seems to place the growth prospects of the whole district on the micro and small businesses sectors. What the Core Strategy seems to fail to recognise is that such activity, is by its very nature, limited in its extent and that those businesses can choose to relocate away from BANES at a relatively short notice and with relative ease. The whole 'smart growth' agenda is based on achieving fundamental shift in economic development which has not been achieved in BANES thus far despite a recent history of unprecedented growth and prosperity. Furthermore, there is no evidence to suggest that the growth in the micro and small business sector will continue at current levels.

The BANES Core Strategy appears to be founded on an economic strategy which is inflexible and based on a growth strategy which requires significant intervention by the public and private sector - there is no indication of how those interventions will be achieved and therefore the strategy cannot be considered to be valid and the deliverability of the strategy must therefore be in doubt. Such doubts therefore equally risk the housing growth strategy which is apparently based on the expected additional jobs coming into the District. It is considered that the short sighted housing I employment strategy which limits development to Brownfield sites will actually hinder the future ability of the district to provide facilities should new businesses decide to relocate to BANES. The Core Strategy is fundamentally flawed and unsound because it is not flexible, does not provide adequate contingency and is reliant on interventions by the public and private sector which are inadequately identified, and unproven. Moreover, the housing and employment figures are not based on a realistic assessment of future growth but are based on an ideological attempt to avoid all development on Greenfield land.

Change sought to Allow for a more flexible approach to the delivery of housing and employment land.

make sound: Accept the need for development of Greenfield land to meet the existing and future needs of the resident population.

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 286\6

Plan Reference: Strategic Objective 2: Protect and enhance the District's natural, built and cultural assets and provide green infrastructure.

Representation (soundness): The second SCS objective is to protect and enhance the district's natural, built and cultural assets and provide green infrastructure. The first bullet of Objective 2 is to ensure that growth and development takes place within the environmental capacity of the district whilst the second bullet seeks to make optimum use of Brownfield opportunities in meeting housing and economic development needs and avoiding Greenfield land as far as possible.

Whilst the objective of prioritising the development of Brownfield land and to protect the natural and built environment is laudable it is considered that the objective has been structured so as to justify some of the Council's other policies in respect of the inadequate provision of additional housing land to meet the actual needs of the District. The second objective, which is clearly an objective which seeks to protect the natural and built environment at the expense of the provision of much needed new housing land, which will be prejudicial to the future growth and sustainability of the economy. This objective is an ideological attempt to avoid all development on Greenfield land which is prejudicial to the future sustainability of the District.

Change sought to Change the emphasis of Objective 2 to recognise that some development is deliverable in the context of the natural, built and cultural assets of the District. Do not prioritise the protection of the natural environment to the detriment of the wider sustainable growth of the District.

make sound: of the natural, built and cultural assets of the District. Do not prioritise the protection of the natural environment to the detriment of the wider sustainable growth of the District.

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 286\7

Plan Reference: Strategic Objective 3: Encourage economic development, diversification and prosperity.

Representation (soundness): SCS Objective 3 seeks to encourage economic development, diversification and prosperity and to stimulate a more productive, competitive and diversified economy across the district with a particular emphasis on knowledge based sectors.

Objective 3 and related objectives I policies seems to fail to fully recognise the requirement to provide additional housing capacity in order to allow for the flexibility and growth within the economy generally and particularly in respect of diversification and provision of appropriate factors which will attract knowledge based sectors to the district. This Core Strategy seeks to make a significant intervention into the social and economic direction of growth for BANES which is considered to be both beyond the remit of Core Strategy process and unlikely to be achievable or sustainable in the medium to long term. As identified in other representations made on behalf of Horseworld the Core Strategy does not sufficiently demonstrate the ability or funding of the Council to make the interventions that are proposed.

Change sought to Allow for greater flexibility in the economic growth strategy. If smart growth is to remain a core principal it should be referred to in Objective 3. Reconsider the 'smart growth' agenda given the lack of resources for the Council to make the necessary interventions - furthermore, properly define those interventions.

make sound: principal it should be referred to in Objective 3. Reconsider the 'smart growth' agenda given the lack of resources for the Council to make the necessary interventions - furthermore, properly define those interventions.

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 286\8

Plan Reference: Policy CP8: Green Belt

Representation (soundness): The Core Strategy is unsound because the failure to make requisite changes to the Green Belt, linked with the flawed spatial strategy (Policy DW1) this means that BANES is failing to deliver the required amount of housing to meet the needs of its population.

The emerging RSS recognised the need for change to the Green Belt at Whitchurch to provide a sustainable supply of housing for the future of BANES. The Green Belt boundary needs to be amended to provide a credible spatial strategy in terms of housing delivery - refer to other Horseworld Representations for justification of this approach. Policy CP8 is unsound because it does not allow for sufficient flexibility in the future delivery of new homes.

Change sought to make sound: Policy CP8 and the Core Strategy Key Diagram should be amended to include changes to the extent of the Green Belt at Whitchurch to allow for the provision of an urban extension to provide additional housing numbers required by the District.

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 286\9

Plan Reference: Policy CP9: Affordable Housing

Representation (soundness): The Core Strategy also fails to take account of the underlying current shortfall in affordable housing provision and the need to provide future affordable housing to a level which is currently above and beyond that which can to be achieved given the housing numbers outlined in the Core Strategy.

The Core Strategy proposes 11,000 new homes which limits the future provision of affordable housing to a maximum of 3,400. This means that the affordability gap in BANES is going to continue to rise meaning that at the next plan period BANES is going to find itself in a position Whereby house prices have continued to rise well above the national average and well above the affordability of the majority of the population of BANES.

Bath and North East Somerset's Core Strategy - Publication Stage Representation Form The only way that BANES can influence the affordability crisis which currently exists is for the delivery of additional housing capacity. Basic economics demonstrates that the increased supply of housing within BANES will result in a natural reduction in costs and will also have the additional benefit of providing more affordable housing for local residents through the s106 process. It is clear that BANES has prioritised the protection of Greenfield sites over the delivery of sufficient housing to meet the needs of the population.

The Core Strategy is unsound because it has failed to properly consider the evidence base in respect of the need for affordable housing. The policy is also unsound because it fails to accord with national policy in terms of the requirement to deliver sufficient affordable housing to meet the current and future needs of the population. It is estimated that there is an unmet demand of 2,900 affordable units in BANES, therefore the delivery of 3,400 units in the period to 2026 is clearly insufficient. The policy is not consistent with PPS3, paragraph 29 in that it does not meet current and future needs.

Change sought to make sound: Housing numbers should be increased to at least the numbers proposed in the Draft RSS (15,500), and more realistically to the figure proposed in the SoS Proposed Changes (21,300). This would allow the delivery of the 2,900 homes needed to meet the existing unmet demand for affordable housing within

the BANES district.

To achieve the housing numbers advocated by the RSS, 3,500 homes should be provided as an urban extension to Bristol, within BANES, at Whitchurch to ensure the long term prosperity and sustainable development of the BANES district.

The increased provision of homes will secure the provision of a sufficient amount of affordable housing to meet the current and future needs of the local population whilst helping to reduce the speed of increase in house prices by bring more houses to the market.

Representation (legal compliance):

Change sought to make legally compliant:

Respondent Number: 287 Respondent: Alan Briggs

RepresentationReference: 287\1

Plan Reference: Paragraph 2.44

Representation (soundness): 1. The scheme is not justified because it is not based on a robust and credible evidence since the vague 'benefits' suggested ("The proposals will help to enable the programme of development set out in the spatial strategy in conjunction with further measures to enable convenient and substainable circulation and access within the city.") aer not based on detailed research and fact finding, indeed the latest research shows that the scheme will not provide any benefits.

2. The scheme is not justified because the evidence shows that the local community is very opposed to the scheme. No other alternatives to reducing traffic congestion have been put forward or seem to have been seriously considered.

3. The Scheme is not justified or sound because it completely contradicts the principles set out in the Core Strategy, whose executive summery states: "Underpinning principles for the preparation of the Core Strategy have been to : prioritise brownfield land as far as possible..." "The Core Strategy retains the Green Belt and no changes are proposed to the general extent of the Green belt, either extensions or deletions." "Green Belt: The Green Belt will be maintained and its openness protected from inapporpriate development."The proposal to create a new Park and Ride on Bathampton Meadows contradicts these statements.

4. The scheme is not justified or sound because it envisages spending a very large amount of the Council's funds on a scheme that has no discernible or proven benefit and the money could be used to support more effective actions to combat congestion.

Effective

1. The scheme is not effective because the infrastructure delivery planning is unsound, the effectiveness is unproven and not even articulated anywhere.
- 2.The scheme is not effective because the Council has failed to provide a convincing business case that shows any credible evidence of the benefits to be archived.
3. The scheme is not effective because it is opposed by the community and does not have community support or involvement. The need is for ana effective strategy to reduce traffic congestion in the city and any strategy needs to have credible and deliverable objectives, and to be supported by the community. This has none of these.

Change sought to make sound: Remove the proposal for the Bath Transportation Package.

Look for other alternatives for reducing traffic which are supported by facts and research, since the BTP is not sufficiently supported by facts and research and there is no evidence that the traffic congestion will be reduced- in fact it seems more likely that the BTP will increase congestion.

Representation (legal compliance): The process of community involvement has not taken into account the huge number of objections to the proposals for the park and ride site on the East and the extension of the Park and Ride site in the West linked to a 'rapid transit' route. There are very serious questions about sustainability and effectiveness of the proposed schemes.

The process for approval of the transportation package by the Council was seriously flawed - resulting in complaints raised even by councillors, as well as many other interested parties and organizations who concluded that the scheme had not been subjected to proper scrutiny and approval. Please see this link:

www.thisisbath.co.uk/exclusive-tories-foul-crunch-transport-vote/article-1065843-detail/article.html

Recent proposed changes have been announced without any community consultations - so that the overall proposal has now lost some elements, whilst retaining the most controversial elements - the eastern Park and Ride and the BRT in Newbridge. The amount of taxpayers money that the Council wishes to spend on the scheme has also increased with no community approval. The scheme is very unpopular and the Council seems to have no evidence that it will provide any benefit at all.

Change sought to make legally compliant: Remove the proposal for the Bath Transportation Package.

Respondent Number: 288 Respondent: Glenavon Farm Partnership

RepresentationReference: 288\1

Plan Reference: Policy CP9: Affordable Housing

Representation (soundness): Why We Consider The Core Strategy Unsound

We object to Objective 2 in that it does nothing to meet social and economic objectives for the District and is therefore contrary to national policy.

PPS1 paragraph 4 sets out four areas for sustainable development:

- Social progress which recognises the needs of everyone;
- Effective protection for the environment;
- The prudent use of natural resources; and
- The maintenance of high and stable levels of economic growth and employment.

These remain Government policy and the present Government has placed sustainable development at the centre of its planning policies.

We have shown in our objections to Policy DW1 that the Core Strategy's proposals do not meet the social and economic needs of the District. As such there is no effective balance between the four objectives of sustainable development and the proposals are therefore not sustainable. It is not sustainable to consistently underprovide for housing nor to make inadequate provision for new job growth.

We also submit that Objective 2 completely contradicts Objective 3, which seeks to stimulate a more productive, competitive and diversified economy. It also contradicts Objective 5 which seeks to respond to expected demographic and social changes and to support the labour supply to meet economic objectives.

Change sought to make sound: Objective 2 should be recast to reflect all four objectives of PPS1 paragraph 4.

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 288\2

Plan Reference: Chapter 1: Vision and District-wide Strategy

Representation We object to Policy DW1: District-wide spatial strategy for the following reasons:

- (soundness):**
1. Paragraph 1 does not direct development to an urban extension to Bristol at Keynsham;
 2. Paragraph 2 makes insufficient provision for jobs and houses in the District;
 3. Paragraph 4 makes no strategic change to green belt boundaries.

We submit that the policy is unsound on the grounds that it has not been adequately justified. It is not founded on a robust and credible evidence base and is not the most appropriate strategy when considered against the alternatives. It is also unsound on the grounds that it does not comply with national policy, a key goal of which is to ensure that everyone has the opportunity of living in a decent home, which they can afford, in a community where they want to live (PPS3 para9).

PROVISION FOR JOBS AND HOMES

The core of the objection relates to the inadequacy of the provision for jobs and homes in the District. The other objections flow from this. We will address this issue first.

Paragraph 2 proposes that provision is made for 8,700 jobs and 11,000 new homes between 2006 and 2026. The key documents justifying these figures are Business Growth and Employment Land Update by Roger Tym & Partners (RTP) (June 2010) and BANES Future Housing Growth Requirements to 2026: Stage 2 Report by Keith Woodhead (September 2010).

To summarise a complex argument, RTP investigated a number of projections produced by others and concluded that job growth in BANES during the plan period would lie between 5,000 and 10,000 jobs (Para 4.2). Keith Woodhead developed this argument to state that "there appears to be a reasonably robust case for expecting between 8,700 and 11,300 additional jobs in BANES over the 20 years with a reasonable lower bound of 5,900". He then uses the relationship between participants in the workforce and households to derive a ratio of 1.33 new houses required to support each new job and recommends housing provision of 11,600 dwellings based on 8,700 new jobs. This forms the basis of the Core Strategy policy approach.

We have a number of difficulties with this approach.

We consider that the methodology is not robust. RTP's work is not based on economic projections of their own. They have examined projections produced for the South West Regional Observatory by Oxford Economics (OE), which show job growth on their central projection of 5900 and of 11,300 on their stronger growth projection. Spreadsheets from these projections are attached at Appendix A. These economic projections do not include housing forecasts, and are themselves based on demographic projections, which we submit are not consistent with external demographic projections which have been used to calculate the housing provision.

We can also see from these projections that looking back to 1991 from the present:

1. Job growth fluctuated but was no higher in 2006 than in 1991;
2. Migration levels were fairly constant and seemed to bear no relationship to job levels;
3. Thus lack of job growth had very little impact on population growth.

Whilst it is relevant to examine job growth and growth in the labour force, and compare them to see that they are not wildly out of kilter, we submit that a precise comparison, as has been undertaken by the Council's consultants is not a robust methodology because there are too many uncertainties, as well as inconsistencies between the projections being compared.

Economic growth is an important part of Government policy, and it needs to be as we recover from what is probably the worst recession in living memory. On that basis, we should be planning for the best possible levels of growth that can be achieved. It is to be assumed that other instruments of policy that can influence economic growth will be focused on this and planning policy needs to be too. Planning for too much growth should not be seen as a problem as it will occur sooner or later, whereas planning for too little growth creates enormous difficulties in accommodating higher growth if it does

occur. We submit that an appropriate level of growth to plan for is somewhere in the range defined by the OE central and stronger levels of growth. It should be noted that OE themselves note the link between growth in labour supply and job growth, stating that for its central assumption job growth is constrained by assumptions about future growth in labour supply. In other words it becomes a self-fulfilling prophecy.

We have shown above that in BANES migration has not been particularly influenced by job growth in the past. There can be many reasons for this. First, much migration is not job connected, most obviously retirement migration. This can be expected to increase with an ageing population. Second, international migration is cited as an important component of total migration into the district. It is claimed that this will reduce as standards of living increase in EU accession countries. However, many of them will still have lower standards of living than the UK, while others, including our closest neighbour, Ireland, will be suffering economic difficulties for a few years which may lead to increased migration to the UK. The Government has promised to limit international migration, but can only do this for non-EU countries, and past attempts to do this have had limited success.

In fact, migration into BANES has been remarkably constant over the past decade at slightly over 1000 persons per year, and we submit that this is a far more robust starting point than economic forecasts for a calculation of future housing requirements. This leads us first to the official Government household projections. PPS3 requires councils to have regard to these when preparing their plans (para 33). These are based on short-term (five year) migration trends, and this had led to some fluctuation in the last four projections. However they have produced a growth in households of between 13,000 and 19,000 over the twenty year period of the plan as shown below:

CLG Projections of Household Growth, BANES, 2006-2026

2003-based 13,000

2004-based 17,000

2006-based 19,000

2008-based 16,000

It can immediately be seen that the Core Strategy's level of housing provision of 11,000 is well below any of these figures, and this should immediately be a cause for concern.

We are aware from projections we have commissioned for other clients using the Chelmer model that assuming that long-term (ten year) migration trends continue produces household growth of around 15,100 leading to a housing requirement of 15,500. This, we submit, is a far more robust starting point for calculating housing requirements. This projection was based on the same migration assumptions as the OE central growth projection and it produces a similar level of population growth. The labour force growth is 10,558, which is certainly consistent with the job growth scenarios. We submit that this is a robust starting point for calculating housing requirements. However, it is only a starting point. Other factors need to be considered. These comprise

1. Backlogs in existing need;
2. The effect of Bristol; and
3. Commuting

The West of England Strategic Housing Market Assessment looked in detail at the need for affordable housing.

First, Table 4.11 examines the Annual Total Housing Requirements of households in need. This is the newly arising need for affordable housing during the life of the Core Strategy. It finds this to be 847 households a year of which the vast majority (786) are in need of affordable housing as opposed to intermediate housing. This assessment assumes that the backlog of existing need will be met over the first ten years of the plan period and allows for those whose needs can be met through relets. It will quickly be seen that if multiplied over a twenty year period this newly arising need totals 16,940. This is a clear indicator of housing stress in the District, which the Core Strategy housing provision is insufficient to meet even if every house was affordable.

Second, Table 4.1 of the document shows that there was an existing backlog of need for affordable housing in BANES in 2007 of 2,787 households. It is a central part of the methodology of calculating the need for affordable housing that meeting backlogs should be factored into the calculation of need, and the figures in Table 4.11 take this into account. But they are not taken into account in calculating the overall housing need. This is a clear inconsistency which needs to be remedied by adding the affordable housing backlog of 2787 to the figure of 15,500 arrived at from the projection.

Then there is the need to take account of the influence of Bristol.

The Core Strategy seems to go out of its way to avoid mentioning Bristol as a factor in the future development planning for BANES. This is failing to take account of important evidence. We will show later that in 2001 over 13,000 residents of BANES commuted into Bristol or South Gloucestershire for work. Bristol is a major regional source of job creation and it must be assumed that it will continue to provide large numbers of jobs for BANES residents.

We have also submitted representations to Bristol City Council's Schedule of Significant Changes which argue that, for similar reasons to BANES, Bristol has significantly underestimated its need for new homes and its potential for job growth. These representations describe the Bristol Core Strategy as a plan for failure because of the low economic growth aspirations. Such a failure would be of regional, if not national significance, and would undoubtedly impact upon BANES. The Core Strategy for BANES is pursuing a similar policy of failure.

Localism has to operate in the real world. This is a world where major influences on the future development of the District cannot be ignored just because they happen to lie just the other side of an administrative boundary.

Our submission is that Bristol's level of housing need is of the order of 50,000-55,000 dwellings, but these cannot be provided within the City's tightly drawn administrative boundaries. These requirements therefore need to be met in the adjoining districts including BANES. Locations for urban extensions were extensively examined through the RSS process. From this, the Panel recommended an urban extension to Bristol at Keynsham in order to help to meet identified housing needs. The location was chosen because of its good public transport links to Bristol and Bath.

Unlike the other districts adjoining Bristol, there have not been urban extension in BANES of anything like comparable size to, say, Locking Castle in North Somerset and Bradley Stoke and Emersons Green in South Gloucestershire. It can therefore reasonably be assumed that past migration trends only include a very limited component of meeting Bristol's needs. We therefore consider that it is entirely justifiable to add housing to meet Bristol's needs, particularly where it is located on the edge of the city, to the estimated need for the District of 15,500 based on past trends. It is debatable how much should be added to take account of this factor, but another factor which should be taken into account before finally coming to a view on this is commuting.

At the local level commuting can play a big role. A sustainable development strategy should be trying to reduce commuting by building more houses where jobs occur. Unfortunately, the only detailed information on commuting flows comes from the 2001 Census. This is now very out of date. However, it is the only detailed data available and, as a generality, it is likely that flows will have increased rather than decreased. Appendix B gives details of the Census data on commuting.

Superficially, commuting appears to be more or less in balance, with almost equal numbers of people commuting in as out. The total workforce was 80,460 of which 24,070, or 30%, commuted into the district. The number of working residents was 79,900 of which 23,510, or 29%, commuted out of the district.

However, this disguises important flows into and out of the District. If South Gloucestershire is

regarded as part of the Greater Bristol for the purposes of this exercise, since much of Bristol's employment is located there, there was a net flow into Greater Bristol of 4,930 people (13,194 in and 8,264 out). This represents just over 6% of the workforce and is an appreciable number.

If the Bristol effect is removed from consideration, BANES was a net importer of workers, again roughly 5,000. It must be assumed that many of these worked in Bath.

In order to try to reduce commuting more houses should be built in Bath, possibly up to 5,000, and more should be built in Bristol, again possibly up to 5,000. It can be argued that the 5,000 extra houses in Bristol would be offset by a commensurate reduction in BANES – i.e. the 5,000 in Bath. However, we have already demonstrated that Bristol cannot meet its needs within its tightly drawn administrative boundaries, so the houses proposed for Bristol would need to be placed in the next nearest location, i.e. on the edge of Bristol within BANES as noted in the previous section.

If BANES accepted one third of Bristol's unmet housing need this would be say 7,000 houses. An additional 5,000 homes could be justified to reduce commuting. There is also the issue that we have already identified a requirement of 7287 (say 7300) houses arising from within BANES for which the Core Strategy makes no provision (15,500 + 2787 – 11,000). Between these three areas of housing requirement there is far more than is necessary to justify 3000 houses as an urban extension to Keynsham.

However, when addressing large urban extensions, delivery becomes an issue. Given that little work has been undertaken on this particular site to date there could be a limit on how much can be delivered by 2026. However, we submit that it makes sense to plan for the full development of 3,000 houses in this plan. This will partly meet needs of Bristol and partly meet the shortfall in needs for BANES that we have identified.

On the basis of this, we propose a housing requirement of at least 21,800 in BANES between 2006 and 2026 calculated as follows:

Locally generated need 15,500
Backlog of existing need 2,800
Meeting Bristol's needs 3,500
Total 21,800

The figure for Bristol's needs could legitimately be increased if it could be demonstrated that additional houses could be delivered.

The backlog of need and Bristol elements of the calculation do not add to the labour force figure, as those included in the backlog are presumed to be living in the area already while those included in Bristol's needs are assumed to be included in Bristol's labour force.

AN URBAN EXTENSION TO KEYNSHAM

Proposal 1F of the Regional Spatial Strategy Proposed Changes made provision for an urban extension of 3,000 houses at Keynsham. We have confirmed the need for at least this level of housing provision using locally derived data. This proposal is conspicuous by its absence from the Core Strategy. We object to the failure to make provision for this proposal and seek its inclusion into the Core Strategy. In this section we will examine the specific proposal in more detail.

The justification for this proposal is given in the RSS Panel Report and the Schedule of Reasons accompanying the Secretary of State's Proposed Changes to the RSS. While the RSS may be revoked, this justification is still a relevant consideration.

The Panel identified Keynsham as a sustainable location for development because of the wide range of community services. They also note that it is in the Bristol-Bath transport corridor, which they identify as a strong corridor. They consider that Keynsham can meet some of the needs of Bath which is

acknowledged to be inadequately provided with housing (Panel Report paragraphs 4.1.64 and 4.1.65).

In her Schedule or Reasons, the Secretary of State said that she agreed with the Panel's conclusion in Paragraph 4.1.65 of their report that Keynsham is a suitable location for additional growth. Keynsham has a role as a service and employment centre but its position on the Bath to Bristol corridor and the particular influence exerted over it by the latter, means that it is considered to be a functional part of the Bristol SSCT.

In the Proposed Changes paragraph 4.1.13 states:

"Although physically detached from the main urban area, the towns of Yate and Keynsham have strong functional relationships with Bristol and form part of the SSCT. There are opportunities at both towns for housing and employment growth to strengthen their roles, so they can better serve their own populations and that in surrounding areas."

A 3600 area of search was identified on the Inset Key Diagram for the West of England. This means that no specific direction of growth was identified and the area of search extended around the entire periphery of the town.

Since there are no proposals for this urban extension in the Core Strategy we will make proposals in this submission.

The first step is to consider the land requirement for such an urban extension. This will be subject to some variation depending on the precise mix of land uses and the density of the residential development in particular. We have adopted the following to give a broad indication of the land budget required.

3,000 new houses at 40 dwellings per hectare 75 hectares
Open space 18 hectares
Schools 4 hectares
Local centre/facilities 3 hectares
Employment, say 10 hectares
Strategic Infrastructure 5 hectares
Strategic Landscaping 5 hectares
TOTAL 120 hectares

This is a substantial area of land.

The second step is to examine the land around the periphery of Keynsham to see if a suitable site or sites exist.

Land north of the railway line is mostly unsuitable. The former Somerdale Factory is included in the Council's strategic site. Other than that, most of the land between the town edge and the boundary with South Gloucestershire is in the floodplain of the River Avon which we regard as a firm constraint on development. Only east of Broad Mead does the flood plain end. This land, around the Avon Valley Country Park, is not well related to the urban area as it would need to stretch almost to the Bristol-Bath cycleway to provide sufficient land, and it seems likely that further crossings of the railway would be required which are expensive and would delay the project.

Land east of the town would be suitable. It has the advantage of being on the A4 transport corridor and might be able to connect to the railway by means of a new station. The land is relatively flat. The area would fill the gap between Keynsham and Saltford but it is our view that if this is the most sustainable location for development then this should take precedence. It does not affect the gap between Bristol and Keynsham or Saltford and Bath. There is extensive ribbon development along the A4 between Keynsham and Saltford which reduces the effect of the gap when travelling on the A4. The land is close to the secondary school, the supermarket at the eastern end of the Keynsham Bypass and employment

areas. It can be commenced with very little additional infrastructure. These are significant advantages which add to its sustainability profile.

To the south of the town are in effect three sectors: east of Charlton Road beyond the existing allocations; the Chew Valley and along the B3116 towards Burnett. All these areas are relatively remote from the main transport corridor. Connections to the town centre are relatively poor. East of Charlton Road and along the B3116 the ground is rising and begins to become quite prominent. The Chew Valley is too steeply sloping to accommodate this level of development and the valley bottom is in the floodplain of the Chew.

To the west of the town the topography does not lend itself to large scale development. There are two quite steep valleys and the ridge above Stockwood Vale is a prominent part of the setting of the town. This area would also overlap with the Area of Search for the South East Bristol Urban Extension and the Council has already ruled out development in the Stockwood Vale area. Access into the area is not particularly good and the area extends away from the main transportation corridor. The northern part of this sector between Durley Hill and the railway is significantly affected by floodplain and is too small to accommodate the level of development.

Our conclusion is that land to the east of Keynsham is suitable for development and is the only suitable area to accommodate the scale of development required. It can accommodate the whole of the required development and our examination of other areas around the periphery of Keynsham leads us to the view that there is no advantage in trying to split the allocation between two areas.

As a third step, we have therefore examined the area that will be required in more detail. The area shown on Plan 1 at Appendix C shows an area of approximately 120 hectares. It is bounded by the urban edges of Keynsham and Saltford to the west and east respectively, the railway to the north and Manor Road to the south all of which are firm boundaries. Given that there are a number of existing properties and a number of blocks of woodland that we would expect to be retained this area is very close to the area required.

Our clients own over half this area, comprising most of the land to the north of the A4 and around half the land between the A4 and Manor Road.

We therefore seek the identification of the area we have identified as a general direction for growth for 3,000 houses in the Core Strategy. This should be backed up by a commitment to produce an SPD or Area Action Plan to agree the details of an overall masterplan for the area including a delivery plan for the required infrastructure. Our clients also reserve the right to submit further information on this matter to the Examination. They would also cooperate in the preparation of an Area Action Plan.

GREEN BELT

The proposed urban extension is in the Bristol-Bath Green Belt.

The exceptional circumstance justifying an alteration to the general extent of the green belt is the overriding need for additional housing to meet the needs of both BANES and Bristol. Previous large scale urban extensions to Bristol were formulated in the late 70s and were built out from the mid 1980s onwards. They are approaching the end of their development period and will be built out within the next few years. A new generation of urban extensions needs to be planned now to come on stream as the previous generation is completed. This was recognised, in our view correctly, by the RSS. We have demonstrated that the need still exists for such development using local data.

This is an exceptional set of circumstances, the first time that consideration has been given to new urban extensions for almost forty years. A city the size of Bristol cannot resist peripheral development indefinitely. This will affect its attractiveness to employers and/or increase commuting as people who wish to work in the city may have to find a place to live beyond the green belt. This is an unsatisfactory and unsustainable situation.

Objectors claim that brownfield sites should be used first. Bristol is planning to provide between 26,000 and 30,000 houses within its boundaries and most of them will be on brownfield sites. This is probably the limit of what it can provide and we have demonstrated why this is not sufficient. Greenfield urban extensions are also required. Locations on the edge of the city or close to the city on good public transport corridors are invariably the most sustainable locations as they can link into public transport networks to maximise the opportunity to use means of transport other than the car and support existing communities with new facilities. These developments are invariably in green belt since most of our major cities are surrounded by green belt. It can be seen that there is a significant tension between green belt policy and sustainable development. The Government has insisted that sustainable development is to be paramount. We submit that this is a prime example of where this should take place.

We therefore seek a change to sub paragraph 4 of Policy DW1 to state that there will be a change to the general extent of the green belt in BANES to accommodate an urban extension to Bristol at Keynsham.

Change sought to SUMMARY OF CHANGES SOUGHT

make sound: We seek the following changes to Policy DW1: District-wide Spatial Strategy.

1. In paragraph 2 provision should be made for a net increase of 11,300 jobs and at least 21,800 new homes. This will allow the level of affordable housing to be significantly increased.
2. In paragraph 1 a new neighbourhood at Keynsham should be named as a location on which new housing, jobs and community facilities should be focused.
3. In paragraph 4 reference should be made to a change in the general extent of the green belt to accommodate a new community at Keynsham.

These are fundamental changes to the Core Strategy. If accepted, they will lead to other changes in the supporting text and a new Chapter containing a new policy for the new community at Keynsham. We consider that it is premature to set out the detail of this at present, but we would be pleased to provide further detail if it will assist.

Representation (legal compliance):

Change sought to make legally compliant:

Respondent Number: 289 Respondent: BANES Council

RepresentationReference: 289\1

Plan Reference: Paragraph 2.44

Representation (soundness): Transport around and through Bath can be achieved without the BRT - other options need to be explored and could be cheaper to the Council.

Change sought to The Park and Ride Newbridge Buses can continue to use the Upper Bristol Rd and even the Lower Bristol Road without a 1 mile road being laid on the railway line (linear track) behind the Newbridge Rd. This would save the Council Several million pounds.

Representation (legal compliance): The BTP /BRT Element is not required and not wanted by 1000's at least Local Residents. The Cost is not Justified when other service's could be well served.

Change sought to make legally compliant: The transportation around and through Bath can still be improved without the BRT and Element's of the BTP. The council should extend the Newbridge Park and Ride onto the original site and not the ones proposed.

Respondent Number: 290 Respondent: William Wilson

RepresentationReference: 290\1

Plan Reference: Policy B1: Bath Spatial Strategy

Representation Dear Sirs
(soundness):

As a close neighbour of Beechen Cliff School, I wish to object to the proposal to take over and develop part of the playing fields at the school.

The school is an excellent and successful school, but as such is oversubscribed and crowded into old buildings. Its numerous pupils need all the playing fields and grounds they have for recreation. Ofsted reported that their playing fields were already too small. Taking away more of them is unfair and retrograde.

The school has great plans for the future, such as opening its new music school this summer, and it needs more not less opportunities - this development would reduce options for the future.

The current development is opposed by the school's headteacher, and his views should command respect in the council, and carry great weight.

The school is an excellent neighbour, and like many people round here we have open access to the grounds and use them regularly for recreation and amenity, which will be impacted by the proposed development.

The development would be contrary to the recently agreed Local Plan of 2007, and there has been no consultation or explanation for the proposed reversal of its designation of this land as open space.

The development would be contrary to current government policy against the disposal of school playing fields, which was subsequently recognised by the Thatcher government as a big mistake.

Yours faithfully

William Wilson

**Change sought to
make sound:**

Representation (legal compliance):

Change sought to make legally compliant:

Respondent Number: 291 **Respondent:** Stubbs Rich LLP

RepresentationReference: 291\1

Plan Reference: Policy B1: Bath Spatial Strategy

Representation Many of the policies also reflect a welcome sea-change since the putative demise of the RSS and I am
(soundness): delighted that the prospect of the Urban extension has been dropped.

**Change sought to
make sound:**

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 291\2

Plan Reference: Whole Document

Representation Drafting Comments

(soundness):

1. The use of the indefinite areas of colours on maps and imprecise routes (e.g. possible bridges) might appear helpful. (Diagrams 4 & 5). Unlabelled diagrams on p.43. However, as a former landowner whose land was blighted by an unsubstantiated line on a plan in the previous Local Plan First Draft, I object to this technique. All spatial inferences in the core strategy must be precise as to ownership and availability, so that landowners may raise reasonable objection during construction.

The graphical technique may render the current consultation unsound because owners whose land is implicated may not be altered to the risk because of the imprecision.

2. The graphical technique has also lost some legibility - for example - hyphens between ranges of numbers have been lost e.g. B2/46. Please ensure that the publication process has thorough and last-in-time proof reading.

3. Inconsistent use of "figure" or "diagram". E.g. B2/3 refers to "figure 7" which is labelled "diagram 7".

4. Paragraph numbering is inconsistent. Every paragraph must be logically and comprehensively numbered. Referencing my comments has been a nightmare.

Change sought to make sound:

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 291\3

Plan Reference: Whole Document

Representation Supporting Documents

(soundness):

The efficacy of this Core Strategy is attendant in the publication for consultation of several key supporting documents as below. I encourage the Council to provide funding for these documents to avoid the risk that the core strategy process be found unsound.

- Placemaking Plan
- Building Heights Strategy

Change sought to make sound:

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 291\4

Plan Reference: Paragraph 6.04

Representation Low Carbon Future

(soundness):

I agree that the carbon agenda is vital to our experience and that everything possible should be done to promote a low carbon future.

However I object to the current information of this laudable objective.

In such a fast-evolving science and technology area, policy must not lock in a specific technology, but rather set principles and objectives which the best, most economic technologies can satisfy.

**Change sought to
make sound:**

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 291\5

Plan Reference: Policy CP1: Retrofitting Existing Buildings

Representation (soundness): 6b/6.07. I support the emphasis on the retro-fitting of existing stock.

CP1. I do not support the technology specific reference to micro renewables. Our experience to date, plus much research, indicates that micro renewables are disastrously expensive. Strong support for best practice as I recommend above would make the policy more responsive to the best and most cost effective technologies without predicting what they will be.

6.15. I support the use of "allowable solutions" and offsite generation.

6.14. If best practice is followed, these costs may not be prohibitive, especially if 6.15 is considered. All development could then be obliged to take appropriate measures.

CP2.3. I support the deference to national policy, e.g. Building Regeneration, rather than embodying specific requirements in local policy.

CP2 P107. Untitled table n/c in 2019 is misleading-2016 standards apply.

CP1. That the Council "can" provide demonstration events/projects is a truism; the test is whether the Council "will". I would support the latter.

**Change sought to
make sound:**

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 291\6

Plan Reference: Policy CP2: Sustainable Construction

Representation (soundness): cp2/4. I support the establishment of flexible mechanisms and believe this should be the policy direction.

6.17 Renewable energy research "must" not "may" be updated. I support the former.

CP3 Development "must" contribute. I support this. However, it is unrealistic that development will achieve anything like the renewable targets of 1.12, 6.06 and 6.16.

It would be more useful to the electorate if the proportion required from retrofitting was made explicit.

6.20. Contains the crucial determinant of DH efficiency: the heat load. If the load is intermittent .e.g.absence of heating requirement in the summer, diurnal fluctuations in residential occupancy (everyone at work, therefore heating not required), then the efficiency drops. Also see Professor David Mckay's explanation of the Physics of CHP. The practical ratio of heat: electricity over an annual cycle is more like 4-6:1, where residential demand is more like 1:1.2., with electricy dominant.

6.21. It is true that the heat source can change over the life of DH: the former has an economic life of 15-30 years, the latter 100 years.

6.22. This assertion on DH costs is quite different from figures I have seen.

6.23. Perversely, the use of Vaults for heating pipe work is likely to reduce installation costs, although I agree that doing so might have a negative heritage impact.

CP4. I object to this technological solution being made policy.

**Change sought to
make sound:**

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 291\7

Plan Reference: Policy CP4: Distric Heating

Representation District Heating
(soundness):

In particular, I object to the emphasis on district heating (DH). This is not, of itself, a low carbon source, but merely, and only sometimes, an efficient distributor. Furthermore, it is below ground, giving rise to no visual concerns. IN respect of a district heating scheme being proposed by developers, I support paragraph 6.24 which protects the historic vaults under the city.

Being very long-lived, DH does make sense over decades which suits residential, but commercial has too short an economic churn.

The use of Spa Water might prove a valuable heat source for DH, but its high mineral content makes the water corrosive to equipment.

By way of explaining, contry to the assertion in the Core Strategy (6.23), district heating is prohibitevly expensive as a retro-fit option and very expensive in new build. There is a timing risk between heat generation and heat use. Residential and commercial space has no demand for heat in the summer. I agree that it is possible to provide cooling in such systems, but there is a loss of efficiency.

The key to district heating is, of course, the heat or combined heat and power generator. If this is driven by substainable means (biomass, waste, etc.) then the system is low carbon and I support it.

However, policy must be sufficiently robust to presume in favour of the generator even more than the distribution system, since it is the generator which will create haevy vechile movements, noise, odours, fumes and visual effects - any of which could derail a proposal in a planning context.

Furthermore, there already exists a wholly adequate distribution network - electricity and gas grids and vechile fuel. Many emerging, substainable technologies exploit these systems dircetly without the need to burden the generation cost with a further expensive and rigid distribution ssystem. For example, incineration and anaerobic digestion (AD) outputs can be fed directly into one or more of the existing

distribution systems (incineration to electricity grid, AD to all threee). Microalgal diesel could feed directly into fuel distribution.

The notion that heat is wasted in electricity generation is also frequently misunderstood, as ably illuminated by professor David McKay in his book "Sustainable Energy - without the hot air". Separately highly efficient generation from intermittent and seasonal use may often produce the greatest overall efficiency.

In conclusion, I recommend that the policies be thoroughly reviewed to promote best practice without predetermining what best practice will be at any given time.

I recommend a best practice incentive mechanism; say a strong presumption in favour of best practice development together with an annually published set of exemplars of the most recently achieved best practice to the set the benchmark. Such a policy would be flexible, highly output driven and technology agnostic.

**Change sought to
make sound:**

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 291\8

Plan Reference: Paragraph 2.33

Representation B2/2.33 I strongly support the endorsements of UNESCO'S Vienna Memorandum on the
(soundness): appropriateness of high quality contemporary arachitecture as being the correct response to the excellence of the historic city.

**Change sought to
make sound:**

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 291\9

Plan Reference: Bath: Strategic Issues

Representation Employment for All
(soundness):

I am fully in support of the policies (2a Strategic issue 4) which seek to increase employment opportunities within Bath. I agree that there is a need to secure skilled and semi-skilled industrial jobs as well as making provision for modern, flexible and efficient B1 space.

I agree with a comment made by David Trigwell, to Bath Architecture 2008, that the Bath Transport Package si one of the keys to suppoorting industry. Clearly significant need for manufacturing, over services, is the easy transport of materials and goods.

I agree that there is an opportunity to intensify the density of manufacturing space within Bath and support objective 3 which encourages this.

As has been identified in your economic studies, there is a market failure risk associated with the provision and intensification of workspace in Bath - in that rents are too low and construction cost too high. I encourage the Council to minimise the infrastructure burden placed on new employment

development.

I encourage the Council to make a policy presumption in favour of employment development subject to the minimum threshold of conditions.

Climate Change Key Strategic Issue 1.12

I support this comment. Much stronger policy and other support will be required to achieve the carbon reduction figures than the proposed Core Strategy policies would achieve. The focus, as I objected to in the first consultation, is primarily on new development. By definition new development adds to the Carbon production of the area, no matter how sustainable that development is. I recommend the introduction of strong policy (and economic) support for retro-fitting the existing stock with energy reduction measures. It would, for example, make more sense for development to offset the expenditure on expensive onsite microgeneration by sponsoring the insulation and draft proofing of existing homes- the annual carbon saving would be 7 to 10 times greater for the same money.

The issue statement needs much stronger policy support particularly in favour of large scale wind turbines. Planning objections to these has derailed over 90% of current applications throughout the UK and if the Council is to have any prospect of fulfilling its carbon reduction goals, presumption in favour of large scale wind turbines. Planning objections to these has derailed over 90% of current applications throughout the UK and if the Council is to have any prospect of fulfilling its carbon reduction goals, presumption in favour of large scale wind turbines is essential for them to overcome the planning objections.

Specific comments

2a.Strategic Issue 7. How does the outbound and inbound employment flow compare with other economically vibrant cities? It is evident that flexibility supports growth and that a desirable level of float is beneficial to any system. What is that level, in terms of commuting, and by how much does Bath need to redress this imbalance to maintain economic growth?

Change sought to make sound:

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 291\10

Plan Reference: Policy B1: Bath Spatial Strategy

Representation (soundness): 2.07. agree that policy should “deflect ill-conceived proposals that might be rejected within a generation...”
B1/8C & B2/43.

Object to the emphasis on a new venue. Study after study has demonstrated that the economics of such a proposal would be disastrous, whereas the reuse and improvement of the city’s existing stock (Guildhall, Assembly Rooms, Komedia, Theatre Royal, Forum, Hayesfield School, Rondo, etc) would engage visitors with the City as well as make the most of current assets.

2.15.The Placemaking Plan will indeed identify contentious issues for key policy areas which is why it’s publication for consultation must be soon.

Diagram 6. The status of the designation on the map varies crucially. The central area of Bath is mostly built, but with a few important opportunities: BWR is almost completely vacant; and Twerton is

occupied but, potentially, under-developed.

Diagram 7. A new stadium on the Rec is mentioned in the text but not shown on the plan.

**Change sought to
make sound:**

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 291\11

Plan Reference: Policy B2: Central Area Strategic Policy

Representation (soundness): B2/2b. Fine “and characteristic” grain

B2/2p. As I have commented on the Public Realm Strategy, the spend on the public realm is principally directed at the retail core rather than the world heritage settings.

B2/4. Retail space must be restricted to existing retail areas or this policy will be used to expand into other areas.

**Change sought to
make sound:**

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 291\12

Plan Reference: Policy B3: Twerton and Newbridge Riverside Strategic Policy

Representation (soundness): B3/4. Support the extension of uses to non-economic development for BWR and Twerton.

**Change sought to
make sound:**

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 291\13

Plan Reference: Policy B4: The World heritage Site and its Setting

Representation (soundness): B4/2.34 and policy CP1

The Building Heights Strategy must be published for consultation and adapted as a key design criteria guide for the city and policy CP1

**Change sought to
make sound:**

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 291\14

Plan Reference: Appendix 2: Saved Local Plan Policies

Representation Appendix 2. The extent of the saved local plan policies listed in the appendix makes it clear that
(soundness): consultation on saving them requires a separate consultation. Respondents cannot be expected to source each one of these and review it. Slipping saved policies into this consultation is unsound.

Change sought to make sound:

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 291\15

Plan Reference: Paragraph 5.35

Representation Rural regeneration
(soundness):

In tandem with the risk to skilled and semi-skilled industrial employment, lies the long-term trend to impoverished rural employment. I support policies which seek to reduce this trend.

In particular, the low carbon agenda may increase the demand on rural areas to provide labour and development of sustainable energy generation (biogas, incineration, AD, algae). At the moment, British farming is labour efficient but land inefficient. If, as we anticipate, fuel crops become an important even vital component of sustainable energy, yields per hectare must increase and hopefully employment will increase to suit.

I recommend that the rural policies are reviewed to ensure that the kind of wholly positive regeneration of rural communities is not restrained by anachronistic policies designed to prevent the current and less desirable gentrification of rural areas.

Change sought to make sound:

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 291\16

Plan Reference: Chapter 1: Vision and District-wide Strategy

Representation Specific comments
(soundness):

2a.Strategic Issue 7. How does the outbound and inbound employment flow compare with other economically vibrant cities? It is evident that flexibility supports growth and that a desirable level of float is beneficial to any system. What is that level, in terms of commuting, and by how much does Bath need to redress this imbalance to maintain economic growth?

Objective 4.The reference to district heating schemes is inappropriate here and should be moved to Objective 4 (subject to my objection above).

DW1. This policy wording appears sufficiently slack to allow developers to cherry-pick the most economically advantageous development (for themselves) at the beginning of the allocation, leaving later phases to cope with the uneconomic development. I recommend that the policy wording be tightened to enforce a mix of development to be brought forward in the initial plan phase of the Core

Strategy period and for a mechanism to update the permissible mix in subsequent phases of the Core Strategy period.

Diagram 4. See objection on District Heating

DW 1.3. Clarify that developer contribution will not be sought for employment space.

DW1.8. Typo "Ofwat" not "Ofgwat"

**Change sought to
make sound:**

Representation (legal compliance):

Change sought to make legally compliant:

Respondent Number: 292 Respondent: Bath Avon River Corridor Group

Representation Reference: 292\1

Plan Reference: Chapter 6: Core Policies

Representation The Group believes the Core Strategy draft to be unsound in its current form because it does not sufficiently recognise the need for future planning strategy in the district to identify the future directions and new growth strands that will make up the future economy and understand how each of those strands can best unfold, their spatial and infrastructure requirements and how their future trajectories could be put at risk by competing land use interests. The Core Strategy must be founded on a robust and credible evidence base, and must be able to be justified and effective. The document expands on its predecessor by breaking down potential future land uses more clearly, but has not yet introduced a sufficient sense of use hierarchy, ie what uses best go where and why, focussed around optimising economic health and new job creation and this is at odds with emerging government policy which is placing the stimulation and development of economies very highly.

Whilst it is true that introducing new housing within the city boundaries is important to reducing commuting, the way the Core Strategy is written presents housing as the default option for every brownfield site and so risks having the opposite effect and magnifying the city's role as a dormitory for developing employment in Bristol. We see the lack of a Spatio-temporal economic model for new employment growth in the district as a real weakness, one likely to be exploited by Developers of the future to the districts disadvantage.

We believe the same criticism should be applied to Keynsham. If Keynsham is to grow in identity both socially, culturally and economically it needs to be encouraged to make better use of its Riverside assets as a whole rather than merely see regeneration as directed to the particular opportunities of a newly redundant site.

Throughout the length of the river corridor within the district, we believe insufficient consideration has so far been given to 'spatial sustainability'; this is the importance of understanding that to encourage more sustainable and impact accountable lifestyles, it is important to understand and lock into planning strategy, the identification of where key sustainable infrastructure activities need to go. For instance, railway stations at Oldfield Park, one potentially at Twerton, and already Keynsham have to be seen as points of developmental concentration and economic intensification. Similarly, the many weirs on the River Avon represent known and proven opportunities for power generation around which relevant activities should be concentrated. If this is not sufficiently recognised, such opportunities become sidelined by the more aggressive ambitions of residential developers exploiting a weakly defined strategy.

Change sought to make sound: The first report of the group due to be published in the spring of 2011 is concentrating on 5 particular strands of economic regeneration;

1. Perception change; in order for new value to be drawn from the river (social, cultural, economic and environmental) perceptions of the river have to be changed. Some of these perceptions are easily changed, such as opening up Norfolk Crescent and Green Park towards the river and creating new visual links between the river and Royal Victoria Park or towards the significant well treed landscape of Locksbrook Cemetery. Other perception changing strategies are more medium term such as supporting new uses that deliberately bring people and businesses closer to the river and see it in a new light. Unless the importance of evolving perception changing strategies is written into the Core Strategy now, property values alone could be sufficient to see all riverside sites' developed without these higher goals being achieved. Yet for Bath to compete effectively, particularly around the strength of what its University can produce aiming for the qualitative values of an Oxford or a Cambridge are important. Within the Salford/Keynsham concept, perception changing is of fundamental importance, something that a greater awareness of the qualities of Keynsham's general river frontages would bring. This has not yet been recognised.

2. Improving linkages; fundamental to achieving a more sustainable built environment are improving connections and linkages for pedestrians, cyclists and various modes of public and river transportation. Whilst the Core Strategy recognises some of the major infrastructure investments needed to reduce congestion and support public transport, it does not yet recognise the importance of connectability within the Bath River Corridor and new linkages to existing developed areas beyond.

3. Renewable energy and Spatial Sustainability. The Core Strategy needs to identify more clearly the need to identify and safeguard the sites where renewable power generation is most promising with appropriate reserve land alongside.

4. Understanding the spatial and temporal developmental needs of the district's new economies. All understand that Bath's sources of economic activity and justification as a City are changing. Drivers are seen to be the Universities, their spin off companies and the associated consultancy sector. The creative sector stimulated by Bath's role as a centre of social and cultural life and changing models for the City as a visitor centre.

5. The importance of the districts economic strength working as a whole within the new West of England LEP.

But each of those strands is currently frustrated by lack of land, investment funds, housing and labour costs or some disadvantages of Bath's location in relation to transport infrastructure and other centres. We believe the Strategy needs to recognise the further work that needs to be done on understanding the optimum development pattern for each of these economic sectors, what we call the 'Spatio-economic model'. Without that as we see the Strategy already there is a real risk that planning will proceed purely on a land based point of view without realising how planning decisions are undermining the ability of the new economy to take shape as it needs to for best results.

This means understanding where the economic growth points for each sector of the economy are and where land and opportunities needs to be reserved, infrastructure created, policy joined up across all sectors of the Council's work.

River Transportation. The river is at present remarkably inactive, yet increased multi-use activity is an important part of perception changing, job creation and new economic life. If there is to be new river activity the infrastructure support that needs in landings, marinas, accessibility, and riverside uses all need to be recognised as planning goals and requirements in their own right.

Beyond the urban areas, the river corridor is described within the Core Strategy as 'green infrastructure' but there is no understanding yet of what future river corridor agricultural models might need to be within a more sustainable environment. The potential for development along the river corridors in Bath and Keynsham would be enhanced by moving beyond the presently anticipated balancing flood storage model of upstream storage to a more absorbent landscape model affected by removing

existing land drainage. This could support different kinds of agricultures, more appropriate to society's future needs such as wetland bio-mass, freshwater fish and wildfowl farming new water based leisure etc. The Core Strategy needs to recognise that there are rural economies to be considered and move beyond a merely land use model that puts rings around small villages and sees the landscape as merely a back drop.

In summary to make the Core Strategy sound we believe the Core Strategy needs to identify the urgent need for a Spatio-temporal economic model to guide the development of future stages of planning policy. If this is not recognised then we believe there is a very real risk of the Council's aspirations for economic replacement and renewal will fail under conventional development pressures, exploiting a weak Strategy

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 292\2

Plan Reference: Chapter 1: Vision and District-wide Strategy

Representation (soundness): Policy DW1 p20 - Lack of Spatio-temporal economy model at this point.

Change sought to make sound:

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 292\3

Plan Reference: Policy B1: Bath Spatial Strategy

Representation (soundness): Policy B1 p34 - Lack of Spatio-temporal economic model at this point to give a hierarchy to competing land uses around economic growth points. Lack of recognition between impact accountability between urban and rural economies and environments.

Change sought to make sound:

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 292\4

Plan Reference: Policy B2: Central Area Strategic Policy

Representation (soundness): Policy B2 p39 - Lack of emphasis on the kind of economic, social and cultural life a very compact mixed use high quality urban environment can foster to best contribute to the economy of the district as a whole.

Change sought to make sound:

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 292\5

Plan Reference: Policy B3: Twerton and Newbridge Riverside Strategic Policy

Representation Policy B3 - This is not the appropriate strategy, over emphasis on land use – no recognition of how
(soundness): these areas might need to feature within the growth models of the city and districts' optimum economic renewal strands necessary to balance demands of competing uses. Under recognition of the potential role of Twerton as a district centre growth point – and for Newbridge in relation to the facility needs of University roll-out activity.

Change sought to make sound:

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 292\6

Plan Reference: Policy B4: The World heritage Site and its Setting

Representation Policy B4 p53 - Insufficient emphasis on the role the qualities that merit WHS status can play in
(soundness): determining the kind of new economy the city and district can develop. It is important to assert this to raise the quality of development sufficiently.

Change sought to make sound:

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 292\7

Plan Reference: Policy B5: Strategic Policy for Bath's Universities

Representation Policy B5 p54 - No recognition at all that as a key driver of a future district economy there will be space,
(soundness): facilities and workspace management needs for new economy and research roll-outs from the Universities that the Strategy needs to recognise whose optimum location will be crucial to achieving the ambitions of the Strategy. The ability to prioritise such sites against a Spatio-temporal economic model is crucial to resist competing claims in a high value location.

Change sought to make sound:

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 292\8

Plan Reference: Policy KE1: Keynsham Spatial Strategy

Representation Policy KE1 p64 - A lack of understanding of the actual economic identity and synergic role
(soundness): Keynsham/Saltford could play within the wider economic health of the district and its urban areas and the land use hierarchies and infrastructure that will be needed to make the best of this.

Change sought to make sound:

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 292\9

Plan Reference: Policy SV1: Somer Valley Spatial Strategy

Representation A lack of recognition of the factors that can create a synergic relationship between these towns and
(soundness): others in the district to the overall benefit of the whole and the infrastructure and land use support they will need.

**Change sought to
make sound:**

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 292\10

Plan Reference: Policy SV2: Midsomer Norton Town Centre Strategic Policy

Representation A lack of recognition of the factors that can create a synergic relationship between these towns and
(soundness): others in the district to the overall benefit of the whole and the infrastructure and land use support they will need.

**Change sought to
make sound:**

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 292\11

Plan Reference: Policy SV3: Radstock Town Centre Strategic Policy

Representation A lack of recognition of the factors that can create a synergic relationship between these towns and
(soundness): others in the district to the overall benefit of the whole and the infrastructure and land use support they will need.

**Change sought to
make sound:**

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 292\12

Plan Reference: Policy DW1: District Wide Spatial Strategy

Representation Policy CP2 p107There should be a policy recognising the importance of 'spatial sustainability' the
(soundness): burden of carbon inherent in established high carbon transportation models and how different spatial relationships between work, home and other uses can be changed.

**Change sought to
make sound:**

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 292\13

Plan Reference: Policy CP3: Renewable Energy

Representation Policy CP3 p108 Insufficient consideration of the need to identify and protect locations likely to be key
(soundness): to geographic renewables in a strategy that is setting land use hierarchies.

**Change sought to
make sound:**

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 292\14

Plan Reference: Policy CP5: Flood Risk Management

Representation Policy CP5 p113 Insufficient identification of the role undeveloped areas along the river corridor will
(soundness): need to play in flood management and the future patterns of economic life that can flow from them on
an agricultural rather than only engineering approach.

**Change sought to
make sound:**

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 292\15

Plan Reference: Policy CP7: Green Infrastructure

Representation Policy CP7 p118 Over emphasis in green infrastructure as a contrast to settlement and not enough on
(soundness): the economic and 'impact accountability' synergies that need to be established in a more sustainable
world.

**Change sought to
make sound:**

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 292\16

Plan Reference: Policy CP8: Green Belt

Representation Policy CP8 p120 Whilst the continuing protection of the Green Belt when so much brownfield land is in
(soundness): need of better utilisation is understandable, there are very real risks that pressure for high urban
densities and no public open space will mean the river corridor underachieves that transformation that
is desired. A city aspiring to stand comparison with Oxford and Cambridge (also within the top UK10)
needs to recognise the qualitative aspects of their green space. By making the Green Belt boundary a
sine qua non now, optimising the new economy of the city is being given second place – in fact with
housing being the default position, it has been given 3rd place in strategic importance.

**Change sought to
make sound:**

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 292\17

Plan Reference: Policy CP9: Affordable Housing

Representation Policy CP9 p123 By going straight into the detail of AH provision the Strategy lacks an expression of the **(soundness):** higher ambition of seeking to create an economy in which more housing is affordable, more people have jobs, ie that the Economy needs to be regenerated as the first priority. This means also creating jobs in areas where land and living costs are lower and improving transport links with such areas.

Change sought to make sound:

Representation (legal compliance):

Change sought to make legally compliant:

Respondent Number: 293 **Respondent:** Paul Smirthwaite

RepresentationReference: 293\1

Plan Reference: Policy B1: Bath Spatial Strategy

Representation I am writing to object to the proposed designation in the draft Strategy of the Lower Field as suitable **(soundness):** for housing development. Development of this site would have a number of negative consequences for the area, including:

- negative impact on the local environment, as resulting loss of wildlife corridor
- negative impact on traffic, with increase in through-roads and resulting increase in traffic, with consequent risks for local residents and the local environment
- negative impact on Beechen Cliff students, with inadequate outdoor recreation space
- loss of green space much enjoyed by local residents

Yours sincerely
Paul Smirthwaite

Change sought to make sound:

Representation (legal compliance):

Change sought to make legally compliant:

Respondent Number: 294 **Respondent:** Tom Burnford

RepresentationReference: 294\1

Plan Reference: Whole Document

Representation I have been contacted to participate in the Draft Core Strategy consultation. Having tried to navigate **(soundness):** through a plethora documents in order to enable myself to submit these comments as I see fit, I find myself at a loss on how to do this. As such, this has become my first objection to the documentation. It has been poorly compiled, in a way that comes across as obscure. In future, the process of gathering consultation responses by B&NES must be streamlined. A single response document, with a simple relevant title, or a single, specifically targeted and labelled website address leading to a space where comments can be entered online is an absolute necessity. Currently, neither of these are provided on the homepage of the Draft Core Strategy Consultation page of the council's website. It is an elementary oversight.

To proceed I would like to point out the primary positive aspect of the document that I have discerned. The document sets out to define thoroughly the issues BANES faces at the current time which might act as a reasonable basis for analysis of future developmental directions for the area. In other words it is successful in setting out what issues the region needs to address.

Unfortunately this is the only thing about it I can single out for praise. The problem then is that the document goes on to set out highly specific design strategies and solutions to tackle those issues. This is the fundamental basis of my objection to the Strategy document.

This approach assumes a certain role for the local authority which I believe to be beyond its remit. It is essentially a "top down" approach to policymaking which succeeds in being both disempowering of the citizens of the region, and patrician in tone.

By setting out such specific design and development proposals, the space for direct participation of local citizens in steering the future of the region in which they live is shrunk, or even closed. As with the comment process available made available by B&NES to this document itself, the process is highly prescribed. A vast gap exists between the offer of freedom to participate in local developmental processes, and offering up a pre-determined set of authorised choices. This Strategy therefore fails to offer local citizens the ability to exercise meaningful choice.

The set up is thus one of a closed system of supply and demand to which the general public are excluded. This is a centralising and bureaucratic approach which has been proven time and time again to fail more often than it succeeds. It can be summarised in the following way: governments must never pick winners. This document does pick winners almost universally. Throughout we are offered up a pre-determined vision for a) where development must occur and b) what type of development must occur at these pre-determined sites.

Ultimately my overriding objection to the document in general is that it fails to represent best practice. The agenda for the local authority should be the supply of pertinent objective information to its citizens in order for them to make informed decisions. It should not be about setting out centrally sanctioned, singular, authorised solutions. Any information thus provided should be provided so that the wealth producing sector can solve these issues, and provide solutions. This creates a scenario for sustainable growth of the local economy where improvement come out of incentivising the local population to experiment and innovate, creating a strong basis for local business.

**Change sought to
make sound:**

Representation (legal compliance):

Change sought to make legally compliant:

Respondent Number: 295 Respondent: Elaine Stirling

RepresentationReference: 295\1 S

Plan Reference: Chapter 1: Vision and District-wide Strategy

Representation Please make use of brown sites for new developments and not green belt. The new development off
(soundness): Lulworth close seems to have dramatically increased the number of dwellings on that site without any loss of extra land – which is great. And thankfully coronation avenue is well served with buses to bath and bristol.

**Change sought to
make sound:**

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 295\2

Plan Reference: Policy KE1: Keynsham Spatial Strategy

Representation I am completely in favour of creating more local jobs. Too many of us have to commute to bristol or
(soundness): bath for work.

While I agree Keynsham needs some more houses I do not think the number you are quoting to build are really needed for Keynsham people. A new site on the fry's factory site makes sense as it is near the town centre and the train station – good for transport.

Do not build large estates on the edge of Keynsham - the area by lays farm and the end of park road are too far away. These will only encourage more people to own cars and clog our roads. Keynsham high street is already bad enough.

Please keep Keynsham separate from Bath and Bristol – do let out town become part of the sprawl from either city.

**Change sought to
make sound:**

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 295\3 S

Plan Reference: Policy KE2: Keynsham Town Centre/Somerdale Strategic Policy

Representation Keynsham needs help to thrive. I agree with the idea of replacing the town hall and the shops on the
(soundness): same piece of land – peacocks etc.. But only if you replace those retail units with new units.

We have already lost the handy man from Keynsham which is a huge loss – please don't let us lose any more.

The current site is truly ugly and really lets the town down. Please don't let anything so ugly be inflicted on our town again.

A new site on the fry's factory site makes sense as it is near the town centre and the train station – good for transport.

If you are going to insist on such a large number of new houses and people moving into Keynsham for goodness sake do not take away the good things in the town – namely the leisure centre for one. I have been informed that this is definitely going to close. – this is just ridiculous. DO NOT destroy such a good facility. I know the idea has been muted of a dual site facility at Wellsway but I believe that these do not work as well as the are always intended with the schools gaining the most and the general public losing out. – and if its on the wellsway side of town that is further away for the rest of us to get too.... encouraging yet more driving! I'm happy with a 15 minute walk – but a 40 minute walk is a long way especially in winter and in the dark.

I am also worried about the loss of sport facilities if the fry site is overdeveloped. Do not take away all that is good with the town.

**Change sought to
make sound:**

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 295\4

Plan Reference: Table 6: Summary of Key Infrastructure in Keynsham

Representation (soundness): There needs to be a much better link between bus' and trains. The train station needs a complete overhaul.

I had an operation on my foot and have not been able to get a train because of the long flight of stairs – the result is having to use the bus which costs twice as much. Its not fair that disability (however temporary or permanent) means that you have to suffer financially because of poor facilities.

Change sought to make sound:

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 295\5

Plan Reference: Chapter 3: Keynsham

Representation (soundness): The old plans should be torn up and the whole thing started from scratch. The “Local plan” is now completely out of date. With the large employer Cadbury gone so many factors have been changed. In addition families have changed and the level of car ownership has increased hugely. Many homes have 2 cars and if children over 17 are resident they seem to all have cars these days as well. A fresh look at everything is required. To encourage people out of cars public transport much be more convenient and flexible.

Change sought to make sound:

Representation (legal compliance):

Change sought to make legally compliant:

Respondent Number: 296 **Respondent:** Gill Stirling

RepresentationReference: 296\1

Plan Reference: Policy KE1: Keynsham Spatial Strategy

Representation (soundness): Dear Sirs

I have read your core strategy and although the ageing population is mentoned there seems to be no planning connected to this group

1) Cadbury Site :-A retirement village within easy reach of the town centre would free up many large family houses in the Keynsham area. I have 3 single elderly close to where I live in large family homes. There is nowhere near the town for them to move to and in the housing estates they become isolated during the day.

The Cadbury site would be ideal for this kind of development. However to maintain a link with the rest of the population the sporting facilities should be retained (retired people use these as well) and also Fry Club and the large Hall. Keynsham has no large town entertainment centre with parking and this would be an ideal site where conference and entertainment could be held boosting the guest houses

and hotels in Keynsham

The entrance to the Hall could double as a museum for the displaying of our Roman floor and other finds.

The village itself should be of mixed housing including terrace 2 bed houses and bungalows with gardens and garages and also maisonettes.

These should be a mixture of owned and rented.

There should also be a residential and nursing home with a medical centre for all to use.

A small row of shops which includes grocery, newsagents, hair dressers and coffee shop.

The avenue of trees should stay as an entrance to the Cadbury Village

Behind this developement there would still be room for a site of small industrial workshops.

This site would bring employment for nurses, carers, gardeners etc.

Roads:- With regards to other housing plans surely a look at the roads around Keynsham must be considered first. The high street and the A4 are already over loaded. Instead of trying to build an expensive transport link within Bath perhaps a Park and Ride on the A4 outside Keynsham would solve more of the problems.

A bus service that ran more frequently during rush hour would be helpful and the bus companies need some encouragement with this.

Some kind of semi bypass to the town could be developed from the Broadmead roundabout up to Burnett and then across to Charlton Road using then lanes already there.

Railway Station:-The Railway station still needs a ramp for the disabled and a better link with the bus services.

A cycle route across The Park to the station from the bottom of Bath Hill would make cycling more pleasant for children crossing the town.

Swimming Pool:- Keep the present Swimming Pool, which I believe was built by the people of Keynsham, and develop it further.

The area could be improved with the introduction of a downstairs entrance combining it with a restaurant on to the Park at this point. There are now good car parks at this lower level for people visiting the Pool. (This does not exist at the Wellsway site which already has car problems in Chandag Road)

If they do build their sports centre it should be approached from the Broadmead roundabout.

High Street:- Keynsham is a lovely small town with friendly residents. Please don't ruin the town centre. You plan to change the 60's buildings but do not appear to be assisting those in the threatened shops to move to the empty shops we now have in the town centre. I assume they all have leases with the council at present and will need help with cancelling these. You have chosen architects without seeing what type of building they propose for the town. I hope we get some consultation before it is chosen.

Thank you for reading this email

Yours faithfully

Gill Stirling

**Change sought to
make sound:**

Representation (legal compliance):

Change sought to make legally compliant:

Respondent Number: 297 Respondent: Bath Rugby Club

RepresentationReference: 297\1

Plan Reference: Strategic Objective 2: Protect and enhance the District's natural, built and cultural assets and provide green infrastructure.

Representation Bath Draft Core Strategy
(soundness): Representation. On behalf of Bath Rugby Club
Page 15, Strategic Objective 2

Change sought to We consider that a specific reference to "sport" should be included. We consider the Objection 2
make sound: title should be amended to include "sporting" after "cultural", We consider an additional bullet-point should be included that seeks to promote the improvement of sporting facilities to the betterment of Objective 6 - health and well-being. And objective 3 and ~ economic development and diversity and in the investment of the physical fabric of the centre.

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 297\2

Plan Reference: Chapter 1: Vision and District-wide Strategy

Representation Page 20, Policy DWI - District Wide Spatial Strategy:
(soundness):

The playing of world class sport (rugby) at the heart of Bath is a significant contributing component to the sense of place, enjoyment, economic activity. Diversity of uses, and popularity of Bath City Centre, The Rugby World Cup 15 to be hosted by England in 2015. We consider the Core Strategy should positively plan for the retention of Bath Rugby at the heart of the City and the redevelopment and enlargement and diversification of the Bath Rugby Ground to ensure the club is sustainable during the plan period and take advantage of the opportunities the Rugby World Cup may bring.

Change sought to To that end we consider an additional component should be included in Policy DWI. It should read
make sound: along the lines of :-

"d, support for the provision of a new larger sports facility for Bath Rugby. The preference will be to keep Bath Rugby at the Recreation ground close to the City Centre to reflect the positive influence it has on the City economically, culturally and enjoyment wise. If an acceptable new larger facility is not achievable then the Council will consider alternative locations on their merits,"

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 297\3

Plan Reference: Chapter 1: The Spatial Vision

Representation Page 32, The Vision
(soundness): We consider the "vision" could be enhanced by incorporating a recognition that to achieve the change sought by the "vision" parts of the city's appearance will need to change and evolve. Whilst it is

Important to protect the assets that make Bath a World Heritage site there should be an explicit recognition that this does not preclude new development, change and evolution, This is reflective of what is already included in paragraph 21.5 regarding the development of Placemaking Plan.

**Change sought to
make sound:**

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 297\4 S

Plan Reference: Diagram 5: Bath Spatial Strategy

Representation Page 33, Diagram 5

(soundness): We support the inclusion of the Recreation Ground with the 'Central Area' definition.

**Change sought to
make sound:**

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 297\5

Plan Reference: Policy B1: Bath Spatial Strategy

Representation Page 35, Policy B1 Bath Spatial Strategy

(soundness):

Clause 8

We support the inclusion of (b). We consider that "larger" should be inserted in front of "new". Also insert "and complementary uses" after "stadium".

**Change sought to
make sound:**

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 297\6

Plan Reference: Diagram 7: General Extent of the Central Area

Representation Page 38, Diagram 7

(soundness):

We consider the recreation ground should be included on part of the City Centre not as a site adjoining it.

Policy B1 supports the creation of a new stadium on the recreation ground. Through this initiative the opportunity exists to enhance the river frontage introducing activating land uses arising the river frontage, improve the connectivity of the recreation ground to other parts of the City centre and increase the flow of pedestrians and activity. The site will function as part of the City Centre not as a separate location adjoining it. Such a modification would bring diagram 7 into line with policy B1 8(b)

**Change sought to
make sound:**

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 297\7

Plan Reference: Policy B2: Central Area Strategic Policy

Representation Page 9 Policy B2

(soundness): Clause 2s of Policy B2 States that there is limited capacity on the highway network to absorb increased motorised travel, This may serve to limit development rather than allow development which is able to mitigate or improve the highway network.

To ensure that the core Strategy is flexible and therefore accords with the principles of being effective, bullet 2s should incorporate wording that recognises that development may improve the impact on the highway network. This will ensure that development is not limited due to this clause.

Page 40 , Policy B2, Central Area strategic Policy

Subheading 3- key Development Opportunities

In accordance with our representation to diagram 7, we consider Appendix 3 should be re-drawn to include the recreation ground, We consider that (f) should be removed from the list , ' Neighbouring the City Centre' and added to the list 'City centre' ; This would also reflect the description of the Central Area in 2026 as given on page 42.

Sub- heading 4 -scale of change

We consider (h) should be modified by the insertion of " larger" before "sports".

We consider additional activities should be included in the list including "activating ground floor uses" and "conferencing and banqueting facilities."

**Change sought to
make sound:**

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 297\8

Plan Reference: Diagram 8: The Central Area in 2026

Representation Page 42, The Central Area in 2026

(soundness):

We consider it would be helpful to include an additional sentence that confirms the Core Strategy's objective of securing a new, larger, stadium for Bath Rugby and other complementary uses at the Recreation Ground.

**Change sought to
make sound:**

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 297\9

Plan Reference: Policy B4: The World heritage Site and its Setting

Representation Page 53, Policy B4, The World Heritage and its Setting.

(soundness):

We consider the policy wording could be enhanced by the insertion of "overall" between "which" and "would" in the first sentence. This change would allow an overall view to be taken as to the acceptability of proposals. All proposals are likely to have some aspect of their design that may not be entirely acceptable for good reason but assessed as part of the overall approach may be considered acceptable. Recognising this reality in the wording of the policy would be beneficial.

**Change sought to
make sound:**

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 297\10

Plan Reference: Policy KE2: Keynsham Town Centre/Somerdale Strategic Policy

Representation Page 71, Policy KE2, Town Centre/Somerdale Strategic Policy

(soundness):

Under sub-heading 2 (scope and scale of change) we consider clause (b) could be improved by recognising the importance of sports in a mixed-use development as part of a town offer. We therefore consider that "sports" should be inserted after "leisure" in 2 (b)

We also consider for the same reasons that 3 (g) could be improved by inserting "sports" after "leisure"

**Change sought to
make sound:**

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 297\11

Plan Reference: Policy CP2: Sustainable Construction

Representation Page 107, Policy CP2

(soundness):

In order to ensure that the Core Strategy is flexible and achievable and therefore effective, Policy CP2 should make reference to the viability and feasibility implications of requiring BREEAM excellent including zero carbon and recognise that this approach should be applied flexibly in order to take individual site and development circumstances into account.

**Change sought to
make sound:**

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 297\12

Plan Reference: Policy CP3: Renewable Energy

Representation Page 108, Policy CP3
(soundness):

The targets for renewable electricity and heat In this strategy may place a significant burden on the developer. This could lead to desirable development being Unviable.

While we note that the policy requires all development to contribute to an overall target for renewable electricity and heat by 2026, further flexibility should be Incorporated Into the policy to ensure that the policy accords with the principles of being effective. Such flexibility should refer to the viability and feasibility of meeting the targets In order to take individual site and development circumstances Into account .

**Change sought to
make sound:**

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 297\13

Plan Reference: Policy CP4: Distric Heating

Representation Page 110, Policy CP4
(soundness):

In order to ensure that the Core Strategy accords with the principles of being effective, flexbillity should be Incorporated Into this policy and refer to the viablity and feasibility of meeting the requirements In order to take Individual site circumstances Into account.

**Change sought to
make sound:**

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 297\14

Plan Reference: Policy CP5: Flood Risk Management

Representation P8ge 113, Policy CPS

(soundness): The requirements In Policy CPS for sustainable drainage systems should not be a blanket requirement fo r all developments. Individual site circumstances may mean that such systems are not appropriate for particular developments.

In order to ensure that the Core Strategy accords with the principles of being effective, flexibility should be Incorporated Into this policy through the introduction of ' where possible" after "management " In the second line.

**Change sought to
make sound:**

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 297\15

Plan Reference: Paragraph 6.36

Representation Page 114, Paragraph 6.36
(soundness):

We support the objectives of paragraph 6.36, which states that the Council will support contemporary and innovative responses to local distinctiveness. However it would be useful if this were included in Policy CP6.

Page 114 para 6.36 We support the objectives of para 6.36 which states that the Council will support contemporary and innovative responses to local distinctiveness. However, it would be useful if this were included in policy CP6.

Change sought to make sound: The text from para 6.36 which states that the Council will support contemporary and innovative responses to local distinctiveness should be incorporated into Policy CP6.

Include confirmation in Policy CP6 that to preserve or enhance the historic environment does not mean that change through redevelopment, use, appearance etc is in itself unacceptable

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 297\16

Plan Reference: Policy CP6: Environmental Quality

Representation Page 117, Policy CP6

(soundness): While we support the objectives of achieving high quality and Inclusive design, the text from Paragraph 6.36, which refers to the Council's support for contemporary and innovative responses to local distinctiveness has been omitted from Policy. This could lead to misinterpretation of the Policy.

The text from paragraph 6,36 which states that the Council will support contemporary and Innovative responses to local distinctiveness should be Incorporated Into Policy CP6. We consider the policy should also include confirmation that to preserve or enhance the historic environment does not mean that change through redevelopment, use, appearance etc is in itself unacceptable.

Change sought to make sound:

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 297\17 S

Plan Reference: Policy CP12: Centres and Retailing

Representation Page 128, Policy CP12

(soundness):

We support the reference to retail development, offices, leisure and tourism as being located within or, where appropriate, adjoining the centres in the identified hierarchy of centres. This will ensure that development is not restricted on appropriate and sustainable sites which are in close proximity to the centres.

Change sought to make sound:

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 297\18

Plan Reference: Table 9: Monitoring of Strategic Objectives

Representation Page 135, Table 9, CP2

(soundness): AS stated in our representation on Policy CP2, the requirement for non-residential development to meet BREEAM excellent Including zero carbon by 2019 places a significant burden on the developer and could lead to development not taking place for reasons of viability.

AS stated in our representation on Polley CP2, the approach to BREEAM excellent and zero carbon for non-residential developments should be applied flexibly in order to take Individual site circumstances into account.

Page 135, Table 9, CP3

AS stated In our representation on Policy CP The targets for renewable electricity and heat in this strategy may place a significant burden on the developer. This could lead to development being unviable.

As stated In our representation on Policy CP3, flexibility should be Incorporated Into the policy to ensure that the policy accords with the principles of being effective.

Such flexibility should refer to the viability and feasibility meeting the targets in order to take the Individual site circumstances into account.

Page 135, Table 9, CP4

AS stated In our representation for Policy Cp4, The requirements for thermal masterplanning and CHP/CCHP relate to all developments and place an undue burden on the developer which could lead to development not taking place for viability reasons.

As stated In our representation for Policy CP4. in order to ensure that the Core Strategy accords with the principles of being effective, flexibility should be Incorporated Into this approach and refer to the viability and feasibility of meeting the requirements in order to take the individual Site circumstances into account .

Change sought to make sound: Further flexibility should be incorporated into the policy to ensure that the policy accords with the principles of being effective. Such flexibility should refer to the viability and feasibility of meeting the targets in order to take individual site and development circumstances into account.

Representation (legal compliance):

Change sought to make legally compliant:

Respondent Number: 298 Respondent: Liberal Democrat Group

Representation Reference: 298\1

Plan Reference: Strategic Objective 3: Encourage economic development, diversification and prosperity.

Representation Objective 3, third bullet point

(soundness): Omission. The core strategy does not include a policy on managing the provision of visitor accommodation and the growth in this sector over the period of the Core Strategy, as proposed in the B&NES Visitor Accommodation Study.

Management of the growth in this sector is required to ensure that the varied visitor accommodation offer, which is important to the attractiveness of B&NES as a visitor destination, is preserved.

Change sought to “enabling tourism to continue to make an important contribution to the economy of Bath and
make sound: promoting the tourism potential of other parts of the District e.g. by managing the provision of visitor accommodation”.

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 298\2

Plan Reference: Strategic Objective 4: Invest in our city, town and local centres.

Representation Objective 4, third bullet point

(soundness): This paragraph is inconsistent with strategic policies in the Sustainable Community Strategy on climate change, economic development and investment in city, town and local centres.

Objective 4, eighth bullet point

Reference to play areas should be made to underpin the effectiveness of development which promotes health and wellbeing.

Change sought to “introducing more commercial space as part of new mixed use developments on underperforming sites
make sound: in and close to Bath city centre to include suitable premises for small and medium enterprises”.

“ensuring existing and proposed parks and play areas are well integrated into, and play a central role in, the centres of Bath, Keynsham and Midsomer Norton”.

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 298\3

Plan Reference: Table 2: Key District-wide Infrastructure

Representation Reference to play areas should be considered a key infrastructure item to underpin the effectiveness of
(soundness): development which promotes health and wellbeing.

Change sought to Insert a second line to read:

make sound: Key infrastructure item: “Minimum provisions relating to development”
Timescale: “2012-2026”
Cost: “not quantified”

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 298\4

Plan Reference: Bath: Strategic Issues

Representation Strategic issues, point 12

(soundness): Factual amendment – the strategy should take account of the non-local (e.g. overseas) students at the City of Bath College who are relevant to the student housing market. This could be used throughout the document, perhaps by referring to “higher education providers”.

Change sought to “The development of the University of Bath, Bath Spa University and the City of Bath College requires
make sound: strategic policy direction in order to secure the future of each institution and to ensure that the student population does not continue to drive the student lettings market to the detriment of the

normal private housing stock and existing communities”.

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 298\5

Plan Reference: Policy B1: Bath Spatial Strategy

Representation Policy B1, 6d

(soundness): This paragraph is inconsistent with strategic policies in the Sustainable Community Strategy on climate change, economic development and investment in city, town and local centres.

Policy B1, 7a

The previous wording is unsound because it would be ineffective. A significant shift in student accommodation would be needed to have a beneficial effect on the housing supply

Policy B1, 8a

See comments above to Objective 3, third bullet point.

In order to avoid distortion in the visitor accommodation sector, hotel developments already approved, but as yet incomplete, should be counted towards this target.

Policy B1, 8d new

Omission. The Council should take account of the value of other sports.

Policy B1, 9a

Omission. Sections on the public realm should include reference to pedestrianisation to underpin key policies on climate change, investment in city, town and local centres and the strategic policy B2 on the central area.

Change sought to make sound: “Limit additional convenience retail floorspace (beyond existing commitments) within and on the edge of existing centres.

“Enable the provision for substantial additional on-campus student bed spaces at both universities, facilitating growth in the overall number of students and significant shrinkage of the private lettings market”.

“Enable and manage the provision of 500-750 new hotel bedrooms during the period 2006-2026 to widen the accommodation offer of the city, increase overnight stays and the competitiveness of the city as a visitor destination”.

“Enable development of new facilities to underpin viability of other sports including at Bath Racecourse and Twerton Park”.

“Facilitate enhancement of the public realm of the Central Area (including more pedestrianisation and shared space) and delivery of a Wayfinding and City Information System in line with the Public Realm and Movement Strategy”.

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 298\6

Plan Reference: Policy B2: Central Area Strategic Policy

Representation Policy B2, 1h

(soundness): Omission. Various car parks are included as key development opportunities

Policy B2, 1h

Omission. Reference to pedestrianisation should be included to underpin key policies on climate change, investment in city, town and local centres and the vision of the central area in 2026.

Policy B2, 4d

See comments above to Objective 3, third bullet point.

In order to avoid distortion in the visitor accommodation sector, hotel developments already approved, but as yet incomplete, should be counted towards this target.

Policy B2, 4g

Omission. Reference to pedestrianisation should be included to underpin key policies on climate change, investment in city, town and local centres and the vision of the central area in 2026.

Change sought to "A place to, and in which people increasingly travel by walking, cycling, or by using public transport
make sound: and in which city centre car parking has been reduced or moved underground".

Add new paragraph n under "Assets of the Central Area" and renumber accordingly:
"City centre streets provide high quality pedestrianised and shared space".

"500-750 hotel bedrooms (above a base line figure from 2006) to widen the accommodation offer of the city, increase overnight stays and the competitiveness of the city as a popular visitor destination".

"A comprehensive programme for public realm enhancement (including more pedestrianisation and shared space) and implementation of a Wayfinding and City Information System".

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 298\7

Plan Reference: Paragraph 2.30

Representation Pedestrian links to Oldfield Park from the riverside development are important to reduce reliance on
(soundness): private car transport.

Change sought to "Improvements to transport infrastructure will be made to enhance links between the neighbourhoods
make sound: of Bath and the city centre and Riverside developments. These improvements will have an emphasis on pedestrian, cycling and public transport facilities including Oldfield Park station and its pedestrian access".

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 298\8

Plan Reference: Policy B5: Strategic Policy for Bath's Universities

Representation Policy B5

(soundness): See comments above to Policy B1, 7a.

Change sought to "University of Bath – Claverton Down Campus
make sound: "The strategy seeks the development of at least 2,000 study bedrooms at the Claverton Down campus

alongside about 45,000 sq.m of academic floorspace. Policy GDS.1/B11 of the B&NES Local Plan has been saved as part of the LDF”.

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 298\9

Plan Reference: Paragraph 2.41

Representation See comments above to Policy B1, 7a. The option for purpose built accommodation to be built off-
(soundness): campus should not be removed.

Change sought to “Growth beyond 2020 will require additional on and off campus capacity to be identified. No
make sound: alterations to the Green Belt boundary beyond that previously made in the Local Plan are envisaged during the Core Strategy period”.

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 298\10

Plan Reference: Paragraph 2.44

Representation Factual amendment – the wording is inaccurate
(soundness):

Change sought to “The Council has secured inclusion into the ‘development pool’ of projects for a major scheme of
make sound: Transport Proposals for Bath and is currently working towards a full and final offer to Government. The current Transport Proposals

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 298\11

Plan Reference: Table 5: Summary of key Infrastructure in Bath

Representation Table 5, IDP Ref BI.1
(soundness): Factual amendment – the wording is inaccurate.

Change sought to Under “Cost”, delete £54m and insert “Not quantified”.
make sound:

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 298\12

Plan Reference: Policy SV3: Radstock Town Centre Strategic Policy

Representation Policy SV3, 3b
(soundness): To underpin the sustainable transport strategic objective.

Change sought to “Ensure that linkages to green spaces and sustainable transport routes are prioritised and protect the
make sound: openness of former railway routes”.

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 298\13

Plan Reference: Policy CP5: Flood Risk Management

Representation (soundness): Policy CP5, second paragraph

Change sought to make sound: "All development will be expected to incorporate sustainable drainage systems to maximise absorbency, reduce surface water run-off and minimise its contribution to flood risks elsewhere".

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 298\14

Plan Reference: Paragraph 6.94

Representation (soundness): Paragraph 6.94
(soundness): Inconsistent with other policies on sustainable transport.

Change sought to make sound: "The B&NES highway network remains heavily trafficked highlighting the need to undertake transport and access improvements and major capital infrastructure projects to facilitate growth in housing numbers and jobs, to minimise the adverse effect of traffic, and to enable environmental improvement to be made to existing centres.

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 298\15

Plan Reference: Paragraph 6.98

Representation (soundness): Paragraph 6.98
(soundness): To underpin the sustainable transport strategic objective relating to the Bath Travel To Work Area.

Change sought to make sound: "Measures that support the shift to more sustainable modes of transport and that improve levels of accessibility to and within Bath, Keynsham, Somer Valley and the Rural Areas will be supported and promoted, as will improvements in sustainable movement connections to the towns of North and West Wiltshire and Mendip".

Representation (legal compliance):

Change sought to make legally compliant:

Respondent Number: 299 **Respondent:** Avon & Somerset Constabulary

RepresentationReference: 299\15

Plan Reference: Policy CP6: Environmental Quality

Representation (soundness): The first section of policy CP6 deals with high quality design, recognising that such can assist in the creation of safer places. This is also reflected in the pre-text to this policy at paragraph 6.35. The A&SC are pleased to note this recognition and fully support the principles of ensuring a safe environment through the use of design and will continue to work with the Local Planning Authority and other

partners to ensure the objective of a safe environment is achieved. Secured by Design is the UK police flagship initiative supporting the principles of 'designing out crime' and it or its principles should be referred to in this pre-text. If this is not considered appropriate for the CS, the Constabulary would want to see additional information and policy within the development policies document (Placemaking Plan) to support and expand upon the principles of CP6.

As the Council is hopefully aware, the Constabulary employs a Crime Prevention Design Officer to assist developers in dealing with crime risk and offers advice for designing out crime in the built environment. In addition to physical security measures the officer will consider defensible space, access, crime and movement generators all of which can contribute to a reduction in crime and disorder. Again, such information should be cross referred to in any design policy.

Change sought to make sound:

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 299\2 S

Plan Reference: Policy B2: Central Area Strategic Policy

Representation (soundness): This policy sets out Manvers Street Car Park, the Police Station and Mail Depot as a key development opportunity. The Avon and Somerset Constabulary have previously expressed their support in principle to the Council's aspiration for the comprehensive redevelopment of the Manvers Street site, this will be subject to the necessary funding and relocating the existing police station elsewhere. Although the Core Strategy is sound with regard to PPS12, the A&SC are concerned that the strategy may not be effective without the recognition that for redevelopment to happen in one place, other development needs to happen elsewhere.

Change sought to make sound: Consideration should be given to the relocation of existing facilities being encompassed within the key risks to the Strategy. For the Council's aspiration to be met, third party actions are required.

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 299\3 S

Plan Reference: Policy CP13: Infrastructure Provision

Representation (soundness): Section 1e deals with Infrastructure and cross refers to requirements identified in the Infrastructure Delivery Programme (IDP Dec 2010), as well as outlining the flexible nature of this document over time. The Constabulary are pleased to see their Accommodation Project (under PFI) has been included in the IDP (DWI.23). The Constabulary have made previous representations and had dialogue with the LPA (through consultants), regarding the need for financial contributions for police resources required as a result of development. Growth, particularly housing, will impact on police resources. The police receive no funding via existing sources to support projects required to respond to increased pressures places on the force as a consequence of growth; developer contributions are a legitimate way of responding to these pressure. Such requirements are not included in the current iteration of the IDP and it is considered that the provision of additional police resources should be recognised as key infrastructure to support the district wide strategy. If the LPA consider such not be appropriate in the IDP, it is assumed that such contributions would fall to be considered under Policy CP13, Infrastructure Provision which refers to ensuring that social, physical and green infrastructure is retained and improved for communities. PPS12 para. 4.29 recognises the Police as a relevant delivery agency of social infrastructure.

**Change sought to
make sound:**

Representation (legal compliance):

Change sought to make legally compliant:

Respondent Number: 300 Respondent: Somer Housing

RepresentationReference: 300\1

Plan Reference: Policy CP13: Infrastructure Provision

Representation Policy CP13 – Planning Contributions

(soundness): 6.14 We strongly urge the Council to start preparing for the implementation of CIL. This offers developer's certainty over the level of planning contributions required. It also exempts affordable housing from making a contribution. In a climate in which public funding for affordable housing and infrastructure is going to be tight we consider it is of the upmost importance that the Council moves towards this model as soon as possible; not least because the approach in the Planning Contributions SPD may fall foul of the new CIL Regulations on meeting the three legally binding tests contained in Circular 05/05.

Page 21 of 25 In the meantime the Council should amend its planning contributions policy to capture the spirit of the new CIL Regulations and exempt affordable housing from planning contributions.

**Change sought to
make sound:**

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 300\2

Plan Reference: Policy CP2: Sustainable Construction

Representation Policy CP2 – Sustainable Construction

(soundness): 6.1 We welcome the Council's commissioning of a viability study of its sustainable construction requirements, as per our previous recommendations.

6.2 We still consider that the Design and Access Statement which accompanies major developments should set out that the most suitable technology has been chosen for each development. In particular we are concerned that developers may try to meet the standards in the cheapest way, which can later cause management and maintenance issues for future residents or housing associations.

6.3 This could easily be accommodated in the supporting text of this policy, which would state that: ' Applicants will be required to demonstrate in documentation supporting their applications, that the most suitable technological design and construction techniques are used for each site. It should also demonstrate that the technology chosen will be easy and practical to use and maintain in the longer term.'

**Change sought to
make sound:**

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 300\3

Plan Reference: Chapter 1: The Spatial Vision

Representation 1c – Spatial Vision and Strategic Objectives

(soundness): 2.1 We welcome the inclusion of the strategic objective of ‘Meeting Housing Needs’ and are pleased to note that the Council acknowledges the need to provide more housing of all types to address demand. Currently the objective states that the Council will enable ‘the delivery of new homes needed to respond to expected demographic and social changes and to support the labour supply’.

2.2 We support this objective, but consider that it is not achievable with the proposed housing target of 11,000 new dwellings. Our reasoning for this is explained in the next section. Given that projected household growth for the District over the plan period is around 14,000 new households(2008 CLG projections) then it is clear that this goal will not be achieved.

2.7 We are concerned that the proposed housing supply will not allow these aims to be achieved. Worsening housing affordability may make it difficult for local businesses to grow and attract the best employees and new businesses may be dissuaded from locating in BANES because of high house prices. Furthermore the economic growth projections for BANES are pessimistic and could become a self-fulfilling prophecy.

Change sought to make sound: .3 As part of an increased housing provision (recommended in later sections), we would like to see an additional sub-section to be inserted which states that the Council will aim to: ‘stabilise housing affordability in the district’

2.4 We also consider that the Spatial Vision should be amended to state that: ‘In Bath and North East Somerset, sufficient housing will be provided overall to ameliorate the acute housing affordability problems in the District’s housing market.’

2.5 If the Council is not prepared to increase the housing target then the objectives must be amended as the proposed housing target does not provide the housing needed to ‘respond to demographic and social changes’.

2.6 We strongly support the Council’s objective of encouraging economic development, diversification and prosperity. This aims to ‘stimulate a more productive, competitive and diversified economy across the district where indigenous companies are retained and able to grow, other knowledge based sectors are attracted to the area....’.

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 300\4

Plan Reference: Policy CP8: Green Belt

Representation Policy CP8 – Green Belt

(soundness): 6.4 In line with our earlier recommendations regarding increasing the housing provision, this policy needs to be completely reconsidered and rewritten. In order to meet housing demand, to provide the overwhelming need for affordable housing for BANES and to meet the Council’s objectives for economic growth a higher housing provision is required. The SHLAA concludes that only 11,000 dwellings can be provided within the built up settlements of BANES and our proposed target range is well above this. Release of Green Belt and greenfield land will therefore be required.

Change sought to make sound:

Representation (legal compliance):

Change sought to make legally compliant:

Representation Reference: 300\5

Plan Reference: Policy CP9: Affordable Housing

Representation Policy CP9 – Affordable Housing

(soundness): 6.5 Broadly we support this policy. We are pleased to see that the Council has resisted the temptation to set the affordable housing target so that negotiations become a serious resource issue. The Council's tenure split will help to deliver mixed and balanced communities as per our previous recommendations; and the affordable housing requirement sets a target which takes in to consideration viability.

6.6 We were disappointed to see that previous proposals to set a geographical split for the affordable housing policies have been dropped. In diverse areas such as BANES where there are huge differences in land values across the District, this could have been used to extract the maximum levels of affordable housing from the higher value areas. We support simple and easy to implement policies, but given the range of land values and the findings of the Three Dragons Viability Study we would have supported a geographical split.

6.7 We consider that the criteria for a 45% requirement as set out in the proposed policy are so vague that a developer will never be certain when it will be required. This would make it extremely difficult for a developer to negotiate a price on a site. A geographic split has its downsides, but it does offer developers' certainty on what they will be required to pay and this would allow for a smoother and more reliable delivery of sites and affordable housing.

6.8 We strongly urge the Council to clearly define the areas where it will expect the 45% requirement to be applied. These could be smaller subareas within those set out in the map from the Three Dragons Viability Study.

6.9 We note that Three Dragons has not tested any higher requirements for Code for Sustainable Homes above Level 4. We understand that there will be changes to how schemes will be expected to meet these standards, but we still expect them to be more stringent and therefore more expensive than meeting levels 3 and 4. We would therefore have expected the study to consider a number of other options, as has been done in relation to a number of other issues - including the impact on viability with; no increased cost; a low increase cost; and a high increased cost of meeting levels 5 and 6.

6.10 The impending reductions in public funding for affordable housing and the high level of need identified in the SHMA compared to that which the proposed housing target will provide, will mean that it is imperative for housing associations, such as those in the Somer Housing Group, to explore new and innovative methods of providing affordable housing. It will be equally imperative for the Council to provide specific policy support for such innovation in the Core Strategy. We recommend that the following wording is inserted in to the policy: 'Significant extra weight will be given to the delivery of sites which provide affordable housing above the requirements set out above. The Council will look favourably on new and innovative schemes that will deliver significant amounts of affordable housing without public subsidy.'

6.11 We are generally content with the policy wording on thresholds. However, we recommend that the updated Affordable Housing SPD will clarify what happens to small schemes of less than 10 units which are delivered by housing associations. These schemes should not get caught by the affordable housing requirements for general market schemes. If housing association schemes are delivering affordable housing above the proposed requirement there should be flexibility to set the housing mix accordingly to provide the maximum amount of affordable housing possible.

6.12 As previously stated, we support the newly proposed tenure split. However, the Council will need to decide if the change in emphasis away from social rented housing and towards the 'affordable rent' model necessitates a review. We have already highlighted the problems associated with the target of delivering only 3,400 affordable dwellings in the District. With details of reform and how affordable rents would be applied in BANES still not available, we recommend that any additional value captured from affordable rent should be used to provide more social rent not towards developer's profits.

6.13 Without the changes as above we do not consider the policy is sound on the grounds that it is not justified or effective as set out by the tests of soundness in PPS12.

Change sought to make sound:

Representation (legal compliance):

Change sought to make legally compliant:

Representation Reference: 300\6

Plan Reference: Policy CP10: Housing Mix

Representation Section 7 Specialist and Student Housing Housing for the Elderly

(soundness): 7.1 Earlier sections of this report highlight that the main area of demographic growth in BANES over the Core Strategy period is likely to come from the 65+ age group. This offers a new set of challenges and the existing housing stock will not be equipped to deal with large scale of growth of a group which has particular and changing care needs.

7.2 We expect that the Coalition Government will announce that all new public and private housing should be built to the same requirements and these should be set by the local authority. We expect the most local authorities will want to include is a requirement to meet the Lifetime Homes Standard. Building Lifetime Homes alone will not help to address the deficiencies in the existing housing and care stock. This is of particular concern to our clients because 50% of Somer's residents are aged 60+.

7.3 Elderly people need a range of options to address their varying care needs. This could be anything from increased support in their own home, sheltered housing, Extra Care housing, care homes or Continuing Care Retirement Communities (CCRCs).

7.4 The Sustainable Community Strategy, which the Core Strategy must comply with states that the Council will work to: 'Develop choice and promote independence by providing services and opportunities in different settings and in new ways. We will focus on the changing needs of local people and the growing elderly population'.

7.5 PPS12 requires all Core Strategies to reflect the aims of their Community Strategies.

7.6 We note that the Council has included a requirement for new developments to include housing which provides for all sections of the community, including the elderly. The policy wording is unclear and will probably simply lead to the delivery of homes that meet the Lifetime Homes Standard. As articulated above, this will not be sufficient.

7.7 Providing specific elderly care and accommodation schemes will also have another beneficial consequence – freeing up homes for others. Quite often elderly people will be under occupying large houses that are unsuitable for their care needs. Of course many of these people will want to stay in their homes for as long as possible, but others will be prepared to move. Somer's experience is that people will move if the right product for them is available. We are concerned that as care providers try to bring forward these products there will be a policy vacuum for decision makers.

7.8 Somer has also identified a need to improve facilities' for people with a disability or learning difficulty. There is a particular need for new facilities for young people under the age of 50 with a disability or learning difficulty. Recognition of the benefits of delivering this type of housing would make it easier to deliver this type of housing or care facility.

7.9 We recommend that the Council includes a policy as below: 'The Council will encourage the delivery of the full range of care and accommodation needs of the elderly and people with a disability. This will include a range of suitably located developments for these groups, including, inter alia: Extra Care housing, Residential Care Homes, Sheltered Housing and Continuing Care Retirement Communities (CCRCs)'

7.10 The supporting text of such a policy should take in to account efforts to modernise the stock of housing and care for the elderly which reflect Government policy. As such, any future policy should not try to protect existing care and accommodation which is not fit for purpose. The redevelopment of existing care homes and sheltered housing has previously helped to deliver modern, fit-for-purpose accommodation previously and should be allowed to do so in the future. The supporting text for the above proposed policy should encourage such redevelopments.

7.11 Given that this section of society makes up such a significant proportion of demographic growth, we consider that failure to properly address this issue would make the Core Strategy unsound on the grounds that it is not effective of justified.

Student Housing

7.12 As we have stated in previous representations students are outcompeting home owners for first time properties. Once they graduate these students are then unable to purchase homes in Bath and are forced to move on. The City therefore loses out on two fronts - firstly high house prices and secondly an inability to retain the skills and benefits of having two universities. Significant pressure could be resolved on the house prices in Bath if more student accommodation is provided.

7.13 The current policy does not offer enough encouragement and support for the delivery of this type of housing. Along with the other policies on housing target it is likely to bring about a further worsening of affordability in the District.

**Change sought to
make sound:**

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 300\7

Plan Reference: Chapter 1: Vision and District-wide Strategy

Representation 3.46 The overall housing provision of 11,000 dwellings between 2006 – 2026 is unsound as it is not:
(soundness): a) Justified by robust evidence. We have set out above our numerous concerning the assumptions underlying the Keith Woodhead's study.
B) Effective in tackling either the level of housing demand or housing need.
C) In accordance with national planning guidance. As stated previously the housing target must be supported by evidence: the current study does not properly constitute this. Furthermore, the overriding factor in setting the housing target is the conclusions of the SHLAA. This concludes that the 11,000 dwellings can be provided without releasing Green Belt or greenfield land. PPS3 clearly states that a whole range of factors (listed at the start of this section) must be used to determine the housing target. Furthermore the SHLAA itself does not accord with good practice guidance.

Change sought to make sound:

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 300\8

Plan Reference: Policy RA1: Development in the Villages meeting the listed criteria

Representation Policy RA1

(soundness): 5.1 We welcome the inclusion of a policy for rural areas in principle. The SHLAA acknowledges there are insufficient sites to deliver the required level of rural housing set out in the Core Strategy and as a result the release of sites adjoining settlement boundaries must be allowed.

5.3 Although we support attempts to build consensus for new rural developments, we are concerned that criteria c, which requires local community support for a development could act as a significant barrier to new development. This would effectively be a right to veto all new proposals for new development in rural areas. In addition, the policy does not explain how a developer would demonstrate local community support. The policy has considerable potential to be misused to frustrate acceptable development. We consider that the policy wording should be amended so that community support is only sought and not required.

Change sought to make sound: 5.2 We consider that the policy should contain a clause stating that the Council will loosen the first two policy requirements if it is not delivering sufficient housing to meet the Council's target. This can be easily done through an additional paragraph in the supporting text stating that: 'In the event that it becomes clear that the Council's target of 250 dwellings to be delivered in rural areas cannot be met, the Council will consider other settlements which do not strictly meet the stated criteria, but can demonstrate a clear need and a number of the stated services. This will be monitored and reviewed through the Annual Monitoring Report'.

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 300\9

Plan Reference: Policy RA4: Rural Exception Sites

Representation Policy RA4 – Rural Exceptions Sites

(soundness): 5.4 We strongly support this policy, which acknowledges the difficulties of providing rural exception schemes in an era where there is little to no public subsidy available for these projects. We still advocate the Council listing the settlements which this policy would apply to, for the purposes of clarity. We suggest that, given the scale of need for affordable housing and the proposed lack of supply, the Council should consider widening the criteria for which settlements this is applied to. Exception style developments permitted at appeal elsewhere across England include on the edge of settlements as large as Chesterfield in Derbyshire. Widening of the criteria for exception style policies could therefore deliver a significant number of additional affordable homes throughout the District.

5.5 Furthermore, we do not consider that it is necessary to specify that the policy only applies to small sites. This might suggest only sites of less than 10 units. However, given the importance of rural exception sites in the future to deliver the shortfall of rural housing, this would appear unnecessary when the Parish Needs Surveys suggest that developments much larger than this are required. The policy already contains what should be the ultimate constraint, whether the development is 'in scale and keeping with the form and character of its location'.

**Change sought to
make sound:**

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 300\10

Plan Reference: Policy B1: Bath Spatial Strategy

Representation Economic Development

(soundness): 4.1 With regard to the area based policies, we only have one recommendation which applies to all the Economic Development Policies in each area. This is that the Council inserts the policy wording as below which means that it will consider releasing lower quality employment land for affordable housing development. The quality of land should be measured against a set of criteria before it is released, but the Council should set a priority of releasing it for a significant proportion of affordable housing within the policy. Given the lack of supply of affordable housing likely to come forward over the plan period and the difficulties housing associations face competing for sites with general market housing developers without public subsidy, this could be an important source of affordable housing. 'The Council will consider releasing lower quality employment land for schemes which deliver a significant community benefit, such as the delivery of affordable housing.'

**Change sought to
make sound:**

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 300\11

Plan Reference: Policy KE1: Keynsham Spatial Strategy

Representation Economic Development

(soundness): 4.1 With regard to the area based policies, we only have one recommendation which applies to all the Economic Development Policies in each area. This is that the Council inserts the policy wording as below which means that it will consider releasing lower quality employment land for affordable housing development. The quality of land should be measured against a set of criteria before it is released, but the Council should set a priority of releasing it for a significant proportion of affordable housing within the policy. Given the lack of supply of affordable housing likely to come forward over the plan period and the difficulties housing associations face competing for sites with general market housing developers without public subsidy, this could be an important source of affordable housing. 'The Council will consider releasing lower quality employment land for schemes which deliver a significant community benefit, such as the delivery of affordable housing.'

**Change sought to
make sound:**

Representation (legal compliance):

Change sought to make legally compliant:

RepresentationReference: 300\12

Plan Reference: Policy SV1: Somer Valley Spatial Strategy

Representation Economic Development

(soundness): 4.1 With regard to the area based policies, we only have one recommendation which applies to all the

Economic Development Policies in each area. This is that the Council inserts the policy wording as below which means that it will consider releasing lower quality employment land for affordable housing development. The quality of land should be measured against a set of criteria before it is released, but the Council should set a priority of releasing it for a significant proportion of affordable housing within the policy. Given the lack of supply of affordable housing likely to come forward over the plan period and the difficulties housing associations face competing for sites with general market housing developers without public subsidy, this could be an important source of affordable housing. 'The Council will consider releasing lower Quality employment land for schemes which deliver a significant community benefit, such as the delivery of affordable housing.'

**Change sought to
make sound:**

Representation (legal compliance):

Change sought to make legally compliant: