

BATH & NORTH EAST SOMERSET COUNCIL RESPONSE TO ID/7

Issue 2: Is the spatial strategy for the delivery of housing & jobs justified & are there reasonable prospects for delivery consistent with national advice?

Sub Matter: Bath Spatial Area

4.1 Are there reasonable prospects of the planned scale of housing within Bath being delivered as planned (explored more fully below)?

4.1.1 See responses to 4.2-4.15 and 5.1-5.7.

4.2 Are the SHLAA trajectories for the Western Riverside covered by the outline planning permission and for the remainder of the area reasonable? What evidence has the Council used for these trajectories?

4.2.1 The SHLAA delivery programme for the Crest scheme assumes that the entire outline planning permission (for up to 2281 homes) is built out by 2026. Annual delivery rates are high but considered reasonable and not unprecedented for the dwelling mix of primarily flats in a housing market with strong demand. The Bath market is resilient, has been cushioned to some extent in relation to the dip in house prices and should recover at a faster rate relative to many places in the UK.

4.2.2 The Council and Crest have entered a Corporate Agreement across the whole of the Outline Application area. The Agreement relates directly to the Secured Land (defined as land within the ownership of Crest) with the potential, by mutual consent, to extend to the Unsecured Land (Land currently owned by 3rd parties). The Council has agreed a development programme within the Corporate Agreement that demonstrates a viable programme to completion in 2026. This document is the evidence for the predictions within the SHLAA.

4.3 Proposed changes PC12, PC20 (point e), PC29, PC50, PC52 refer (explicitly or implicitly) to the removal of the Windsor Gas Holder Station in relation to delivering Bath Western Riverside.

- **From the representations on the proposed changes it is clear that its removal is necessary for the planned scale of development to be achieved. Do the proposed changes appropriately reflect the constraint?**
- **Is there an agreed programme to secure its removal? What are the views of the owner/operator of the facility and is there a practical/technically deliverable solution for its removal? What is the likely timescale?**

- **TP8 (paragraph 17) suggests a cost of about £11m. How will this be funded? What are the views of the proposed developer of this area on securing its removal? If a substantial contribution is required from public funds, is such a contribution realistic?***
- **What scale of development could be delivered if it were to remain operational?**
- **In the light of all the above, does any need to remove the Gas Holder undermine confidence in delivery in Bath Western Riverside?**

- 4.3.1 The proposed changes make explicit at relevant points in the Core Strategy that the removal of the gas holder and associated rationalisation of gas infrastructure is critical to fully realise the delivery of Western Riverside and development in surrounding parts of the river corridor. This matter is reflected in both supporting text and policy wording.
- 4.3.2 The remaining gasholder and gas infrastructure is still used to supply local homes and businesses. According to the operator 'Wales and West', it can be removed/decommissioned once an alternative is available. Until its removal 450 units can be delivered on Western Riverside (an additional 151 to those currently under construction).
- 4.3.3 Wales & West have undertaken a feasibility study into the decommissioning of the gas holder and rationalisation of gas infrastructure. Before decommissioning the gas towers W&W need to reinforce the network by undertaking substantial off site reinforcement. Risks associated with engineering, planning and easement/land ownership for this reinforcement are considered manageable. There is no agreed start date for these works but they are expected to take 2 years to complete.
- 4.3.4 Wales & West estimate the cost of decommissioning/ rationalisation / to be £11.8M. Funding for this is expected to be met from a combination of public and private investment. Crest, through the Secured and Unsecured Land can contribute some proportion alongside a contribution that the Council understands Wales & West are prepared to make. In addition a number of adjoining development sites are covered by the SPD for the BWR area and will be required to contribute to the removal of the gasholders. Further, sites adjoining the SPD area (but within the exclusion zone) e.g. Bath Press¹ and parts of Twerton Riverside are subject to developer interest and will also need to contribute. The balance of the funding will need to be met from public funding, potentially by the mechanisms explained in 4.5.

¹ Re Bath Press, Tesco and St James's Developments have submitted two concurrent retail-led applications. The first application has been appealed on account of non-determination (hearing date yet to be set), the second is pending consideration with a committee date not expected before the Core Strategy hearings.

4.3.5 The planning and delivery of Bath Western Riverside (one of the biggest single regeneration sites in the South West) has been challenging since its inception twenty years ago, but the Council with partners is now making progress re barriers to delivery. Construction is underway and the first inhabitants of this area will be moving in soon. The gasholders do not undermine the deliverability of this site given the financing options that are available. Subject to timely implementation of the required works the site can be delivered. Confidence would be undermined by the development in the Green Belt – diverting investment and housing demand, impacting on sales rates and delivery.

4.4 Proposed change PC20 d refers to implementing an upstream flood storage facility to enable development in vulnerable areas in the Central Area and Western Corridor. PC83 is also relevant here.

(a) Have the Council identified potential compensation sites and assessed technical feasibility and environmental impacts?

4.4.1 The Bath Compensatory Storage Study Phase 1 report (CD4/FR35) undertook a study of eight potential upstream storage locations and selected three preferred sites which have been the subject of a high level technical and environmental assessment.

(b) How would such a scheme be delivered? What is the attitude of landowners? What is the likely timescale?

4.4.2 The Phase 1 report (CD4FR35) has established that a combination of the sites is capable of delivering the required upstream storage capacity, with two sites in Council ownership together having sufficient capacity.

4.4.3 The Council's Development & Regeneration team are overseeing the implementation of the Bath Upstream Storage Facility. Providing the necessary storage on more than one site will allow a staged approach with phase 1 providing sufficient capacity for initial development schemes to be brought forward in the central river corridor during 2013 – 2016. The initial project timetable is:

2012-2014: detailed design, planning & procurement

2014-2015: construction phase 1

2016-2021: implementation phase 2

4.4.4 A similar scheme has been implemented and is successfully operating at the Longrun Meadows in Taunton. This scheme was developed to facilitate the major regeneration as part of the Project Taunton.

(c) TP8 (paragraph 17) suggests a cost of £3-5m. How will this be funded? If a substantial contribution is required from public funds is such a contribution realistic?*

4.4.5 Para 4.5 below sets out in more detail the funding that is available to forward fund enabling infrastructure such as upstream compensatory flood storage. Payback mechanisms would include section 106, CIL, New Homes Bonus and specific Development Agreements following the Taunton model.

(d) Are there realistic prospects of the necessary works being delivered to enable planned developments to proceed?

4.4.6 See paragraphs 4.4 (a-c) and 4.5.

(e) If upstream compensation cannot be delivered what type/scale of development could proceed in the river corridor?

4.4.7 As part of the Flood Risk Management Strategy (FRMS) (CD4/FR2), 'Sub-Strategic' options were considered. Sub-Strategic options are described as 'a combination of two or more developments functioning as a single flood defence installation protecting an area larger than the development site immediately involved. By definition, such a strategy represents a combination of strategic and site specific options.' It identified some potential sites to accommodate smaller scale of compensatory storage within the policy areas. If upstream compensation cannot be implemented for unexpected reasons, then these sites with smaller capacities should be considered. However this approach is less effective in delivering the Council's objectives because it will affect site viability and capacity and will limit the design options and the quality of the development.

4.5 *Given that these 2 projects are critical to intended delivery, greater clarity is required from the Council about the prospects for funding. TP8 refers to the HCA Single Conversation document CD4/I4. This shows an expected contribution of nearly £28m from the HCA over 5 years to assist delivery in Bath City Centre/Riverside, including affordable housing. But it is impossible to judge from this what scale of public funds might be available specifically for removing the gas holder and/or flood mitigation works, given the range of work to which these*

funds might be applied. Have the funds available to the HCA for this type of support been reduced since this Single Conversation was drawn up?

- 4.5.1 The “Single Conversation” Local Investment Plan, agreed between the HCA and the four UA’s in the West of England in 2010, allocated £27.6m to Bath City Riverside as a priority investment location. This included £11.6m for affordable housing with the remaining £16m earmarked for land assembly, remediation and flood mitigation. Public funding arrangements have since changed.
- 4.5.2 Changes to government housing policy will reduce the funding available for affordable housing but the HCA has a £36m Regional Investment Fund to facilitate infrastructure pre-requisites necessary for the delivery of local priorities for housing/and employment development.
- 4.5.3 In addition the West of England LEP has been awarded funding under the government’s Regional Growth Fund (£39.m) and Growing Places Fund (indicative allocation of £11.3m announced on November 7th). It is proposed to use the monies to create a single £50m Revolving Infrastructure Fund to support priority investment locations and lever contributions from the aforementioned HCA Regional Investment Fund and also the European Regional Development Fund (ERDF).
- 4.5.4 A total of £16m has been allocated for the Bath City Riverside Enterprise Area with £9.5m available 2012 – 2015 as upfront funding for the delivery of enabling infrastructure. Flood mitigation and the resolution of the Windsor Gas Station issue (£14.8-16.8m combined cost) are the Council’s priority projects, linked to payback mechanisms through sec 106 / CIL and New Homes Bonus.
- 4.7 Do other uses/businesses need relocating to achieve projected delivery? Is the Council seeking to retain such businesses locally and, if so, are there identifiable sites/locations for practical relocation?**
- 4.7.1 The redevelopment of parts of the Central Area, Western Riverside and Twerton Riverside for housing and employment-led mixed used development will necessitate the removal and/or relocation of a number of existing activities in the B1(c) or sui generis use class. The Council has calculated that 30,000 sq.m of industrial space (10,000 sq.m of which is inactive/vacant e.g. Bath Press & South Quays) and 7,000 sq.m of sui generis space will be affected. Further, there may be a need to rearrange large A1 uses i.e. Sainsbury’s and Homebase with the BWR East area and at Twerton Riverside.

- 4.7.2 The Smart Growth Report (CD4/E10 Scenario 2, Table 2) forecasts that there will be a contraction of demand for industrial type floorspace of 30,000 sq.m. This is reflected in Policy B1. This forecast, together with the presence of inactive space suggests that not all potential losses need to be accommodated within the city.
- 4.7.3 However, the Council is seeking to accommodate those remaining businesses that do wish to stay in the city. There is a need for Bath to maintain a mixed economy and for land to be available for this purpose. Policy B3 protects established industrial land at Newbridge Riverside for employment related uses. Whilst there is no undeveloped land here, over the next 15 years there will be churn within the existing stock and plots are capable of being reused / redeveloped for specific requirements. For example Herman Miller is known to be transferring operations to Chippenham which will result in the vacation of a 0.8ha site.
- 4.8 Are the SHLAA's expectation for housing delivery from the 3 MOD sites realistic and consistent with the most up-to-date position of the MOD? (See MOD's Defence Infrastructure Interim Land and Property Disposal Strategy 5 October 2011.) Are changes PC18, PC34 (as amended) and PC35 justified and needed to make the plan sound?**
- 4.8.1 MoD deliverability is realistic and consistent with its most up to date position. At a ministerial level it has been confirmed that the intention is to dispose of the Bath sites by March 2013 with an earlier 2012 release for that part of MoD Lansdown south of Granville Road.
- 4.8.2 The Council and the MoD are in the process of discussing housing led mixed use development for the sites. The Council, MoD and HCA have formed a Working Group to prepare Concept Statements to guide the future sale and development of the sites, optimise densities and outputs and ensure the MoD's timescales for disposal by March 2013 are met. This will enable planning applications within the next 5 years and delivery from at least 2016. The SHLAA programme required to achieve full delivery by 2026 is practically achievable. There are no showstoppers to delivery. The expeditious delivery of such sites is key to the government's recent housing strategy.
- 4.9 The Core Strategy refers to contingencies at 1.36, the end of Policy DW1 and 2.53. See also TP9 6.36 re Foxhill. How does the Council envisage such contingences working in practice? Would not the MOD sites be planned at the outset to make the most efficient use of the land, leaving little scope for a future contingency to deliver more?**

- 4.9.1 This refers to the fact that the current capacity assumptions are a floor not a ceiling and are capable of being significantly exceeded.
- 4.9.2 In relation to the MoD sites, the SHLAA estimates are minimum capacities that need to be achieved. Higher capacities are achievable but will require a more detailed level of work than was possible to resource during the preparation and review of the SHLAA. Subsequent to the adoption of the Core Strategy the Placemaking Plan will refine the type/mix/density of residential development being sought at Foxhill and the other sites. This is perhaps less about contingency but recognising that there is potential for extra capacity/headroom to be identified on existing sites to deliver Core Strategy housing targets and this provides flexibility post adoption of the Core Strategy.
- 4.9.3 Further, since the submission of the Core Strategy, on-going site specific thinking about the redevelopment of MoD Ensleigh and the Lansdown plateau has been continuing. The Council is preparing concept statements to assist the valuation and sale of the MoD sites. This thinking has revealed that a better critical mass re optimum use of a new primary school and public transport provision / frequency can be achieved if the capacity of Ensleigh was nearer 700-800 rather than 350-400. This uplift could not be achieved within the existing SHLAA boundary. However, there are two neighbouring two land parcels, currently protected as playing fields, but not within the Green Belt or Cotswolds AONB that could be utilised. There is scope to relocate playing fields elsewhere on the Lansdown Plateau. Further work and landowner discussions are needed re availability and this will be considered through the Concept Statements/ Placemaking Plan.
- 4.10 Following from the discussion under issue 1, is the planned increase in the number of jobs/housing consistent with the aim of policy B1 4a and b for a better balance between jobs and resident workforce in Bath and increased self-containment?**
- 4.10.1 Yes. See answer to 2.11.
- 4.11 Is the scale of change in office and industrial floorspace in Policy B1 2a-e consistent with evidence and the Council's assumptions about economic growth? Council to explain how the floorspace figures in policy B1 relate to the supporting evidence (eg Table 3.11 in CD4/E2). What is the reason for proposed minor change PC17? Is it in fact significant and necessary for soundness?**
- 4.11.1 The economic growth forecasts in the Roger Tym Study (CD4/E2) are superseded by those contained in the Smart Growth Report (CD4/E10) [See Tables 1 and 2 of Scenario 2, pp29-30]. Although, not published until May 2011, Council officers were

aware of the forecasts of CD4/E10 during the drafting of Policy B1 the Draft Core Strategy (Dec 2010).

- 4.11.2 Table 2 of Scenario 2 shows that a net increase of 3,900 office based jobs will generate a requirement for 68,000 sq.m of office space. A net reduction of 800 industrial type jobs will generate the potential to release 28,000 sq.m of industrial space. These findings were rounded to 70,000 sq.m and -30,000sq.m in Policy B1. The net scale of change in office and industrial floorspace to be planned for is derived from a fairly standard methodology (based on the well-known Arup Employment densities guide of 2001) that converts forecast jobs in 'B' use class into employment space. Conventionality this is 18sq.m per office worker and 35sq.m per industrial worker. The Council considers that this study may inflate the amount of space per worker (particularly for office space), given its own efficiency drive re flexible working practices hot-desking and the impact of broadband on home working.
- 4.11.3 PC17 refines the figure for the loss of industrial space to 40,000-30,000 sq.m as a better reflection of the two key sources of evidence i.e. the 28,000 sq.m loss of industrial demand forecast in CD4/E10 and the actual 37,000 sq.m of necessary industrial and sui generis losses identified in the answer 4.7 (less an allowance for non-active space). Against the 2006 baseline of 240,000, PC17 proposes a reduction of 12.5% rather than 16.5% in the Draft CS. In the Bath context this relatively minor alteration to the plan is significant and is necessary for soundness in order to successfully manage the future supply employment of space in the city.

Newbridge/Twerton Riverside

4.12 Is the overall strategy for this area justified and appropriate?

- 4.12.1 The presumption in favour of retaining Newbridge Riverside as an employment area (more specifically for B1c, B2 and B8 uses) is justified in light of the answer to 4.7. The employment-led but more flexible focus for Twerton Riverside is a reflection of the loss of a unifying industrial focus during the last decade.

4.13 Are the changes in PCs 31, 32, 33 required for soundness?

- 4.13.1 PCs 31 and 33 make Policy B3 sound and are consistent with the intention in PC53 to delete Newbridge Riverside from consideration as a contingency area on account of the need to retain a mixed economy. They also require that applicant justify industrial losses at Twerton Riverside. Overall the changes strike a more appropriate balance between protection and flexibility in this area. See also 4.15.

4.13.2 *The Council wishes to clarify that parts 4b, 4ci and 4cii of Policy B3 refer only to Twerton Riverside. This is implicit given criteria 1a, 4ai and absence of Newbridge Riverside from aiii.*

4.14 How would the contingency in 2.53 be triggered? What effect would such a contingency and the greater/accelerated loss of industrial floorspace have on the needs of this sector? Would the Council seek to retain existing businesses locally and, if so, are there identifiable sites/locations for practical relocation?

4.14.1 The use of Twerton Riverside as a housing contingency would be triggered by the identification of a district-wide 5-year land supply position that had no reasonable prospect of being recovered to achieve the delivery of 11,000 homes to 2026. In the Bath context, this contingency could yield one year of supply (300 homes against a twenty year target of 6,000) over and above those currently assumed in the SHLAA for this area. In practice the contingency would mean that criterion 4/cii of Policy B3 re residential-led development would be afforded greater priority in Development Management decisions than at the outset of the plan. This would not materially impact on the industrial sector as recently occupiers in this area have either ceased operations e.g. Bath Press or have moved elsewhere e.g. Unigate Dairy to Keynsham. Remaining displacement can be mopped up by Newbridge Riverside.

4.14.2 Of course, if land in this area is redeveloped for employment-led uses (in accordance with the thrust of Policy B3) this contingency option will fall away. Much will depend on the determination of the concurrent Tesco applications at Bath Press (one of which has been appealed in respect of non-determination).

4.15 Is the plan unsound in referring in 2.53 to Newbridge Riverside? Would the Council's proposed change (PC53) to refer here to Twerton Riverside make the plan sound?

4.15.1 PC53 deletes Newbridge Riverside as a contingency area on account of the need to retain a mixed economy. Weakening the protection afforded to Newbridge Riverside, and the employment base of the city, purely to address a shortfall in housing delivery is not a credible response. PC53 is justified in light of the answer to 4.7.

Bath Transport

5.2 The Council is now proposing a reduced transport package for Bath compared with that in the submitted plan and compared with that supported by substantial evidence at submission (eg CD4/T1 and CD4/T2).

(a) Will this reduced package enable delivery of the proposed scale of development?

- 5.2.1 This answer is focused on the relationship between the reduction in park and ride spaces and the scope for city centre car parks to be redeveloped for employment-led mixed use development.
- 5.2.2 A consequence of the reduced package (re additional park and ride spaces) is a need to maintain a higher level of parking within the city centre to service demand (based on the continuation 2001 census modal split data) compared to the scope for reduction stemming from original package. Therefore, existing off-street car parking provision needs to be retained (at least in the short to medium term). Avon Street and Manvers Street car parks are currently identified for significant city centre employment led mix use redevelopment. There is a potential delivery blockage here but. There are options available to the Council to reconcile city centre parking provision and delivery. These could include a combination measures including (1) utilising the lie of the land at Charlotte Street to add capacity via profiling/tiering (2) stipulating that parking be provided underground or as undercroft (parking) as part of the redevelopment of Avon Street and Manvers Street (3) increasing parking provision within the BWR East Area where a net addition could be provided as part of a revised and intensified land use mix.
- 5.2.3 The implications of the reduced park and ride package, in the short to medium term, relate more to its impact on the public realm and movement strategy objective of a predominantly car free city centre. The realisation of this objective will have to be deferred to later in the plan period.
- 5.2.4 The Council remains committed to a P&R site to the east of the city (Ref Council meeting of July 14th 2011). Travel to work and model shift data from the 2011 census and new surveys at Avon Street may prompt a further review of the Parking Strategy.

(b) What evidence demonstrates that the reduced package would result in acceptable outcomes and achieve the aim of Objective 7 and that part of the Bath vision (after 2.09) to keep the city moving (which is unchanged)?

- 5.2.5 The impact of the reduced package on the capacity and operation of the highway network was modelled to allow comparison with the original bid. This modelling took into account the development proposed for the city in the Core Strategy. On this basis the Council found the outcomes on the highway network of the reduced package to acceptable despite its reduced positive impact. Key considerations

included the journey times, junction waiting times, the demand for parking in the city centre (ref answer to 5.2a) and the competitiveness of Bath as place for business location and growth. The evidence base that supports The Best and Final Bid for the Bath Transportation Package (CD4/T12) and is available here:

<http://wwwi.transportandstreets/transportpolicy/plansandstrategies/bathpackage/Pages/default.aspx>

- 5.2.6 The report and minutes of the Council meeting of 14th July 2011 can be found here: <http://democracy.bathnes.gov.uk/ieListDocuments.aspx?CId=272&MId=3202&Ver=4>
- 5.2.7 The original package was prepared without the prospect of the rail improvements outlined in 5.4, nor the funding from the LSTF outline in 5.6. These changing circumstances enabled the Council to favourably consider the impact of the reduced package on the highway network knowing impacts could be mitigated by future modal shift, particularly to rail. Paragraphs 2.11 to 2.15 of the July 14th Council Report allude to these matters.

(c) What are the implications for the soundness of the Core Strategy if the bid is refused or agreed funds are much lower than the bid? (*The Government is likely to have announced the outcome of the Council's bid for transport funding before the hearings. Council to publish outcome on the examination website and inform me as soon as the outcome is known.*)

- 5.2.8 The total cost of the package is £31.8m. The Council has committed £17.8m, £2.4m will be sourced from third part contributions (£106 for BWR) and the Dft for £11.6m. The Chancellors announcement in the Autumn Statement that the total funding pool for such schemes of £560m had been increased to £1bn is positive news for the bid. This uplift effectively removes the competitive nature of the bidding process between schemes. Instead decisions will be based solely on compatibility the business case with Government objectives for the funding on offer. Given the Councils success re 5.6 there is a high degree of confidence that the bid will be approved in full.
- 5.2.9 In a worst case scenario (nil funding from the DfT) the own Council's investment would enable it to bring forward a significant proportion of measures proposed subject to Council decision on the way forward. This funding, in combination with the aforementioned changing circumstances set out in 5.4, 5.6 and measures outlined at paragraphs 2.11-2.15 of the July 14th Council Report would partly mitigate a nil Dft funding scenario. This would not make the Core Strategy unsound as Bath city centre would still remain the most accessible place in the district and the

area most able to respond to the Planning for Growth agenda from jobs generation perspective. Demand for a central Bath location is not readily shifted to a peripheral Green Belt location. Jobs not coming to the Bath Enterprise Area will go to other city centres.

5.3 Is PC20 parts 10-10c necessary for soundness?

5.3.1 New criterion 10c does more than merely improve the plan. It embeds transport infrastructure in strategic planning policy for creating in-principle support for future Council interventions a strategic, justification for the leveraging of future CIL funds, and a hook for Bath specific Development Management Transport policies in the forthcoming in the Placemaking Plan DPD

5.3.2 PC20 makes only grammatical changes to criteria 10b-c of Policy B1(10). This improves the plan.

5.4 What specific plans have been endorsed by Network Rail and/or the relevant operators to increase capacity of local rail services travelling through Bath Spa rail station, improving ease of access to and attractiveness of rail travel to and from Bath?

5.4.1 In March 2011 the Secretary of State for Transport announced the Intercity Express Programme (IEP) comprising infrastructure, rolling stock and franchise changes to bring forward faster, higher capacity, more comfortable and more environmentally friending services. This includes the Great Western mainline from Paddington to Cardiff via Bristol Temple Meads, Bristol Parkway and Bath. The project is due to be completed by the end of 2016.

5.4.2 Faster, higher capacity trains will run between Bath Spa and Bristol Temple Meads. Further, new direct superfast, high capacity and more frequent services will run between Temple Meads (via Parkway) to Paddington. The first measure has direct benefits for commuters from/to Bristol and Bath. The second has indirect benefits in relation to the capacity of local services between Bristol, Keynsham Bath, Chippenham and Bradford-on-Avon. There will be a transfer of London bound passengers originating in Bristol to the superfast Parkway route rather than through Bath Spa. This will release capacity on the West Wiltshire-Bath axis. The diversion of existing and potential future car based trips to rail will mitigate the smaller expansion of the Newbridge Park and the delay in providing a facility to serve the eastward approach to Bath.

5.4.3 In addition, from December 2011 local services travelling through Bath will benefit from six additional carriages being added to existing services. Further, a scheme to enhance signalling between Bristol and Bath (via the Seven Day Railway Fund) will improve the performance and reliability of services. Finally, the station itself is being refurbished to become fully accessible to all passengers.

5.4.4 This investment will increase the rate of modal the growth in passengers using Bath Spa and Oldfield Park Station. Between 2004/05 and 2009/10 (at a time of low investment in the rail network) the use of Bath Spa increased from an average of 10,250 to 13,140 passengers a day (+28%). At Oldfield Park passenger movements have increased by 44% from a baseline of an average of 412 per day to near 600 per day.

5.5 *There is no question 5.5 in ID/7*

5.6 What projects are being funded in Bath under the existing Local Sustainable Transport Fund (LSTF) key component funding and what bid (relevant to Bath) is being made for further funds? When will the outcome of any such bid be known?

5.6.1 The West of England been successful in a bid for £5 million Key Component funding from the LSTF. The Council received £750,000 towards schemes aimed at reducing car travel on key commuter routes. This will principally be achieved by working with employers to encourage the use alternative modes of transport. The outcome of latest West of England bid for £25.4 from the LSTF fund will be known in June 2012. If successful this Council will receive a further £3.25 million to expand the work of the Key Component funding and also to implement a wider range of schemes to reduce the level of car use. It should be noted that the Council has already had to 'bid to bid' and was successful based on the carbon reduction and regeneration credentials of its business case. The Council will also use the Governments annual integrated transport settlement, together with developer funding (and after the 2014 Community Infrastructure Levy funds), to implement such schemes. DfT Cycle City demonstration projects² have shown that these initiatives have greatly reduced the use of the private car and if successful will support the Core Strategy for Bath.

5.7 Is FPC1 (reference to the updating of the Parking Strategy) necessary for soundness? BNES/2 (5.20) indicates that the Draft Bath Parking Strategy informed the assessment of potential development on car parks sites in the SHLAA based on the revised package agreed by the Council in July 2011. I do not understand how this is the case given that the SHLAA (CD4/H13 and 14) is dated May 2011, but the transportation package had not been reduced at that time. Council to clarify.

- 5.7.1 At officer level the content of the Draft Parking Strategy was known well before July 2011 and in time to inform the May 2011 SHLAA. As set out in 5.2, the reduced Package does not mean that Avon Street and Manvers Street are not credible development sites.

Other Bath matters

City Centre

6.1 Is policy B2 on the Central Area justified, clearly expressed in the accompanying diagrams and consistent with Council's intentions?

- 6.1.1 Policy B2 sets out a strategic planning framework to shape the future development of the Central Area, this being critical to the future of the city as a whole. It draws on an evidence base to state the quantum of change that needs to be achieved for various town centre uses. It sets out these requirements within a Placemaking context to ensure that local distinctiveness is enhanced. This avoids merely planning by numbers and instead embeds strategic design considerations at the highest level. The Placemaking Plan DPD will tease out these development needs and design considerations for specific sites/areas.
- 6.1.2 It may improve the plan to clarify that Diagram 7 is an indicative representation of the city centre boundary and that the detailed boundary is identified on the Proposals Map DPD (as proposed at Appendix 3 to the Draft CS).

This suite of diagrams referred to '8' is illustrative and taken from existing Council public realm policy.

6.2 The Council's explanation in BNES/2 (5.11-5.12) of its approach to the planning of the City Centre appears to add a gloss not found in the Core Strategy. If this explanation is the Council's intention, should it not be reflected in the Core Strategy? Since the Core Strategy is meant to set out the approach to 2026, I do not understand why the proposed new City Centre boundary to be added to the Proposals Map reflects the position now rather than the area likely to be needed for development to 2026. Council to explain and suggest possible additional changes to make its intentions clear.

- 6.2.1 Perhaps mistakenly the Council considered that the intent noted in BNES/2 (5.10-5.12) was implicit in a reading an appreciation of Policy B2.

- 6.2.2 It is not clear if the inspector is (1) seeking new text in the Core Strategy to explain the current approach and set out what might trigger a review of the city centre boundary or (2) is not persuaded by proposed approach, in which case it is not clear why (1) is being sought. At this stage there the Council does not wish to suggest detailed additional wording (transposing the sentiment of 5.10-5.12 to the Core Strategy) as the inspector does not appear to be minded to accept this justification.
- 6.2.3 The Draft NPPF removes the need for the sequential test re office development. On this basis the city centre boundary is inconsequential. However, the sequential test remains for retail and leisure uses. Once a site is established as being within the city centre boundary, its distance from the primary shopping area is of no consequence re the sequential test. Therefore a site on the periphery of the city centre carries equal weight one adjoining the primary shopping area. There are sensitivities around retail and leisure development in Bath that are best managed with a tightly drawn city centre boundary that is amended based on observed change. This does not preclude retail development on the periphery of the Central Area (future city centre) it simply requires additional justification.

6.3 Are there reasonable prospects for the delivery of a new sports stadium within the City Centre in the plan period?

- 6.3.1 Bath Rugby Club will drive the development of a new sports stadium within the city centre. The intention is that a new stadium it will be operational in time to host Rugby World Cup matches in 2015. As well as being a commercial investment for the club, this represents a major piece of land leisure infrastructure for the city for many people. It raises a number of strategic planning and transport issues. It is also important to the spatial differentiation of Bath as place to live, work, visit and invest investment. Planning policy support does not remove the need to resolve issues re the charitable status of The Rec.

World Heritage Site (WHS)

6.4 Are the expectations of development consistent with the retention of the Outstanding Universal Value of the World Heritage Site of Bath? What evidence underpins the Council's assessment on this point?

- 6.4.1 The reconciliation of Bath as a heritage asset with its growth and development objectives presents many opportunities as well as challenges. It is necessary to question whether the quantity of change being sought within the city (particular within the River Corridor), its relatively short timeframe for delivery, and its direct and indirect effects are compatible with the OUV of the WHS. The potential clash

between 'Planning for Growth' within a heritage asset of the highest order has been at the forefront of the Council's thinking. Evidence such as the aims and objectives of the WHS Management Plan (CD4/ UDL 17), the representations from well informed local interest groups & English Heritage, the Building Heights Study (CD/UDL 1-5) and the urban design led reviews for the Central Area and BWR East (CD/UDL 15-16) suggest that the volume of change being proposed can be absorbed in a manner that is compatible with the OUVs of the site. The greatest harm to the OUV of the WHS may actually come from the intensive construction activity that will be needed over the Core Strategy period. The prospect of parts of Bath resembling a building site for the next 15 years was a concern raised in reps to the Draft Core Strategy. The Council is satisfied that the balance struck in the CS protects the OUV of the WHS whilst delivering the requisite growth. The Council does not support urban extension to Bath for the very reason that this level of development would indeed impinge on the OUV of the WHS by virtue of the impact on the setting of the WHS.

6.5 Are proposed significant changes PCs 42, 43, 44, necessary for soundness? Are proposed minor changes PCs 40, 41 and 45 so complementary to the above that they should also to be treated as significant changes?

6.5.1 PC42 makes Policy B4 PPS5 compliant. In the Draft Core Strategy, 'harm' to the WHS trumped other considerations to the extent that proposals causing harm were to be automatically been refused whatever their benefits. In line with PPS5, "strong presumption against harm" replaces "harm will be refused". This is weaker but it is in tune with national policy. The revised wording requires a full and proper evaluation of all the potential benefits and dis-benefits of a scheme, with PPS5 making clear that there must be public benefit if harm is to be allowed (though this does not mean that public benefit trumps the WHS), hence why this is referenced in the policy. Whilst it is not necessary to specifically mention measures re climate change as potentially having a public benefit, this was included to reflect the Council's corporate priorities.

6.5.2 PC43 is not strictly necessary for soundness but usefully cross references Section 6C of the Core Strategy re the justification for the second sentence of Policy B4. It shows how separate and potentially conflicting parts/objectives of the Core Strategy have been reconciled, noting that further Development Management guidance will be forthcoming.

6.5.3 PC44 makes new Paragraph 2.33a PPS1 compliant re paragraph 38. The wording of the Draft Core Strategy attempted to guard against Las Vegas / Disneyland Georgian that would harm the OUV of the World Heritage Site. On reflection and triggered by representations the Draft Core Strategy the wording was considered to be too anti

classicalist. This remains a valid design language for Bath, alongside other approaches that are PPS1 / 38 compliant.

- 6.5.4 PCs 40, 41 and 45 were not identified in Annex 2 of ID/1 as being significant changes. PC 40 is factual and merely sets out the approach of PPS5, alongside facts about the WHS Management Plan and its relationship with the LDF. PC52 is clarification about protection of the setting and does not introduce new not materially new information. Reference to B4 in para 2.32 is removed as it was unnecessary to state that this policy is applicable to development affecting the setting of the WHS. PC45 merely explain how the heights strategy will be used in the future. All changes improve the plan but none are related to soundness.

District and Local Centres

6.6 Are the changes proposed in PC37 (to the named District and Local Centres in Bath) necessary to make the plan sound?

6.6.1 PC37 makes a number of changes to the names of Local Centres but more importantly adds centres that were omitted in error from the Draft Core Strategy. These centres were previously identified as such in the Local Plan. Nelson Place East/Cleveland Place and Walcot Street function more as an historic and niche retail strip beyond the city centre. They do not contain a high proportion of the local centre uses identified the PPS4 definition. Without the protection offered by CP12 the character and function of this area may diminish. In order to maintain local distinctiveness their inclusion in CP12 is necessary.

Universities

6.7 Is there a need to accommodate/facilitate additional off-campus, purpose built student accommodation? Does the provision of such accommodation have positive outcomes for the wider housing market and, if so, should these be acknowledged in the plan? Are there opportunities for such provision without reducing general housing provision? Are PCs 47 and PC 49 justified and required to make the plan sound?

6.7.1 During the last 5 years in excess of 600 bed spaces have been constructed by Unite within the Twerton Riverside Area. This equates to 120-150 student households in cluster flats of 4-5 bedrooms. There is no evidence to suggest that the provision of off-campus bed spaces has had any benefit on the housing market (by way of a reduction in the number of household spaces being let to students). The conventional and popular theory that off-campus accommodation leads to 'release' of homes has therefore not played out. Instead, additional off-campus accommodation, at the margin of demand, has simply fuelled growth in student numbers at the expense of land parcels that could be put to other productive uses. Acknowledgment of unproven, theoretical and unenforceable relationship/outcomes has not therefore been made in the plan.

6.7.2 It is potentially true that the provision of 600 bed spaces may have saved 120-150 homes from being added to the student letting market (this being different from a 'release' back to the regular market). Much depends on whether new students would have been attracted to Bath in the first place without the guarantee of managed first year accommodation.

- 6.7.3 The future plans of the universities can be met on campus. The justification for off-campus provision in the context of Bath's land market and the overall objectives for of the plan is therefore substantially reduced. Bath Spa University has indicated that its foreseeable growth and accommodation expectations can be met via on-campus development. At The University of Bath the provisions of the Local Plan Policy GDS.1/B12 for 40,000 sq.m of accommodation would enable 2% per annum growth during the next decade. The University do not rule out the possibility of 3% per annum as part of the evidence base of their masterplan. The Council by virtue of its Core Strategy is supportive of up to 2% per annum. Since 1997 the University has grown unencumbered (in terms of the availability of student accommodation at 3% per annum).
- 6.7.4 Policy B5 of the Core Strategy does not shut down the scope for off-campus accommodation it merely seeks to control it to a greater extent that has been achievable via the Local Plan. PC 47 makes the justification of this approach clear in relation to the other objectives that the plan is pursuing and the locations where a loss of land for housing and economic development would have the most impact. With land in the city at a premium and the high education sector has the district advantage with the significant advantage of on-campus solutions to fulfil its objectives. This is a question of priorities and balance