

**Bath and North East Somerset
Consultation Report:
Draft Core Strategy
(Publication Version)**

Regulation 30 1(e)

May 2011

**Bath & North East
Somerset Council**



Bath and North East Somerset
Local Development Framework

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1 Introduction

- 1.1 This statement sets out the consultation and community involvement undertaken for consultation on Bath and North East Somerset Council's Draft Core Strategy Publication document. This is in accordance with Regulation 30 1 (e) of The Town and Country Planning (Local Development) (England) (Amendment) Regulations 2008.
- 1.2 This statement explains the consultation undertaken and details of who has been consulted; details of how they were consulted; and a summary of the issues raised.

2. Consultation overview

- 2.1 As well as ongoing engagement with stakeholders, the following stages of consultation have been undertaken in the preparation of the Core Strategy. The issues and options stages of the consultation are described in the separate Regulation 30 1 (d) statement. The publication stage publication is covered by this report.

Launch Consultation (25th September 2007- 17th December 2007)

Issues and Options stage

The Council published its launch document for a period of 12 weeks to initiate discussion about the issues facing the District.

Spatial Options Consultation (19th October 2009 – 11th December 2009)

Building on the launch consultation and the issues raised, the Council developed its Spatial Options document which was published for consultation on the 19th October for an initial period of 8 weeks. The period for receipt of comments was extended for an additional 5 weeks due to the high level of interest in the consultation.

Publication stage

Draft Core Strategy (Publication) Consultation (16th December 2010 – 3rd February 2011)

Further to the issues and options stages, this was a formal statutory stage of the consultation process. The Draft Core Strategy was published for public consultation for a period of 7 weeks from 16th December 2010 – 3rd February 2011.

3 Draft Core Strategy consultation - record of activities

Key Consultation Materials

- 3.1 The Council prepared a Draft Core Strategy Document (**Appendix 1**) which was agreed for consultation by the Council on 2nd December 2010.
- 3.2 Additional supporting and publicity material was produced along side the document to help explain the Draft Core Strategy and to provide details of the consultation.
 - Summary material was produced including an Executive Summary (**Appendix 2**) and summary leaflets for each area: Bath, Keynsham, The Somer Valley and Rural Areas (**Appendix 3**).
 - A poster (**Appendix 4**) was created for display on local notice boards and at libraries to advertise the consultation.
- 3.3 A Public Notice (**Appendix 5**) was inserted in the local press on the consultation start date, 16th December, and also on the 23rd December to inform the general public of the consultation period, where the documents could be viewed and how people could respond. This was in accordance with the Regulation 27.
- 3.4 A Draft Core Strategy representation form (**Appendix 6**) was produced to record and categorise comments made. A copy was available to download on the website and submission of the form by email was encouraged.
- 3.5 As this stage of the consultation on the Core Strategy was a formal, statutory stage and respondents were invited to make comments in relation to soundness and legal compliance only, supporting guidance notes (**Appendix 7**) were produced to assist respondents.
- 3.6 The webpage for the Core Strategy was updated with the Draft Core Strategy document and supporting information, including information papers and the evidence base. Throughout the consultation period there was clear signposting from the Council Homepage to the Core Strategy consultation webpage – this included the consultation being a feature in the “Latest Information” section of the Home Page.
- 3.7 To assist the public in accessing the representation form, the website was modified to increase the prominence of the form (**Appendix 8**)
- 3.8 A letter notifying all stakeholders on the LDF database of the start of the consultation on the Core Strategy (**Appendix 9**) was sent on 13/12/10. This was in line with the Adopted SCI.

General Publicity and Information

- 3.9 A Press Briefing was held on the Draft Core Strategy on 25th November 2010.
- 3.10 The Draft Core Strategy was featured in a news item on BBC Points West on Thursday 25th November 2010 at 18:30.
- 3.11 A number of press releases were issued in relation to the Draft Core Strategy consultation (**Appendix 10**). The first on 25th November 2010 detailed the release of the draft Core Strategy document for agreement by Council. In addition a press release which confirmed the start of the consultation was issued on the 16th December 2010.
- 3.12 All press releases were featured on the Council's website and were sent out as part of the Council's weekly ebulletin Inform (which is emailed to all staff and has an additional general circulation of 2,500).
- 3.13 The following items were featured in the local press:
- This is Bath 25/11/10 'New blueprint moots 11,000 new homes in Bath area'
 - BBC Bristol news 25/11/10 'Number of new homes for Bath area halved by Council'
 - 02/12/10 Bath Chronicle 2 page spread: 'Council details sites that are ripe for development' 'Council aims to drive up 'affordable' homes' 'New home numbers to be slashed'
 - This is Bath 16/12/10 'Have your say on homes and jobs blueprint for Bath'
 - Bath Chronicle, 'Safeguard our village, plead campaigners', 9/12/10
 - Bath Chronicle, 'Village campaigns for extra protection as homes blueprint agreed' 3/12/10
 - Bath Chronicle, 06/01/11 'Tenants fearing their homes face the bulldozer are reassured'
 - Bath Chronicle, 20/01/11 'Prince Charles 'has betrayed us', say Newton St Loe villagers'
 - Bath Chronicle, 20/01/11 'Bid to free up student homes to ease green belt crisis'
- 3.14 The following items were featured in other local newsletters:
- Keynsham, The Week In Issue 144 2/12/10 'B&NES to launch next stage of Core Strategy'
 - Midsomer Norton, Midsomer Norton people 17/12/10 'Midsomer Norton residents get say on plan'
 - The Midsomer Norton, Radstock & District Journal 2/12/10 'B&NES plan a commuter nightmare'
- 3.15 The following items were featured in the national press:

- Insider Media South West 29/11/10 'Bath housing blueprint axes 10,000 new homes'
- Planning Daily, 'Bath homes targets scrapped', 26/11/10
- Planning Portal, 'Bath Core Strategy moves ahead' 2/12/1
- What house? 'Over 10,000 planned new homes in Bath cut' webpage – no date
- House Builders Association Newsletter, 'Revised Bath Core Strategy', 29/11/10
- Insider Media South West, 'Bath council opens consultation on long-term housing plans', 17/12/10

3.16 The Draft Core Strategy document was also made available to view in the following deposit stations:

- The Guildhall, High Street, Bath, BA1, 5AW;
- The Hollies, Midsomer Norton, Bath, BA3 2DP;
- Riverside Office, Temple Street, Keynsham, Bristol, BS31 1 LA.
- Bath Library, 19 The Podium, Northgate Street, Bath, BA1 5AN;
- Radstock Library, The Street, Radstock, BA3 3PR;
- Saltford Library, 478a Bath Road, Saltford, BS31 3DJ;
- Midsomer Norton Library;
- Moorland Road Library, Moorland Road, Bath, BA2 3PL;
- Weston Library, Church Street, Weston, Bath, BA1 4BU;
- Paulton Library, Central Methodist Church, Paulton, BS39 7QQ;
- Mobile Libraries (2).

3.17 Headline information on the consultation and signposting to the Core Strategy web address was included on Connect TV during the consultation period. Connect TV is shown on a continuous loop on screens in Council receptions and some libraries.

Stakeholder Consultation

3.18 An update note was sent to the Parish Liaison meeting on the 20th October 2010. This note was to advise Parishes of the forthcoming consultation period which at the time was subject to agreement by Council. There was no Parish Liaison meeting within the consultation period and the intention was to advise the Parishes to prepare for the consultation at the earliest opportunity.

3.19 A special Parish / Town Council event was held to discuss the Draft Core Strategy on 21st December 2010. This involved presentations from the Policy and Environment Manager on the Core Strategy and the emerging Localism Bill. This was followed by a question and answer session.

3.20 The Local Strategic Partnership Annual Forum took place before the consultation period, on the 11th November. The opportunity was used to signpost attendees to the forthcoming consultation, through

supplying a handout note on the Draft Core Strategy for the event (**Appendix 11**).

General Consultation

- 3.21 Information and display stalls were placed at the Council's Treasure and Transform exhibition in Bath:
- Octagon, Milsom Place, Bath. Wednesday 19th January – Saturday 22nd January 2011 (9:30 am – 7pm)
- 3.22 Consultation material and information was also provided at the following meetings/ groups:
- Chew Valley Area Partnership - briefing note circulated to members in lieu of cancelled meeting in December 2010
 - Somer Valley Area Partnership - Officer attended meeting on 25th January 2011 to discuss the Draft Core Strategy.

4. Key issues arising from Draft Core Strategy consultation

The summary of key and other issues raised is set out in **Appendix 12**.

The Council received a total of 2,750 comments on the Draft Core Strategy document from a total of 820 respondents, of which 1,695 were expression of support (60%). There was significant support from respondents in the Whitchurch area in relation to the lack of an urban extension at Whitchurch (1,370 representing around 50% of total comments received).

5. Statement of compliance with the Statement of Community Involvement

Stage 1: Pre-production consultation to establish issues and options

Information on the Core Strategy Launch Consultation September - December 2007 Issues and Options Stage (Part 1) Regulation 25, can be found on the website as part of the Regulation 30 1 (d) statement. The information contained in this statement was published to the website during the autumn of 2009 when the Spatial Options consultation commenced.

Stage 2: Consultation on established options and emerging preferred options

The Regulation 30 1 (d) report outlines the consultation activities undertaken as a part of the Spatial Options document consultation.

In line with the SCI, the consultation report outlines who was consulted, how they were consulted and a summary of the main comments received and how these have been addressed. The information contained in this statement relating to the Spatial Options consultation was published to the website during December 2010 when the Draft Core Strategy consultation commenced.

Stage 3: Proposed submission version of DPD published

The Draft Core Strategy (Publication version) was published for consultation on the 16th December 2010 for a period of 7 weeks. Respondents were invited to comment on the soundness and legal compliance of the document.

In line with the SCI, at the proposed submission stage methods used were predominately from the 'information' section of the SCI toolbox.

Stage 4: Examination by a Planning Inspector

This is the final stage of the preparation of a development plan document and those who have responded to consultations or who are registered on the LDF consultation database will be notified of the submission of the document to the Secretary of State, and in due course will be notified of the outcome of the Examination.

Work with target groups

As outlined in the Regulation 30 1 (d) statement, a range of consultation techniques were used to engage the SCI target groups during the issues and options stages of document preparation. A range of consultation techniques were used to engage these target groups. In addition representatives of the target groups were sent copies of the Draft Core Strategy document in December 2010 to encourage engagement with the document.

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Appendices

May 2011

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Somerset Council**



Bath and North East Somerset
Local Development Framework

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Appendix 1

[Draft Core Strategy](#)

Core Document CD5/5 and available on Council website (click on link above to open)

Appendix 2

[Executive Summary of the Draft Core Strategy](#)

Core Document CD5/15 and available on Council website (click on link above to open)

Appendix 3

4 area based leaflets

[Draft Core Strategy – Bath leaflet](#) (CD5/16)

[Draft Core Strategy – Keynsham leaflet](#) (CD5/17)

[Draft Core Strategy – Somer Valley leaflet](#) (CD5/18)

[Draft Core Strategy – Rural Areas leaflet](#) (CD5/19)

Available on Council website (click on links above to open)

Appendix 4

Poster advertising the Draft Core Strategy consultation

Comment NOW on the planning strategies for the District and Bath, Keynsham, Somer Valley and Rural Areas!

The Council is consulting on its Draft Core Strategy between 16th December and 3rd February 2011

View the Core Strategy at:

- Guildhall Bath
- Riverside Keynsham
- Hollies Midsomer Norton
- All public libraries in the district
- Council's website

For further information, visit the Council's website or contact us: planning_policy@bathnes.gov.uk or 01225 477548

www.bathnes.gov.uk/corestrategy

Appendix 5

Public Notice of the consultation

Bath & North East Somerset Council

PLANNING AND COMPULSORY PURCHASE ACT 2004

THE TOWN AND COUNTRY PLANNING (LOCAL DEVELOPMENT) (ENGLAND) (AMENDMENT) REGULATIONS 2008

BATH & NORTH EAST SOMERSET LOCAL DEVELOPMENT FRAMEWORK

PROPOSED SUBMISSION CORE STRATEGY

Bath & North East Council has prepared a Core Strategy Development Plan Document (DPD) for public consultation under Regulation 27 of the 2008 Regulations.

The Core Strategy is a key policy document for Bath & North East Somerset that puts in place a strategic planning framework to guide change and development in the District over the next 20 years and beyond. It is part of the Council's Local Development Framework (LDF). The principal purpose of the Core Strategy is to set out clearly the spatial distribution of development within the district based on delivering a vision and strategic objectives.

The Council is now publishing its draft Core Strategy for consultation. A Sustainability Appraisal of the document has also been prepared for consultation which evaluates how social, environmental and economic issues have been taken into account in the preparation of the plan.

Copies of the DPD and accompanying documents can be viewed at the following Council offices:

- The Guildhall, High Street, Bath, BA1 5AW;
 - The Hollies, Midsomer Norton, Bath, BA3 2DP;
 - Riverside, Temple Street, Keynsham, Bristol, BS31 1LA
- between the hours of 8.30 am to 5.00 pm Mondays-Thursdays and 8.30 am to 4.30 pm on Fridays.

The document can also be viewed on the Bath & North East Somerset Council website www.bathnes.gov.uk/corestrategy and during library opening times, at all the public libraries within the District including the mobile libraries.

Comments on the draft Core Strategy can be made in the following ways:

- By completing the representation form online: www.bathnes.gov.uk/corestrategy
- By completing the representation form and returning to us by email: planning_policy@bathnes.gov.uk
- By completing the representation form and returning to us by post: Core Strategy Consultation, Planning Services, Bath & North East Somerset Council, PO Box 5006, Bath, BA1 1JG

Comments should be received within the 7 week consultation period which will run from **16th December 2010 - 3rd February 2011**.

David Trigwell
Director of Planning & Transport
Bath & North East Somerset Council

Making Bath & North East Somerset an **even**
better place to live, work and visit

www.bathnes.gov.uk

Appendix 6

Draft Core Strategy Representation Form

Bath and North East Somerset Draft Core Strategy

Publication Version Representation Form

Please return this form to Planning Services by midnight 3rd February 2011.

Post to: PO Box 5006, Bath, BA1 1JG

Email to: planning_policy@bathnes.gov.uk

(For official use only)

Rec'd:

Act:

Respondent No:

This form has two parts –

Part A – Personal Details

Part B – Your representations(s).

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

In order to ensure that the scope and content of your representations on the Publication Core Strategy is restricted to issues of soundness and legal compliance, you are requested to make your representation on this official form that has been specifically designed to assist you in making your representation. Please note all comments made on the Core Strategy will be publicly available.

A guidance note which explains how to complete this form is available on the website.

Part A

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

* If an agent is appointed, please complete only the Title, Name and Organisation

Boxes below but complete the full contact details of the agent in 2.

Title		
First Name		
Last Name		
Job Title (where relevant)		
Organisation (where relevant)		
Address Line 1		
Address Line 2		
Address Line 3		
Address Line 4		
Post Code		
Telephone Number		
E-mail Address (where relevant)		

Signature

Date

Bath and North East Somerset's Core Strategy – Publication Stage Representation Form

Part B – Please use a separate sheet for each representation

Name or Organisation:

3. To which part of the Core Strategy does this representation relate?

Page number:

Policy / Proposal:

4. Do you consider the Core Strategy is:

4.(1) Legally compliant Yes No

4.(2) Sound Yes No

**The considerations in relation to the Core Strategy being 'Sound' are explained in Planning Policy Statement 12 and the additional guidance for completing this representation form.
If you have entered No to 4.(2), please continue to Q5. In all other circumstances, please go to Q6.*

5. Do you consider the Core Strategy is unsound because it is not:

(1) Justified

(2) Effective

(3) Consistent with national policy

6. Please give details of why you consider the Core Strategy is not legally compliant or is unsound. Please be as precise as possible.

If you wish to support the legal compliance or soundness of the Core Strategy, please also use this box to set out your comments.

6a Why you consider the Core Strategy is not legally compliant:

6b Why you consider the Core Strategy is unsound:

(Continue on a separate sheet if necessary)

7. Please set out what change(s) you consider necessary to make the Core Strategy legally compliant or sound, having regard to the test you have identified at 5 above where this relates to soundness. You will need to say why this change will make the Core Strategy legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be precise as possible.

7a Change required to make the Core Strategy legally compliant:

7b Change required to make the Core Strategy sound:

(Continue on a separate sheet if necessary)

Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested change, as there will not normally be a subsequent opportunity to make further representations based on the original representation at publication stage. Please be as precise as possible.

After this stage, further submissions will be only at the request of the Inspector, based on the matters and issues he/she identifies for examination.

8. If your representation is seeking a change, do you consider it necessary to participate at the public hearings part of the examination?

- No, I do not wish to participate at the oral examination
- Yes, I wish to participate at the oral examination

9. If you wish to participate at the public hearings, please outline why you consider this to be necessary:

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

Representations may be accompanied by a request to be notified at a specified address of any of the following: that the Core Strategy DPD has been submitted for independent examination; the publication of the recommendations of any person appointed to carry out an independent examination of the Core Strategy DPD; and the adoption of the Core Strategy DPD.

Bath and North East Somerset's Core Strategy – Publication Stage Representation Form

Appendix 7

Draft Core Strategy Representation Form Guidance Notes

Bath and North East Somerset

Guidance for completing the Core Strategy representation form

1 Introduction

- 1.1 The Core Strategy is published so that comments or 'representations' can be made before the Core Strategy is submitted to the Government for examination. The representations will be considered alongside the examination of the Core Strategy by a Planning Inspector. The purpose of the examination is to consider whether the Core Strategy is legally compliant (has been prepared in accordance with regulations) and is 'sound'. (these are explained below). The Core Strategy is a 'Development Plan Document' or DPD.
- 1.2 This consultation is more formal than previous consultations on the Core Strategy. Representations received will be sent to the inspector and inform the examination. Previous consultations on the Core Strategy have already focussed on identifying issues in the district and on debating the options for future development of the district. The draft Core Strategy is therefore the culmination of ongoing engagement and assessment of the evidence base. The representations at this stage should therefore only relate to matters of soundness and legal compliance or be in support of the draft Core Strategy.

2 Legal Compliance

- 2.1 The Inspector will first check that the DPD meets the legal requirements under s20(5)(a) of the 2004 Act before moving on to test for soundness.
- You should consider the following before making a representation on legal compliance:**
- The Core Strategy should be within the Council's programme of work or 'Local Development Scheme' (LDS) and the key stages should have been followed. If the DPD is not in the current LDS it should not have been published for representations. The LDS should be on the LPA's website and available at their main offices.
 - The process of community involvement for the Core Strategy should be in general accordance with the LPA's Statement of Community Involvement. The Statement of Community Involvement (SCI) is a document which sets out a LPA's strategy for involving the community in the preparation and revision of Local Development Documents (including DPDs) and the consideration of planning applications.
 - The Core Strategy should comply with the Town and County Planning (Local Development) (England Regulations) 2004 (as amended)². On publication, the LPA must publish the documents prescribed in the regulations, and make them available at their principal offices and their website. The LPA must also place local advertisements and notify the DPD bodies (as set out in the regulations) and any persons who have requested to be notified.
 - The LPA is required to provide a Sustainability Appraisal Report when they publish a DPD. This should identify the process by which the Sustainability Appraisal has been carried out, and the baseline information used to inform the process and the

outcomes of that process. Sustainability Appraisal is a tool for appraising policies to ensure they reflect social, environmental, and economic factors.

- The Core Strategy must have regard to the Sustainable Community Strategy (SCS) for the area. The SCS is usually prepared by the Local Strategic Partnership which is representative of a range of interests in the LPA's area.

3 Soundness

3.1 Soundness means that the Inspector has to be satisfied that the Core Strategy is justified, effective and consistent with national policy. To be sound a DPD should be:

- **Justified**

This means that the DPD should be based on a robust and credible evidence base involving:

- o Research/fact finding: the choices made in the plan are backed up by facts.
- o Evidence of participation of the local community and others having a stake in the area; and

The DPD should also provide the most appropriate strategy when considered against reasonable alternatives. These alternatives should be realistic and subject to sustainability appraisal. The DPD should show how the policies and proposals help to ensure that the social, environmental, economic and resource use objectives of sustainability will be achieved.

- **Effective**

This means the DPD should be deliverable, embracing:

- o Sound infrastructure delivery planning;
- o Having no regulatory or national planning barriers to delivery;
- o Delivery partners who are signed up to it; and
- o Coherence with the strategies of neighbouring authorities.

The DPD should also be flexible and able to be monitored.

The DPD should indicate who is to be responsible for making sure that the policies and proposals happen and when they will happen. The plan should be flexible to deal with changing circumstances, which may involve minor changes to respond to the outcome of the monitoring process or more significant changes to respond to problems such as lack of funding for major infrastructure proposals. Although it is important that policies are flexible, the DPD should make clear that major changes may require a formal review including public consultation.

Any measures which the LPA has included to make sure that targets are met should be clearly linked to an Annual Monitoring Report. This report must be produced each year by all local authorities and will show whether the DPD needs amendment.

- **Consistent with national policy**

The DPD should be consistent with national policy. Where there is a departure, LPAs must provide clear and convincing reasoning to justify their approach. Conversely, you may feel the LPA should include a policy or policies which would depart from national policy to some degree in order to meet a clearly identified and fully justified local need. In this instance it will be important for you to say in your representations what the local circumstances are that justify a different policy approach to that in national policy and support your assertion with evidence.

3.2 Representations supporting the soundness of the draft Core Strategy

It is important that if you support a policy or approach in the Core Strategy that you express your support so that the Inspector has the full picture in considering the Core Strategy.

3.3 If you think the content of the draft Core Strategy is not sound because it does not include a policy where it should do, you should go through the following steps before making representations:

- Is the issue with which you are concerned already covered specifically by any other tier of planning policy i.e. national planning policy? If so it does not need to be included.
- Is what you are concerned with covered by any other policies in the DPD on which you are seeking to make representations or in any other DPD in the LPA's Local Development Framework (LDF). There is no need for repetition between documents in the LDF.
- If the policy is not covered elsewhere, in what way is the DPD unsound without the policy?
- If the DPD is unsound without the policy, what should the policy say?

4 General advice

- 4.1 **If you wish to make a representation seeking a change to a DPD or part of a DPD you should make clear in what way the DPD or part of the DPD is not sound having regard to the legal compliance check and three tests set out above.** You should try to support your representation by evidence showing why the DPD should be changed. It will be helpful if you also say precisely how you think the DPD should be changed. Representations should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested change, as there will not normally be a subsequent opportunity to make further submissions based on the original representation made at publication. After this stage, further submissions will be only at the request of the Inspector, based on the matters and issues he/she identifies for examination.
- 4.2 Where there are groups who share a common view on how they wish to see a DPD changed, it would be very helpful for that group to send a single representation which represents the view, rather than for a large number of individuals to send in separate representations which repeat the same points. In such cases the group should indicate how many people it is representing and how the representation has been authorised.

4.3 Further detailed guidance on the preparation, publication and examination of DPDs is provided in PPS12 and in The Plan Making Manual*.

5. Further assistance

5.1 If you require assistance with completing the representation form or with any aspect of this guidance note please do not hesitate to contact the planning policy team on 01225 477548 or planning_policy@bathnes.gov.uk and we will make arrangements to assist you.

Endnotes

1. View the 2004 Act at:
http://www.opsi.gov.uk/acts/acts2004/ukpga_20040005_en_1
View the amending 2008 Act at:
http://www.opsi.gov.uk/acts/acts2008/pdf/ukpga_20080029_en.pdf

2. View the 2004 Regulations at:
<http://www.opsi.gov.uk/si/si2004/20042204.htm>
View the 2008 amending Regulations at:
http://www.opsi.gov.uk/si/si2008/pdf/uksi_20081371_en.pdf
View the 2009 amending Regulations at:
http://www.opsi.gov.uk/si/si2009/pdf/uksi_20090401_en.pdf

3. View Planning Policy Statement12 at:
<http://www.communities.gov.uk/publications/planningandbuilding/pps12sp>

4. View the Plan Making Manual at:
<http://www.pas.gov.uk/pas/core/page.do?pageld=51391>

Appendix 8 – Screen shot of Draft Core Strategy with prominent hyperlink to comment form

The screenshot shows a web browser window displaying the Bath & North East Somerset Council website. The address bar shows the URL: <http://www.bathnes.gov.uk/environmentandplanning/planning/localdevelopment/framework/pages/corestrategy.aspx>. The page features a search bar at the top left and a navigation menu with links for Accessibility, Contact Us, Help, and Site Map. The main content area is titled "Core Strategy Consultation Now Open" and includes a "Draft Core Strategy" graphic. A prominent yellow box highlights the "Comment Form" link. Below this, the "Responding to the Consultation" section provides instructions on how to submit comments, including a link to the "Comment Form (word version)" and an email address: planning_policy@bathnes.gov.uk. On the right side, there is an "A to Z" index and sections for "Related Information" and "Related Documents".

Environment & Planning

- Annual Monitoring Report
- Bath City-Wide Character Appraisal SPD
- Bath City-Wide Character Appraisal SPD Adoption Statement
- Renewable Energy Research and Planning

[Home](#) > [Environment & Planning](#) > [Planning](#) > [Local Development Framework](#) > [Core Strategy Consultation Now Open](#)

Core Strategy Consultation Now Open

Draft Core Strategy

Comment Form

Responding to the Consultation

Please use the [Comment Form \(word version\)](#) to make your comments (either to support or object)

Alternatively, send your comments by email to planning_policy@bathnes.gov.uk quoting the policy area that your comment relates to and including your contact details.

A to Z

a	b	c	d	e
f	g	h	i	j
k	l	m	n	o
p	q	r	s	t
u	v	w	x	y
z				

Related Information

- [e-consultation](#)
- [Sustainable Community Strategy](#)

Related Documents

- [Draft Core Strategy Executive Summary.pdf](#)
- [Draft Core Strategy - Interactive document](#)
- [Draft Core Strategy -](#)

Appendix 9 – Letter to those on LDF consultation database notifying of the start of the consultation

**Bath & North East
Somerset Council**

Planning & Transport Services
Bath & North East Somerset Council
PO Box 5006, Bath,
BA1 1JG
Telephone : 01225 477548
Email: planning_policy@bathnes.gov.uk
www.bathnes.gov.uk/corestrategy
Date: 13.12.2010

«Title» «First_Name» «Last_Name»
«Position»
«Organisation_Name»
«Address»
«Address_2»
«Address_3»
«Address_4»
«Address_5» «Postal_Code»

Dear Sir / Madam

Draft Core Strategy – Publication Version.

On 16th December, the Council is publishing its draft Core Strategy for formal consultation. The Core Strategy sets out the policy framework for the location and level of new housing and other development for the next 15 – 20 years. It also includes policies which influence the quality and nature of development such as the need for sustainable construction, ensuring provision of infrastructure and prioritising development of brownfield sites. This document has been informed by ongoing engagement and work with local communities. Once adopted, the Core Strategy will be the key planning policy framework for the District. It will be the first stage in the replacement of the B&NES Local Plan policies.

This is a formal stage of the consultation process and responses should be sent to the Council. All comments will then be provided by the Council to the Inspector for the Examination which is due to take place in Autumn 2011. Respondents are therefore requested to use the official form (enclosed) for making comments and address matters of soundness and legal compliance. A guidance note (enclosed) has been prepared which explains this in more detail, this is also available on our website alongside the official response form. Copies of the press notice and Statement of Representations Procedure are also enclosed.

The draft Core Strategy document is available on our website and you are encouraged to make comments on-line at www.bathnes.gov.uk/corestrategy. There are also copies at main Council offices in Bath, Keynsham and Midsomer Norton and main libraries. Copies can also be purchased at a cost of £5.00 from The Guildhall Bath, Riverside Keynsham and the Hollies Midsomer Norton. In addition an executive summary and some shorter leaflets for Bath, Keynsham, the Somer Valley and the rural areas are available.

Consultation on the draft Core Strategy document runs from 16th December 2010 to 3rd February 2011. Please ensure that your comments reach us by no later than midnight on **3rd February 2011**.

Making Bath & North East Somerset an
even better place to live, work and visit

Following the consultation period the Council will consider the issues raised in comments received. The draft Core Strategy will then be submitted to the Secretary of State for a Public Examination into its soundness. The Examination will be held before an independent Inspector and is scheduled to take place in autumn 2011. If the Core Strategy is found sound, the inspector will issue a binding report. To be sound, a Core Strategy must be;

- based on evidence (including results of public consultation),
- the most appropriate option selected in light of the alternatives,
- prepared in accordance with statutory procedures of consultation and sustainability appraisal,
- deliverable,
- in conformity with the Sustainable Community Strategy

If you have any queries about how to see the documents, the consultation or if you want to talk to a planning officer please contact the planning policy team:

Planning Policy team

Po Box 5006

Bath

BA1 1JG

E-mail: planning_policy@bathnes.gov.uk

Telephone: 01225 477548

Website: www.bathnes.gov.uk/corestrategy

Yours sincerely,



David Trigwell

Divisional Director Planning and Transport Development
Bath & North East Somerset Council

Enc. Representation form
Representation guidance note
Statement of Representations Procedure
Press Notice advertising the consultation

Planning blueprint to unlock economic growth

Publish Date:

25.11.10

The document that will guide planning up until 2026 is to be debated by Bath & North East Somerset Council on 2nd December 2010. The plan will also help unlock the future economic potential area by proposing up to 11,000 new homes and 8,700 new jobs.

The draft Core Strategy is one of the Council's key policies to build upon the area's strong foundations – for example, the emerging creative industries, success of local Universities, and vibrant retail and tourist offer – through its vision for the district to tackle the tough challenges over the next 20 years and avoid long-term decline; namely a low wage economy, affordable housing shortages, the lack modern flexible accommodation, need to tackle climate change, and poor local infrastructure.

The proposal for up to 11,000 new homes has been reduced from previous figures imposed by the now abolished South West Regional Assembly. This reflects the latest economic data taking into account local factors, such as growth rates and population changes, and responses to the previous consultation exercise on the draft Core Strategy by the public who wanted proposed urban extensions scrapped.

Councillor Charles Gerrish, Cabinet Member for Service Delivery, said, “Using the land in the district as effectively as possible is crucial if Bath & North East Somerset Council is to unlock the future economic potential of the area. The unpopular proposed urban extensions into Green Belt land are to be scrapped and the Council will be prioritising development using brownfield land as far as possible and ensuring the provision of appropriate infrastructure. However, the homes target we are proposing to adopt is still ambitious and shaped around our aspirations to support at least an extra 8,700 jobs to the area by 2026.

“With a sustainable number of new homes it will make it easier for new employers to bring their workforce here and encourage graduates from our Universities to remain living and working in the area. This must be supported by new infrastructure to enable the sustainable development of key employment sites and new, flexible office space for a broader range of jobs, particularly in central Bath.”

The plan seeks to meet the needs of the local population through maximising the provision of affordable housing of at least an average of 35% of all large housing developments. It highlights the need for sustainable development to reduce carbon emissions and support meeting the target of a 45% reduction by 2026 through retrofitting existing buildings, sustainable construction, renewable energy targets, and district heating.

Councillor Roger Symonds, said, “The Council is no longer affected by top down predictions of what we need to provide in terms of growth and totally unrealistic housing targets. This proposed strategy reflects the views of local people and local economic circumstances. The issue of providing enough affordable housing is

probably the most urgent issue that needs to be tackled. This consultation is an opportunity for local people to have a further input into the area.”

Councillor Doug Deacon said, “I think I speak on behalf of everyone when I thank the planning team at the Council who have worked to develop this Core Strategy. I’m pleased about the revised housing numbers which have been scaled down and the fact the Council is proposing to use brownfield land ahead of green fields.”

Each area of the district has its own sub-strategy split into Bath, Keynsham, Somer Valley, and rural areas. Further details are available at www.bathnes.gov.uk/corestrategy

If the draft Core Strategy is agreed at the Council meeting formal public consultation will take place shortly afterwards.

Consultation on Core Strategy begins

Publish Date:

16.12.10

We are now inviting local people to give their comments on the draft Core Strategy.

The strategy will guide planning up until 2026 and help unlock the future economic potential of the area by proposing up to 11,000 new homes and 8,700 new jobs.

The consultation starts today (December 16) and runs until February 3 – this is a seven week period to allow for the Christmas holidays.

Unlocking the future economic potential of the area

The draft Core Strategy is one of our key policies to build upon the area’s strong foundations – for example, the emerging creative industries, success of local Universities, and vibrant retail and tourist offer – through its vision for the district to tackle the tough challenges over the next 20 years and avoid long-term decline; namely a low wage economy, affordable housing shortages, the lack modern flexible accommodation, need to tackle climate change, and poor local infrastructure.

With a sustainable number of new homes it will make it easier for new employers to bring their workforce here and encourage graduates from our Universities to remain living and working in the area. This must be supported by new infrastructure to enable the sustainable development of key employment sites and new, flexible office space for a broader range of jobs, particularly in central Bath.

Scrapping urban extensions

The proposal for up to 11,000 new homes has been reduced from previous figures imposed by the now abolished South West Regional Assembly. This reflects the latest economic data taking into account local factors, such as growth rates and population changes, and responses to the previous consultation exercise on the draft Core Strategy by the public who wanted proposed urban extensions scrapped.

The plan seeks to meet the needs of the local population through maximising the provision of affordable housing of at least an average of 35% of all large housing developments. It highlights the need for sustainable development to reduce carbon emissions and support meeting the target of a 45% reduction by 2026 through retrofitting existing buildings, sustainable construction, renewable energy targets, and district heating.

You can find the consultation at www.bathnes.gov.uk/corestrategy

Appendix 11

LSP Annual Forum handout note



CORE STRATEGY UPDATE



What Is the Core Strategy?

The **Core Strategy** is a key policy document for Bath & North East Somerset that will guide change and development in the District over the next 20 years and beyond. It is part of the Council's **Local Development Framework (LDF)**.

The principal purpose of the Core Strategy is to set out clearly the spatial distribution of development within the district based on delivering a vision and strategic objectives.

What Is the latest?

Since the Spatial Options consultation at the end of 2009, the Council has been preparing the draft Core Strategy. In light of the revocation of the Regional Spatial Strategy, B&NES has been doing work to determine the level of growth that the Core Strategy needs to plan for. Taking on board the latest evidence and considering the comments from the Spatial Options consultation, the Council has developed a draft Core Strategy for formal public consultation.



Nature of consultation

This is a formal stage in the process and respondents should comment on the soundness of the document and whether the preparation process followed complies with the regulations. 'Soundness' means whether the strategy is justified (based on evidence), effective (deliverable) and consistent with national policy. Comments should either support the document or identify reasons why the document as presented is unsound.

When?

If agreed at Council on 2nd December 2010, the draft Core Strategy will be released for formal public consultation:

Consultation period: 16th December 2010 – 3rd February 2011

For further information please visit the website or contact planning policy:
planning_policy@bathnes.gov.uk or 01225 477548



www.bathnes.gov.uk/corestrategy

APPENDIX 12 - Part A

SCHEDULE OF KEY ISSUES ARISING FROM THE PUBLIC CONSULTATION ON THE DRAFT CORE STRATEGY & COUNCIL RESPONSES

Preface

The representations received on the draft Core Strategy have been analysed and the issues arising have been considered and a Council response is outlined. Consideration of the issues and preparation of a response has resulted in a number of non-material changes (which are set out in a separate schedule of non-material changes).

This schedule is divided into two parts:

- A. Summary of Key issues – those issues that are particularly contentious and/or critical to the soundness of the overall strategy are summarised. A Council response is outlined and where a non-material change has been made this is referenced.
- B. Summary of Issues – this is a summary of a more comprehensive list of issues arising from the representations, with a Council response and resultant proposed changes.

Part A

OVERALL LEVEL AND LOCATION OF GROWTH

Issue: **Broad Support**

- The Core Strategy is welcomed by a range of organisations and individuals including English Heritage, Natural England, Environment Agency and local groups

Objection to the location and level of growth

- the Core Strategy does not provide for sufficient housing to meet the level of need, demographic change and economic growth and this is a failure to comply with PPS3 to provide everyone with the opportunity of living in a decent home, which they can afford, in a community where they want to live
- The evidence underpinning the Core Strategy is flawed: Overall level of growth is too low and does not adequately take into account population growth, migration, household formation and economic growth.
- The locational strategy should be changed to take land out of the Green Belt on the edge of Bath, Bristol and Keynsham for urban extensions to meet housing need
- B&NES should meet some of the shortfall in Bristol's Housing need
- The Core Strategy should be in accordance with the levels of housing and jobs growth in the draft Regional Spatial Strategy and its supporting evidence and the urban extensions that it proposes
 - The Core strategy is planning for a pessimistic level of economic growth and is out of step with the LEP: it will therefore constrain growth in B&NES
- The strategy relies on the delivery of brownfield sites which are often problematic eg MoD sites not coming forward, problems with BWR eg gasholders
- There is insufficient flexibility to allow for contingency/alternative provision if development sites do not come forward
- The backlog of unmet affordable need has not been met
- The strategy does not include windfall housing
- Cross boundary working with adjoining districts is not evident

Response: The Core Strategy takes a balanced approach to growth seeking to meet the identified need but also taking account of the environmental impact and the results of public consultation, statutory consultees and local communities. The locational strategy seeks to focus development in the most sustainable locations and maximise economic growth in a way which does not harm the World Heritage Site of Bath, is closely aligned with new infrastructure, maximises the use of brownfield sites and respects the integrity of local communities. The Council has tested alternative approaches and has selected the most appropriate. The Core Strategy plans for a realistic and deliverable level of economic growth based on independent data sources. Even this entails a significant uplift in housing provision from an average of around 400 a year to around 550 per year.

The RSS can only be afforded very little weight because it has not been adopted and is out-of-date, using evidence based on pre-recession rates of economic growth and high immigration rates. The Council takes a more sophisticated approach than meeting simple trend based projections driven particularly by extrapolations of migration such as those underpinning the CLG projections.

The contribution of windfall sites is explained in the SHLAA but this can be elaborated in the background paper to be prepared for submission at the Examination. Windfall sites also provide flexibility in the overall housing numbers. B&NES has also worked closely with WoE partners in the formulation of the Core Strategy as evidenced in the Joint Supplementary Planning Document and supporting studies. In terms of delivery the Council has agreed a Local Investment Plan with the HCA in conjunction with WoE colleagues and has prepared a Infrastructure Delivery Plan.

The Council is establishing more rigorous housing delivery monitoring mechanisms and in light of the current uncertainties in the housing market, the Core Strategy will be subject to early review

Conclusion: No Change

BATH ISSUES

Economic Development

Issue: General support for thrust of Core Strategy policy but scepticism about the deliverability of new office space being proposed.

Response: The level of office development proposed is high but defensible in relation to evidence base (Economic Strategy and Business West Research) and is supported by Development and Major Projects. Key question is in relation to development industry's response to market demand signals given low rental levels and high development costs. Council's own property portfolio key to successful delivery of new office space in the city centre.

Conclusion: No change.

Issue: Concern that Core Strategy is planning for a 15% reduction in industrial space by 40,000 m² down to 200,000 m² which could be harmful to the economy of Bath

Response: The likely level of industrial losses is around 30,000 m² (11.5%) across the City during the plan period, although the actual level of loss may exceed this in light of potential losses at deliver BWR, South Quays, Bath Press etc which could be nearer 40,000 m². Development and Major Projects confirm that planning for a contraction of 30,000 m² is in line with the economic strategy and hence it is proposed that the plan is amended to reflect this figure rather than the higher figure of 40,000 m².

Conclusion: Change Policy B1 to reflect likely lesser loss of industrial land in the City (Proposed Changes PC17). Tighten wording of Policy B3 in relation to Newbridge and Twerton Riversides (Proposed Changes PC31, PC32 and PC33)

Retail Development

Issue: Concern that Core Strategy seeks to enable less city centre retail development than the retail study suggests could be supported.

Response: Representation made by Royal Mail Group re potential land value of Manvers Street Depot. Retail study suggests that a development of comparable scale to SouthGate could be supported to 2026. Core Strategy seeks more modest developments within the city centre (amounting to about 1/3 of Southgate). City Centre sites needed for high value jobs not more low value retail jobs. Whilst retail is a key role for the City Centre, its other functions must also be taken into account. The Council is also concerned to support small, local retailers.

Conclusion: No change.

New Stadium

- Issue:** Concern that Central Area Policy gives endorsement to redevelopment of the Rec for a larger stadium and that this is too site specific for the Core Strategy. Rugby Club request that reference to 'new' stadium changed to 'larger stadium and associated uses'. Central Area boundary arbitrarily cuts through Johnstone Street.
- Response:** Core Strategy gives strong policy endorsement for the development of a new stadium within the Central Area which may or may not be the Rec. Accept removal of reference to a particular user ie 'Bath Rugby' which appears to promote the interests of a PLC. Agree to inclusion of 'associated' uses' given the general thrust of new stadia i.e. including, banqueting, conferencing and club shop uses.
- Conclusion:** Minor amendment to central area boundary to exclude Johnstone Street. Deletion of specific reference to Bath Rugby. Addition of associated uses. (Proposed Changes PC24 and PC28)

Land Remediation

- Issue:** Observation that addressing land remediation within the Central Area and Western Corridor in relation to industrial and utilities uses is a key aspect of delivery. The decommissioning and removal of the Windsor Gas Holder Station, in particular, must be addressed as part of the redevelopment of Bath Western Riverside and its environs.
- Response:** Agreed that this issue should be highlighted in the Core Strategy
- Conclusion:** Add reference to need for remediation works and in strategic issues section, Policy B1(10) and in the delivery and infrastructure section. (Proposed Changes PC12, PC20 and PC48)

Rosewell Court

- Issue:** Direct reference to this site causes upset and anxiety for existing residents.
- Response:** Noted. Somer Housing Association indicate that there are no current plans re Rosewell Court but appear not to rule out any change to this position during the next 15 years. Reference specifically to Rosewell Court is not essential.
- Conclusion:** Delete reference to Rosewell Court in Policy B2 (2) (Proposed Change PC26)

World Heritage Site

- Issue:** Concern with lack of a clearly defined buffer zone on a map.

Response: The Council considers that much greater protection can be afforded to the WHS and its setting through the policy approach set out in the Core Strategy. Definition of a buffer zone boundary will inevitably exclude some areas where development might harm the WHS or its setting

Conclusion: **No change.**

Issue: **Concern that the Policy B4 is caveated to refer only to proposals that seeks to mitigate and adapt to climate change and neglects to note that other developments may yield a public benefit that needs to be considered/weighed.**

Response: Accept that a more 'general' caveat is needed given the requirement to weigh any proposed 'public benefit' against any harm to the significance of the WHS and its setting i.e. a harmful proposal (where a public benefit is being promoted) cannot be refused automatically without proper cost-benefit analysis. The policy should be reworded to reflect national policy in PPS5 (HE.1 and HE.9)

Conclusion: **Amend Policy B4 to more closely reflect national policy :**

There is a strong presumption against development that would result in harm to the Outstanding Universal Value of the World Heritage Site, including its authenticity or integrity, or to the setting of the World Heritage Site.

Harmful development with no demonstrable public benefit will be refused.

Where development has a demonstrable public benefit, including mitigating and adapting to climate change, this benefit will be weighed against any harm to the Outstanding Universal Value of the World Heritage Site.

(Proposed Change PC42)

Issue: **Redraft paragraph 2.33 to reflect Design thrust of PPS1.**

Response: The original wording was designed to deflect pastiche proposals but comes across as too anti-classicalist. Rewording notes that design, however inspired must be of high quality and respond to the OUV of the WHS. It is therefore more architectural neutral.

Conclusion: Change **paragraph 2.33 to read**

“The Core Strategy seeks to promote and reinforce local distinctiveness through high quality design that improves the environmental quality and character of the city and the way that it functions. In addition to normal processes of

contextualisation in relation to neighbouring buildings and the wider area more generally, development must be demonstrably informed by an understanding of the Outstanding Universal Value of the World Heritage Site, its authenticity and integrity. Design that fails to conserve or take the opportunity to enhance the Outstanding Universal Value World Heritage Site will be rejected. The preparation of other local development documents, including the Placemaking Plan will ensure the achievement of high quality design.”

(Proposed Change PC44)

Universities

Issue: **General support from Bath and Bath Spa Universities. English Heritage request that the policy on Bath Spa should include reference to need to take account of heritage. Bath University seek addition of reference to Masterplan.**

Response: Existing Local Plan policy for Bath Spa University is sufficiently robust to address heritage issues on the campus and no change is needed. Accept usefulness of reference to masterplans

Conclusion: **Add reference in the supporting text to the emerging masterplans for both Universities.**

(Proposed Change PC46)

Green Belt changes

Issue: **Developers are seeking changes to the Green Belt boundary around Keynsham, as recommended in the RSS proposed changes in order to meet housing needs and because brownfield sites within the urban area including Somerdale are not deliverable due to constraints such as flood mitigation, sewerage capacity, highway infrastructure and traffic management. Otherwise the Council is unable to demonstrate a five-year supply of housing land.**

Response: Policy DW1 explains that the overarching strategy for B&NES is to promote sustainable development by retaining the general extent of the Bristol-Bath Green Belt with no strategic changes to the boundaries. Policy KE1 expands on this by stating that the strategy for Keynsham is to maintain the Green Belt surrounding the town. The Council considers that the identified development proposals are deliverable and the scale of development proposed in the Core Strategy is appropriate for the town and reflects local community aspirations. There is already a large Green Belt release development site which needs to be developed and consolidated within the town during the plan period. Other than the site at K2, options for removal of land from the Green Belt were rejected by the Local Plan Inquiry Inspector. This strategy is co-ordinated with that of Bristol City Council which does not support urban extensions to the City within B&NES

Conclusion: No change

Issue: **Land earmarked for 'K2' Development should be reinstated as Green Belt.**

Response: Joint Replacement Structure Plan Policies 2(l), 9 and 16 provided for a change to the Green Belt at Keynsham in order to provide primarily for new residential development and associated local employment and social infrastructure. Land to the south west of the town was subsequently removed from the Green Belt in the adopted Local Plan for this purpose. This was discussed at public examination into the Local Plan and recommended by an independent inspector. It is part of the statutory development plan.

Conclusion: No change.

Somerdale

Issue: **Somerdale is more a suitable as an employment site than for residential development due to it being partly within flood zone 2 and subject to increased risk from climate change.**

Response: Somerdale has been identified, as part of the Policy KE2 area, for a mix of uses including significant employment floorspace, new homes, leisure and recreational uses. The Environment Agency notes that the Sequential and Exception Test report has sought to justify locating development here despite part of the site designated as flood zone 2 based on other sustainable considerations that need to be taken into account. Subject to the Inspector being satisfied that BANES have applied appropriate weight to these other sustainability considerations compared to flood risk, and therefore justifying locating new development in this flood risk area, the EA has raised no objection. The EA are pleased to note that the Sequential and Exception Test report recommends that a sequential approach should be taken to the masterplanning of the Somerdale site, which they highlight as important given the significant opportunity that exists to direct development away from flood risk at Somerdale.

Conclusion: **No change.**

Keynsham Town Plan

Issue: **Explain why the refreshed Keynsham Town Plan was unable to influence the Core Strategy.**

Response: Paragraph 3.08 states that the spatial strategy has been informed by the current Town Plan, and recognises that this is currently being refreshed. Unfortunately the refresh will not be completed in time to incorporate this into the draft CS. Nevertheless, preparation of the Core Strategy entailed extensive discussion with communities in Keynsham. However, recognising that the new Town Plan is important, a non-material change is proposed to explain this.

Conclusion: **Change paragraph 3.08 to explain that the forthcoming Placemaking Plan will be informed by the refreshed Town Plan.**
(Proposed Change PC55)

Imbalance between jobs and homes

- Issue:** This is not adequately addressed by the Core Strategy. Lack of employment provision. No clear commitment and evidence to support the delivery of 1,000 new jobs.
- Response:** Space is available in for more than 1000 jobs to come forward in the Somer Valley and so the Core Strategy does not seek to cap job growth. The figure of an net additional 1000 jobs reflects the Business West Research which is a realistic and deliverable figure to plan for. The Council’s Economic Strategy sets out action plans which, along with the Economic Regeneration Delivery Plans, will facilitate job creation.
- Conclusion:** No Change

Employment provision

- Issue:** Inflexible policy approach to vacant , unsuitable employment sites. The Local Plan ‘Core Employment Areas’ designations should be reviewed.
- Response:** Overarching strategy is to facilitate economic led development to achieve self reliant communities. The existing employment sites are safeguarded in the Local Plan and only allow alternative uses in the Somer Valley where there is employment benefit or which contributes to improvements to the town centres. Local designations will be reviewed through the Placemaking process.
- Conclusion:** Agree to add new Para 4.15a for clarification – “ Local designations such as Housing Development Boundaries and Core Business Areas shown on the Proposals Maps (saved from the existing Local Plan) will be reviewed as part of the Placemaking Plan”.
(Proposed Change PC62)

Housing provision

- Issue:** Housing provision is too low; (Consider greenfield land, vacant industrial sites, and Coombend/Clandown) The policy is unduly prescriptive and excessive. Housing Development Boundaries should be reviewed. Housing provision is too high;

Should not disperse the housing needs of Bath (urban extensions) to this area. Paulton cannot accommodate any more new housing over the Polestar site.

Response: The overarching strategy is to facilitate economic led development to achieve greater self reliance. 2,200 homes (the Polestar site included) are already committed development and provision is made for an additional 500 homes only where this facilitates economic development or directly contributes to the implementation of the Town Park.

Conclusion: Agree to add to Para 4.15a for clarification – “ Local designations such as Housing Development Boundaries and Core Business Areas shown on the Proposals Maps (saved from the existing Local Plan) will be reviewed as part of the Placemaking Plan”.
(Proposed Change PC62)

Transport

Issue: **Possibilities for renewing rail transport are omitted. References to more cycling and walking ignore the constraints of terrain and time of such activities in the regeneration of the town. The Core Strategy should reflect the amendment to the JLTP (P.132) and Policy SV1 should include a commitment to exploring the reinstatement of the rail link between Radstock and Frome.**

Response: Disused rail links are already safeguarded in the Local Plan as Sustainable Transport Route which include re-opening of railway. However it is noted that the JLTP3 has been amended since the publication of the Core Strategy.

Conclusion: Agree to add explanatory text reflecting the JLTP3 after Para 4.17 “The Joint Local Transport Plan which was adopted in March 2011 includes reference to further rail enhancements by 2026, for example re-opening the Radstock to Frome line.
(Proposed Change PC53)

Midsomer Norton town centre

Issue: **An Article 4 Direction relating to the Midsomer Norton and Welton conservation areas to protect distinctive character and heritage is essential.**

Response: Policy SV 1 aims to protect and enhance the distinctive character of the area including the landscape and built and historic environment. The Core Strategy is a high level development plan and it is not appropriate to consider Article 4 Direction issues. Investigations are underway into how the options for this work could be undertaken.

Conclusion: No change.

Radstock town centre

- Issue: **The existing policy area for Radstock is too narrow to deliver the stated objectives. An economic plan or masterplanning is needed. Radstock does not have the same regeneration work as MSN and Keynsham. The result is that the statement in Policy SV3 is a dangerous generalisation and is not the basis for strategic development. Biodiversity not considered properly. The NRR scheme will jeopardise Core Strategy objectives because it compromises pedestrian safety and damages the town centre particularly with the approved new road layout.**
- Response: Regeneration Development Plan proposals have been postponed and replaced by proposals to prepare an economic strategy for Radstock in partnership with local communities at the Radstock Task Force meeting. National policy and Policy CP6 Environmental quality covers biodiversity and applies to this area. Planning permission for the NRR development has already been granted
- Conclusion: **No change.**

Diagrams

- Issue: **Inconsistency in the style of diagrams 16 and 17 with other spatial diagrams.**
- Response: Agree.
- Conclusion: **Amend the diagrams accordingly. (Proposed Change 64)**

Policy RA1 – ascertaining community support for new development

- Issue:** Developer criticism of policy clause C which requires local community support to be demonstrated in order for development at a village to be granted planning permission. The Core Strategy requires that this should be through the Parish Council but developers consider that local views should be ascertained through a variety of mechanisms.
- Response:** Paragraph 5.17 defines community support being demonstrated by views of the Parish Council as this is the key democratic mechanism available for this purpose. However Policy RA1 itself does not exclude other mechanisms for demonstrating overwhelming community support and recognition needs to be given to changes arising from the Localism Bill. Wording to be added to para 5.17 to reflect this.
- Conclusion:** Amend paragraph 5.17 to reflect mechanisms for demonstrating local community support for proposals to be introduced in the Localism Bill. (Proposed Change PC73)

Policy RA1 Flexibility in allowing development sites to come forward in villages

- Issue:** The Draft Core Strategy does not clarify the flexibility in the policy that there is the opportunity for any village to meet the criteria for Policy RA1 during the plan period.
- Response:** Policy RA1 deliberately does not list or refer to any villages by name to enable its flexible application over the life of the Core Strategy to respond to changing circumstances. It sets out a general policy specifying the criteria that need to be met in order for a housing scheme to be acceptable. Para 5.18 lists the villages which *currently* meet this requirement but states that this is an indicative list. This could be clarified in para 5.18.
- Conclusion:** Add to end of paragraph 5.18 “This is an indicative list of villages which will be included in the review of the Core Strategy, however consideration will be given to any demonstrated change of circumstances against the criteria” and to refer to villages as ‘indicative’ in the key to diagrams that include them. (Proposed Change PC74)

CLIMATE CHANGE POLICIES

Policy CP1 - Retrofitting

Issue: The Policy should take account of feasibility and viability of retrofitting climate change measures to existing buildings.

Response: Current Policy wording is sufficiently flexible and requires that opportunities be considered as part of early design brief stage. In addition, there is flexibility in the planning system to consider these issues.

Conclusion: No change.

Issue: Clarification needed as to whether this policy relates only to historic buildings but also to the more difficult treatment of buildings of solid wall/traditional construction.

Response: Accept these points

Conclusion: Clarify policy to read “historic buildings and buildings of solid wall or traditional construction” (also clarify this in para 6.05). Add reference to the “Sustainable Construction and Retrofitting SPD” replacing general references in the policy at point 2 under delivery and in para 6.08. (Proposed Changes PC79, PC80 and PC81)

Policy CP 2 - Sustainable Construction

Issue: Policy should be more flexible and allow for developer defined sustainability standards.

Response: The existing policy approach uses national methodology and assessment process and Policy CP2 provides the necessary guidance on this issue is needed to ensure clarity and Council / LSP objectives are met.

Conclusion: No change.

Issue: Costs to the end user should be considered when designing most appropriate approach in terms of sustainable construction.

Response: Already covered by national policy.

Conclusion: No change.

Policy CP3 – Renewable Energy

Issue: Mixed responses to the targets proposed. Some argue that they are too *ambitious* increasing burden on new development. Others argue that they are too *low* not acknowledging the need for the fundamental change demanded by national policy.

Response: The targets are based on bespoke local evidence. The Landscape Impact Assessment and emerging Visual Impact Assessment will provide useful guidance in considering wind energy. Policy positively facilitates increasing the energy from renewable sources which directly contributes to meeting national objectives and Council/LSP objectives.

Conclusion: No Change.

Policy CP 4 - District Heating

Issue: **RUH should not be included as one of the proposed District Heating areas.**

Response: RUH have detailed scheme for District Heating and CHP on their site but are concerned that the policy will mean that they have to extend this beyond their site boundaries. This is not the case, and provides future opportunity for the RUH. This policy supports the scheme that the RUH are working on.

Conclusion: No change.

Policy CP5 – Flood Risk Management

Issue: **Endorsement and support on the policy approach by the Environmental Agency. Policy should make an explicit reference to the need of compensatory water storage recommended by the Flood Risk Management Strategy.**

Response: Policy CP5 already directly refers to the Flood Risk Management Strategy and the need for an upstream storage facility is depicted on the Key diagram and the Bath diagram. However, specific reference could also be added to policy B1.

Conclusion : Amend Policy B1 to include requirement for the upstream storage facility (Proposed Change PC20)

HOUSING NEEDS

Policy CP 9 – Affordable Housing

Issue: Rather than a ‘blanket’ requirement of 35% affordable housing across the district, the policy should have an area based approach with higher % of affordable housing in higher value areas and a lower % in lower value areas.

Response: The policy approach proposed gives greater flexibility and recognises the complex variation in values across the district , enabling the Council to seek the level of affordable housing appropriate to the site e.g. there are higher value sites in lower value areas and vice versa.

Conclusion: No change.

Issue: Impact of new “affordable rent” regime introduced by the coalition government since Draft Core Strategy.

Response: In planning terms “affordable rent” is delivered in the same way as other tenures and the principles of securing affordable housing remain unchanged, however, in housing terms there is a significant difference as affordable rents are to be benchmarked against market rents so may be less affordable to the end user (unless covered by benefits) and it may be appropriate to moderate the affordable rent charged through the planning policy . Affordable rents are likely to have a positive impact on scheme viability than either social rented or intermediate as RSLs as they receive higher tenant rental income. An additional test is needed in the B&NES Affordable Housing Viability Study to assess extent of the (positive) impact on development viability. There may be implications for the way that the Core Strategy addresses Tenure. Work is underway to assess the full implications of this new approach which will be fully introduced through the Localism Bill. This issue will need to be addressed through the examination process.

Conclusion: No change.

Issue: Lower site thresholds are likely to have a negative impact on delivery on smaller sites.

Response: The B&NES Affordable Housing Viability Study modelled and tested this impact and demonstrated that extending affordable housing requirement to smaller sites does not render them unviable. Smaller sites, while they do not have economies of scale of larger sites often have more limited infrastructure requirements and are not necessarily less viable to deliver.

Conclusion: No Change.

Policy CP11 – Gypsies, Travellers & Travelling Showpeople

Issue: **Policy needs to set out the number pitches consistent with other housing objectives.**

Response: The purpose of Policy CP11 is to set out criteria for the location of gypsy and traveller sites which will be used to guide the allocation of sites in the relevant DPD and used to meet unexpected demand consistent with Circulars 01/2006 and 04/2007. It is not the purpose of the policy to deliver a target number of pitches as this will be achieved through a separate DPD.

Conclusion: **No change.**

INFRASTRUCTURE

Policy CP13 – Infrastructure Provision

Issue: Support from key infrastructure providers for the Core Strategy and Infrastructure Delivery Programme including the Environment Agency, Sport England, Highways Agency, Wessex Water and Avon & Somerset Constabulary.

Issue: **The Council needs to clarify its position in relation to the implementation of the Community Infrastructure Levy.**

Response: This will be undertaken in the Local Development Scheme Review. Under interim arrangements the Planning Obligations SPD can still be used. This does not need to be clarified in the Core Strategy.

Conclusion: **No Change.**

Issue: **Add reference to the ongoing provision or appropriate re-provision of the Royal Mail Bath Postal Delivery Office.**

Response: Specific reference to this user is inappropriate in the Core Strategy although the general need can be added to the Infrastructure Delivery Programme which is regularly reviewed so no change to the Core Strategy is required.

Conclusion: **No Change to Core Strategy.**

Issue: **Concerns that the Core Strategy must accurately reflect the up-to-date position on the BTP.**

Response: The transport priority for Bath remains the Bath Transport Package. This project has been placed in DfT's Development Pool which demonstrates their commitment to the project. An Expression of Interest was submitted to DfT confirming that the

Council would increase its local contribution to the package and to 'descope' some elements to reduce the call on DfT funding. A 'Best and Final Offer' will be submitted in September 2011 following which DfT will decide whether to reconfirm programme entry status for the Package by the end of 2011.

Conclusion: **Agree update to supporting text and table as follows:**

Paragraph 2.44 The Council is working towards ~~has secured programme entry for a £54m major scheme of Transport Proposals for Bath and is currently full Government~~ approval for **a major scheme of Transport Proposals for Bath.** (Proposals costs will need to be revised) (Proposed Change PC51)

MINERALS

Issue: **Proposed approach to minerals set out in para 6.69 is at odds with the requirements of national policy in MPS1, and the saved Local Plan Policy M.2 does not define Mineral Safeguarding Areas (MSAs), it utilises the outdated approach of using old Mineral Consultation Areas.**

Response: It would be contrary to national planning guidance to include policies/allocations in the Core Strategy to the level of detail being suggested. Whilst MPS1 requires MSAs to be defined in LDDs it does not stipulate this should be through the Core Strategy. The Council expresses its commitment in para 6.69 of the Core Strategy to defining MSAs in the Placemaking Plan.

Conclusion: **No change**

Issue: **The Core Strategy does not address the issue of unstable land or provide a strategic context for this as required by PPG14 .**

Response : The issue of unstable land is covered by Local Plan Policy ES.14 as noted. This can be reviewed in terms of developing in the Placemaking Plan. There is no need to repeat this in the Core Strategy.

Conclusion: **No change**

ISSUES ARISING FROM PUBLIC CONSULTATION ON DRAFT CORE STRATEGY

Issue Number:	1.01	Plan Section: District Wide
Issue Title:	District Wide approach - General Support	
Issue description	<ol style="list-style-type: none"> 1. Support the inclusion of the need to adapt to the unavoidable effects of climate change and 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. 2. Support the focus of growth in the most sustainable locations. 3. Support infrastructure aligned with development and objective to reduce the need to travel. 4. Broad support for the vision and objectives aspirations for the historic environment. 5. Support brownfield priority and emphasis on Bath's environmental quality. 6. Vision could be enhanced by recognising that to achieve the change sought, parts of the city 's appearance will need to change and evolve. 7. General support for the strategy. 8. Support for prioritising brownfield land for new development 9. Retaining the general extent of the Green Belt 10. Protection of the district's biodiversity resource 11. Support infrastructure aligned with new development 12. Support inclusion of waste water infrastructure as key to delivery of policy DW1. 13. Supports reduction in housing and growth targets from the previous draft Core Strategy, which were unrealistic. Policy DW1 should be amended to recognise that Bath's special qualities (as identified in para 1.21) will limit its capacity for extensive expansion in perpetuity. 14. Broad support for document but Core Strategy will require corporate support within BANES. 	
Council Response	Support welcomed.	
Proposed Change	No Change	

Issue Number: 1.02 **Plan Section:** District Wide

Issue Title: District Wide - Spatial Portrait and Strategic Issues

Issue description 1. The relationship between the City of Bath WHS and its high quality landscape should be expressed more effectively in the spatial portrait.
2. Cross boundary issues should be included in the Key Strategic issues.

Council Response 1. The wording of the Vision accurately reflects the appropriate approach to the WHS and its setting. Specific designations have not been mentioned in the vision which chooses to refer to broader natural, cultural and historic assets which the Council will want to protect, whether designated or not.
2. This area is subject to existing planning policies of Green Belt and AONB which is uniform between the 2 Authorities. Diagram 2 illustrates the links between B&NES and its neighbouring towns, including those in Wiltshire.

Proposed Change No Change

Issue Number: 1.03 **Plan Section:** District Wide

Issue Title: Level of growth and overall locational strategy

Issue description National Policy
1. The failure to provide the necessary new homes to meet emerging need is a failure to comply with PPS3 to provide everyone with the opportunity of living in decent a home, which they can afford, in a community where they want to live. It is not considered that the B&NES Future Housing Growth Requirements to 2026 Stage 2 Report either meets the approach advocated in PPS3 or provides sufficient justification for deviating from what the evidence overwhelmingly indicates is required.
2. The Core Strategy should be amended to reflect the latest published household projections in accordance with PPS 3 paragraph 33 and to ensure that there is a 5 year responsive supply of housing in accordance with PPS 3 paragraphs 52- 57.
3. Strategy does not make any allowance for the increase in households predicted for the Bristol conurbation (72,000 in 2008 based projections). There is 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 (importance of this is stressed in PPS3 paragraph 33).
4. The overall housing provision is not in accordance with national planning guidance. The SHLAA appears to have been used to set the ultimate limit for development and PPS3 states that a range of factors should be used to determine the housing target.

Regional Policy

1. The draft RSS reached an advanced stage of preparation and the Core Strategy should conform with the RSS economic growth rates and housing targets. Departure from the SW RSS has not been adequately justified. GOSW considers that the Proposed Changes to the RSS are likely to be 'material consideration. This position remains given the recent successful challenge to the High Court by CALA homes GOSW, Persimmon). B&NES growth & strategy does not co-ordinate with adjoining districts and in particular the needs of Bristol are not taken into account. B&NES must plan to meet Bristol's housing needs - up to 7000 dgs. This will help reduce commuting as a significant number of B&NES residents work in Bristol. Bath plays a strategic role in meeting development needs in complementing Bristol's role as the key economic driver.

2. Strategy doesn't take into account the RSS evidence base.

3. The Core Strategy should have completed a review of the Green Belt consistent with Policy SS4 of the Interim RSS and its evidence base. 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. Policy DW1 is unsound on the grounds that the departure from the SW RSS and the departure from the Council's original stance on what constitutes sustainable development have not been adequately justified.

5. In light of uncertainty surrounding the status of the RSS it would be appropriate to recognise the RSS housing targets alongside new evidence in the Core Strategy.

6. The Regional Spatial Strategy remains part of the development plan. 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.

7. The key diagram is unsound. The Council should be planning for a higher rate of growth; that is 21,300 homes as set out in the RSS Modifications and means creating the context for ambitious economic growth in line with the West of England LEP objectives (GCA growth in the West of England of 3.4% by 2020 rather than 1.6% as in Core Strategy).

Housing need/Projections

1. Core Strategy makes under provision of housing on account of changes in demography, for example those forecasted by the DCLG Household Projections 2010. Greenfield land/potential development sites in Green Belt need to be considered and released to ensure housing need can be met.

2. Overall level of growth is too low and does not adequately take into account population growth, migration, household formation and economic growth. Housing requirement should also take account of windfall sites; the Council's shortfall in meeting housing requirements to date and SHMA (requirement for 11,000 homes would not satisfy need for affordable housing). Emerging RSS should be given significant weight - overall requirement should be increased to 21,300. Additional housing sites are therefore needed, particularly in the form of urban extensions at Bath, Keynsham and Bristol.

3. Information used as the basis for housing requirement needs to be made available. Given uncertain nature of population projections the Core Strategy needs to include mechanism for responding to updated figures and monitoring/reviewing the consequences of housing provision. Keith Woodhead methodology is flawed because the link between jobs and homes is not as clear as stated and much migration is not linked to job growth

4. B&NES Housing figure is well below CLG household projections

5. Chelmer projections undertaken by Cambridge Econometrics for Barton Willmore indicate that B&NES should be planning for a total of at least 20,000 homes. Amend sub paragraph 2 of Policy DW1 (District-Wide Strategy) to require that provision be made for a net increase of at least 20,000 homes between 2006 and 2026

6. Strategy relies on Keith Woodhead's study which includes a number of policy assumptions which cast doubt on its objectivity

7. The Woodhead study draws upon work by Oxford Economics for the SW RDA and SW Councils which has been questioned by the RDA itself and SW Observatory in a 2011 report challenging the way the data is used

8. Provision should be made to meet the latest household projections and take account of evidence of housing need. The housing figures for the plan period should be increased to at least 18,500 dwellings, with the general extent of the Green Belt altered at south west Keynsham. Sub paragraph 2 of Policy DW01 should be amended to read "making provision for....at least 925 dwellings to be constructed annually"

9. We strongly urge the Council to return to the 15,500 dwelling target in order to address housing affordability issues in the District and explore returning to the 21,300 dwelling figure to address the wider needs of the sub-region

10. Evidence of the total households in need as set in SHMA Table 4.11 indicates that there are 847 per annum in housing need. For the period 2009 – 2021, provision needs to be made for 10,164 dwellings; A 20 year plan period based on 847 per annum would equate to a need to provide for 16,940 dwellings, but only meets those in need of affordable housing as opposed to also meeting needs for market housing.

11. The focus on job-led household growth does not appear to fully take into account demographic change which is identified as an objective within the Core Strategy document. Concern that the results of the job-led household growth may not go far enough in terms of addressing existing and future imbalances between jobs and housing and therefore address current net commuting flows into Bath. Furthermore it is not clear how, if at all, future changes in MoD employment provision have been factored into

the analysis.

12. The Woodhead study is based purely on job led household growth: declining household size and the aging demographic have not been taken into account, which would add an additional 5,700 dwellings to the 11,000 proposed.

13. The B&NES assessment of the impact of university expansion does not take into account the 3,500 additional students added since 2006. Taking the view that much of the new accommodation will not be able to be funded, there is the potential need for between 3,000 - 4,500 units of accommodation which using the established 4.5 students per dwelling average set out in the study suggests demand from this population sector would be 600-1000 dwellings, which is in addition to the 11,000 level set out in the draft Core Strategy.

14. Propose a housing requirement of at least 21,000 in B&NES (15,500 locally generated need; 2,800 backlog of existing need; 3,500 meeting Bristol's need) and a net increase of 11,300 jobs. An element of this increase in provision should be met in an urban extension to Keynsham east of the town, and the general extent of the Green Belt changed to accommodate this.

15. SHLAA and trajectories show that BANES has an identifiable supply to achieve just over the 11,000 homes requirement. The 'evidence' underpinning this (i.e. Keith Woodhead Report) is a smokescreen to justify a position that fits supply. From reading SHLAA: 1,664 homes completed in the first four years of plan period; commitments for a further 8,792 and further sites identified in the SHLAA for 1,284, taking the total to 11,290 homes so the strategy has been derived on the basis of supply. Terence O' Rourke study commissioned by the SWRA (July 2008) calculated a shortfall of 148 dwellings pa based on the RSS dwelling requirement which increases to 306.8 dwellings pa in relation to the Panel Report housing figures. Asserts that there is significant additional capacity within the South East Bristol urban extension to meet the RSS requirement. The requirement for the SSCTs Bristol and Bath should be sacrosanct and "numbers" apportioned to each SSCT relate solely to the growth needs and requirements of those cities and BANES should not now determine whether those levels of growth are appropriate and whether levels of the strategic housing and job provision can be filtered off to less sustainable locations in the pursuit of other objectives.

16. The 2008 based household 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.

17. 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. 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.

Economic growth

1. The Core Strategy is based upon an unjustified and pessimistic economic scenario outlook. Planning for the low number of homes proposed by the Core Strategy will restrain growth and will increase unemployment in the West of England housing market area. Even the RSS 21,300 homes target would have been modest, and fallen short of the homes needed to support a 3.2% level of growth. Government policy is to facilitate high level of economic growth. Core Strategy growth projections are based on work by Oxford Economics which are insufficient for this purpose & doesn't take account of uncertainties.

2. The economic growth forecasts are pessimistic and do not reflect aspirational growth for the District. We consider that they will be a self-fulfilling prophecy and inhibit economic growth above that figure.

3. The South West Gross Value Added (December 2010) produced by the South West RDA shows that the South West region has a relative degree of resilience to the recession during 2009, with Bristol showing growth in 2008. It is inappropriate to base the long term spatial vision on the current economic climate. The SWRDA report "Economic Prediction and the Planning Process" January 2011 states that there is not a simple arithmetical relationship between a particular growth rate and the need for new housing. 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. 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. Whilst 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.

4. The proposed urban extensions 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.

5. The West of England Local Enterprise Partnership Proposal (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. There is no reason why a lower rate of growth is applicable to BANES. B&NES has a clear role in delivering growth in Bristol, that will be of benefit to wider BANES prosperity.

Delivery

1. There is doubt over the capacity of Bath to provide for homes on previously developed land.
2. Over reliance on brownfield land that requires significant public sector investment to deliver.
3. Questioned whether the significant increase in the rate of housing provision needed in B&NES can be delivered.
4. 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. Non-brownfield sites should not be excluded.

Backlog

1. Under provision in affordable housing and the backlog of need

2. Strategy doesn't meet backlog.

3. The Core Strategy is unsound because it has failed to properly consider the evidence base in respect of the need for affordable housing. 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 increase in overall housing numbers, and therefore also in affordable housing numbers, an urban extension should be provided at Whitchurch.

4. The overall housing provision is not effective in tackling the level of housing demand or housing need.

Flexibility

1. 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.

2. The BANES Strategy is predicated on Brownfield Land delivery; given that this strategy has been unable to deliver housing at appropriate levels in the past, some contingency plan needs to be in place which could look at peripheral green-field development.

Residual Housing Requirement

1. CS lacks provision of clarity about residual housing requirement i.e. requirement after taking account of completions & permissions.

Windfalls

1. Paragraph 1.26 shows that the total of 11,000 houses planned in the strategy excludes 'windfall housing development'. This is unacceptable, provides no transparency in terms of the precise provision for the District, and is contrary to national policy. The Core Strategy should clearly set out the level of housing provision for the period 2006-2026, including windfall development.

Locational strategy

1. Objecting to the level of housing provision for the SV area. By decanting part of the strategic housing requirement to be met by an urban extension to Bath, the CS encourages a more dispersed pattern of growth which is not sustainable and increase commuting distances.

2. The Core Strategy fails to recognise the importance of PSJ and its role within the district and is seeking only limited development within Peasedown St John due to previous significant housing delivery. 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.

3. Focussing development in rural areas on most sustainable settlements - 'good access to public transport' needs to be defined and the policy should recognise that new development can sustain and improve public transport in rural areas.

4. Focussing growth at the most sustainable locations is a sound approach.
5. If Council wishes to persist with the strategy “for the rural areas”, it should not do so at the expense of development at the SSCTs.

SHLAA

1. Density assumptions of sites in the SHLAA should be reconsidered following the removal of the minimum density in PPS3 in June 2010. This will lead to more sites being needed to meet the existing figure in the Core Strategy and an even greater number of sites needed to meet the housing figure consistent with the latest 2008 based household projections.
2. 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. All of the possible benefits of development at Hicks Gate are offset by one factor, and one factor alone: Green Belt, whose continued protection in this location has no justification whatsoever.

Cross boundary working

1. Concern that functional relationships with neighbouring authorities are not fully explored or responded to within the Core Strategy, and that there is insufficient recognition of those areas outside the West of England area, in particular within Wiltshire. The strategy should ensure an adequate supply of deliverable housing during the plan period. Without this significant pressure will be exerted on the wider West of England Housing Market Area (HMA), which extends to the West Wiltshire area.
2. Questionable whether the authority has adequately engaged key stakeholders during the preparation process.
3. Strategy requires review with clear mandate to address the role of the District in a sub-regional context, in particular the explicit role and influence of Bristol on B&NES..

Flexibility of Strategy

1. Monitoring section provides no mechanism to deal with any shortfall in housing provision at 2016 (other than review of the Core Strategy) or for introducing the contingency provisions set out in paragraph 1.36 (relating to density/mix of uses on large redevelopment sites e.g. Somerdale and MoD sites) and in Bath's western corridor.
2. Core Strategy is unsound as it is inflexible and over reliant on difficult to deliver brownfield sites in central/suburban Bath and has no contingency solution backed up by an effective policy for delivering the growth it plans for.
3. The Core Strategy needs to include text that allows for alternative sites to be included if required, and be flexible enough to allow such sites to come forward if previously identified sites are undeliverable. More flexibility must be built into the plan, thereby meeting the 'effective' element in the tests of soundness.
4. Council needs to be more proactive in encouraging site delivery.
5. There needs to be flexibility built in to the strategy to take account of the possibility that B&NES may need to deliver a higher number of dwellings to help meet the national need for new homes.

Council Response

The Core Strategy takes a balanced approach to growth seeking to meet the identified need but also taking account of the environmental impact and the results of public consultation, statutory consultees and local communities. The locational strategy seeks to focus development in the most sustainable locations and maximise economic growth in a way which does not harm the World Heritage Site of Bath, is closely aligned with new infrastructure, maximises the use of brownfield sites and respects the integrity of local communities. The Council has tested alternative approaches and has selected the most appropriate. The Core Strategy plans for a realistic and deliverable level of economic growth based on independent data sources. Even this entails a significant uplift in housing provision from an average of around 400 a year to around 550 per year.

The RSS can only be afforded very little weight because it has not been adopted and is out-of-date, using evidence based on pre-recession rates of economic growth and high immigration rates. The Council takes a more sophisticated approach than meeting simple trend based projections driven particularly by extrapolations of migration such as those underpinning the CLG projections.

The contribution of windfall sites is explained in the SHLAA but this will be elaborated in the background paper to be prepared for submission at the Examination. Windfall sites also provide flexibility in the overall housing numbers. B&NES has also worked closely with WoE partners in the formulation of the Core Strategy (including support of Bristol City Council) as evidenced in the Joint Supplementary Planning Document and supporting studies. In terms of delivery the Council has agreed a Local Investment Plan with the HCA in conjunction with WoE colleagues and has prepared a Infrastructure Delivery Plan.

The Council has established rigorous housing delivery monitoring mechanisms and in light of the current uncertainties in the housing market, the Core Strategy will be subject to early review

Proposed Change No Change

Issue Number: 1.04 **Plan Section:** District Wide

Issue Title: Cross-boundary issues

- Issue description**
1. Highlight the need to fully liaise with adjacent planning authorities when cross-border issues arise and reference to the location in the Green Belt and Cotswolds AONB of the Avon valley immediately east of Bath.
 2. The Core Strategy has no regard to the influences outside its own administrative boundary, the spatial portrait should more adequately reflect the Dec 2009 Spatial Options. Strategy requires review with clear mandate to address the role of the District in a sub-regional context, in particular the explicit role and influence of Bristol on B&NES.
 3. Concern that functional relationships with neighbouring authorities are not fully explored or responded to within the Core Strategy, and that there is insufficient recognition of those areas outside the West of England area, in particular within Wiltshire. The strategy should ensure an adequate supply of deliverable housing during the plan period. Without this significant pressure will be exerted on the wider West of England Housing Market Area (HMA), which extends to the West Wiltshire area
 4. Questionable whether the authority has adequately engaged key stakeholders during the preparation process.

Council Response B&NES has also worked closely with WoE partners in the formulation of the Core Strategy as evidenced in the Joint Supplementary Planning Document, supporting studies and Local Investment Plan with the HCA, and has sought to engage with all other key stakeholders at relevant stages during its preparation. The Council considers it can deliver the housing numbers proposed within the Plan period based a robust evidence base. A paragraph will be added to Chapter 1 to explain the linkages between B&NES and Wiltshire/Mendip.

Proposed Change Add new paragraphs to explain the linkages of B&NES with adjoining areas (focussing on Mendip and Wiltshire). (Proposed Change PC2)

Issue Number: 1.05 **Plan Section:** District Wide

Issue Title: Strategic objectives - general

- Issue description**
1. Support objectives 2,3,4,5 and 7.
 2. . Support the vision and objectives 1 and 2. Support the provision of 6,000 dwellings within Bath to be directed towards brownfield sites.
 3. Strategy requires review with clear mandate to address the role of the District in a sub-regional context, in particular the explicit role and influence of Bristol on B&NES. The vision and objectives have to recognise the needs and aspirations of the current and future people and businesses that live and work in B&NES and not just the overriding need to protect the environment.

Council Response Support welcomed. The Vision makes specific reference to the role of B&NES within its sub-regional context. It not agreed that there is too much emphasis on protecting the environment in either the Vision or the objectives.

Proposed Change No Change

Issue Number: 1.06 **Plan Section:** District Wide

Issue Title: Objective 1 (Climate Change)

Issue description

1. Reference to shaping places to minimise vulnerability and provide resilience to the impacts arising from climate change including increased flood risk is consistent with national policy, in terms of seeking in the first instance to avoid flood risk. Also support the inclusion of the need to reduce the consumption of key natural resources, such as water.
2. Support aim to reduce the need to travel to reduce the impacts of climate change.
3. Welcome Objective 1 and pleased to see that this objective includes reference to the important contribution which multi-functional Green Infrastructure can make to climate change.
4. Objective 1 does not fully reflect the national policy requirement to make prudent use of mineral resources and safeguard them from sterilisation. Add 6th bullet point (wording suggested)
5. Support objective 1.

Council Response Support for Objective 1 welcomed. The objective refers to making prudent use of minerals resources in 5th bullet point.

Proposed Change No Change

Issue Number: 1.07 **Plan Section:** District Wide

Issue Title: Objective 2 (Natural & Built Environment)

Issue description

1. 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.
2. Support Objective 2.
3. Objective wording should reflect that Brownfield sites are to be given the same consideration in ecological terms as Green Belt sites
4. Pleased to see protection of natural assets and provision of Green Infrastructure high in the Core Strategy's priorities.
5. Emphasis of the objective should be changed to recognise that some development is deliverable in the context of the natural, built and cultural assets of the District.
6. Specific reference to 'sport' should be included. An additional bullet point should be added that seeks to promote the improvement of sporting facilities.
7. Support objective. Wish to ensure that designation as a MED continues.

8. Objective 2 does not meet social and economic objectives for the District and is therefore contrary to national policy (PPS1 para 4):

- 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.

Objective 2 contradicts Objective 3, which seeks to stimulate a more productive, competitive and diversified economy, and Objective 5 which seeks to respond to expected demographic and social changes and to support the labour supply to meet economic objectives.

9. 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.

10. Guidance needs to be provided to ensure delivery of the objective to conserve and enhance the quality and character of our built and natural heritage. Definition of Bathness should be included.

11. Council is failing in its duties under the NERC Act in insufficiently addressing the matter of biodiversity conservation in the Core Strategy as it does not demonstrate that biodiversity conservation and enhancement will be appropriately integrated throughout all departments, policies and activities. It appears to take a communities-led approach with the emphasis on the economy and on built development, and with too little attention to biodiversity. Role of previously developed land in providing urban green space and supporting brownfield biodiversity should not be overlooked.

Strategic Objective 2 will need to have "good habitats and important species" added to the District's wildlife sites as objects of restoration of diversity and resilience as not all important or quality habitats are located in the District's wildlife sites.

12. Policy DW1 only commits to protecting the district's biodiversity resource but not its enhancement. Prioritising the use of brownfield opportunities for new development in order to limit the need for development on greenfield sites is not backed up by any caveat that encompasses the Biodiversity Strategy for England policy regarding the role of brownfield sites, particularly in urban areas.

Council Response

1, 2, 4 & 7. Support for Objective 2 welcomed.

3. Priority is placed on developing brownfield sites before greenfield sites in the District-wide Strategy. Objective 2 clearly places strong emphasis on the conservation and enhancement of ecological assets across the district which will include taking account of the ecological value of any brownfield land.

4. First bullet point will ensure that any growth and development will take place within the environmental capacity of the District.

5. Objective 6 'Plan for development that promotes health and wellbeing' seeks to ensure the timely provision of recreational facilities. It would be appropriate to include particular reference to improving sporting facilities within Objective 2 which deals specifically with protecting and enhancing the built and natural environment.

8. The aims of both Objectives 3 and 5 can be achieved within the context of Objective 2 without being compromised.

9. The reference to high standards of design should enable durable buildings.

10. Further guidance will be given in the Placemaking Plan and other LDF documents.

11. The Strategy seeks to take a balanced approach to seeking long term economic prosperity and reducing social inequalities whilst conserving enhancing the district's built and natural assets which includes biodiversity. The importance of securing a coherent network of robust and resilient wildlife habitats is clearly recognised as an integral part of the strategy. Agree, however, that the fifth bullet point of Strategic Objective 2 should be broader than conserving, enhancing and restoring just sites.

12. Agree that reference to enhancing the district's biodiversity resource should be included in Policy DW1.

Proposed Change

Non-material change: Remove reference to 'sites' from the fifth bullet point of Strategic Objective 2 (Proposed Change PC5)

Include reference to enhancing the district's biodiversity resource in Policy DW1 (Proposed Change PC9).

Issue Number: 1.08 **Plan Section:** District Wide

Issue Title: Objective 3 - Economic Development

Issue description 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, such as Ashtenne's site.

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.

Council Response The future of employment sites will be considered against Local Plan policies, to be reviewed as part of the Placemaking Plan.

This is recognised in the Core Strategy.

Proposed Change No Change

Issue Number: 1.09 **Plan Section:** District Wide

Issue Title: Objective 4 (City, Town & local centres)

Issue description 1. Needs to be mention of under-used buildings as well as sites, with note advocating policies to promote the commercial use of commercial buildings that are under used.

2. This paragraph is inconsistent with strategic policies in the Sustainable Community Strategy on climate change, economic development and investment in centres. Also, reference to play areas should be made.

3. There needs to be a policy of retaining, and if possible attracting more niche market shops. Ideally there should be a separate Use Class of Independent Retail, to reserve affordable premises for them

Council Response Objective 4 deals with the issue of underused buildings. The objective is consistent with the Growth Inequalities Demographic Change Drivers. Whilst niche and independent retailing is supported by the Core Strategy, it is not able to introduce changes to the Use Classes Order.

Proposed Change No Change

Issue Number: 1.10 **Plan Section:** District Wide

Issue Title: Objective 5 - specific comments

Issue description 1. Support aims of existing 'meeting housing need' objective but these will not be achieved, and housing affordability will not improve, unless the housing target is increased.

2. Support objective 5 in principle but the housing provision should be increased with DCLG latest household projections. Housing number should be increased to at least 18,500 dwellings.

3. Whilst the objective is sound, it is considered that the content of the Core Strategy will render it unachievable. The lack of housing supply will become a constraint to the economic driver which is the focus of the Core Strategy.

Council Response Support for Objective 5 is welcomed - see also response to Key Issue 1 (Level of growth and overall locational strategy).

Proposed Change No Change

Issue Number: 2.01 **Plan Section:** Deletion of Urban Extensions

Issue Title: Urban extension to Bath - Object to deletion of

Issue description 1. Urban extension at West of Twerton could be pursued at a lower level of development (e.g. 200 houses).

Council Response This is not in line with the spatial strategy for the district. The approach to the district wide spatial strategy and level of growth is supported with evidence.

Proposed Change No Change

Issue Number: 2.02 **Plan Section:** Deletion of Urban Extensions

Issue Title: Urban extension to Bath - Support deletion

Issue description

1. Support the deletion of urban extensions but concern that the Duchy still favours the West of Twerton site. This land should be designated as part of the Cotswold AONB.
2. Supports the defence of natural assets against the financial motivation of developers.
3. Do not support development at Odd Down/South Stoke Plateau. The AONB should be protected and traffic impact would be significant. Brownfield sites should be prioritised.
4. There are other solutions to provide additional housing needs rather than via an urban extension.
5. Support deletion and wish to be represented at the examination to demonstrate that there has been consultation on this option and that the proposal has been overwhelmingly rejected by the wider community.
6. Supports deletion of urban extension to the South and West of Bath and, in my role as the Liberal Democrat local representative, would like to appear at the Hearings as the residents of Newton St Loe are concerned that the Duchy will seek to challenge the legality and soundness of this document.

Council Response Support for deletion of the urban extension to Bath noted. The designation of land as AONB is the responsibility of Natural England and so is outside the scope of the Core Strategy.

Proposed Change No Change

Issue Number: 2.03 **Plan Section:** Deletion of Urban Extensions

Issue Title: Urban extension to SE Bristol Object to deletion

Issue description 1. 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 has discounted reasonable alternatives (as outlined the in RSS) without due consideration. An urban extension at Whitchurch could best deliver the cumulative affordable and market housing needs of the district for the plan period.

Council Response Not in line with the spatial strategy proposed in the district wide section. This position has been evidenced by the Council.

Proposed Change No Change

Issue Number: 2.04 **Plan Section:** Deletion of Urban Extensions

Issue Title: Urban extension to SE Bristol - support deletion

Issue description Support brownfield priority, safeguarding the green belt and only small scale development at Whitchurch possible in line with rural areas policy (1370 representations from Whitchurch)

Council Response Support noted.

Proposed Change No Change

Issue Number: 3.01 **Plan Section:** Bath

Issue Title: Bath - The Rec

Issue description Concern that the Central Area Policy gives a ringing endorsement to redevelopment of The Rec for a larger stadium.

The Recreation Ground and the Leisure Centre are located on land given in trust to the residents of Bath as a recreational open space, and it is definitely not a development opportunity.

Council Response The Central Area Policy of the Core Strategy gives in principle planning endorsement to the redevelopment of part of The Rec for a larger stadium and associated uses.

The policy does not specify the acceptable size of a new stadium. This will be determined in the coming months/years in relation to matters such as the 1922 conveyance (re nuisance, annoyance, disturbance or other prejudicial impacts) and other planning, heritage and transportation considerations.

As currently drafted the boundary of the Central Area includes Johnstone Street. The Pulteney Estates Residents Association have objected to this boundary. In response the boundary of the Central will be redrawn to exclude Johnstone Street and instead follow the line of the steps leading from Argyle Street to the river before following the riverside walk to the existing entrance to the ground.

The Residents Association have also raised the issue of 'nuisance, annoyance, disturbance or other prejudicial impacts' in relation to the development of the Rec. These considerations must be taken into account in any development but do not necessarily preclude any change all at on the site.

Proposed Change Minor boundary change to Central Area on Diagram 7 (Proposed change PC24).

Issue Number: 3.02 **Plan Section:** Bath

Issue Title: Bath - Housing Land Supply: Urban Extension at Odd Down

Issue description Promotion of Urban Extension at Odd Down for 1500 homes and employment premises for 1500 jobs.

Council Response Council will contend that a Urban Extension at Odd Down is not required in order to meet housing needs and should not be identified as a contingency.

Proposed Change No Change

Issue Number: 3.03 **Plan Section:** Bath

Issue Title: Bath -Housing Land Supply: Urban Extension West of Twerton

Issue description Promotion of Urban Extension West of Twerton for between 1500-2000 homes and employment premises for 1500-2000 jobs. Greenfield housing supply should not be subject to phasing but seen as complementary to brownfield development. UE needed to address housing needs and provide flexibility. Significant master planning work has been undertaken by the Duchy since Core Strategy Options Stage.

Council Response Council will contend a UE West Twerton is not required in order to meet housing needs and should not be identified as a contingency.

Proposed Change No Change

Issue Number: 3.04 **Plan Section:** Bath

Issue Title: Bath - Economic Development

Issue description General support for thrust of Core Strategy policy but scepticism about the extent of new office space being proposed.

Concern that Core Strategy is planning for a 15% reduction in industrial space from 240,000 sq.m. to 200,000 sq.m.

Rethink the housing and office policies, because they are seriously flawed as proposed. Place greater emphasis on mixed developments rather than housing and offices.

Reduce dependence on "smart growth" because history has shown that anything other than a wide spread of business sectors leaves vulnerabilities that can hit hard (hence in Bath the abundance of empty offices already built).

We still question this need for modern office space and there is no evidence that this level of provision is required when most business models aim to reduce used floor space

NOTE: See also comments under 'Core Policies - A Prosperous Economy'.

Council Response The level of office development proposed is defensible in relation to evidence base (Economic Strategy and Business West Research) and is supported by Development and Major Projects. Key question is in relation to development industry's response to market demand signals given low rental levels and high development costs. Council's own property portfolio key to successful delivery of new office space in the city centre.

The likely level of industrial losses during the Plan period may be between 28,000 m2 and 40,000 m2. Business West Study projects a contraction of demand of around 30K (11.5%) across the City although the actual level of loss may exceed this in light of potential losses in order to deliver BWR, South Quays, Bath Press etc could be nearer 40K. Development and Major Projects confirm that planning for a contraction of 30,000 m2 is in line with the economic strategy and hence it is proposed that the plan is amended to reflect this figure.

These policies are based on robust evidence. The Placemaking Plan will consider the details of individual site allocations, and will seek to achieve mixed use development on many sites.

Proposed Change Change Policy B1 to reflect Business West Study. (Proposed change PC17)

Issue Number: 3.05 **Plan Section:** Bath

Issue Title: Bath - Flood Risk Management

Issue description Support from Environment Agency, although they observe that the relative weight applied to other sustainability considerations remains to be tested at EiP.

Council Response Flood Risk and Management to be expressed within the Strategic Issues section and in Policy B1. Currently these matters are only referred to in supporting text of the 'delivery and infrastructure section'.

Proposed Change Flood Risk and Management to be expressed within the Strategic Issues section and in Policy B1. (Proposed change PC20)

Issue Number: 3.06 **Plan Section:** Bath

Issue Title: Bath - Flood Risk

Issue description (1) Issue of relative weight applied to other sustainability considerations remains to be tested at EiP.

(2) Support for references to habitat enhancement in B1-B3. Competing demands need to be carefully balanced i.e. public access, flood management. Concern at how growth can come forward without compromising wildlife role. Other DPDs and GI Strategy will need to provide further guidance.

(3) Support for translation of Flood Risk management Strategy into Core Strategy Policy.

(4) The CS seeks to locate significant residential and commercial development within the river corridor located predominantly in FZ2 and 3. Both the Interim and the Final Sequential Test Report state that there are no other areas which are available at Bath that are at lower risk of flooding, however the New Neighbourhood at Odd Down (FZ1) is the best location in terms of flood risk, which is available and deliverable.

(5) Amend the text and the policy wording to reflect the challenges that exist to address flood risk in Bath.

A great fear is that this equates to extremely controversial measures (some based on fanciful ideas 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.

(6) Further work or guidance need to ensure the delivery of upstream storage.

(7) The flood mitigation measures are inadequate to satisfy PPS25

Council Response

(1) To be defended at examination

(2) To be addressed in Placemaking Plan / GI Strategy

(3) Support noted.

(4) The Core Strategy is informed by the Sustainability Appraisals which identified a number of significant negative effects of the urban extensions.

(5) Managing flood risk is one of key strategic issues, that is why the Council has prepared the Strategic Flood Risk Assessments and Flood Risk Management Strategy. Policy CP5 expects any development in areas at risk of flooding be safe throughout its lifetime with on-site or/and off-site measures.

(6) A further technical work to find suitable upstream stowage is being prepared.

(7) The approach is in accordance with PPS25.

Proposed Change

Add issue relating to flood risk, after current point 10 in 'Strategic Issues' on page 29, as follows: In order to enable development in the Central Area and Western Corridor significant works will be needed to mitigate flood risk together with essential land remediation. (Proposed Change PC12)

Issue Number: 3.07 **Plan Section:** Bath

Issue Title: Bath - Hotel Development

Issue description (1) Concern from BIGHA and Chamber of Commerce that Policies B1 and B2, whilst reflecting the overall quantitative recommendation of the Visitor Accommodation Study (VAS) do not adopt its phased approach, nor its recommendation on the type of hotel development that would best supplement the city's existing offer. Bath Tourism Plus supportive of Policy thrust and understand the limits of the planning system.

Council Response The VAS is not entirely adoptable as planning policy within the Core Strategy. The Core Strategy provides an indication of the likely land demand of the hotel sector. It indicates a level of development above which it will be more difficult to deliver other objectives for the Central Area. The Placemaking Plan will address the issue of hotel provision in greater detail, including the potential allocation of sites. The Council is also preparing a Hotel Investment Action Plan which will also address the issue raised.

Proposed Change No Change

Issue Number: 3.08 **Plan Section:** Bath

Issue Title: Bath - Housing Land Supply: BWR.

Issue description Deliverability of Bath Western Riverside and lack of flexibility / contingency if sites do not come forward as expected. Particular reference made to unresolved matter of decommissioning / removing the gas holders.

Objections to soundness focus on the Crest element of BWR, notably the area not covered by a detailed planning permission. The Hignett Family Trust (Odd Down Urban Extension) mention the gas holder issue as a very significant barrier to the timely implementation of the remainder of the outline planning permission.

Council Response Bath Western Riverside considered to be wholly deliverable during the period of the Plan as set out in SHLAA. Reference to land remediation to be added to the Core

Strategy.

Proposed Change Change policy B1 and supporting text to provide clarification (Proposed Changes PC20 and PC29)

Issue Number: 3.09 **Plan Section:** Bath

Issue Title: Bath - Housing Land Supply: MoD Land

Issue description Concern over deliverability of Ministry of Defence Land and lack of flexibility / contingency if sites do not come forward as expected. Include a commitment to encourage the MOD to stay.

Council Response Officers met with Defence Estates on February 9th 2011. The meeting confirmed that the Core Strategy is right to promote the development capacity of Foxhill and Warminster Road and to regard a significant land release at Ensleigh as much less likely / defendable at examination. Subsequent announcements by the MOD that they are to vacate these sites, including Endsleigh adds support to the approach of the Core Strategy.

Proposed Change No Change

Issue Number: 3.10 **Plan Section:** Bath

Issue Title: Bath - City Centre Retailing

Issue description Concern that Core Strategy plans to enable less city centre retail development than the retail study suggests could be supported. Targets for provision should be increased.

NOTE: See also comments under 'Core Policies - A Prosperous Economy'.

Council Response Representation made by Royal Mail Group in relation to potential land value of Manvers Street Depot. Retail study suggests that a development of comparable sale to Southgate could be supported to 2026. Core Strategy seeks more modest developments within the city centre (amounting to about 1/3 of Southgate). City Centre sites needed for high value jobs not more low value retail jobs. More important to prioritise other objectives.

Proposed Change No Change

Issue Number: 3.11 **Plan Section:** Bath

Issue Title: Bath - City of Bath World Heritage Site

Issue description (1) Delete second part of Policy B4

(2) Concern with approach taken to protection of the setting of the WHS, notably the lack of a clearly defined buffer zone. Objection from Preservation Trust etc. Request for clarification of approach from English Heritage.

(3) Para 2.33 not PPS1 compliant

(4) Introduce text to refer to option of applying an Article 4 Direction.

(5) Is level of change proposed in B1 compatible with Council's duty to protect the WHS?

(6) Include a commitment to extend Conservation Area boundaries to cover the entire World Heritage Site of Bath, or a city-wide Article 4 directive and thus afford the protection implicit in PPS5.

(7) Pastiche or contemporary design. 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'

If a building heights strategy has been prepared it should be enshrined in the local plan and Core Strategy.

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.

Council Response

(1) Disagree. Caveat needed re proposals with a public benefit.

(2) Planning Policy, World Heritage Site Manager and Senior Landscape Architect met with English Heritage on March 8th to explain response to Circular 07/2009. No Change

(3) Agreed. Rewording will note that design, however inspired must be of high quality and respond to the OUV of the WHS. See also 'World Heritage Site' under Key Issues section (Part A).

(4) Planning Service is investigating ways to take this forward in work programme but, but does not require a change to the Core Strategy.

(5) Key issue to be tested at examination.

(6) It is not considered necessary that the conservation area boundary is the same as the World Heritage Site boundary.

(7) amendments made in response.

Proposed Change

Amend Policy B4 (Proposed Change PC42)

Amend para 2.33 to read:

The Core Strategy seeks to promote and reinforce local distinctiveness through high quality design that improves the environmental quality and character of the city and the way that it functions. In addition to normal processes of contextualisation in relation to neighbouring buildings and the wider area more generally, development must be demonstrably informed by an understanding of the Outstanding Universal Value of the World Heritage Site, its authenticity and integrity. Design that fails to conserve or take the opportunity to enhance the Outstanding Universal Value of the World Heritage Site will be rejected. The preparation of other local development documents, including the Placemaking Plan will ensure the achievement of high quality design.(Proposed Change PC43).

Issue Number:

3.12

Plan Section: Bath

Issue Title:

Bath - Universities & Student Accommodation

Issue description

(1) General Support from Bath and Bath Spa Universities with minor amendments/change of emphasis proposed by Bath University though not related to 'soundness'. Minor amendment proposed by English Heritage re Bath Spa

(2) Recruitment should be limited to the rate at which new accommodation is provided whilst maintaining a defined upper limit for HMOs ... The conversion into HMOs needs to be properly controlled through the planning system and a saturation level defined for any location to preserve much needed family sized accommodation.

(3) Dissatisfaction with approach to off-campus proposals. Creates uncertainty over prospects for development. Add “by inappropriate use of land in the western corridor/ central area / MoD identified for other commercial and residential led mixed use development.

(4) Off Campus Student Accommodation: There must be a preference for purpose build accommodation over the continued erosion of housing stock to make HMOs.

Council Response (1) Reword policy in relation to Bath University. Minor amendment to Bath Spa wording.

(2) This is not a Core Strategy issue, although there is potential to link the development of academic space to managed accommodation via Development Management conditions. No powers to set an upper limit for HMOs.

(3) Agreed that some clarification may be useful.

(4) Policy seeks to enable the delivery of on-campus study bedrooms at a rate that exceeds the growth of student population, thereby reducing pressure on HMO's. Off-campus provision could adversely impact the realisation of other aspects of the Core Strategy.

Proposed Change Amend policy B5 to read:

To support the development and expansion of the University of Bath the strategy seeks, in accordance with saved Local Plan Policy GDS.1/B12, the development of about 2,000 study bedrooms and 45,000 sq.m of academic space at the Claverton Campus.

Bath Spa University - Newton Park Campus

Within the context of a strategic framework for all twelve sites that the University occupies the strategy seeks the redevelopment and intensification of the Newton Park Campus to provide additional study bedrooms and academic space. Proposals should seek to optimise opportunities within the Major Existing Developed Site in the Green Belt Designation (MEDS) in accordance with Policy GB.3 of the B&NES Local Plan before seeking to justify very special circumstances for development beyond it.

Off-Campus Student Accommodation

Proposals for off-campus student accommodation will be refused within the Central Area, Western Corridor and on MoD land where this would adversely affect the realisation of other aspects of the vision and spatial strategy for the city in relation to housing and economic development.

(Proposed Change PC47)

Issue Number: 4.01 **Plan Section:** Keynsham

Issue Title: Keynsham - Setting the Agenda

Issue description 1. Would recommend that the ‘key priorities’ in paragraph 3.07 specifically address the individual ‘key issues’ identified in 3.03.

2. Need to add to regenerating the town centre “in keeping with the original historic streetscape” to paragraph 3.08.

3. A site has been identified for waste – the Town Council thought that this had been removed?

Council Response 1. This paragraph describes how the spatial strategy is informed by the ‘Futures’ work completed by the Council which identified the key priorities stated. It is considered that the spatial strategy as a whole will address the strategic issues stated in paragraph 3.03.

2. The bullet points in this paragraph are taken directly from the current town plan, and therefore adding to this list is not appropriate. Policy KE2 deals with this issue by requiring developments to reinforce and enhance the historic character and qualities of the Conservation Area ensuring that local character is strengthened by change.

3. The Planning Inspector has found the West of England JWCS 'Sound' subject to a number of word changes. The JWCS identifies Broadmead Lane at Keynsham as appropriate for development for the management of residual waste for commercial operators. The draft Core Strategy notes this by including the site on diagram 12, and describes it in paragraph 3.10

Proposed Change No Change

Issue Number: 4.02 **Plan Section:** Keynsham

Issue Title: Keynsham - General support

- Issue description**
1. Agree with the listed key issues.
 2. Agree that Keynsham has received minimal attention in terms of development.
 3. Agree that the overall image of the Town is poor.
 4. Strongly endorse the principles behind paragraph 3.12.
 5. Support changes outlined in paragraph 3.17, especially when 'inspired by its character and heritage'.
 6. Strongly endorse the statement from English Heritage that the town centre Conservation Area is 'at risk'.
 7. Strongly support statement that traffic on the High Street has a significant effect on the quality of the shopping environment and contributes to poor air quality.
 8. Strongly agree that the Centre and Riverside offices are unattractive.
 9. Agree that the town centre highway network needs redesigning and this should include consideration of improving the pedestrian access in the High Street.

Council Response Noted.

Proposed Change No Change

Issue Number: 4.03 **Plan Section:** Keynsham

Issue Title: Keynsham - Policy KE1 - Object

- Issue description** Natural and built environment
1. The Core Strategy has not reviewed the Green Belt boundary. This principle was established through policy SS4 of RPG10. The Avon Joint Replacement Structure Plan states that the full implications of this would be addressed in the next Structure Plan review. This process was overtaken by the RSS process, which in the proposed changes recommends an urban extension to Keynsham in the Green Belt. The evidence base for the RSS is a material consideration. The Core Strategy 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.
 2. Sub-paragraph 1(a) should be replaced with text stating that changes to the Green Belt boundary will be made in order to meet housing needs..

3. Recommend that the land earmarked for 'K2' Development should be reinstated as Green belt. The recent application on part of the site was refused on unsuitable access and other planning conditions that were not met by the developer.

4. No mention is made of how the ecological and environmental impact of increased river access will be managed.

Housing

1. In making provision for 1,500 new homes at Keynsham the Council has halved the number envisaged in the RSS proposed changes in policy HMA1: West of England HMA of 3,000 homes. Policy KE1 should be amended to make provision for 3,000 new homes (net), allowing 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 green belt land within south west Keynsham.

2. An objection is made to the use of Somerdale for residential development due to it being a suitable employment site which is partly within flood zone 2 and subject to increased risk from climate change. The loss of employment land here to residential will lead to a further imbalance between housing and employment provision.

3. 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. Housing estates should not be built on the edge of Keynsham as they are too far away and encourage people to travel by car

Shopping

1. The provision of larger retail units in the town centre should not be at the detriment of the existing smaller businesses.

Economic Development

1. Croxley House site, within the current Core Business Area, should be allocated as a development opportunity site for residential development or for alternative economic uses (as defined and promoted in PPS4).

2. Council should insert policy wording which means it will consider releasing lower quality employment land for affordable housing development: 'The Council will consider releasing lower quality employment land for schemes which deliver a significant community benefit, such as the delivery of affordable housing'.

3. A greater awareness of the qualities of Keynsham's general river frontages would bring an important perception change. 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.

Vision and Spatial Strategy

1. Should be amended to reflect the strategic location of an urban extension and the need to make provision for 3,000 dwellings instead of 1,500 at Keynsham.

2. There should be an explanation in the Core Strategy explaining the situation as to why the refreshed Keynsham Town Plan was unable to influence the Core Strategy.

Diagram 12

1. Diagram 12 should show directions for housing growth to the west of the town centre and east of the urban area.

Council Response

Natural and built environment

1. Refer to response in Level of growth and overall locational strategy and Green Belt key issues

2. Policy DW1 explains that the overarching strategy for B&NES is to promote sustainable development by retaining the general extent of the Bristol-Bath Green Belt with no strategic changes to the boundaries (as supported by Bristol City Council). Policy KE1 expands on this by stating that the strategy for Keynsham is to maintain the Green Belt surrounding the town. Keynsham will continue to be excluded from the Green Belt, with the Inset boundary defined on the proposals map remaining unchanged, as confirmed by paragraph 6.64 which also states that there are no exceptional circumstances which would justify amending this boundary.

3. JRSP Policies 2(l), 9 and 16 provided for a change to the Green Belt at Keynsham in order to provide primarily for new residential development and associated local employment and social infrastructure. Land to the south west of the town was subsequently removed from the Green Belt in the adopted Local Plan for this purpose. This is part of the statutory development plan and remains part of the Core Strategy.

4. Policy CP7 on GI states that the strategic GI network, of which the Rivers Avon and Chew at Keynsham are a part, will be maintained, protected and enhanced. The forthcoming GI strategy and delivery plan will set out further guidance as to how GI principles should be applied, and the Placemaking Plan will set out how new developments can contribute effectively to GI. British Waterways have supported this approach.

Housing

1. Policy DW1 explains that the overarching strategy for B&NES is to promote sustainable development by retaining the general extent of the Bristol-Bath Green Belt with no strategic changes to the boundaries. Policy KE1 expands on this by stating that the strategy for Keynsham is to maintain the Green Belt surrounding the town. Keynsham will continue to be excluded from the Green Belt, with the Inset boundary defined on the proposals map remaining unchanged, as confirmed by paragraph 6.64 which also states that there are no exceptional circumstances which would justify amending this boundary. The reduced housing number has been justified by use of a more up to evidence base (refer to DW response on housing numbers).

2. Somerdale has been identified, as part of the policy KE2 area, for a mix of uses including significant employment floorspace, new homes, leisure and recreational uses. The Environment Agency notes that the Sequential and Exception Test report has sought to justify locating development here despite part of the site designated as flood zone 2 based on other sustainable considerations that need to be taken into account. Subject to the Inspector being satisfied that BANES have applied appropriate weight to these other sustainability considerations compared to flood risk, and therefore justifying locating new development in this flood risk area, the EA has raised no objection. The EA are pleased to note that the Sequential and Exception Test report recommends that a sequential approach should be taken to the masterplanning of the Somerdale site, which they highlight as important given the significant opportunity that exists to direct development away from flood risk at Somerdale.

3. There is an established need for new housing in the District as evidenced by the Stage 2 report by Keith Woodhead. New homes are needed to respond to expected demographic and social changes and to support the labour supply to meet economic development objectives. It should be noted that Keynsham Town Council finds these figures as realistic. The two main sites identified in the Core Strategy in Keynsham for housing development are K2 and Somerdale. K2 is already part of the statutory development plan having been allocated in the adopted Local Plan. The Somerdale site is located within walking distance of the town centre and train station and therefore considered a sustainable location for growth.

Shopping

1. Paragraph 3.19 explains that Keynsham finds it difficult to attract high quality national retailers partly due to the small size of the shops, and the town subsequently leaks expenditure to places like Longwell Green as a result. Policy KE2 makes provision for larger retail units to provide space for high quality, national retailers to complement the independent retailers. This takes account advice contained in the retail strategy, which is that vibrant centres need a mix of independent and multiple retailers. NO CHANGE.

Economic Development

1. Policy KE1 gives more flexibility to the Local Plan Core Business Area within Keynsham by additionally allowing B1 development to complement the B2 and B8 uses that are currently encouraged and protected. This gives in principle support for schemes such as the one promoted by Aviva to come forward for economic uses within these use classes. However, as the Core Business Area is not within the designated Housing Development Boundary (Local Plan Policy HG.4) residential development will not be acceptable in this area.

2. The spatial strategy takes account of the space needed for economic growth, housing, retail provision and social needs. The district needs a range of employment land to stimulate a more productive, competitive and diversified economy, which includes allowing 'lower quality' employment land such as industrial estates to continue to contribute to the economy. As such it is not appropriate to insert a general policy allowing the release of lower quality employment land for affordable housing. Individual sites will continue to be assessed in SHLAA for their suitability for housing.

3. Policy CP7 on GI states that the strategic GI network, of which the River Avon at Keynsham is a part, will be maintained, protected and enhanced. The forthcoming GI

strategy and delivery plan will set out further guidance as to how GI principles should be applied, and the Placemaking Plan will set out how new developments can contribute effectively to GI.

Vision and Spatial Strategy

1. Council will contend that an urban extension to Keynsham is not required in order to meet housing needs. Paragraph 6.64 states that there are no exceptional circumstances which would justify amending the Green Belt boundary.

2. Paragraph 3.08 states that the spatial strategy has been informed by the current Town Plan, and recognises that this is currently being refreshed. Unfortunately the refresh has not kept to its original timescale and has still not been completed so it has been impossible to incorporate this into the draft CS. However, recognising that the Town Plan is important, a non-material change is proposed, explaining in paragraph 3.08 that the forthcoming Placemaking Plan will be informed by the refreshed Town Plan.

Diagram 12

1. Council contends that an urban extension to Keynsham is not required in order to meet housing needs (a position that is endorsed by Bristol City Council). Paragraph 6.64 states that there are no exceptional circumstances which would justify amending the Green Belt boundary.

Proposed Change

Paragraph 3.08: The spatial strategy is also informed by the current Town Plan which aims to build on the towns positive characteristics and embrace the future, developing Keynsham into a thriving, sustainable and safe market town by:

- Enhancing the towns already considerable assets and unique identity
- Promoting a sense of well being and community for all, generating pride in the town
- Ensuring all necessary services and infrastructure are maintained and enhanced
- Regenerating the town centre

The Town Plan is currently being refreshed and will inform the Placemaking Plan.

(Proposed Change PC55)

Issue Number: 4.04 **Plan Section:** Keynsham

Issue Title: Keynsham - Policy KE1 - Support

Issue description

Natural and Built Environment

1. Pleased to see that the Green Belt is being protected.
2. We are pleased to note that the Policy advocates making better use of the existing green and blue infrastructure running through and surrounding the town.

Housing

1. Fully support and endorse the identification of Somerdale as part of a strategic development site within policy KE1, reflecting the significant potential of Somerdale to provide new employment and houses as part of a new, distinctive, high quality neighbourhood and will contribute to the future of Keynsham.

2. Housing figures are realistic.

Economic Development

1. Completely in favour of creating more local jobs reducing the need to travel.

Energy Conservation and sustainable energy generation

1. Endorse the strategy in point 6 on renewable energy generation including a new district heating network within Keynsham.

Council Response Natural and Built Environment
1. & 2. Noted

Housing
1. & 2. Noted

Economic Development
1. Noted

Energy Conservation and sustainable energy generation
1. Noted

Proposed Change No Change

Issue Number: 4.05 **Plan Section:** Keynsham

Issue Title: Keynsham - Policy KE2 - Object

Issue description Scope and Scale of Change

1. Policy KE2 does not include sufficient flexibility should brownfield sites within the urban area including Somerdale not be deliverable due to constraints such as flood mitigation, sewerage capacity, highway infrastructure and traffic management. Policy KE2 should be amended to allow Green Belt development at Keynsham in the event that the Council is unable to demonstrate a five-year supply of housing land.

2. Under the sub heading 2 (scope and scale of change) we consider clause b could be improved by inserting "sports" after "leisure", recognising the importance of sports in a mixed use development and as part of a town offer.

Place-making Principles

1. Agree with bullet points A (reinforce and enhance the historic character of the Conservation Area) and F (enhance the town centre to make it a more vibrant and attractive area) but these statements should more specifically address the 'at risk' issues raised by English Heritage in paragraph 3.19.

2. Point 3g could be improved by inserting "sports" after "leisure".

General

1. The statement that there are 'few vacancies' on the High Street is out of date.

2. Keynsham does not give direct access to the national motorway network; should this refer to National Rail networks?

3. Question the validity of the statement that "There is a notable lack of 'evening economy' uses.

4. Question the statement that there are poor connections to Ashton Way car park from the High Street. The statement that the A4 and railway line form a partial barrier to pedestrian and cycling movement between the town centre and Somerdale is misleading and invalid as access is freely available via Station Road and Avon Mill Lane, as well as pedestrian access through the Park.

5. 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 (Keynsham Civic Society)

6. 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.

Council Response

Scope and Scale of Change

1. Representations made by BNP Paribas on behalf of Kraft on the Core Strategy, SHLAA and RDP process confirm that the site is available, deliverable and suitable and that the Core Strategy is right to promote the development of Somerdale as stated in the draft CS.

2. Agree that sub-heading 2b could be refined. Suggest rewording to reflect PPG17 by referring to open space, sport and recreation in addition to leisure.

Placemaking Principles

1. The Council is confident the Placemaking Principles section, combined with Policy CP6, will enable enhancement of the historic character of the Conservation Area. The Placemaking Plan will include more detail with regard to Keynsham that is not appropriate in a strategic level plan.

2. Agree that sub-heading 3g could be refined. Suggest rewording to reflect PPG17 by referring to open space, sport and recreation in addition to leisure.

General

1. No change.

2. Paragraph 3.18e describes how the railway stations proximity to the High Street and Somerdale is an asset. Paragraph 3.18h refers to the connection to the motorway network. Whilst not directly connected, Keynsham offers good connections to the motorway network via the A4 and A4174 to the M32/M4/M5. NO CHANGE.

3. The High Street is dominated by retail uses. Whilst there has been a recent increase in the number of take-aways there is a limited presence of bars, restaurants and cafes, and those that exist tend to be concentrated at the 'top end' of the High Street. Therefore Policy KE2 contains the important Placemaking Principle (3f) of enhancing 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. NO CHANGE.

4. People walking between the High Street and Ashton Way car park can use either Charlton Road or Rock Road to reach the High Street, but the most direct route is through the alley connecting the two. This is currently an uninviting space that is highlighted in the retail strategy as one that should be improved. The statement that the A4 and railway line form a partial barrier to pedestrian and cycling movement between the town centre and Somerdale is factually correct. It is an essential part of the plan that the new development at Somerdale is integrated with the rest of the town which can be achieved by improving the links between the two. NO CHANGE.

5. The majority of new development will take place in the Somerdale/town centre area of the town which is the most sustainable location for new development given the easy access to most services by walking or by cycling. Enhanced public transport provision is an important Placemaking principle. NO CHANGE.

6. Services are approximately every 30 minutes during the morning 'rush hour' (i.e. before 9am) but thereafter are approximately every hour, a frequency that is not sufficient to encourage modal shift. Therefore it has been identified in Table 6 (summary of key infrastructure) that it is important to enhance service frequency to Bath and Bristol. NO CHANGE.

Proposed Change

Amend policy KE2 to read:

2b: A new high quality, exemplar, mixed-use quarter at Somerdale, providing significant employment floorspace, new homes, leisure, open space, sport and recreation uses.

3g: Retain and enhance the leisure, open space, sport and recreation function of the town centre and Somerdale.
(Proposed change PC57)

Issue Number: 4.06 **Plan Section:** Keynsham

Issue Title: Keynsham - Policy KE2 - Support

Issue description

Scope and scale of change

1. Fully support and endorse the identification of Somerdale as part of a strategic development site within policy KE2. However, policy KE2 could potentially accommodate further development, as Somerdale alone can accommodate approximately 600 dwellings and 20,000sqm of commercial space; therefore the 700 dwelling capacity of policy KE2 should take this into account. The desire to provide a District Heating Network at Somerdale is acknowledged, but actual proposals for sustainable energy measures on the site will need to be fully explored. The approach to considering the potential for converting and reusing some or all of the factory buildings is consistent with the Cadbury vision which identifies that consideration will be given to the retention of buildings and assets where viable and capable of making a positive contribution.

2. Agree with the idea of replacing the town hall and the shops on the same piece of land but only if you replace those retail units with new units and ensure the new development improves the appearance of the area as the present building is very ugly. 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.

Place-making Principles

1. Any new development in and around the centre of the town must be suitable to reinstate the character and heritage of the town
2. Road infrastructure improvements should be carried out to enable the High Street to be safely used and free from traffic with improved air quality
3. Market traders' space can be provided to the widened High Street where the roundabout is presently situated
4. The Town Centre/Somerdale – must be joined up and integrated with each other. Somerdale should not become an area/place in its own right (Keynsham Town Council)
5. TPO's should be put on the trees on the driveway to the Somerdale site as soon as possible.
6. Approval of retaining leisure centre facilities in the Town Centre and Somerdale
7. Green infrastructure link is an excellent idea
8. There should be a strong emphasis on the management of transport /traffic through the Town Centre
9. The Agency notes the congestion issues within Keynsham, and welcomes the aspiration to reduce out commuting
10. Take into account the need to retain Keynsham Town Centre as a vibrant and commercially viable shopping area serving the needs of all residents in many ways

Council Response

Scope and scale of change

1. The 700 dwellings assumes 600 coming forward at Somerdale and the remaining 100 coming forward within town centre developments.

2. Noted. Policy KE2 requires retail units to be incorporated into the scheme. The site is within the Conservation Area, and Policy KE2 also requires developments to reinforce and enhance the historic character and qualities of the Conservation Area ensuring that local character is strengthened by change.

Placemaking Principles

1. Policy KE2 requires developments to reinforce and enhance the historic character and qualities of the Conservation Area ensuring that local character is strengthened by change.

2. Policy KE2 requires an improvement to the management of traffic through the town centre, and an improvement in the air quality as part of the Air Quality Management Area.

3. Policy KE2 requires improvements to the public realm including provision of a new civic space, where market space could be incorporated.

4. Policy KE2 requires an improvement in the links between the town centre and Somerdale to ensure that the new development there is integrated with the rest of the town.

5. Not relevant to Core Strategy. Trees on driveway to the Somerdale site are required to be retained by Policy KE2. Requests for TPO's should go through the statutory process with the Council's Senior Arboricultural Officer.

6. Noted

7. Noted

8. Policy KE2 requires an improvement to the management of traffic through the town centre, and an improvement in the air quality as part of the Air Quality Management Area.

9. Noted

10. The vision for Keynsham seeks to achieve an enhanced town centre by 2026, continuing to act as a market town and service centre for the surrounding area. Policy KE2 requires the town centre to become a more vibrant and attractive area.

Proposed Change No Change

Issue Number: 4.07 **Plan Section:** Keynsham

Issue Title: Keynsham - Flood Risk

Issue description

Support

1. Pleased that Sequential and Exception Test report highlights that a sequential approach should be taken to the masterplanning of the Somerdale site.

2. Pleased that making better use of green infrastructure and enhancing the river corridor are included in the policy as there is a real opportunity for green infrastructure to have a multi functional role in terms of flood risk management, recreation and habitat creation.

3. Pleased that flood risk management, sewage and habitat creation are highlighted as required infrastructure and agree with the phasing and funding sources described in the IDP.

Object

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. (Avon Valley Farm) and should identify the connectivity of Broadmead Lane and Broadmead Industrial Estate to Keynsham.

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 Place-making 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 Place-making 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 3.21 on page 72 should add Broadmead Lane to the list of 'desirable infrastructure items'.

11. Section K1.2 of Table 6 on page 73 should read "On site or upstream works necessary to obtain planning permission." (Avon Valley Farm). An additional item should be added "Flood protection measures for Broadmead Lane and Broadmead Industrial Estate"

Council Response Support

1. - 3. Noted

Object

1. Agree that River Avon GI link at Keynsham shown on Diagram 20 should be reflected on diagram 12. NON MATERIAL CHANGE.

2. Agree that River Avon GI link at Keynsham shown on Diagram 20 should be reflected on diagram 13. NON MATERIAL CHANGE.

3. Disagree. This sentence refers to Policy KE1 3(d) which states that the Broadmead/Ashmead/Pixash Industrial Estate will be retained as an area for business activity for B1/B2/B8 uses. This would be inappropriate development within the Green Belt (as defined by PPG2) which is where Avon Valley park is situated. NO CHANGE.

4. Issues regarding development within the Green Belt are covered in Policy CP8, and policies regarding the GI network are covered by Policy CP7. NO CHANGE.

5. Avon Valley Adventure and Wildlife Park falls outside the general area of the town centre/Somerdale policy it is therefore inappropriate to insert it into this paragraph. Proposals for leisure and recreation at the Avon Valley Adventure and Wildlife Park would fall under polices CP8 (Green Belt) and CP7 (Green Infrastructure). NO CHANGE.

6. The River Avon is listed as an asset in 3(d). It is unclear as to why it should be referred to in 3(g) as well. NO CHANGE.

7. Avon Valley Adventure and Wildlife Park falls outside the general area of the town centre/Somerdale policy it is therefore inappropriate to insert it into this paragraph. Proposals for leisure and recreation at the Avon Valley Adventure and Wildlife Park would fall under polices CP8 (Green Belt) and CP7 (Green Infrastructure). NO CHANGE.

8. Avon Valley Adventure and Wildlife Park falls outside the general area of the town centre/Somerdale policy it is therefore inappropriate to insert it into this paragraph. Proposals for leisure and recreation at the Avon Valley Adventure and Wildlife Park would fall under polices CP8 (Green Belt) and CP7 (Green Infrastructure). NO CHANGE.

9. Green Infrastructure includes 'blue' aspects such as rivers. NO CHANGE.

10. It is unclear what infrastructure this relates to. NO CHANGE.

11. Development in areas of flooding is covered in Policy CP5.

Proposed Change River Avon GI link at Keynsham shown on Diagram 20 should be reflected on diagram 12 (Proposed Change PC56)

Issue Number: 5.01 **Plan Section:** Somer Valley

Issue Title: Somer Valley - Vision and Objectives

Issue description 1) No consideration of the best driver for economic regeneration in the Somer Valley, providing means to facilitate self-employment, helping those who work in their homes on the internet, creating advice and financing hubs, appropriately sized industrial units.
2) A lack of recognition of sustainable development and a synergic relationship between settlements within the Somer Valley and its relationship and benefits to the district as a

whole. The roles of and contribution PsJ and Paulton can make are not fully recognised. Potentials of Combend, Clandown, Writhlington and Radstock are not recognised.

3)The opportunity to bring rail back in use should be considered as part of the transport plan.

4) The wildlife and biodiversity of the Somer Valley area has been largely overlooked or undervalued, but has the potential to contribute very significantly to the biodiversity of the District and needs to be promoted.

5) Support Policy SV1 Natural & Built Environment in the Somer Valley.

Council Response

1) Overachieving strategy is to facilitate economic led development. While information on broadband infrastructure is currently limited, this is a recognised knowledge gap. Work is underway in the Council to assess existing broadband network capacity however delivery of improvements is reliant upon service providers.

2) The CS sets out a policy framework for the Somer Valley which strengthen the area and the district as a whole. Agree stating the roles of principle villages such as PsJ and Paulton are useful.

3) The Core Strategy safeguards the former railways as Sustainable Transport Routes and facilitate the use of railway if viable and deliverable schemes come forward.

4) Policy CP6 and Local Plan saved policies will apply to this area.

5) Support noted.

Proposed Change

Add new para explaining the roles of PsJ and Paulton & settlements in Radstock. (Proposed change PC60)

Issue Number: 5.02 **Plan Section:** Somer Valley

Issue Title: Somer Valley; Midsomer Norton Town Centre

Issue description 1) An Article 4 Direction relating to the Midsomer Norton and Welton conservation areas to protect distinctive character and heritage is essential.

Council Response 1) SV 1 aims to protect and enhance the distinctive character of the area including the landscape and built and historic environment. The Core Strategy is a high level development plan. It is not appropriate to consider Article 4 Direction issue.

Proposed Change No Change

Issue Number: 5.03 **Plan Section:** Somer Valley

Issue Title: Somer Valley; Radstock Town Centre

Issue description 1) The existing policy area for Radstock is too narrow to deliver the stated objectives. The policy area should be extended so that further opportunities for housing and development can be sought outside of the immediate vicinity of the town centre.

2) an Economic Plan (Strategy) or masterplanning is needed for Radstock. NEW Master Planning was commissioned but failed to produce anything for Radstock. The result is that the statement in SV3 is a dangerous generalisation and is not the basis for any strategic development and they do not actually commit the authority to a set of meaningful goals and policies for the town. Produce a Strategic Policy based on a sound business plan as originally intended by Bath and North East Somerset. Substitute this for the current SV3.

3) Objections to the new road layout approved by the Council. 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. Alternative to the present proposals for the Railway Land should be assessed and considered addressing the issues identified by the Health Impact Assessment.

4) The omission of renewing rail transport, particularly the link between Radstock and Frome. 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 increase commuting.

5) the lack of detailed assessment for Chapter 4 has effectively ruled out proper consideration of the importance of a link between SACs via Radstock and has also ruled out the proper consideration of the impact upon SACs.

6) The Equality Impact Assessment makes no recommendations for Radstock. The only reference to Radstock in the assessment is that "the regeneration of the town centre provides an excellent opportunity for better and useful places for all". However this Radstock Rail Way land development raised serious local objections and there is a widespread distrust of B&NES in Radstock.

Council Response

1) The policy area is indicative, the Placemaking Plan will provide further guidance.

2) 3) Regeneration proposals have been postponed and replaced by proposals to prepare an economic plan for Radstock and Westfield (within the context of Somer Valley Economic Strategy) in partnership with local communities at the Radstock Task Force meeting. National policy and Policy CP6 Environmental quality covers biodiversity and applies to this area. Planning permission for the NRR development has already been granted

4) Joint Transport Plan was adopted and published in March 2011. It includes reference to further rail enhancements for example re-opening the Radstock to Frome line as part of 'Plans and Aspirations for other Significant Transport Schemes'.

5) HIA adequately covers this.

6) noted.

Proposed Change

4) Add explanatory text to para 4.17 on Sustainable Transport Routes reflecting JLTP 3. (Proposed change PC63)

Issue Number: 5.04 **Plan Section:** Somer Valley

Issue Title: Somer Valley - Housing

Issue description

Housing growth

1) Need to increase housing provision in the Somer Valley including consideration of some green-field land in PsJ, Combend/Clandown. HDB should be reviewed. The policy imposes a 15 year blanket restraint against any new Greenfield development which fails to meet the flexibility. Seems unduly prescriptive and excessive. 'a circular argument' – the Core Strategy informed by the SHLAA, the SHLAA assumption based on current policies and emerging Core Strategy policies, particularly the HDB. Not enough evidence to support the SHLAA delivery assumption.

2) To expect all housing development to provide economic, employment and community benefits seems unduly prescriptive and excessive, especially full list of planning obligation requirements set out in the adopted SPD.

3) Needs to increase housing provision including the use of suitably located Greenfield sites which can contribute to meeting the housing needs of the District, economic growth and regeneration objectives.

4) An inconsistency between Part 2a of Policy SV1 and Part 3c . Part 2a encourages the redevelopment of vacant and underused industrial land and factories, whereas Part 3c protects land in existing business use which includes vacant and underused premises.

5) New housing provision too high. Should not disperse the housing needs of Bath (urban extensions) to this area. Also are 421 new homes at the Polestar site in Paulton part of 2,700 new homes?

Housing Development Boundaries

6).There is no reference to or provision for reviewing the Housing Development Boundary for either Radstock or Midsomer Norton. Review is necessary where growth and regeneration are critical issues, particularly the case in the Coomb End area of Radstock which links Radstock with Clandown.

Council Response

1) -5) See district-wide response. Overarching strategy is to facilitate economic led development to achieve self reliant communities. In the Somer Valley 2,200 homes (the Polestar site included) are committed development and only additional 500 homes are allowed to facilitate economic development or to directly contribute to the implementation of the Midsomer Norton Town Park.

6) HDB will be reviewed through the Placemaking Plan.

Proposed Change

To clarify the next stage, new paragraph is inserted after para 4.15.

Local designations such as Housing Development Boundaries and Core Business Areas shown on the Proposals Maps (saved from the existing B&NES Local Plan) will be reviewed as part of the Placemaking Plan. (Proposed change PC62)

Issue Number: 5.05 **Plan Section:** Somer Valley

Issue Title: Somer Valley - housing/job imbalance

Issue description

1) Imbalance between Jobs and homes leading to increased 'out-commuting' and 'retirement villages' is not addressed. Job provision stated in the B&NES Economic Strategy is higher than the figures in the Core Strategy and more needs to be done to increase employment provision. There is no clear commitment and evidence to support the delivery of 1,000 new jobs. Lack of explanation why only 50% of the potential jobs will likely come forward.

2) The Core Strategy does not show any overall growth in expanding economic development in the Somer Valley and in particular the town centres of Midsomer Norton and Radstock.

3) No consideration of the best driver for economic regeneration in the Somer Valley, providing means to facilitate self-employment, helping those who work in their homes on the internet, creating advice and financing hubs, appropriately sized industrial units.

Council Response

1) There is land capacity within the Somer Valley to provide more than 2,000 jobs, however the Smart Economic Growth for B&NES identifies that the level of deliverable additional jobs provision is around 1,000 jobs. Targeted efforts to be made to achieve net 1,000 jobs increase. Policy SV3c protects existing employment sites and only allow alternative uses where there is employment benefit or which contributes to improvements to the town centres leading to create more employment. New homes above existing commitment to contribute to economic development increasing jobs. The Council is working with its partners to facilitate employment growth in the Somer Valley as evidenced in the Economic Strategy Action Plans, the Economic Regeneration Delivery Plans as well as the Local Investment Plan with the HCA.

2,200 homes are committed development through local plan allocations, sites with planning permissions or already built. To avoid more incremental housing development without appropriate infrastructure, additional 500 homes are planned to facilitate economic development.

2) and 3) Further work on economic development has been committed and is being developed in partnership with local communities.

Proposed Change

No Change

Issue Number: 5.06 **Plan Section:** Somer Valley

Issue Title: Somer Valley - lack of employment provision

Issue description 1) Inflexible policy approach to vacant no longer suitable employment sites. 'Employment Areas' designations should be reviewed.
2) Releasing lower quality employment land for schemes which deliver a significant community benefit such as affordable housing.
3) The under-provision of employment land and SV1 is inconsistent with the 'flexibility' - A strategy is unlikely to be effective if it cannot deal with changing circumstances.' The CS should allow expansion of existing industrial estates. Amend policies DW1 and SV1(3) to reflect the quantity of employment land and jobs reflecting the BANES Economic Strategy.

Council Response 1) 2) 3) Overachieving strategy is to facilitate economic led development. Local Designations will be reviewed through the Placemaking process.

Proposed Change To clarify the next stage, new paragraph is inserted after para 4.15.
Local designations such as Housing Development Boundaries and Core Business Areas shown on the Proposals Maps (saved from the existing Local Plan) will be reviewed as part of the Placemaking Plan. (Proposed change PC62)

Issue Number: 5.07 **Plan Section:** Somer Valley

Issue Title: Somer Valley - Brownfield land priority

Issue description The Core Strategy is sound because it does not allocate any new green-field sites at Radstock. Radstock cannot cope with any new housing areas and there is insufficient transport and community facility capacity to cope with anymore housing.

Council Response Support noted.

Proposed Change No Change

Issue Number: 5.08 **Plan Section:** Somer Valley

Issue Title: Somer Valley - Sustainable Development

Issue description 1. The options do not comment on the sustainability of the area, which needs to be the first element to consider. There is a lack of ambition to provide jobs to more closely match growth in the population. The opportunity to bring rail back in use should be considered as part of the transport plan. SEE ALSO KEY ISSUE 47

Council Response 1. Sustainable development is the core principle underpinning the Core Strategy, expressed through the Vision and Objectives. DW1 and SV1 provide an appropriate framework to deliver a realistic level of employment with potential to deliver more within the Plan period. SV1 and districtwide policies provide an appropriate planning framework to facilitate low carbon development. Sustainable Transport includes potential re-opening of railways.

Proposed Change Add sentence to end of para 4.17 to read:
The Joint Local Transport Plan which was adopted in March 2011 includes reference to further rail enhancements by 2026, for example re-opening the Radstock to Frome

line. (Proposed change PC63)

Issue Number: 5.09 **Plan Section:** Somer Valley

Issue Title: Somer Valley - Transport

- Issue description**
- 1) It does not consider the difficulties of commuting due to large freight traffic using the A37, A367 and A39 and does not consider all the alternatives such as re-opening of rail links.
 - 2) The omission of renewing rail transport, particularly the link between Radstock and Frome. 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 increase commuting. The CS should reflect the amendment to the JLTP3 (P132) including consideration of the practicalities of re-opening railway lines such as the Radstock to Frome Line.
 - 3) Need to improve public transport links between Radstock and Bath/Bristol. The bus links to Bath /Bristol are expensive and lengthy as buses get caught up in general traffic.
 - 4) The Transport Policy in the Somer Valley needs improving jointly with Somerset County Council including low floor buses with Euro 2 engine. CCTV on vehicles. All bus should be lower floor and DDA compliant.
- Council Response**
- 1) 2). Disused rail links are already safeguarded in the Local Plan as Sustainable Transport Route which include re-opening of railway. However it is noted that the JLTP3 has been amended since the publication of the CS.
 - 3) Policy SV1 requires to implement necessary transport infrastructure to improve public transport links to major settlements and links within the Somer Valley and safeguard and extend sustainable transport routes. It also encourages Smarter Choices to facilitate increased movement by sustainable modes of transport. Greater Bristol bus Network Major Scheme contributes to tackle these issues.
 - 4) after 'in partnership' add ', including with adjoining authorities,'
- Proposed Change**
- Add, at the end of para 4.17 'The Joint Local Transport Plan which was adopted in March 2011 includes reference to further rail enhancements by 2026, for example re-opening the Radstock to Frome line.' (Proposed change PC63)
- In para 4.29, after 'in partnership' add ', including with adjoining authorities,' (Proposed change PC69)

Issue Number: 5.10 **Plan Section:** Somer Valley

Issue Title: Somer Valley Flood Risk

- Issue description**
- 1) Potential flood risk poses a risk to achieving the ambitions of Radstock, the land adjacent to the railway line flooding regularly. It is incumbent on the authority to attempt to minimise the risk rather than increasing it.
- Council Response**
- 1) Policy CP5 provides an appropriate planning framework for new development. All new development in areas at risk of flooding to be safe throughout its lifetime and not increasing risk elsewhere. The Sequential Approach towards flood risk should be taken at all stages of planning.
- Proposed Change** No Change

Issue Number: 6.01 **Plan Section:** Rural Areas

Issue Title: Policy RA1 - principle of community support

Issue description

1. Demonstrating Criterion C
 - Local community support criterion is a detailed matter and there should be a criteria based policy to explain how community support could be demonstrated.
 - Criterion C of the policy is considered to be unsound as it is unjustifiable and unrepresentative. It should be amended to allow for other evidence of community support to be used in addition to the view of the Parish Council.
 - Principle of community support should be 'sought' not 'required' by the policy,
2. Meeting housing requirement
 - Criterion C should be removed as it is unreasonable and will not assist the District in meeting its housing requirement.
 - Criterion C will amount to a power of veto over all new development in rural areas.
3. Support recognition of Parish Council in decision process.
4. Clutton

Divided view on community support. Parish Council view was developed over 6 years during development of the Parish Plan and the PC did everything it could to engage the parishioners. A landowner supports inclusion in RA1 and feels that Clutton should be identified as a RA1 village to allow the community time to elect a representative Parish Council. The Ward Councillor has carried out own survey.
5. Flexibility of indicative list
 - The Draft Core Strategy does not clarify that there is an extension of the opportunity for villages to meet the criteria for policy RA1 during the currency of the plan.
 - Should be clear on which villages are included.
 - List should be definitive not indicative and the villages named in the policy.
6. More clarification required on referendum process proposed in Localism Bill.

Council Response

1. The supporting text to policy RA1 refers to community support being demonstrated by views of the Parish Council as this is the key democratic mechanism available for this purpose. Despite this emphasis on Parish Councils, Policy RA1 itself does not exclude other mechanisms for demonstrating overwhelming community support and therefore allows for flexibility in demonstrating criterion C and other mechanisms for demonstrating community support may come through the Localism Bill. Inclusion of criteria to demonstrate community support would be restrictive.
2. See response to 'overall level of growth'. The criterion aims to deliver the demonstrated aspirations of the community (see response 1).
3. Support noted.
4. The individual representations from the community of Clutton submitted to the Core Strategy consultation (which included a letter signed by 114 residents) suggest support for the view of the Parish Council. The ward councillor survey shows a divided view on the principle of development (neither strong support nor strong objection). In line with response point (1) , the prevailing view in Clutton is objection to the principle of development. Its exclusion from the indicative list of villages is therefore considered to be appropriate
5. Policy RA1 deliberately does not list or refer to any villages by name. It sets out a general policy specifying the criteria that need to be met in order for a housing scheme to be acceptable. Para 5.18 lists the villages which currently meet this requirement but states that this is an indicative list. This position could therefore change over the life of the Core Strategy. SUGGESTED CHANGES FOR CLARITY that list is indicative
6. This is unclear until the Localism Bill is enacted.

Proposed Change

1. Change key on Diagram 18 and on key diagram to 'Indicative Policy RA1 villages'. (Proposed change PC72)

2. Reword last sentence of Para 5.18 to 'This is an indicative list of villages which will be included in the review of the Core Strategy, however consideration will be given to any demonstrated change of circumstances against the criteria in the interim.' (Proposed change PC74)

3.add 'or through alternative mechanisms introduced in the Localism Bill' to the end of Para 5.17. (Proposed change PC73)

Issue Number: 6.02 **Plan Section:** Rural Areas

Issue Title: Policy RA1- functionality and flexibility

Issue description

1. Particular village circumstances

- Development not appropriate in Farmborough or Whitchurch as do not have at least 3 of the defined community facilities.
- Object to omission of Bathampton from Policy RA1 as it meets the criteria in terms of facilities and public transport. Circumstances at Whitchurch, Batheaston are no different to Bathampton in terms of being within the Green Belt and with limited opportunities for development.
- Salford should be included as Salford Parish Council have not represented the view of the community.

2. Relationship with other policies.

- In Policy RA1 there should be inclusion of a statement about the LPA's obligatory duty of development control to link its decisions relating to other policies of the LDF and saved Local Plan policies (such as Policy RA3 community facilities).
- Object to paragraph that states that Policy RA1 Should be considered alongside CP8, Green Belt as: 1. This would appear to preclude Community Right to Build proposals coming forward on Green Belt sites and 2. it is not supported by upper case policies in the Core Strategy.

3. Scale of development

Should be 'up to 50' not 'up to and around 30'. It is unclear on what evidence this number was based and a higher quantum of development would be more appropriate to sustain and enhance local services and facilities.

4. Flexibility

Policy RA1 should include a clause that the first two criteria of the policy will be loosened if Council is not delivering its housing target.

Council Response

1.

- This is acknowledged at Para 5.19 and development at Farmborough is subject to the provision of a sustainable transport link to local shopping facilities. Data in the Community Facilities Audit was relevant at Feb 2010 and the indicative list of villages reflects this. Changes to this indicative list will be reflected in the review of the Core Strategy. If the village no longer meets the criteria in the interim, and this can be demonstrated, then this can be considered in development proposals.
- Whilst the criteria are met in Bathampton, initial work has identified that there is no development capacity within the village without use of Green Belt land. The community view is that any new development should avoid encroachment into the Green Belt. As a part of the work, it was identified that both Whitchurch and Batheaston have development capacity without using Green Belt land.
- Feedback from both Salford Parish Council and Salford Parish Plan Steering Group during development of the Core Strategy was that inclusion of Salford under Policy RA1 was inappropriate, this view was based on Parish Plan survey results.

2.

- this is implicit as development proposals should be considered against all relevant policies.
- This does not preclude Community Right to Build proposals which will be considered separately from the Core Strategy. Policy CP8 is an overarching policy in the Core Strategy and Policy RA1 reflects this.

3. Development larger than 30 dwellings is not considered small scale and therefore considered inappropriate.

4. Regular review (every 5 years) of the Core Strategy will allow for policies and their criteria to be reviewed if necessary.

Proposed Change No Change

Issue Number: 6.03 **Plan Section:** Rural Areas

Issue Title: Rural areas - exceptions sites

Issue description

1. Priston Parish Council - Market housing is not appropriate on exceptions sites.
2. Support exceptions policy but constraints may impact its applicability to Batheaston.
3. Wording in the section should reflect Home on the farm scheme more accurately. 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 '.
4. 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.
5. Reference to Community Right to Build in supporting wording is premature, reference to the legislation being in its early stages should be made.
6. Support rural exceptions policy. In particular support cross subsidy.
7. The exceptions policy (and rural policies in general) will not meet the demand for affordable housing in the rural areas, green field sites will need to be allocated for development.
8. Support the policy, however should list the settlements that the policy applies to for clarity.
9. It is not necessary to specify that the policy only applies to small sites as the policy contains what should be the ultimate constraint, whether the development 'is in scale and keeping with the form and character of its location'.
10. Policy requires amendment to give those with local connections a higher priority over people from outside the village.

Council Response

1. In the policy, market housing is only acceptable on a rural exceptions site where it is necessary to cross subsidise a scheme that would otherwise be unviable. There is a requirement for developers to provide a simple viability study in these instances for consideration by the Council.
2. Noted.
3. Agree this provides greater clarity on the links with re-use of rural buildings as outlined in the rural economy section.
4. This is not appropriate in the exceptions policy. There is a separate policy for agricultural workers in the Local Plan, which is saved and will be reviewed through the Placemaking Plan.
5. The text clarifies that any CRB proposals should be considered separately from the rural exceptions policy and the wording therefore does not impact on the policy itself. No change required.
6. Support noted.
7. The policy aims to meet demonstrated local needs and this could involve green field development. The wider issue of affordable housing need is addressed through responses to affordable housing and overall level of growth key issues.

8. The villages are not listed to allow for flexibility and to avoid excluding potentially suitable rural exception schemes from coming forward.
9. Reference to 'small sites' in the supporting wording clarifies the wording in the policy and is in line with PPS3."
10. The policy as worded states that the first priority for occupancy would remain for those with demonstrated local connections.

Proposed Change The 4th sentence in paragraph 5.29 should be amended to read: 'If there are rural buildings which are no longer required for local food production, there may also be opportunities for their conversion to affordable housing under the Government's emerging proposals for the 'home on the farm' scheme '. (Proposed change PC76)

Issue Number: 6.04 **Plan Section:** Rural Areas

Issue Title: Rural areas - Infrastructure

Issue description

Public transport

1. Need clear intent to review rural public transport infrastructure as this creates barriers for access to services and facilities. Need a public bus service even though it will have to be heavily subsidised.
2. Too reliant on bus services, should include development of rail services in the text to allow for reopening of stations such as Bathampton and Salford. Should also include reference to safeguarding a site to enable Salford station to reopen within the JLTP3 period.
3. The strategy should acknowledge that public infrastructure in rural areas can be met in many different ways and should enable conditions for these schemes to be developed.

Broadband

4. Need commitment to improve access to fast broadband .

Community Facilities

5. Community facilities wording should recognise that community buildings are often significant heritage assets and should advocate sensitive refurbishment in order to continue their community and social function.

Council Response

1. This can not be addressed by the Core Strategy.
2. Beyond the remit of the Core Strategy however the current wording does not inhibit railway development.
3. Para 5.48 recognises the role of partnership working in overcoming infrastructure issues in the rural areas.
4. Reference included in para 5.45 - R1.2 item in the Infrastructure Delivery Programme
5. This is met through Core Policy on environmental quality and national policy. It would be repetitious to include in supporting wording to Policy RA3.

Proposed Change No Change

Issue Number: 6.05 **Plan Section:** Rural Areas

Issue Title: Rural areas - Rural Economy

Issue description

1. Inconsistency between Local Plan and Core Strategy approach. Requirement to demonstrate that rural buildings are not required for local food production purposes (in para 5.36) should not be included in draft Core Strategy as this is inconsistent with policy ET.9 of the Local Plan which remains saved.
2. Broadband infrastructure
Broadband infrastructure is key to small business and self employed. The Council should engage with broadband providers.
3. Opportunities for employment in renewables
 - The potential for employment in renewables is overplayed.
 - The potential for rural regeneration through new areas of employment emerging in relation to sustainable energy should not be hampered by other policies.
4. Live work unit
Live-work units should be used to encourage small business.

Council Response

1. The direction set by the Core Strategy is to resist loss of agricultural buildings unless it can be demonstrated that they are no longer required for local food production. Whilst Local Plan policy ET.9 remains saved , it will be reviewed through the Place Making Plan within the context of the direction set by the Core Strategy.
2. Reference already included in para 5.45 - R1.2 item in the Infrastructure Delivery Programme.
3.
 - The Core Strategy recognises the potential for employment in renewables and does not seek to quantify this.
 - Policies RA1 and RA2 allow for small scale and limited employment development and policy CP3 'Renewable energy' includes potential local job creation opportunities as a criterion under which proposals for renewable energy development will be assessed.
4. The rural areas vision embraces the 'new types of jobs and ways of working' that ' will provide more locally based employment opportunities'. Proposals for live-work units will be considered within the parameters of Policies RA1 and RA2.

Proposed Change No Change

Issue Number: 6.06 **Plan Section:** Rural Areas

Issue Title: Rural areas strategy - General support

Issue description

1. Support approach for directing development to the most sustainable villages.
2. Several respondents - Support for farming as important to the future development of the rural areas and for protection of farmland.
3. Parish Council, several individual respondents and rep with 114 signatures support Clutton as a RA2 village.
- 4.Support policy RA1 and the villages identified. Cotswolds Conservation Board support Policy RA1.
- 5.Small scale infilling in existing villages appropriate approach (Policy Ra2). Cotswolds Conservation Board support RA2.
6. Support for protection of open countryside
7. Support for community facilities policy
8. Support role of Parish Councils in delivery of the strategy.

Council Response Support noted.

Proposed Change No Change

Issue Number: 6.07 **Plan Section:** Rural Areas

Issue Title: Rural Areas - Housing Development Boundaries

Issue description

1. Review of HDBs should not preclude review of HDBs in non RA1 villages for developing small community projects.
2. Sites in East Harptree and Farmborough should be included when the HDB is reviewed as can contribute to meeting the housing delivery target for the rural areas.
3. There are many places where the HDBs could be rounded off.
4. Support potential for review of HDBS
5. 'and adjoining' in relation to the housing development boundaries should be removed from policy RA1 as its interpretation will lead to potential for challenge.

Council Response

- 1,2 and 3. Housing Development Boundaries will be considered in the forthcoming Placemaking Plan.
4. Support noted.
5. Development adjoining the HDB will have to meet requirements of the policy including being appropriate in scale, character and appearance to the village. The specifics of each application site will need to be considered through the normal development management process.

Proposed Change No Change

Issue Number: 6.08 **Plan Section:** Rural Areas

Issue Title: Rural areas - links to other strategies

Issue description

1. Rural areas chapter should make links to the Cotswolds Area of Outstanding Natural Beauty Management Plan. It should set out what weight should be given to that Management Plan in development control decisions.

Council Response

1. Agree useful to make link to AONB Management Plans - non material change to be added. Policies relating to development management in the AONB will be considered in the Placemaking Plan.

Proposed Change Amend by adding the following text after the first sentence of para 5.02:
The Management Plans for these AONBs also set out policies relating to the management of land within them. (Proposed change PC71).

Issue Number: 6.09 **Plan Section:** Rural Areas

Issue Title: Rural areas - vision, objectives, spatial portrait

Issue description 1. The context section does not mention the Kennet & Avon canal as an important feature in the rural landscape and only considers it as an historic transport corridor. Waterways should be recognised as contributing a wide range of roles.

Council Response 1. Contribution of the watercourses is recognised in 'growth' key strategic issue in Chapter 1.

Proposed Change No Change

Issue Number: 6.11 **Plan Section:** Rural Areas

Issue Title: Settlement Classification

Issue description Rural settlement strategy is not properly justified by evidence.

Council Response The rural settlement strategy is based on a community facilities audit, the access to rural services study and ongoing engagement with the Parish Councils.

Proposed Change No Change

Issue Number: 7.01 **Plan Section:** Core Policies - Climate change

Issue Title: Sustainable Development Definition

Issue description 1. The clear definition of sustainability need to be re-stated and be the main pillar of planning policy.

Council Response Sustainable Development is the core principle underpinning the Core Strategy, expressed through the Vision and Objectives.

Proposed Change Add new sentence to end of paragraph 1.13 to read:
Sustainable Development is the core principle underpinning the Core Strategy, expressed through the Spatial Vision and Strategic Objectives. (Proposed change PC4)

Issue Number: 7.02 **Plan Section:** Core Policies - Climate change

Issue Title: Climate Change

Issue description

- 1) CP1-5 are sensible and pragmatic, using the most up to date data and approach.
- 2) "Business as usual" will not provide solutions to these problems. Fundamental change is needed. B&NES must be enthusiastic in planning solutions to these issues, to be at the forefront, in order to ensure the safety, security and sustainability of its residents.
- 3) There should be a policy recognising the importance of 'spatial sustainability'. This should show how different spatial relationships between work, home and other uses can be changed to reduce carbon emissions.
- 4) Putting the emphasis on adapting to climate change rather than the importance of mitigating climate change.
- 5) No mention of dealing with the effects of climate change such as river level rises and flooding which affects out lying areas and the park.

Council Response 1.Support noted.

2)3) 4) 5) The objective is to pursue a low carbon and sustainable future in a changing climate. The Core Strategy aims to tackle both mitigating and adopting to climate change.

Proposed Change No Change

Issue Number: 7.03 **Plan Section:** Core Policies - Climate change

Issue Title: Climate Change - CO2 emissions reduction

Issue description

- 1) General support of approach that balances reducing carbon emissions from existing buildings while balancing with environmental impact and protecting heritage
- 2) None of the policies consider using incentives for behavioural change. Carbon use by B&NES could be greatly reduced if a number of these were introduced.
- 3) Policy must not lock in a specific technology, but rather set principles and objectives which the best, most economic technologies can satisfy.

Council Response

- 1) Welcome support for policy approach.
- 2) The Core Strategy provides a planning framework to facilitate carbon reduction. It locates new development in the most sustainable locations aiming to reduce the need to travel by car. Core Policies particularly CP1-4 encourages people to take up national incentives such as Feed in Tariff.
- 3) The Core Strategy does not lock in a specific technology. The best and most economic technologies to achieve carbon reductions should be considered for each development proposal.

Proposed Change No Change

Issue Number: 7.04 **Plan Section:** Core Policies - Climate change

Issue Title: Retrofitting - General Support

Issue description

Duchy of Cornwall: Support for this policy in terms of potential to reduce CO2 and alleviate fuel poverty. Highlight the potential for new developments such as Bath Urban Extension to stimulate low carbon refurbishment of nearby communities. Opportunity for the community of Twerton to benefit from energy efficiency and renewable energy measures.

Combe Hay Parish Council: Strong support for policy.
Bath Green Party: General Support from to support the inclusion of a policy on retrofitting existing buildings

Council Response Support noted. However, the opportunities mentioned do not relate to the spatial strategy.

Proposed Change No Change

Issue Number: 7.05 **Plan Section:** Core Policies - Climate change

Issue Title: Retrofitting - Policy Delivery & Viability

Issue description Policy Delivery

To assist effective delivery would encourage the ratification of the Bath Preservation Trust/CSE low carbon initiative which seeks to consider how carbon emissions can be reduced via appropriate energy efficiency improvements.

The Delivery mechanism for CP1 is not robust enough. Para 6.08 mentions scope for detailed guidance, this must be a priority. Acknowledgement should be given to existing work underway. Without such guidance the Council will not be able to deliver on this.

CP1 mentions the possibility of retrofitting on a whole street basis. It is not made clear how this would be delivered.

The impact of some retrofitting options on Conservation Areas must be discussed and acknowledged. While amendments to the GPDO mean that much development is PD on unlisted buildings account must be taken on the historic environment. The approach of declaring an Article 4 Direction should be considered.

Object to policy CP1 on the grounds that it is not effective. Do not support the element of the policy that relies on new schemes to address the retrofitting of existing buildings. Any attempt to increase the burden to contributing to energy efficiency off-site which affect the viability of the project are unrealistic. If the policy is retained it should include a viability test. Consider the policy to be too vague and not effective in particular "all schemes are to consider retrofitting" and "measures to support this are to be introduced". The delivery box is not helpful referring to a "range of mechanisms". Recommend that the policy should be deleted, if retained needs to clearly explain the measures proposed and maintain it should be subject to a Viability Test.

Support the principle to encourage reductions in the use of energy and the incorporation of renewable energy within schemes. The 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 viability test

Council Response This specific project is being taken forward by BPT with CSE and is not a Council-led project. Projects such as this would be encapsulated under delivery item 1 "community enabling and support projects". Although the Council is engaging with this work the project is not mentioned by name as this would quickly date the document.

The delivery mechanisms for this policy as outlined in the Draft Core Strategy are considered to be robust. In addition since the Draft Core Strategy progress has been made on the SPD referred to in the text.

Add reference to the "Sustainable Construction and Retrofitting SPD" replacing general references in the policy at point 2 under delivery and in para 6.08.

The prioritisation of interventions at scale reflects the findings of projects such as the "Refit West" retrofitting pilot that focused on private homeowners that showed the cost savings from interventions at scale e.g. whole street – this should be considered when the Council is looking at providing funding, grants or information and this should be prioritised accordingly.

[Wwww.refitwest.com](http://www.refitwest.com)

<http://www.forumforthefuture.org/project/retrofit-at-scale-bristol>

This is outside of the Core Strategy and could be considered as part of the Conservation Area Appraisal process. The cost benefits of such an intervention and the effectiveness of this approach would require careful consideration.

Disagree that there is a reliance on new schemes to address retrofitting in existing buildings – there are a range of mechanisms that will be employed as outlined in the delivery section.

The policy as drafted stipulates that "opportunities have been included" and that retrofitting "should be consider (ed) as part of the design brief". Where such opportunities are

not manifest or where there are issues of viability and feasibility these can be demonstrated on a case by case basis. The existing policy wording is therefore considered to be robust.

The Delivery box outlines the range of mechanisms for delivery and is specific without referring to project names that would date quickly.

As above. In the case of Somerdale policy CP1 and KE2 are aligned part 3d Placemaking Principles for Somerdale states that: "Retain the avenue of trees in Somerdale Road and consider the potential for converting or reusing some or all of the factory buildings at Somerdale" (p71 Draft Core Strategy). Therefore there is consistency with the area based policy for the site in question.

Proposed Change Add reference to the "Sustainable Construction and Retrofitting SPD" replacing general references in the policy at point 2 under delivery and in para 6.08. (Proposed change PC79)

Issue Number: 7.06 **Plan Section:** Core Policies - Climate change

Issue Title: Sustainable Construction - General Support

Issue description General Support

Support this policy as pertinent to their responsibilities.

Welcome decision to adhere to the government programme toward zero carbon homes from 2016m and not accelerating this, including flexible definition of allowable solutions to accommodate anticipated changes expected.

Support inclusion of policy CP2 and the reference to the need for water efficiency in new development. The inclusion of a pollution prevention and land contamination requirement in CP2 would be welcomed, but may add little to the requirements already set out in PPS23.

Council Response Support noted.

Proposed Change No Change

Issue Number: 7.07 **Plan Section:** Core Policies - Climate change

Issue Title: Sustainable Construction - Not flexible

Issue description Broadly supportive of the policy but considers it to be unsound and unjustified. While the Duchy agrees with the aspirations set out in achieving CSH level 6, concern it may preclude other approaches which take a broader view of sustainability. Suggest improvement to wording in relation to recycling during construction process.

Council Response Defend position that the CfSH and BREEAM are the accepted national sustainable construction methodologies. As outlined in PPS1 Supplement on Climate Change local authorities should use these nationally accepted methodologies when setting policies.

Other methodologies may not be able to be monitored and demonstrated that they have been implemented so this strategy may be more flexible but more difficult for the Council to practically monitor and enforce. It would also lead to inconsistency.

Agree with comment and amend syntax to read: "Minimisation of waste and recycling of any waste generated during construction and operation."

Proposed Change Agree with comment and amend Policy CP2 to read: "Minimisation of waste and maximisation of recycling of any waste generated during construction and operation."
(Proposed change PC81)

Issue Number: 7.08 **Plan Section:** Core Policies - Climate change

Issue Title: Sustainable Construction - Whole Life Costs

Issue description Whole Life Costs

1. Somer Housing: Consider this policy unsound as not justified and ineffective. Support the viability study undertaken. Consider the DAS should set out the most suitable technology, not just the cheapest to install and concern that this should also include a consideration of the cost and ease of maintenance for future residence. Suggest additional wording added.
2. 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. Add longevity targets, and an expectation that demolition should always be a last resort.

Council Response

1. This will be an important consideration for any developer and would be considered as part of the process.
2. Whilst this may be desirable, it is considered beyond the powers of the Core Strategy.

Proposed Change No change.

Issue Number: 7.09 **Plan Section:** Core Policies - Climate change

Issue Title: Sustainable Construction - Role of national policy

Issue description Should rely on national standards

JS Bloor: Policy is unsound and ineffective. Consideration should be given to realistic delivery of targets in the CfSH. Considered unsound as it includes a timescale to 2016 zero carbon, changes to building regulations will allow flexibility over time. In the view of industry by 2016 Code 4 will be achieved rather than Code 6 and in doing so there will need to be some flexibility depending on local circumstances. Achieving Code 5 will add significantly to costs.

Blue Cedar Homes: This policy is unsound and not legally compliant as it fails all three tests. Object to standards to be set 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. Until such time that the new system is established these local requirements should be removed and national regulations relied upon.

Council Response A realistic view of delivery has been taken. The B&NES Renewable Energy Study (CAMCO, 2010) tests the feasibility of reaching CfSH Code 6 across the typical site typologies identified in SHLAA and considers this technically possible for all sites. Allowable solutions offer flexible mechanisms for reaching the required standards while there are site specific issues.

These local standards do not go over and above national standards for the CfSH. But they do specify issues of particular importance in B&NES in the criteria based section. National Guidance specifies that local standards can be set – PPS1 supplement paras 30-32.

Proposed Change No Change

Issue Number: 7.10 **Plan Section:** Core Policies - Climate change

Issue Title: Sustainable Construction- Flexibility & Viability

Issue description Flexibility and Viability

Bath Rugby Club: Policy is unsound and ineffective. Policy CP2 should make reference to viability and feasibility implications of requiring BREEAM Excellent including zero carbon and recognise that the approach should be applied flexibly in order to take site specific issues into account.

Cadbury/Kraft Foods: Support the principle to encourage reductions in the use of energy and the incorporation of renewable energy within schemes. The 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.

RPS on behalf of Crest/Key Properties: Policy is unsound as ineffective. Broadly happy with the policy wording but would like additional references to flexibility and viability. Bristol has added the following text:

“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 requirements of this policy, either through on-site measures of allowable solutions would render development unviable careful consideration will be given as to whether the development is appropriate in other respects and sufficiently necessary to justify exemption to the requirements of this policy.”

The Sustainability Checklist if being used as part of planning applications needs to have a clear statement of its purpose and how it will be used i.e. tool to raise awareness or setting standards to be achieved. Could be stepped up at 2012 and 2016 for example. Should be flexibility whether to use the checklist to demonstrate sustainability rather than this being a tick box exercise? The Council will need to ensure that the checklist remains up to date (reference to ODPM suggests this is not the case). Changes similar to those made for Bristol should be incorporated.

The Sustainability Checklist if being used as part of planning applications needs to have a clear statement of its purpose and how it will be used i.e. tool to raise awareness or setting standards to be achieved. Could be stepped up at 2012 and 2016 for example. Should be flexibility whether to use the checklist to demonstrate sustainability rather than this being a tick box exercise? The Council will need to ensure that the checklist remains up to date (reference to ODPM suggests this is not the case). Changes similar to those made for Bristol should be incorporated.

Council Response This policy reflects the national commitment to reaching zero carbon by 2019. Viability considerations will be a material consideration in the determination of a planning application and a decision will need to be made on a case by case basis.

Proposed Change No Change

Issue Number: 7.11 **Plan Section:** Core Policies - Climate change

Issue Title: Renewable Energy targets

Issue description

1)Targets are too ambitious:

The targets may place a significant burden on the developer, leading to desirable development being unviable. Further flexibility should be incorporated to make the policy 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

The Policy relies on the Development Management process for delivery of the renewable targets, however no sufficient guidance for the Development management to act in strategic manner. For example, it falls short recommending (either for or against) in particular areas for wind turbines.

The need to identify and protect key renewable energy potential sites.

2)Targets are too low. The Camco report fails to acknowledge the need for the type of fundamental change demanded by PPS1. The targets are not far -reaching enough and do not respond to 'climate change is the greatest long-term challenge facing the world today'. Higher targets are required.

3)Needs for a comprehensive plan for both on and off-site carbon reduction solutions. The Bath Urban Extension can bring forward opportunities for off-site renewable energy solutions to offset any residual carbon emissions from the development.

4) Agricultural land used primarily for food crops should be protected. The delivery of District Heating relies too heavily on combined heat and power (CHP) derived from biomass. The emphasis in Policy CP3 should be on maximising the potential of both wind power. Geothermal and hydropower not CHP from biomass.

5) Flexibility for new buildings and sites to adapt to new renewable energy technological innovation during the plan period and beyond should be explicitly recognised.

6) Policy CP3 Renewable Energy , including CP4 proposals for District Heating are laudable though very ambitious.

7)The policy should create a stronger requirement between new major development and the provision of renewables. Delivery through Section 106 agreements. The capacity of the New Neighbourhood to make a contribution should be recognised. In the case of the proposed New Neighbourhood at Odd Down can make significant contribute towards meeting targets.

Council Response

1) The policy requires all development to contribute to an overall target for renewable electricity and heat by 2026. The targets are recommended by the Renewable Energy Research and Planning (June 09 & Nov 10) which assessed local capacities and circumstances. The Core Strategy policies must facilitate achieving renewable energy targets set by the UK Renewable Energy Strategy which responds to a number of global issues such as climate change and energy security.

CP3 is not a site specific policy or set out a minimum level of renewable energy on site. However new development is expected to contribute towards renewable energy targets and the provision of renewable energy must be considered in the context of Policy CP2.

The Landscape Impact Assessment and emerging Visual Impact Assessment will provide useful guidance in considering wind energy. Site allocations may be considered through the Placemaking process.

2) Tackling climate change is the cross cutting objective for the Core Strategy. This is the basis for increasing energy from renewable source. To do this, significant changes have to take place, not only the planning framework but also wider government policies including financial incentives, people's perceptions and behaviour and so on. The Camco report provides robust local evidence to support setting the district wide renewable energy targets. The targets (Policy CP3) are minimum targets and revised as technologies develop.

3) Comments noted. Urban Extensions are not in line with the B&NES spatial strategy.

4) 5) Comments noted. The Policy does not prioritise any specific technologies but the Council supports innovative solutions.

6) Comments noted.

7)Comments noted but reference to the new neighbourhood at Odd Down is not in line with the strategy.

Proposed Change

No change.

Issue Number: 7.12 **Plan Section:** Core Policies - Climate change

Issue Title: District Heating - Definition of Major Development

Issue description Definition of Major Development

Considers that Policy CP2 is unsound as it is unjustified and ineffective. The policy requires all major developments to demonstrate that CHP/CCHP systems have been selected in accordance with a heat hierarchy. The policy does not define what major development is, and provides no flexibility to cater for circumstances where this is not 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 that can deliver efficient and sustainable energy/heating without the need for CHP/CCHP. This policy should be sufficiently flexible to allow these alternatives to be considered. Specific amendments suggested.

Council Response Define major development (as elsewhere in the document e.g. CP2)

Flexibility is included in the policy as it is an encouraging policy which requires this approach to be considered. Alternative solutions would be an important part of this consideration on a site by site basis.

Proposed Change Add: "Major development as defined in the Town & Country Planning (Development Management Procedure (England) Order 2010)." (Proposed Change PC81)

Issue Number: 7.13 **Plan Section:** Core Policies - Climate change

Issue Title: District Heating - Urban Extensions

Issue description Should identify opportunities within urban extensions

Considers the policy unsound, as they believe that the District Heating Priority Area at Twerton should be extended to include the Bath Urban Extension land at the West of Twerton. The evidence shows that the case for the Twerton cluster was marginal as it does not have a critical mass or anchor loads required for a sustainable energy infrastructure investment. The business case would be made much stronger if linked to a Bath Urban Extension and potentially to Bath Spa University to the west. The Masterplan for the Urban Extension has been developed to maximise the benefits/financial case for district heating and opens the potential for a shared community energy system.

The District Heating Priority areas should include the new neighbourhood at Odd Down. The location of the strategic site alongside the Residual Waste Treatment facility means that there are sources of supply that provide a most sustainable solution to DH. Amend diagram 19.

Council Response Neither are in accordance with the spatial strategy. No evidence to demonstrate that what is being proposed is feasible or technically possible in either location. All of the DH priority areas are evidence based.
- Distances and topography involved are likely to be prohibitive in terms of linking to the identified Twerton cluster.
- No evidence provided in relation of potential to link with RWT facility

Furthermore this policy approach does not preclude additional clusters coming forward in alternative locations, should these be appropriate and feasible. To the contrary, the policy as drafted would support this.

Proposed Change No Change

Issue Number: 7.14 **Plan Section:** Core Policies - Climate change

Issue Title: District Heating - Ambiguity

Issue description Consider Policy on District Heating is unsound and ineffective due to lack of clarity. It is not clear whether the measures set out apply to just the District Heating priority areas, or to all development throughout the Core Strategy area. If the Policy applies to the whole area PSP object as there are practical difficulties/viability issues with providing DH in all development. Even so it should allow for site specific exceptions where DH could be difficult to achieve or unviable or where there might be better solutions.

Council Response Agree this could be improved for clarity:

New prefix to para for clarity, currently ambiguous. Replace sentence 1 of para 3 with "Where a district heating scheme is proposed as part of a major development the Council will expect the scheme to demonstrate that the proposed heating and cooling systems..." "

Proposed Change Policy CP4:

New prefix to para for clarity, currently ambiguous. Replace sentence 1 of para 3 with "Where a district heating scheme is proposed as part of a major development the Council will expect the scheme to demonstrate that the proposed heating and cooling systems (CHP/CCHP) have been selected considering the heat hierarchy in line with the following order of preference:" (Proposed Change PC82)

Issue Number: 7.15 **Plan Section:** Core Policies - Climate change

Issue Title: District Heating - Objection to inclusion of RUH

Issue description Objection to inclusion of RUH

Policy is not sound. Policy CP4 identifies the RUH as a "district heating 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 will also be provided with their own CHP (including staff residencies). 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 before 2026. This policy is therefore not 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 for each major planning application. This is pertinent in relation to the current investment in CHP infrastructure on the site.

Request changes:

Omit RUH from diagram 19. Define major development. Amend the policy by changing "expected" to "encouraged" in first para. Consider deleting the second part of the policy. Provide guidance as to how applicants could demonstrate compliance with this policy.

Council Response The policy as worded will support the RUH plans to upgrade the CHP energy system on their site and it is clear that the suggested hierarchy has been considered in practical terms as there is a combination of communal and individual gas fired CHP. Although it is noted that the trust currently has no plans to develop its district heating network beyond its site boundary it is considered good planning to keep options open for the future should this position change. The policy wording covers this in that development will only be expected to connect to systems "where and when this is available".

Add definition of major development as above. Additional guidance is not necessary as the policy is clear.

No change.

Proposed Change No Change

Issue Number: 7.16 **Plan Section:** Core Policies - Climate change

Issue Title: District Heating - Flexibility and Viability

Issue description Flexibility and Viability

Policy is unsound and ineffective. Policy CP4 should incorporate flexibility and viability considerations to take individual site circumstances into account. 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.

Support the principle to encourage reductions in the use of energy and the incorporation of renewable energy within schemes. The 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.

Council Response The policy is an encouraging policy and requires developers to consider the potential for district heating. It also requires principles to be considered at a masterplanning stage so that the feasibility and viability issues are considered early on. Therefore, issues of feasibility and viability underpin the approach. To reach the required sustainable construction standards district heating is often one of the most low cost options to implement at scale.

Proposed Change No change.

Issue Number: 7.17 **Plan Section:** Core Policies - Climate change

Issue Title: District Heating - Consultation

Issue description Impact of District Heating Policy on vaults in Bath needs further investigation. Lack of consultation on this issue, further information needed.

Council Response Vaults issue is covered adequately - there is primary legislation in place to protect the vaults and this issue has been covered in some depth in the Aecom study. A District Heating Stakeholder workshop was held in addition to the consultation on the draft Core Strategy,

Proposed Change No Change

Issue Number: 7.18 **Plan Section:** Core Policies - Climate change

Issue Title: District Heating - General Objection

Issue description Object

1. Object to the emphasis on district heating, which is not itself a low carbon source, only an efficient distributor. Support the protection of the vaults of the city. Supports residential but not commercial uses. Use of Spa Water might prove a valuable heat source.
2. Contrary to the assertion in para 6.23 district heating is prohibitively expensive as a retrofit option and very expensive in new build. There is no demand for heat in the summer from many uses. It is possible to provide cooling systems, however, there is a loss of efficiency.
3. CP4 implies that the Central Zone will be suitable for district heating. We suspect that this is intended 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. Questions around the District Heating Priority areas in the Somer Valley
4. Somer Valley Friends of the Earth: The Renewable Energy study concludes that a district heating system is not considered suitable for Radstock and other measures more appropriate. This document does not show heat mapping for Radstock.

4a. Outline planning permissions are secured for sites in Paulton and within Radstock – unlikely that these will be able to be renegotiated.

4b. Although the Norton Radstock College location is considered by the study to be unsuitable it appears as a District Heating Priority Area in the Core Strategy. Only looks at three cluster areas in Bath/Keynsham. The feasibility study should have looked at the sites in the Somer Valley in the same level of detail.

4c. In terms of being able to implement the District Heating Study the Renewable Energy study notes a number of barriers to implementation:

- Biomass supply
- Storage and processing of fuel source
- Network capacity and running costs

4d. Is DH likely to be viable in the Somer Valley areas given viability issues? Could lead to overdevelopment in the specified locations. Possible funding conflict issues may arise.

4e. Other renewable energy opportunities should be maximised before district heating.

Council Response

1. DH is a distribution means and is by definition lower carbon due to efficiencies. There is also potential for use of renewable energy.

2. The Council's evidence base suggests this is not the case.

3. This is the case – see the District Heating Feasibility Study for more information. Key opportunity for network is away from known vaulting etc but further investigative work would have to be undertaken. The historic centre is not ruled out in terms of potential, there may be specific schemes that could be brought forward. As for other utility provision in the centre of Bath. No change.

4. This is a high level study, so while in general terms this is correct the District Heating Feasibility Study undertook a further more detailed analysis of the opportunities. The heat mapping exercise for Radstock is included in the DH Study rather than the Renewable Energy study.

4a. The opportunities in these locations have been identified considering current planning status of sites and opportunities should not be immediately ruled if there is an existent planning permission as these may be subject to change or may not be implemented.

4b. This is not the case the Norton Radstock College location is noted as an opportunity site in the study and this is reflected in the Core Strategy and policy CP4. More detailed research was undertaken for major opportunity sites in multiple-ownership but the long-list of clusters was identified first – this is all that is required for policy setting. There is much greater scope for sites in single ownership to be brought forward independently.

4c. These are specific issues which would need to be considered on a case by case basis. The DH system would have the capacity to switch fuel source over time so short term trends in relation to fuel supplies.

4d. This would be a consideration and a developer would consider the most appropriate technologies when meeting sustainable construction targets or considering such a scheme.

4e. These are not mutually exclusive. No change.

Proposed Change No Change

Issue Number: 7.19 **Plan Section:** Core Policies - Climate change

Issue Title: Flood Risk Management Policy CP5

Issue description

- 1) Support by the EA. The Policy will ensure that national legislation is adequately applied while taking into account the local flood risk issues across the district, referring to the SFRA and FRMS. It is important to ensure the studies recommendations are implemented in future LDF documents and when development proposals comes forward. A sequential approach within the broad locations specified is crucial given that many of the policy areas indicate mixed use developments which may have very different levels of vulnerability to flood risk.
- 2) Hope that the Council have the resources to meet these extra responsibilities given by Flood & Water Management Act 2010. The 'Flood Risk Management Strategy' is being of critical importance, particularly in Bath.
- 3) Recognise the role of undeveloped areas along the river corridor in flood management - risk management through an agricultural rather than only engineering approach.
- 4) Cross boundary working needed.
- 5) The CS is not tackling the effects of climate change because it does not include a policy on Drought Risk Management.
- 6) The role of woodland which can deliver a major contribution to resolving a range of flood risk/ water management issues should be mentioned.
- 7) 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. CP5 should make explicit reference to need for delivery of upstream storage and need to be monitored.
- 8) Upstream storage capacity not certain.

Council Response

- 1) 2) 3) Comments noted.
- 4) The Council is working with the West of England, other adjoining authorities (including Wiltshire Council) and the EA.
- 5) As part of the preparation for the Infrastructure Delivery Plan, Wessex Water and Bristol Water were contacted. Wessex Water has an approved Water Resources Plan for future growth across the region. Future demand can be met from existing resources and there are contingency plans in place of drought measures. Draft Bristol Water plan takes account of forecast growth to plan water supply for the next 25 years, having regard to the impacts of climate change and opportunities to increase water efficiency. The Council is also preparing a Natural Hazard Action Plan which includes an assessment of risks associated with drought.
- 6) The multi-functionality of Green Infrastructure (including potential role in terms of flood management) is supported in the approach of the Core Strategy. The Council's Green Infrastructure Strategy (which will support the delivery of the Core Strategy Green Infrastructure policy) will examine the role woodland can play in flood management.
- 7) 8) The FRMS has investigated district-wide solutions and concluded that there is no strategic solution reducing peak flow through Bath which is either technically or economically viable. It recommends that the provision of compensatory storage upstream combined with on-site flood defences. Further investigation is being undertaken to identify appropriate locations and capacity. Placemaking DPD will provide further details to supplement this policy.

Proposed Change

Explain about the upstream water storage work in Bath chapter. (Proposed Change PC20)

Issue Number: 7.20 **Plan Section:** Core Policies - Climate change

Issue Title: Peak Oil

Issue description The Council should publish its analysis of the risks around Peak Oil and include solutions to mitigate the risks in the Core Strategy.

Council Response The Council is preparing a Peak Oil impact assessment. The Core Strategy has recognise the efficient use of scarce resources and reducing our dependency on fossil fuels especially in light of peak oil concerns are one of key strategic issues. The vision and objectives particularly objective 1 and 7, Policies CP1, CP2, CP3, CP4, CP6 and CP7 contribute to tackle peak oil issues.

Proposed Change No Change

Issue Number: 8.01 **Plan Section:** Core Policies - Environmental Quality

Issue Title: Environmental quality - General

Issue description GENERAL

1. Strongly support Policy CP6 and supporting text.
2. Include public rights of way in list of sensitive environments (reference to Core Strategy Options document)

Council Response 1. Support noted.
2. The draft Core Strategy no longer includes a list of sensitive landscapes as appeared in the Options document. The importance of public rights of way will be addressed in the Council's Green Infrastructure Strategy.

Proposed Change No change

Issue Number: 8.02 **Plan Section:** Core Policies - Environmental Quality

Issue Title: Environmental quality - High Quality Design

Issue description HIGH QUALITY DESIGN

1. Strong support for Policy CP6, the statements on Conservation Areas and the regular review of these areas as set out in the policy and para 6.42.
2. Welcome the emphasis on quality design. The Council should work in partnership with such groups to produce guiding principles for such design.
3. Policy CP6 is extremely general in relation to High Quality Design and commentary on delivery gives little confidence that the generalities will be enforceable. Should commit B&NES to developing specific principles for achieving high quality design, particularly in the World Heritage Site.
4. Need to strengthen the role of prescriptive site specific SPDs in the place-making plan, to be drawn up prior to development, and include WHS Management Plan and Building Heights Strategy as SPD in delivery section.

5. Policy CP6 should provide a hook for supplementary planning guidance on good design in the World Heritage Site and other parts of B&NES.
6. Strongly supports the continued emphasis on high quality design, including the references to the historic environment, and the importance of Bath's landscape setting in Policy CP6.
7. 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 and 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.
8. Supports recognition that high quality design can assist in the creation of safer places in Policy CP6 and will continue to work with the Local Planning Authority and other partners to ensure the objective of a safe environment is achieved. Suggests 'Secured by Design' or its principles are referred to in the supporting text to Policy CP6, failing that, additional information and policy within the Place-making Plan.
9. Welcomes attempts to improve the standard of design of new developments but wonder whether the Council should delay introduction of this requirement and conduct a comprehensive review of all the standards if the HCA standards for affordable homes are not implemented and all new public and private homes will have to be built to the same standard. Also queries whether Building for Life should be a minimum requirement at all and meeting the standard should be only a guide, as is being proposed in the Bristol City Council Core Strategy following its Examination.
10. 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 (reference to developer's checklist accessed via www.sportengland.org). Three overlapping Active Design objectives identified that should be promoted by master plans: improving accessibility; enhancing amenity and increasing awareness. Would encourage developers to design future proposals in line with the Active Design principles.

Council Response HIGH QUALITY DESIGN

- 1,2 and 6. Support welcomed.
- 3, 4 & 5. The policy will provide a suitable framework for more detailed guidance and SPDs as necessary.
7. Policy CP6 as currently worded will still facilitate contemporary and innovative responses to local distinctiveness without being repeated in the policy. The policy does not imply that by preserving our historic assets change through redevelopment is unacceptable.
8. Support for the policy acknowledged. 'Secured by Design' or its principles can be referred as part of the preparation of the Placemaking Plan.
9. Expecting high quality design is the overarching aim of this part of Policy CP6. This will help raise the standards of new development and help conserve the character and local distinctiveness of the area. This is in line with Government guidance and other good practice.
10. Noted. Guidance such as the Sport England's Active Design principles can help inform the development of the Placemaking Plan.

Proposed Change No change.

Issue Number: 8.03 **Plan Section:** Core Policies - Environmental Quality

Issue Title: Environmental quality - Historic Environment

Issue description HISTORIC ENVIRONMENT

1. 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'. Queries what the Core Strategy's intended approach is to addressing the heritage assets under threat as highlighted in the evidence base. In the delivery section need further clarification and details on the preparation of the guidance and other proactive strategies etc mentioned. Queries whether significant heritage assets be included on the proposals map?
2. Policy CP6 should lead with the historic environment and insert new sub-point in (1) detailed understanding of the Outstanding Universal Value of Bath World Heritage Site'.
3. First sentence of Policy does not indicate the kind of protection that will be expected and should be expanded to achieve a similar level of detail to Nature Conservation. Second sentence restates national policy and is redundant.
4. Concerned that absence of level of detail in old PPG15, Annex C in either PPS 5 or local policy means that there is potentially a policy vacuum resulting in inconsistent decision making.
5. Council should 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.
6. Para 2 of Policy CP6 should set out the two or three key aspects of protection of the historic environment - encouragement of sensitive adaptation/reuse of historic buildings, paying particular attention to building heights/view management, and reduce the pressure on historic assets by reducing vehicle movements in sensitive areas. Delete second sentence of para 2 unless there is a robust method of assessment of 'contribution to climate change'.
7. Need flexibility within any emerging policy with regard to the re-use of historic buildings and the incorporation of historic assets as per PPS 5.

Council Response HISTORIC ENVIRONMENT

1. Whilst it is acknowledged that there is some uncertainty around the nature of the new national planning framework, it is considered that including 'where appropriate' makes the policy too ambiguous. The approach to addressing heritage assets under threat needs to be clarified. The district's significant heritage assets as identified through the Local Plan, remain on the Proposals Map and will be updated as changes arise.
2. The policy should be read as a whole and is not set out in any order of priority. Policy B4 deals specifically with the World Heritage Site and the World Heritage Site Setting Study and other guidance provides detailed information on the impact of development on Outstanding Universal Value which is unnecessary and too detailed to reference in the Core Strategy.
3. The delivery section to Policy CP6 sets out how the policy will be delivered and provides a framework for the development of more detailed policies or guidance for considering proposals affecting the historic environment.
4. Detailed saved Local Plan policy relating to the historic environment, which currently reflect guidance in the superseded PPG15 & PPG16 will be reviewed through a separate DPD.
5. Conservation Area Appraisals and their review are outside the scope of the Core Strategy. Commitment to undertake CA reviews is expressed in para 6.43.
- 6 & 7. Para 6.42 makes it clear that Policy CP6 complements the policies in PPS5. The detail in PPS5 does not need to be repeated in the Core Strategy.

Proposed Change No change.

Issue Number: 8.04 **Plan Section:** Core Policies - Environmental Quality

Issue Title: Environmental quality - Landscape

Issue description LANDSCAPE

1. 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.

Council Response 1. Support welcomed.

Proposed Change No change.

Issue Number: 8.05 **Plan Section:** Core Policies - Environmental Quality

Issue Title: Environmental quality - Nature Conservation

Issue description NATURE CONSERVATION

1. Full support for Policy CP6. Regarding delivery of nature conservation would benefit from cross-reference to the Green Infrastructure Strategy which will have an important role in influencing the Place-making Plan to deliver nature conservation goals.

2. Broadly supports policy but term 'valued habitats' should be defined. As a point of clarity, the Core Strategy refers to achieving a Good standard for CABI's Building for Life, while CABI set standards of Silver or Gold. Fully supports the inclusion of the Nature Conservation element of Policy CP6. Highlights the potential for an urban extension to the west of Twerton to deliver the aims of this policy as the site is not constrained by possible impacts to designated sites (particularly European sites designated for their bat interest) or priority habitats.

3. Policy CP6 should provide absolute protection for ancient woodland and ancient trees, and for this to be backed up in a Trees & Woodlands Supplementary Planning Document (SPD).

4. 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, the recognition of the contribution which can be made by new development to nature conservation. Para 6.49 should make clear that, "proposed development will be required to assess potential impacts on protected sites and species and the adequacy of proposed mitigation measures."

5. Core Strategy does not mention biodiversity and the important areas of local ecology in the Somer Valley. The document does not allow for a renewable energy area.

6. Support for policy CP6 as it has an importance in terms of possible climate change to protect wildlife habitats

7. Policy CP6 will not prevent losses of important sites in a strategic context. The reversal of biodiversity and habitat loss and the restoration and creation of habitats and ecological networks involves far more than respecting existing networks of priority habitat, facilitating dispersal and reducing fragmentation.

Council Response NATURE CONSERVATION

1. Support for Policy CP6 welcomed. Agree that cross-reference to the Green Infrastructure Strategy in the nature conservation Delivery section of Policy CP6 would be useful.

2. The term 'valued habitats' will be defined in the Glossary. Policy CP6 correctly refers to CABI BfL "good" standard as the Council expects proposals to achieve a 'good' standard as a minimum. Assessments are scored against the 20 Building for Life criteria and developments are given an overall score out of 20 and graded between "very good" and "poor". The Silver and Gold are related to awards given for high quality schemes.

3. The supporting text Policy CP6 acknowledges the importance of ancient woodland and the Council's duty towards its protection. PPS9 sets out national planning policy

for dealing with planning applications which affect ancient woodland which should not be repeated in local policy. Notwithstanding Policy CP6 will cover the protection of ancient woodland and should be read together with the relevant more detailed natural environment policies in the Local Plan (to be reviewed through the Placemaking Plan).

4. Noted. Agree that para 6.49 should make clear that, "proposed development will be required to assess potential impacts on protected sites and species and the adequacy of proposed mitigation measures."

5. Policy CP6 protection and enhancement of nature conservation will apply to the Somer Valley area.

6. Support noted.

7. All wildlife sites and habitats are protected either under legalisation, national or local planning policy. Policy CP6 seeks to complement national and local policy. However the paragraph following the three criteria under Nature Conservation in Policy CP6 can be amended to make reference to protecting and enhancing international, national and local sites as well as networks.

Proposed Change Cross-reference to the Green Infrastructure Strategy in the nature conservation Delivery section of Policy CP6. (Proposed Change PC87)

Amend para 6.49 to make it clear that development proposals will be required to assess potential impacts on protected sites and species and the adequacy of proposed mitigation measures. (Proposed change PC85)

Include a definition of 'valued habitats' in the Glossary. (Proposed change PC103)

Issue Number: 8.06 **Plan Section:** Core Policies - Environmental Quality

Issue Title: AONBs - protection of

Issue description

1. Expectations concerning the AONB need to be well managed and it should be noted that this will not necessarily be one of Natural England's priorities.
2. Support the proposal to include part of Combe Hay Parish, Englishcombe Parish and Newton St Loe Parish within the Cotswolds AONB as this total area is important part of the setting of the World Heritage Site and is of high landscape value. Its inclusion may discourage developers to bring forward inappropriate development proposals.

Council Response Comments noted. It is not within the remit of the Core Strategy to review AONBs.

Proposed Change No Change

Issue Number: 8.07 **Plan Section:** Core Policies - Environmental Quality

Issue Title: European Habitats Directive

Issue description

1. Question whether sufficient notice has been taken of the European Habitats Directive, which was ruled to have been breached in the case of the NRR development on the former GWR railway lands in Radstock.
2. Although the Habitats Regulations Assessment is considered 'fit for purpose' by Natural England, Chapter 4 Somer Valley was not reviewed. Decision by the Council that this was not required due to distance from the SACs but there is mounting evidence that some areas away from SACs could have a significant impact upon their long-term viability although the complexities of bat behaviour, breeding and needs associated with genetic exchange are not fully understood.

- Council Response**
1. The Council has undertaken a Habitats Regulations Assessment of the Core Strategy to meet the requirements of the European Habitats Directive 1992 (79/409/EEC) for both the Core Strategy Options (September 2009) and the draft Core Strategy (November 2010). The findings have been endorsed by Natural England. With regard the Radstock Railway Land site, permission to apply for Judicial Review was refused in March 2010.
 2. The Somer Valley is more than 5km from any Natura 2000 site and the Core Strategy is not promoting significant growth in this area. Only an additional 500 new dwellings are planned and no significant new infrastructure is proposed. The development within both Midsomer Norton and Radstock is focussed within the existing urban areas. The Council has not had access to most of the studies referred to. Natural England has not raised any concerns over the approach taken in the HRA and expressed broad support for the Core Strategy.

Proposed Change No Change

Issue Number: 8.08 **Plan Section:** Core Policies - Environmental Quality

Issue Title: Green Infrastructure

- Issue description**
1. Strongly support Policy CP7 and supporting text.
 2. Support the inclusion of a GI policy, and reference to sustainable water management and wildlife in the supporting text in terms of the multi-functional role GI can have; and that river corridors are highlighted in the text and Diagram 20 as a key asset.
 3. Policy CP7 is not yet consistent with Defra's Natural Environment Discussion Document, October 2010. Should not just protect green infrastructure but should enhance it. Suggests 'the delivery of biodiversity restoration targets for B&NES Strategic Nature Areas (SNAs) in line with Biodiversity South West Nature Map' is included in the policy.
 4. Suggests additional paragraphs are included in supporting text to Policy CP7 Green Infrastructure to raise the profile of the Kennet and Avon Canal with particular reference to managing its residential boat use and recreational activity that may affect this asset.
 5. Strategic Nature Area shown in Diagram 20 should reflect changes to this designation on South West side of Bath.
 6. Noted that a 'Green Infrastructure Strategy' is being prepared and support the emphasis being put on the 'river corridor through Bath' as a key green infrastructure (GI) asset. However, queries whether the Authority has the resources and expertise to protect this corridor.
 7. Policy CP7 as drafted and Diagram 20 fail to link the opportunities to secure GI as part of mitigation strategies associated with development, particularly major development in urban areas. 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.
 8. The heritage value of open spaces with regards to Green Infrastructure planning should be explicitly recognised - not all of the open spaces are naturally derived.
 9. Over emphasis in green infrastructure as a contrast to settlement and not enough on the economic and 'impact accountability' synergies.
 10. Supports the development of a Green Infrastructure Strategy but seeks confirmation that this includes playing pitches and other sport and recreation spaces.
 11. Support for comprehensive list of GI benefits and cross boundary recognition but could make it clearer that 'blue infrastructure and blue spaces' such as waterways is including within the definition (and Glossary definition).

- Council Response**
1. & 2. Support welcomed.
 3. Policy CP7 clearly supports the protection, expansion and enhancement of the green infrastructure network across the district. There is also a clear commitment to

enhance and improve the green infrastructure network elsewhere in the Core Strategy where this is mentioned, particularly in the relation to the different areas. Reference can be made in the Nature Conservation Delivery section to Policy CP6 to the role the GI Strategy can play in delivering biodiversity restoration targets for Strategic Nature Areas within the district.

4. Para 6.57 mentions waterways as a feature of Green Infrastructure. More specific mention of the role this asst plays within the Green Infrastructure network will be through the GI Strategy. Diagram 20 will be amended to accurately reflect the strategic GI network.

5. The Council is unaware of any changes being proposed to any of the Strategic Nature Areas within the district.

6. Work on the River Corridor through the emerging Green Infrastructure Strategy will be undertaken in partnership with a range of stakeholders to ensure an appropriate framework is put in place which will inform the relevant part of the Placemaking Plan.

7. Diagram 20 is intended as a high level indicative diagram which will be developed through the GI Strategy which will also consider opportunities to improve and extend the network. This will unpin more detailed place specific guidance in the Placemaking Plan.

8. Paras 6.56 and 6.57, which are not intended to be an exhaustive list of green assets, nonetheless recognise the importance of the historic environment as an important feature of Green Infrastructure.

9. The supporting text to Policy CP7 is intended to introduce the topic and the policy itself to set in place the GI principles. The relationship between the built and natural form will be addressed in more detail through the GI Strategy and through the Placemaking Plan.

10. The GI Strategy will include playing pitches and other sport and recreation spaces that are green assets.

11. Para 6.57 explicitly refers to waterways as being part of the GI network. Could include waterways within the Green Infrastructure Glossary definition for clarity.

Proposed Change

Make reference in the Nature Conservation Delivery section to Policy CP6 to the role the GI Strategy can play in delivering biodiversity restoration targets for Strategic Nature Areas within the district. (Proposed Change PC87)

Include waterways within the Green Infrastructure Glossary definition. (Proposed Change PC101)

Issue Number: 8.09 **Plan Section:** Core Policies - Environmental Quality
Issue Title: Green Belt - General Support

Issue description

1. The retention of the existing boundary is fully justified by the absence of any compelling evidence to the contrary, in which respect the abandonment of the highly controversial and hugely damaging urban extension proposal is very welcome.
2. Policy will hopefully protect the Green Belt but there must also be care taken that developers do not take advantage of the 'Community Right to Build'.
3. Policy CP8 conforms with national policy which also states that the general extent and detailed boundaries of the Green Belt should be altered only exceptionally.
4. Fully support Policy CP8 which sets out the purpose and objectives of Green Belt and that the Urban Extension to South East Bristol is no longer planned for.
5. Please make use of brown sites for new developments and not Green Belt
6. Supports the protection of the Green Belt.
7. Support Green Belt as integral to the setting for the World Heritage Site.

8. Whilst Paulton is not within the Green Belt Policy CP8 is relevant in protecting the boundaries of the village and preventing connection with Hallatrow, Midsomer Norton or Farrington Gurney.

Council Response Support welcomed. Community Right to Build will be delivered through the neighbourhood planning system which will need to be in general conformity with the Development Plan. The District-wide Strategy as expressed in Policy DW1 clearly prioritises the use of brownfield land before greenfield sites.

Proposed Change No Change

Issue Number: 8.10 **Plan Section:** Core Policies - Environmental Quality

Issue Title: Green Belt policy

Issue description

1. Policy CP8 fails to make adequate provision to meet Core Strategy Objective 2 in making optimum use of brownfield opportunities in meeting housing and economic development needs. Green Belt policies should allow for appropriate forms of development consistent with national and local Green Belt policies.
2. Policy CP8 itself is sound but concerned about inconsistencies in the phraseology used elsewhere in the Core Strategy, which risks confusion on the part of developers and the LPA about what is intended and therefore jeopardises effective delivery of the policy.
3. Policy CP8 should be completely reconsidered and rewritten to allow for release of Green Belt and green-field land to meet housing demand, to provide the overwhelming need for affordable housing for B&NES and to meet the Council's objectives for economic growth.
4. Strongly urge the Council to rethink its Green Belt policy and release land for housing to meet the overwhelming need for housing' first priority being the reinstatement of the urban extension to South Bristol.
- 5 There should be a flexible approach to the Green Belt. Beneficial development should not be restricted by an overly tight interpretation.
- 6 UNESCO recommended a strengthening of the Green Belt around Bath, so the words "general extent" are too loose and suggest a hidden agenda to reduce it.

Council Response Policy CP8 is drafted to be consistent with PPG2. As the District-wide Strategy does not require land within the Green Belt to be allocated for development, there are no proposals to undertake a strategic review of the boundary through the Core Strategy. The development of brownfield land is prioritised above greenfield land in the District-wide Strategy (Policy DW1) - see also response to Key Issue 1 (Level of growth and overall locational strategy).

Proposed Change No Change

Issue Number: 8.11 **Plan Section:** Core Policies - Environmental Quality

Issue Title: Green Belt Boundary

Issue description

1. Amend anomalies in the Green Belt boundary through the Core Strategy. Reference to possible conflict between Policy CP3 and Policy CP8 should be inserted after CS para 6.6.
2. Amend anomalies in the Green Belt boundary through the Core Strategy
3. Request for land situated above Mulburry house, Golf course road, Bathwick, Bath, is removed from the Green Belt.

4. Policy CP8 should be amended to allow for the release of land west of Twerton to provide for a sustainable urban extension for up to around 2,000 dwellings (see DW1).
5. Does not accept that exceptional circumstances for Green Belt release do not exist - these have been established since adoption of RPG10 and further been proven through the preparation of the RSS, accepted by B&NES through its submissions that the most sustainable locations for growth lie in the SSCTs and on Green Belt land. Green Belt releases on the edge of Bristol and Bath are necessary in order for the sub-region to progress and prosper and the overall aims of the Green Belt would not be compromised. Submits evidence relating to the proposals at Hicks Gate and the justification for Green Belt release in this specific location.
6. 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. The Core Strategy should be amended to reflect the latest published household projections so that provision is made for in the order of 18,500 dwellings and the general extent of the Green Belt is redefined to the south west of Keynsham to remove so that development needs can be accommodated sustainably in accordance with national guidance. Changes Policy CP8 to make reference to the redefined Green Belt boundary to the South West of Keynsham.
7. Concerned the wording 'general extent' in Policy CP8, which coupled with the wording that says '2,500 homes will come forward within the outer neighbourhoods', could be seen to be ambiguous and allow planning events in the future, which those agreeing to the Core Strategy now thought were excluded.
8. Differences in treatment of the Green Belt implied in different parts of the Core Strategy 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. 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.
9. Support for Green Belt's 'a vital role in maintaining the setting of the World Heritage Site of Bath'.
10. 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.
11. 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.
12. Understands the continued protection of the Green Belt when there is brown field land that could be better utilised but pressure for high urban densities and no public open space will mean the river corridor underachieves the transformation that is desired.
13. Policy CP8 states that the Green Belt will be protected from inappropriate development so queries why the Council proposes to impinge upon Green Belt land to the south of Keynsham by identifying the primary means of accessing the local plan housing allocation 'K2b' from Charlton Road and forming an access road across the woodland trust land which is within the Green Belt designation. The means of access to this site should therefore be shown from Park Road.
14. Boundary of the Green Belt should be drawn further south in the vicinity of Clutton, so that it passes between Clutton and Temple Cloud/High Littleton: effectively making Clutton into a village 'washed over' by the Green Belt, rather than one which stands on the boundary of the Green Belt.
15. Green Belt boundary should be altered around Keynsham to allow for 3,000 dwellings as advocated in the Proposed Changes to the RSS. Evidence base to support the RSS is a material consideration and sets out the exceptional circumstances to justify the changes to the general extent of the Green Belt. RPG10, Policy SS 4 set out the need to critically review the Green Belt and examine the need for alterations to the boundary to allow for long term sustainable development needs which should have been completed through the Core Strategy. Provision should be made to meet the latest 2008 based household projections in the most appropriate sustainable locations - Council's Strategic Housing Market Assessment indicates that there is a very high housing need: household growth and likely total future supply. Exceptional circumstances have been demonstrated to make the changes to the general extent of the Green Belt and that additional land is needed in order to meet the housing requirement, and that land south of Lays Farm is available and deliverable.

Changes would need to be made to: Policy DW1 to increase the housing provision for the plan period to at least 18,500 dwellings; Spatial Vision for Keynsham and Policy KE1 to reflect the strategic location/need to make provision for 3,000 dwellings and to define the general extent of the Green Belt by removing land to the south west of Keynsham from the Green Belt; Policy CP8 to redefine the boundary of the Green Belt South West of Keynsham (policy wording suggested).

16. The CS concludes that sufficient capacity already exists within Bath (6000 homes) to accommodate the entire growth requirements of the City up to 2026 - an over-estimation of the urban capacity of Bath and its capacity to deliver this growth. Need for homes and jobs at Bath and a planned distribution of growth across the district will lead to unsustainable patterns of growth, contrary to PPS 12. Policy CP8 proposes to maintain the existing boundaries of the Green Belt surrounding Bath but it is asserted that exceptional circumstances may now exist to alter the detailed boundaries of the Green Belt to accommodate identified need during the period of the CS by altering the detailed boundary at Odd Down, to accommodate the New Neighbourhood. Whether the Regional Spatial Strategy, RSS 10, is adopted or not, the evidence gathered as part of Green Belt Review at the EiP 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 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 Core Strategy Option document 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. The wording of Policy CP8 should be 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.

Council Response No changes are proposed to the general extent of the Green Belt within B&NES. This strategy has the support of Bristol City Council. A review of the Green Belt boundary to amend anomalies is not a strategic issue and will be considered through a separate DPD. See also response to Key Issue 1 (Level of growth and overall locational strategy).

Proposed Change No Change

Issue Number: 8.12 **Plan Section:** Core Policies - Environmental Quality

Issue Title: Green Belt - Major Existing Developed Sites in the Green Belt (MEDS)

- Issue description**
1. The definition of MEDS in the Green Belt is not consistent, in terms of the definition of appropriate boundaries, with national guidance in PPG2 Annex C. The MEDS at Monkton School should be redefined to include all land in the school's control.
 2. Core Strategy inconsistent with national policy in PPG2 in not providing for the designation of Major Existing Developed Sites in the Green Belt. Policy CP8 should recognise that there are other sites in addition to existing MEDS that may be suitable for this designation and policy and supporting text should be amended to reflect these points.
 3. Although note that Local Plan Policy GB.3 'Major Existing Developed Sites' is to be saved until replaced through the LDF, concerned that the Key Diagram does not identify Prior Park Campus as a MEDS nor is there any reference to the continued role of the College in the Core Strategy could lead to it being overlooked and will compromise future reinvestment into the facility and ability for the College to manage and maintained the suite of listed buildings across the site.
 4. Requests a revision of the MEDS boundary at Bath Spa University which acts as a constraint to the implementation Policy B1 and B8 and requires amendment in order to cater for the Phase 2 and Phase 3 (part) proposals of the Newton Park Campus Masterplan. Believes an exception exists to have the MEDS extended within the context of Policy CP8.
 5. The Paragon School should be identified as a MEDS as the current Green Belt designation is restricting the operational requirements of the school.

Council Response PPG2, Annex C states that a the boundary of a MEDS should be defined by the boundary of the present extent of development. To the include all the land in the school's control within a MEDS boundary would be contrary to PPG2.

The designation and review of the MEDS is not considered a strategic issue and will not be reviewed through Core Strategy but through a separate DPD, including a review of Local Plan Policy GB.3.

Proposed Change No Change

Issue Number: 9.01 **Plan Section:** Core Policies - Affordable Housing, Mix of Housing, Gypsies and Travellers

Issue Title: SHLAA

Issue description

1. Density assumptions of sites in the SHLAA should be reconsidered following the removal of the minimum density in PPS3 in June 2010. This will lead to more sites being needed to meet the existing figure in the Core Strategy and an even greater number of sites needed to meet the housing figure consistent with the latest 2008 based household projections.
2. District-wide section refers to the SHLAA as part of the evidence-base for development land supply and includes a number of sites which are either historical allotment sites, new allotment sites or potential allotment sites. Although these sites have effectively been rejected because of their unsuitability/unavailability, has made comments on Wal1 - Southbourne Gardens, Wid18 - Lime Grove School, Lyn6 - Beechen Cliff School, Old4 - Land off Claude Ave, Cdn2 - Rear of Foxhill Community Centre, Odn2 - Allotments, Bloomfield Drive, Wes12 - Lansdown View allotments (full details in rep 225/1 Bath & North East Somerset Allotments Association).
3. 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." 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.

Council Response

1. Site assessments based capacities on local circumstances as opposed to PPS3.
2. No allotments ear-markered for development. Important to leave in SHLAA to show type of sites that have been discounted from supply.
3. Options document set out the broad capacity of this area. No further work was undertaken within the SHLAA to refine this figure as a strategic/position in relation to housing potential had already been established. Further, in response to the Keith Woodhead report and the SHLAA showed that housing needs could be met without urban extensions.

Proposed Change No Change

Issue Number: 9.02 **Plan Section:** Core Policies - Affordable Housing, Mix of Housing, Gypsies and Travellers

Issue Title: Affordable Housing - Support

Issue description

General Support

Acknowledge that in some cases viability of schemes may be jeopardised by affordable housing if there are higher than normal redevelopment costs this is often the case when developing brownfield sites – important to retain this element of the policy.

Support policy approach.

Strong support for policy CP9.

We broadly support this policy. Support the AH thresholds as proposed

Broadly support the policy although have some concerns about its soundness. In particular:

- and pleased to see that target not set at a level that negotiations become a serious resource issue.
- The tenure split will deliver mixed and balanced and community as per our previous recommendations.
- AH target set at a level that takes viability into consideration.

Council Response Support noted.

Proposed Change No Change

Issue Number: 9.03 **Plan Section:** Core Policies - Affordable Housing, Mix of Housing, Gypsies and Travellers

Issue Title: Affordable Housing - Geographical Split

Issue description Policy should have a geographical split

Object – Geographical Split

- Disappointed to see that the previous proposals for a geographical split for AH policies have been dropped.
- Diverse land values across B&NES this would have been useful to extract maximum value from high value areas.
- Given the findings of the 3D Viability Study we would have supported a geographical split.
- Consider that the 45% requirement as set out in the proposed policy is so vague that a developer will never be certain when it will be required. This will make it difficult to negotiate price on a site. A geographical split would offer greater certainty.
- We strongly urge the Council to define clearly the areas where 45% requirement will be required. These could be smaller sub areas within those set out in the map from the 3D study.

Overall %

Some amendments requested, including specific wording in relation to geographical split policy based on the findings of the Viability Study:

- i) Preference for a AH requirement which operates a geographical split
- ii) Consider the proposed wording “except in areas with above average land values” is imprecise and will lead to a lower delivery level than geographical split.
- iii) Geographical split will lead to less need for viability assessments in the south of the district and in higher value areas it offers more certainty. As written considerable uncertainty for landowners and developers.

Suggested wording: “Significant 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.”

Council Response The current policy approach is supported by the Viability Study. The idea of a geographical split policy was raised as an option in the Core Strategy options consultation. However, the current policy approach is more flexible. Even within the 9 viability sub-zones identified in the Viability Study there are some sites which are more or less viable within these. This approach seeks to optimise the affordable housing that can be sought.

Furthermore, there are a number of issues associated with the geographical split approach which would make implementation problematic:

- The boundaries of the various viability zones are difficult to meaningfully define and lack of definition to a street/house level on a proposals map would lead to practical problems of implementation.

- In many of the viability zones with highest values e.g. environs of Bath the level of development anticipated is very limited. Therefore it would be disproportionate in terms of effort to identify and define these areas.

Furthermore, it is considered that the existing wording in the policy does reflect the diversity of land values across the district in relation to the high value areas (which are

broadly defined in the Viability Study). No change.

The suggested wording is not considered useful, each proposal would be considered on its own merits. Such a statement could weaken the Council's policy in relation to tenure, site size thresholds etc. No change.

Proposed Change No Change

Issue Number: 9.04 **Plan Section:** Core Policies - Affordable Housing, Mix of Housing, Gypsies and Travellers

Issue Title: Affordable Housing - Evidence Base & viability

Issue description Evidence Base and viability

Object – Code for Sustainable Homes

- We note that the 3D study has not tested above level 4. The study should have considered other options as it did for other areas in the study e.g. high, med and low increased cost.

Consider policy is unsound and not legally compliant. The level of affordable housing is not being met and 35% would be setting an unachievable target.

Would prefer to see more social housing and fewer market price houses as that is the need locally.

The issue of economic viability has not been taken into account in policy formulation. The policy is unsound unless underpinned by a viability assessment in line with national policy and the decision in Blythe 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 a key consideration.

The policy 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. The site threshold should increase. The tenure split should be derived on a site by site basis to reflect local needs.

Assumptions

The Viability Assessment requires review and cannot be considered sound, as:

- The B&NES viability study inadequately addresses the land value that will be acceptable to owners for the generality of sites
- Object to the assumption is that no grant will be available.
- Densities likely to decline from expected norms of 50dph, particularly on larger sites if the emphasis is on family housing
- The effect of CIL is not known

Do not object to the principle of requiring 35% affordable housing, but object to the wording as currently drafted. The policy as drafted is highly restrictive as it would only support lower levels of affordable housing on schemes unsupported by grant funding. However, other site constraints or infrastructure costs will affect viability and may warrant lower levels of AH on site. The policy should be re-worded to take account of this, subject to robust viability testing. The same approach should be applied to the 45% element of the policy.

Object to the policy wording, although not the 35% per se. 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 therefore affordable housing provision. The policy should be reworded to take account of this and allow the level of affordable housing to be provided to be considered on a site by site basis.

There is a need to provide evidence to justify the reasoning behind the development of the current policy for the provision of 35% affordable housing and in particular the requirement for up to 45% on some sites. Convincing evidence is required to demonstrate that this policy can be consistently applied to ensure appropriate levels of affordable housing can be delivered in the most disadvantaged locations.

Council Response The rationale for testing only up to level 4 is included in the study, the main reason is that currently the costs for meeting Code levels 4 and 5 are very high and these are anticipated to decrease significantly as these standards are introduced. Including costs at this stage would have a distorting effect on viability. This approach is considered to be sound and is the standard approach for the 3D model.

This policy is based on evidence namely the 3D Viability Study.

This approach already seeks to maximise the % affordable housing, while reflecting the evidence base.

The issue of economic viability underpins the policy approach and the policy is informed by a Viability Study and site based viability testing. The policy wording already refers to viability arguments on a case by case basis (para 3).

The issue of land value and existing use value is addressed in the Viability study which applies a standard residual value model approach.

The grant free position is assumed for the purpose of policy setting only. This is in line with Inspector's position on this issue.

The study assesses the impact of financial contributions at £7.5k and £15k – this could be either s106 or CIL payments.

Para 3 of the policy addresses this already and does not only apply to grant free schemes.

This policy is evidenced by the Viability Study and therefore has been subject to robust viability testing. Assumptions relating to infrastructure costs are included in the Viability Study. No change.

This is not the case – the wording in para 3 reflects the ability to negotiate on a case by case basis on the grounds of viability. No change.

Proposed Change No Change

Issue Number: 9.05 **Plan Section:** Core Policies - Affordable Housing, Mix of Housing, Gypsies and Travellers

Issue Title: Affordable Housing - Alternative Delivery

Issue description Alternative Delivery Mechanisms for affordable housing should be considered

Object – Affordable Rent

The Council needs to decide if the change in emphasis away from social rented housing and towards the 'affordable rent' model necessitates a review. Details of reform not yet fully available. Any additional value capture should be used to provide more social rent.

In view of emerging changes to national policy the Council needs to decide if they will change their emphasis away from social rented housing towards the 'affordable rent' model, with details still not available key recommendation is that any additional value captured from affordable rent should be used to provide more social rent not towards developers profits

Object - Delivery

Impending reductions in public funding for affordable housing and the high level of need means there is a need for new and innovative ways to deliver affordable housing. Specific wording requested to be added.

Policy approach is unsound as it relates affordable housing to delivery of open market housing. There is a need to raise the average income by supporting high wage employment and increasing the supply of new dwellings, lowering market price. The Council should have a policy commitment to a specific number of affordable homes each year. Affordable Housing should not be directly related to open market delivery following the new definition of affordable housing. The proposed new neighbourhood would be well placed to deliver a range and considerable number of affordable housing.

Policy approach is unsound as it relates affordable housing to delivery of open market housing. There is a need to raise the average income by supporting high wage employment and increasing the supply of new dwellings, lowering market price. The Council should have a policy commitment to a specific number of affordable homes each year. Affordable Housing should not be directly related to open market delivery following the new definition of affordable housing. The proposed new neighbourhood would be well placed to deliver a range and considerable number of affordable housing.

Council Response The details of the “affordable rent” regime have now been made available:
 • 2011-15 Affordable Housing Project Framework;
 • PPS3: Planning for Housing Technical change to Annex B Affordable Housing Definition;

An initial review has established the need to undertake further research into issues of market rents and the approach of RSLs in B&NES to the affordable rent regime. There is also a need to review the Viability Study as there will be a new range of rental income figures from this tenure which should serve to increase viability increasing the amount that RSLs can pay for affordable housing with the introduction of this tenure.

No change to the policy at this time, but following further evidence development this issue will need to be addressed at examination.

This is the standard model of affordable housing delivery. There is no requirement to stipulate an annual policy commitment to affordable housing delivery in this way, however, close monitoring will be undertaken.

This proposal is not in line with the spatial strategy – see District Wide section. No Change.

Proposed Change No Change

Issue Number: 9.06 **Plan Section:** Core Policies - Affordable Housing, Mix of Housing, Gypsies and Travellers

Issue Title: Affordable Housing - Delivery Rates

Issue description Delivery Rates - It is clear from past delivery rates that this percentage is not currently being met and this is an unachievable target

Council Response This policy is premised on the findings of the Viability Study rather than past delivery rates. Site based Viability testing has also been undertaken for 12 sites across the district which demonstrates in the majority of cases the policy requirements can be met.

Proposed Change No Change

Issue Number: 9.07 **Plan Section:** Core Policies - Affordable Housing, Mix of Housing, Gypsies and Travellers

Issue Title: Affordable Housing - Sub Division and Phasing

Issue description Sub-division and Phasing

Request amendment to wording to make policy more robust. “Any attempt to deliberately circumvent the affordable threshold will result in planning permission being refused.”

Council Response Policy as drafted considered to be sound. Policy wording suggested is not considered to add anything further than existing wording. The comment relates principally to the delivery of the policy.

Proposed Change No Change

Issue Number: 9.08 **Plan Section:** Core Policies - Affordable Housing, Mix of Housing, Gypsies and Travellers

Issue Title: Affordable Housing - Tenure Split

Issue description Tenure Split

Object to the blanket tenure split – this should be site specific. The level should be reduced from 35% and site size threshold should be increased.

Object to the proposed tenure split – this should be locally derived for each site

Object to tenure split being included in the policy, this should be derived on a site by site basis to take account of local need and viability.

Council Response PPS3 para 29 states that in LDDs LPAs should set separate targets for social rented and intermediate housing where appropriate. The impact and position on the new tenure affordable rent is also being considered by the Council.

Proposed Change No Change

Issue Number: 9.09 **Plan Section:** Core Policies - Affordable Housing, Mix of Housing, Gypsies and Travellers

Issue Title: Affordable Housing - Site Thresholds

Issue description Site thresholds

Should be lower

Consider the policy unsound and not effective. The requirement to provide 17.5% AH on sites of 5-9 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 provision of AH on sites of fewer than 5 dwellings in rural settlements. Add "In the rural settlements on sites of fewer than 5 dwellings a proportion of affordable dwellings may be sought".

Welcome the requirement to provide 17.7% of AH on for small sites of 5 to 9 dwellings or 0.25 to 0.49 ha. However, such a requirement may well work against the intention of the policy by stimulating applications for permission to build 4 dwellings. For that reason, we consider the CS should explicitly encourage the LPA to routinely seek some provision of AH on development sites of less than 5 dwellings in the rural.

Should be higher

The proposed site size threshold is not based on sound evidence. Such a low threshold would result in smaller developers being priced out of the market as unable to provide affordable housing on these sites

The proposed site threshold of 1.5 ha or 10 dwellings which would trigger affordable housing is not based on sound evidence. Such a low threshold would result in smaller developers being priced out of the market as financially not able to provide affordable housing on these smaller sites

The lower threshold will result in excessive costs for new development and will restrict the supply of affordable housing by preventing small sites coming forward on viability grounds.

Council Response The issue of site thresholds has been considered in some detail and this issue was also debated at full Council 02/12/11 – this included setting out the pros and cons of the various site threshold options.
All of the policy approaches considered were in line with the 3D report.

There are practical issues associated with seeking affordable housing on very small sites. At whatever level a threshold is set there may be a distorting effect, however, the policy approach is considered to be sound. The proposed wording is not considered effective. In rural areas sites with 100% affordable housing are also being encouraged in line with policy RA4. No Change.

The Viability Study considers the impact on the viability of smaller sites as part of the brief. Evidence shows that this policy will not have a detrimental impact on viability of smaller schemes. The LPA has the ability to set its own thresholds for affordable housing based on local evidence and viability assessments - see PPS3: Housing para 29. No Change.

Proposed Change No Change

Issue Number: 9.10 **Plan Section:** Core Policies - Affordable Housing, Mix of Housing, Gypsies and Travellers

Issue Title: Affordable Housing - Property Size and Mix

Issue description Property Size and Mix

Object to the wording on the size and type of affordable units as this is inflexible. The actual size and type of affordable housing should be determined on a site by site basis taking account of local need and viability.

Object to wording re the size and type of affordable housing – this should be determined on a on a site by site basis to take account of local need and viability.

Council Response This approach is already reflected in the “Property Size and Mix” section and will be the subject of negotiation with the Council in response to locally specific evidence.

Proposed Change No Change

Issue Number: 9.11 **Plan Section:** Core Policies - Affordable Housing, Mix of Housing, Gypsies and Travellers

Issue Title: Affordable Housing - Perpetuity

Issue description Support this idea in principle, but note that this definition does not accord with government guidance and may make it difficult for developers to obtain funding. The annex to PPS3 states that there should be emphasis on recycling government subsidy by sale of affordable housing.

Council Response Amend policy to address this in light of the South Hams DPD Inspector’s report on this issue.

Non-material change to delete the word “units” from CP9 para 10, sentence 1.

Proposed Change Non-material change to delete the word “units” from CP9 para 10, sentence 1. (Proposed Change PC91)

Issue Number: 9.12 **Plan Section:** Core Policies - Affordable Housing, Mix of Housing, Gypsies and Travellers

Issue Title: Affordable housing under provision

Issue description 1. Housing in Clutton is not affordable.

- 2 More affordable housing in the rural areas would benefit the local community.
3. Adding to the supply will only marginally affect the imbalance - need to promote a higher value economic mix - FOBRA
4. The Strategy should recognise that regenerating the economy is the first priority in creating more affordable housing.

Council Response 1. and 2. Policies RA1, RA2 and RA4 aim to address this.

Proposed Change No Change

Issue Number: 9.13 **Plan Section:** Core Policies - Affordable Housing, Mix of Housing, Gypsies and Travellers

Issue Title: Housing Mix - Integration

Issue description Support the policy BUT consider unsound as would like to see a commitment to insist that developers achieve seamless integration within mixed development of owner occupied and social/affordable dwellings.

Council Response This issue is already reflected in national policy and is also reflected in policy CP9 para 10 "Affordable Housing should be integrated within a development and should not be distinguishable from market housing.

Proposed Change No Change

Issue Number: 9.14 **Plan Section:** Core Policies - Affordable Housing, Mix of Housing, Gypsies and Travellers

Issue Title: Housing Mix - Flexibility and Viability

Issue description Flexibility and Viability

Object - There needs to be some flexibility in terms of housing mix to respond to viability issues on particular sites e.g. Windsor Bridge Rd site. Request additional wording 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.

Consider that the policy is unsound as it is ineffective and inconsistent with national policy. While generally supportive of the policy approach, additional flexibility needed in terms of housing mix where such requirements may compromise viability particularly where sites are subject to significant abnormal costs in order to make them capable of development. For example in the case of their site the decommissioning and removal of the existing gas holders and the subsequent remediation of land. Decontamination and development of such brownfield sites is compatible with PPS1 and Circular 01/2006 'Contaminated land'. Also refer to Former Gas Works, Constitution Hill Dudley appeal. Request specific wording change.

Requested amendment "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"

Council Response This policy is the basis for negotiation. Viability issues will be a material consideration, but in the first instance it is considered appropriate to consider the site context and make a case on this basis for the housing mix as outlined in para 2 of CP10. Where sites are allocated in the Placemaking DPD issues of viability will be considered in making assumptions around density. Housing mix should not be defined by viability alone, and as the delivery section demonstrates that this is a process of negotiation with the

Council.

Recommended wording not considered appropriate as too specific.

Proposed Change No Change

Issue Number: 9.15 **Plan Section:** Core Policies - Affordable Housing, Mix of Housing, Gypsies and Travellers

Issue Title: Housing Mix - Specific groups

Issue description Housing for specific groups

Consider this policy unsound as not justified and ineffective. Policy as worded will lead to Lifetime Homes standard alone, this is not enough more needed in relation to:

- Housing for the Elderly - increased support for people to live in their own home, sheltered housing, extra care housing, care homes or continued care retirement communities. The provision of specific elderly care and accommodation schemes will also free up homes for others;
- Housing for people with a disability/learning difficulty – particular need for new facilities for people under the age of 50. Recognition needed of this.
- The amendment suggested would not try to protect existing care and accommodation that is not fit for purpose. Appropriate redevelopment of existing should be supported.
- Students – Out competing first time buyers, but once graduated unable to purchase homes in Bath. Resulting in high house prices and inability to retain skills. If more student accommodation provided.

“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 (CCRSs).”

Council Response The policy as worded gives flexibility to demonstrate local issues as evidenced e.g. the need for specific housing types for the Elderly etc. Evidence is needed to support such specific statements in the policy and there is a concern that these could date quickly. Amendment suggested is too specific.

Proposed Change No Change

Issue Number: 9.16 **Plan Section:** Core Policies - Affordable Housing, Mix of Housing, Gypsies and Travellers

Issue Title: Housing Mix - Low Cost Market Housing

Issue description Would like further clarification of what is meant by “housing of types and sizes suitably for...low income households”. If this means low cost market housing this is welcomed. Support reference to housing needs of older people, but this policy needs to go further. Wording suggested.

Council Response Support noted. As above policy is considered to address this issue in sufficient detail. There is grounds to consider need for specific housing types where evidence of need.

Proposed Change No Change

Issue Number: 9.17 **Plan Section:** Core Policies - Affordable Housing, Mix of Housing, Gypsies and Travellers

Issue Title: Housing Mix - Local Community View

Issue description This policy is unsound and not legally compliant as it is not in line with national policy. Policy CP10 needs to be amended to include a reference to the view of the local communities which would be in line with RA1 .

The policy is not sound and fails all three tests of soundness. Support in principle (incl. reference to homes suitable for older people), however, in rural areas consideration should be given to the views of communities.

Council Response It is not considered appropriate to include a clause on local community views in relation to housing mix specifically. Evidence of local housing need could include this already.

Proposed Change No Change

Issue Number: 9.18 **Plan Section:** Core Policies - Affordable Housing, Mix of Housing, Gypsies and Travellers

Issue Title: DW - Delivery of family housing

Issue description Delivery of family housing

This policy is unsound and it is not effective. Do not object to the policy wording, but queries how effective the policy will be in delivering its objectives. The majority of brownfield sites are urban sites where densities are likely to be higher and less likely to provide family housing. Urban extensions have the capacity to deliver a wide range of housing. The policy is ineffective because of the failures of the overall strategy.

Council Response Sites, such as those in SHLAA in different locations including city/town centre, edge of centre and suburban areas will be able to deliver a mix of housing types.

Proposed Change No change.

Issue Number: 9.19 **Plan Section:** Core Policies - Affordable Housing, Mix of Housing, Gypsies and Travellers

Issue Title: Gypsies, Travellers & Boat dwellers

Issue description 1. Strongly support Policy CP11 and supporting text.

2. Policy CP11 is acceptable.

3. Whilst supporting the need for sites for gypsies and travellers, suggest an additional criterion of 'avoiding Green Belt land'.

4. Paragraphs 6.81 and 6.82 fail to mention the RSS which, in view of the recent Cala Homes judgement, still stands and therefore Policy CP11 is unsound.

- Para 6.82 is unclear as to when and how pitches will be allocated in a DPD which is inconsistent with Circular 1/2006 which states that criteria must not be used as an alternative to site allocations.

- Criteria in Policy CP7 are so tightly drawn that there will be little chance of suitable and affordable sites being available and go further than the advice contained in circular 1/2006 intends.

5. Policy CP11 needs to include a requirement firstly, to assess publicly owned land in order to accord with Circular 01/06.

6. The rights and needs of boat dwellers have not been considered in the Core Strategy. Understand that B&NES is to include boat dwellers in its future Gypsy and Traveller Accommodation Assessments (GTAAs). 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.

7. Policy CP11 as drafted is almost designed NOT to deliver. Need a quantification of objective e.g. at least x pitches before (say) 2015 consistent with other housing objectives. Also need a timescale for implementation and assurance of inclusion of sites in the Placemaking plan.

Council Response

1. & 2. Support welcomed.

3. Adding a criterion that specifically states that Green Belt land should be avoided is unnecessary as any proposals would need to be considered in the context of all relevant policies included CP8 which protects the Green Belt from inappropriate development unless exceptional circumstances can be demonstrated. Circular 1/2006 provides further guidance.

4. The WoE GTAA provides the evidence of recommended accommodation need which will inform the number of pitches to be allocated. The programme for a site allocations DPD for gypsies and travellers is part of the review of the LDS. The criteria in Policy CP11 are considered consistent with advice in Circular 1/2006.

5. Publicly owned land will be assessed as part of the process in identifying suitable land for gypsy and traveller sites through a separate DPD. Sites for gypsies and travellers will not be allocated through the Core Strategy.

6. Circulars 01/2006 and 04/2007 specify that a criterion based approach is included a Core Strategy setting out criteria to be used when considering planning applications for gypsies and travellers and travelling showpeople respectively. Neither circular relate to the accommodation provision for travelling boat people. Local Plan Policy HG.14A provides guidance for considering proposals for residential moorings. This and other policies in the Local plan will be reviewed through the LDF. The WoE GTAA didn't assess the accommodation needs of boat people so there is currently no baseline figure from which to consider the level of need. A decision will be to made as to whether the accommodation needs of boat dwellers are included within any future review of the GTAA.

7. The purpose of Policy CP11 is to set out criteria for the location of gypsy and traveller sites which will be used to guide the allocation of sites in the relevant DPD and used to meet unexpected demand consistent with Circulars 01/2006 and 04/2007. It is not the purpose of the policy to deliver a target number of pitches as this will be achieved through a separate DPD.

Proposed Change No Change

Issue Number: 10.01 **Plan Section:** Core Policies - A Prosperous Economy

Issue Title: Economy

Issue description

Section 6e

1. Section 6e should make clear precisely what level of economic growth the district is planning for. 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? 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? Section 6e should either be deleted or comprehensively reassessed to provide an honest assessment of what this Core Strategy will deliver, accompanied by a policy which can then be monitored.

2. Policy 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 to attract business. It would benefit Bath and its economy for university graduates to stay in Bath. Proposals should be added, such as: a proportion of all new employment developments to be start-up business units; premises should be made available on flexible leases; Enterprise Zone type incentives, with scaled business rates over 3 - 5 year period.

Spatio-economic model

1. Strategy does not identify the future directions and new growth strands that will make up the future economy and whilst it expands on its predecessor by breaking down potential future land uses more clearly, it does not yet describe what uses best go where and why, which should be focussed around optimising economic health and new job creation. The way the Core Strategy is written presents housing as the default option for every brownfield site. The strategy needs to recognise the further work that needs to be done on understanding the optimum development pattern for the economic sectors that will drive future growth, what we call the 'spatio-economic model'; and understanding where the economic growth points for each sector of the economy are, where land and opportunities need to be reserved, infrastructure created and policy

joined up across all sectors of the Council's work. If this is not recognised then there is a real risk that the Council's aspirations for economic replacement and renewal will fail under conventional development pressures, exploiting a weak strategy.

Employment space

1. The CS proposes much less new employment space than recommended by the Economic Strategy and conflicts with the SCS objectives. The under-provision of employment land is not flexible or effective. Policy DW1 should be amended to reflect the quantity of employment land and jobs recommended by the Economic Strategy, and allow expansion of existing industrial estates as a consequence.
2. General support for thrust of Core Strategy policy but scepticism about the extent of new office space being proposed.
3. Concern that Core Strategy is planning for a 15% reduction in industrial space from 240k sq.m. to 200k sq.m.

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 a 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.

Smart Growth

1. The evidence within the 'smart economic growth for B&NES' document does not show that 'smart growth' is achievable or deliverable and therefore is not sufficiently robust. The document refers to interventions on the part of the Council but does not specify how those interventions will be delivered or funded. The strategy is also not effective as it is not flexible, based as it is on a single choice with regard to future growth leaving no room for the provision of additional facilities for economic growth. To make the Core Strategy compliant with PPS12 paragraphs 4.36-4.52 there needs 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 proposed.
2. If smart growth is to remain a core principal it should be referred to in Objective 3
3. Reduce dependence on "smart growth" because history has shown that anything other than a wide spread of business sectors leaves vulnerabilities that can hit hard (hence in Bath the abundance of empty offices already built).

Cross boundary working

1. Policy 6e 'A Prosperous Economy' recognises that the delivery of economic objectives will require the authority to work "with local communities and partners". Whilst such an approach is supported and encouraged, a lack of sub-regional focus means that the document is silent on the potential to consider cross-border opportunities to develop strong employment networks. The Core Strategy should be updated to signal a clear commitment to engage with adjacent authorities proactively on such matters.

Council Response

Section 6e

1. The District Wide section is clear what level of economic growth the district is planning for, stated in Policy DW1. Paragraph 6.87 is clear that the Core Strategy will be supported in delivery of the economic strategy by other LDF documents including the Placemaking Plan DPD, the Economic Regeneration Delivery Plans, and the Development Management process. The pie chart is taken from the economic strategy.
2. The forthcoming Smart Growth study that is an evidence base of the Core Strategy proposes measures to promote a higher value added economy. The planning system can only provide some of these interventions, of which allocations of land for employment use will come forward through the Placemaking DPD.

Spatio-economic model

1. The forthcoming Smart Growth study that is an evidence base of the Core Strategy proposes measures to promote a higher value added economy. The planning system can only provide some of these interventions, of which allocations of land for employment use will come forward through the Placemaking DPD.

Employment space

1. The DW policy has been informed by a more up to date evidence base than the economic strategy, and the approach taken in the strategy is justified, effective and consistent with national policy.

2. The level of office development proposed is defensible in relation to evidence base (Economic Strategy and Business West Research) and is supported by Development and Major Projects. Key question is in relation to development industry's response to market demand signals given low rental levels and high development costs. Council's own property portfolio key to successful delivery of new office space in the city centre.

3. The likely level of industrial losses during the Plan period may be between 28,000 m2 and 40,000 m2. Business West Study projects a contraction of demand of around 30K (11.5%) across the City although the actual level of loss may exceed this in light of potential losses in order to deliver BWR, South Quays, Bath Press etc could be nearer 40K. Development and Major Projects confirm that planning for a contraction of 30,000 m2 is in line with the economic strategy and hence it is proposed that the plan is amended to reflect this figure.

Smart Growth

1.3. The study the respondent is referring to is the Cabinet report, not the full study which will be shortly available. This study shows that 'smart growth' is achievable and deliverable and that the policy approach is therefore justified .

2. Agree that smart growth should be referred to in Objective 3 to reiterate section 6(e).

Cross boundary working

1. Paragraph 6e 'prosperous economy' page 126 is not a policy.

Proposed Change Smart growth should be referred to in Objective 3 to reiterate section 6(e). (Proposed change PC6)

Change Policy B1 to reflect Business West Study in relation to industrial losses. (Proposed change PC17)

Issue Number: 10.02 **Plan Section:** Core Policies - A Prosperous Economy

Issue Title: Centres and Retailing - Support

Issue description

Support

1. This policy is sound and in accordance with national policy set out in PPS4. It is noted that the supporting text to the policy refers to PPS4 as a material consideration informing decisions on specific proposals, which will be important in assessing proposals for out-of-centre retail development.

2. Agree that developments should be in and around community centres. Out of town shopping centres should be prohibited, as well as ribbon development of large-scale retail stores.

3. FoBRA supports this policy. Although concerns in this area are real, they are not easily addressed by the town and country planning system, since changes between various kinds of retail outlet are not "material changes of use" and this problem is exacerbated by the Town and Country Planning Use Classes Order. However, B&NES might instead use its landlord powers in Bath city centre to encourage the spread and retention of specialist shops.

4. 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.

5. Control change from independent retail to retail chain store through the planning system.

Council Response

Support

1. Noted

2. Noted. Proposals for out of town (i.e. out of centre) developments will be determined having regard to the development plan, PPS4 and any other material considerations.

3. Noted
4. Noted
5. It is not possible for the Core Strategy to amend the Use Classes Order.

Proposed Change No change.

Issue Number: 10.03 **Plan Section:** Core Policies - A Prosperous Economy

Issue Title: Centres and Retailing - Hierarchy of Centres

Issue description

Hierarchy of Centres

1. There are discrepancies between the list of local centres in CP 12 with the list in table 4; the two lists need to be reconciled.
2. Amend Policy CP12: 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.

Council Response

Hierarchy of Centres

1. Agree.
2. Disagree. PPS4 describes the characteristics of a District Centre as usually comprising groups of shops often containing at least one supermarket or superstore, and a range of non-retail services, such as banks, building societies and restaurants, as well as local public facilities such as a library. The requirement for Local Plan site GDS.1/B18 was for convenience floorspace to meet local needs. Sainsbury's has obtained planning permission to meet these needs in the form of a small supermarket, alongside extra care retirement housing. These clearly do not meet the definition of a district or local centre. Boundaries of centres will be defined in the Placemaking Plan. However, it is clear that the local centres along Frome Rd/ Bloomfield Rd are distinct, individual centres that are not integrated with each other, and as such should continue to be defined as local centres.

Proposed Change Reconcile list of local centres in CP12 with table 4 (Proposed Change PC37)

Issue Number: 10.04 **Plan Section:** Core Policies - A Prosperous Economy

Issue Title: Centres and Retailing - Vacant Premises

Issue description

Vacant premises

1. Retail premises falling vacant, and not likely to be taken up again for that use, should, as a priority, be considered for "places of employment" such as offices and small business workspace rather than for flats.
2. How do you intend to ensure that small business units and shopping outlets are occupied and not left empty for years, as is the current position in the centre of Paulton at present?

Council Response

Vacant premises

1. This is currently dealt with in Local Plan policies S.5, S.8 and S.9 which will be retained until replaced by new policies in the Placemaking Plan DPD.

2. Paulton is retained as a Local Centre within Policy CP12 and as such will be maintained and enhanced. As advised by PPS4, the Placemaking Plan will look at the health of centres identified in the hierarchy; where existing centres are possibly in decline (one symptom of which can be vacant premises) the Placemaking Plan can look at consolidating and strengthening the centre by seeking to focus a wider range of services there, promoting the diversification of uses and improving the environment. However, this is outside the scope of Policy CP12.

Proposed Change No change.

Issue Number: 10.05 **Plan Section:** Core Policies - A Prosperous Economy

Issue Title: Centres and Retailing - London Road

Issue description London Road

1. We fully endorse what is said about the need for upgrading London Road as a 'declining centre'.
2. Clarification of Place-making principles for areas such as London Road is needed.
3. Buildings along London Road that are non-viable as 'shops' could be considered for "places of employment" such as offices and small business workspace.

Council Response London Road

1. Noted
2. This will be part of the Placemaking Plan DPD.
3. This is currently dealt with in Local Plan policy S.8 which will be retained until replaced by new policies in the Placemaking Plan DPD.

Proposed Change No change.

Issue Number: 10.06 **Plan Section:** Core Policies - A Prosperous Economy

Issue Title: Centres and Retailing - Out of date Retail Study

Issue description

Out of date Retail Study

1. Support the identified importance of centres, with Bath City Centre being supported as the top of the hierarchy, and the fact the policy seeks to maintain the vitality, viability and diversity of centres. However, as it is supported by an out of date retail study which has not taken into account the new retail space provided at Southgate it does not provide clear guidance as to the scale of development that each centre can or should support. In the interim, we would suggest policy CP12 contains a further clause 'c' as follows: 'c: Does not threaten the vitality and viability of other existing established centres'.
2. The Core Strategy is over reliant on the 2008 Retail Strategy to inform the amount and type of new retail floor space required during the plan period and within specific policy areas. The Core Strategy should adopt a more flexible approach to the amount and type of new retail floor space required, until an up-to-date retail strategy is in place.
3. Concern that Core Strategy plans to enable less city centre retail development than the retail study suggests could be supported. Targets for provision should be increased.

Council Response Out of date Retail Study

1. PPS4 sequential and impact tests address this issue. Placemaking Plan will provide guidance as to the scale of development that each centre should accommodate.
2. The Core Strategy sets out an approach that allows for the potential provision of new retail floorspace. The capacity figures set out in the quantitative assessment undertaken as part of the 2008 Retail Strategy (or indeed through any update) should not be regarded as targets. The Council needs to ensure that in considering the need for new retail floorspace that the health of the existing centres is safeguarded.
3. Representation made by Royal Mail Group in relation to potential land value of Manvers Street Depot. Retail study suggests that a development of comparable sale to Southgate could be supported to 2026. Core Strategy seeks more modest developments within the city centre (amounting to about 1/3 of Southgate). City Centre sites needed for high value jobs not more low value retail jobs. More important to prioritise other objectives.

Proposed Change No change.

Issue Number: 10.07 **Plan Section:** Core Policies - A Prosperous Economy

Issue Title: Centres and Retailing - Residential development

Issue description Residential development in local centres
 1. Policy CP12 replaces Policy S1 from the B&NES Local Plan which made no reference to residential development. It is therefore inappropriate for 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 to be included in this Policy when there is also a focus on/reference to higher density forms of residential development. Policy CP12 should focus on shopping centres and not make reference to residential development.

Council Response Residential development in local centres
 1. Policy CP12 states that centres will be the focus for higher density forms of residential development provided the centre is suitable for such development. As Chew Magna is washed over by the Green Belt, development proposals will be considered in the context of PPG2.

Proposed Change No change

Issue Number: 10.08 **Plan Section:** Core Policies - A Prosperous Economy

Issue Title: Centres and Retailing - Policy Wording

Issue description Wording of policy
 1. 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.
 2. Rename local shopping centres 'Areas of Employment or areas of economic activity' of which retailing will be one aspect.
 3. There needs to be a policy of retaining, and if possible attracting more niche market shops. Ideally there should be a separate Use Class of Independent Retail, to reserve affordable premises for them

Council Response Wording of policy
 1. The LDF is guided by national guidance, in this case PPS4. PPS4 states that the Government wants competition between retailers and enhanced consumer choice through the provision of innovative and efficient shopping, leisure, tourism and local services in town centres, which allow genuine choice to meet the needs of the entire community.

Policy EC13 states that local planning authorities should respond positively to planning applications in local centres and villages for farm shops which meet a demand for local produce in a sustainable way and contribute to the rural economy, as long as they do not adversely affect easily accessible convenience shopping. PPS4 Practice Guidance recognises that to remain competitive, centres need a good mix of different types of multiple and independent retailers. However, whilst planning can secure specific sizes of unit or types of use, it cannot be used to give preference to one retailer over another. Similarly, it should not be used to restrict competition or preserve existing commercial interests. This includes restricting occupancy of premises to specific retailers; restricting the rent of premises; controlling the price of goods sold or the change of use from one type of shop to another within the same use class.

2. The Centres are named following guidance in PPS4.

3. The Council is not in a position to amend the Use Classes Order, however potential options will be considered in more detail in the Placemaking Plan.

Proposed Change No change.

Issue Number: 10.09 **Plan Section:** Core Policies - A Prosperous Economy

Issue Title: Centres and Retailing - Primary Frontages

Issue description Primary Shopping Frontages

1. There is a need to change outdated and outmoded planning policy on retail as the Council is retaining Local Plan policy S5 that arbitrarily restricts non-A1 uses in primary frontages, which is outmoded and discredited. Policy CP12 should set out a clear intention to review Local Plan Policy S5 as it is unjustified and unsupported by any evidence. By definition, uses that fall within Part A of the Use Classes Order are appropriate in town centres as they are "shopping area uses". The Bank has evidence which shows that it increases vitality and viability in primary frontages and that there is considerable benefit in seeking to attract A2 uses such as Banks in primary shopping frontages. The policy should be rewritten to make clear that financial services retailers are appropriate in all designated shopping frontages without restriction and that this will be reflected in the Place-making Plan DPD.

Council Response Primary Shopping Frontages

1. Disagree. The delivery section of Policy CP12 is clear that the Placemaking Plan DPD will review boundaries of centres and designations such as primary shopping frontages, which will be supported by development management polices. To be absolutely clear, all the Local Plan retail policies will be reviewed and if appropriate updated in the Placemaking Plan.

Proposed Change No change.

Issue Number: 10.10 **Plan Section:** Core Policies - A Prosperous Economy

Issue Title: Competing interests

Issue description

1. Need to express why there are difficulties in devising planning policy for B&NES and acknowledge conflicts of interest and conflicts between policies.

2. The Core Strategy is not legally compliant because of internal inconsistencies between the vision/objectives/district wide strategy and the policies on climate change, environment and economy and also the place based sections..

Council Response

This reflects the nature of the planning system. There is not intended to be a hierarchy of policies. The use of various policies will depend on the particular nature of the proposal. The Core Strategy is intended to be read as whole.

Proposed Change No Change

Issue Number: 11.01 **Plan Section:** Core Policies - Well Connected

Issue Title: Transport

Issue description

1. Reference to the Strategic Road Network should be made.
2. Transport Assessments should be a requirement for major applications
3. A flexible approach to securing contributions for infrastructure will be sought.
4. Capacity in the network shouldn't be increased and alternative modes of travel should be encouraged. No evidence of need for additional capacity. Priority should be reduction of CO2 emissions. Parking provision and management policies must have REDUCING car use as their main objective. B&NES should join a regional integrated transport authority. 20 mph speed limit in urban areas. There is no specific mention of railways in the list. There is no mention of policies to control, discourage or remove HGV's
5. WHS Buffer zone should be defined.
6. Oppose the Park and Ride for various reasons
7. Reference to A36/A46 link should be removed. Cost does not outweigh benefits.
8. Glaring omission in the Core Strategy that transport matters are delegated sideways to the JLTP3...Major developments should only be permitted in conjunction with suitable public transport infrastructure
9. This presents a misleadingly positive picture. Most of B&NES is not well served from the M4/M5 or from Bristol airport. Bus based or rail based links could be improved and a study for such routes could be added to para 6.94.
10. 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.
11. Recognition of the influence of Bristol Airport on the district should be made, particularly the likely impact of the proposed airport expansion on transportation and road infrastructure.
12. Suggests the references to "well served by Motorways" are inaccurate in para 1.07 as transport links to Bristol are country lanes and there is no direct bus link from Bath. Should include encouragement for completion of the Bristol Ring Road (A4174) and a Bath – Airport could be included in the Vision for the future..
13. There is the need to reflect on the fact that transport movements and systems do not stop at administrative boundaries and that there is a dynamic transport/housing relationship regarding unmet housing need and/or an unaffordable housing market, and increased commuter movements from western Wiltshire.
14. A master plan for traffic in Bath is required.

Council Response

1. Reference to the Strategic Road Network will be updated when the IDP is reviewed.
2. Whilst the Core Strategy already describes the broad range of infrastructure requirements that developments will be expected to contribute to, it is considered useful for the Core Strategy to also refer to the need for a Transport Assessment to be undertaken.

3. The flexible approach is inherent in national guidance and it is not appropriate for this to be duplicated in the Core Strategy.
4. The reference to transport and access improvements and major capital investment projects does not necessarily refer to increasing road capacity, although this may be the most appropriate solution in certain circumstances. The Core Strategy seeks to encourage the use of alternative modes of travel, however growth in vehicular traffic is still forecast, particularly with increase in development. Need for new infrastructure very much related to relieving existing problems, although potential creation of new problems acknowledged.
5. This is not the approach that has been advocated in the WHS Setting Study
6. Park and Ride to the east of Bath already has planning permission, and forms an integral part of the Bath Transportation Package.
7. The Core Strategy contains reference to the need for a study to assess an A36/A46 link. It is considered reasonable to safeguard this reference so the idea can either be taken forward or dismissed on the basis of an informed decision.
8. Transport matters are not considered to delegate decisions sideways to the JLPT3.
9. Agree to modifying text by adding 'reasonably' before 'well served', and include reference to a study.
10. Noted
11. Although an important issue it is more relevant for the JLTP.
12. agree to add comment
14. Noted, but too detailed for the Core Strategy.

Proposed Change Add new sentence at the end of first para under Delivery on page 130: Transport Assessments will be a requirement for major applications. (Proposed Change PC93)

Para 1.07 - Add 'reasonably' before 'well served'. (Proposed Change PC1)

At the end of para 6.93 add 'The Council will continue to work with neighbouring authorities to address these issues' (Proposed Change PC92)

Issue Number:	11.02	Plan Section: Core Policies - Well Connected
Issue Title:	Transport - support	
Issue description	<ol style="list-style-type: none"> 1. Support paragraphs in 'well connected' section. 2. Support for study into the A36/A46 link. 	
Council Response	Support welcomed.	
Proposed Change	No Change	

Issue Number: 12.01 **Plan Section:** Core Policies - Infrastructure

Issue Title: Implementation/delivery

Issue description 1. Successful delivery of this strategy will be dependent on the provision of the appropriate levels of infrastructure, but Table 2 presents many unquantified items and very little by way of commitments which will make it almost impossible to manage. Need a thorough and realistic reassessment of the requirements for infrastructure to support the levels of growth envisaged by this strategy, together with a commitment to its delivery via the mechanisms available.

2. We would like to see even greater efforts put into encouraging more inward investment.

Council Response 1. This table reflects the headlines from the Infrastructure Delivery Programme which will be a living document and will reflect the latest position. Many of these infrastructure items are contingent on other strategies that are in development and the level of uncertainty also reflects the Spending Review. Further detail for particular locations is also included in each of the place based chapters and sections of the IDP.

2. Comment noted. No change to the Core Strategy required as this is about the delivery of the policy approach and economic strategy.

Proposed Change No Change

Issue Number: 12.02 **Plan Section:** Core Policies - Infrastructure

Issue Title: Infrastructure - Evidence Base

Issue description Sport England: Sport England is committed to help the Council 'refresh' its evidence base specifically the Built Facilities Strategy and the Playing Pitch strategy.

Sport England: Sport England supports the use of Planning Obligations/CIL as a way of securing the provision of new or enhanced places for sport and a contribution to their future maintenance, to meet the needs arising from new development. All new dwellings in B&NES should provide for new or enhance existing sport and recreation facilities to help promote opportunities for physical activity while having a major positive impact on health and mental wellbeing. There is already an SPD in place but this needs to be reviewed and enhanced to include enlargements to playing fields.

Council Response Support noted.

Proposed Change No Change

Issue Number: 12.03 **Plan Section:** Core Policies - Infrastructure

Issue Title: Infrastructure - CIL/Planning Obligations

Issue description CIL/Planning Obligations

Supports the use of Planning Obligations/CIL as a way of securing the provision of new or enhanced places for sport and a contribution to their future maintenance, to meet the needs arising from new development. All new dwellings in B&NES should provide for new or enhance existing sport and recreation facilities to help promote opportunities for physical activity while having a major positive impact on health and mental wellbeing. There is already an SPD in place but this needs to be reviewed and enhanced to include enlargements to playing fields.

Consider this policy unsound as not justified and ineffective. We strongly urge the Council to start preparation for CIL, this will offer greater certainty for developer and exempts

affordable housing from making a contribution. The Council should move towards this position as soon as possible, not least at the approach in the SPD may fall foul of the new CIL regulations and the three tests. In the meantime the Council should amend its SPD in the spirit of the CIL Regs. and exempt affordable housing from planning contributions.

We strongly urge the Council to implement CIL. This will offer certainty to developers and will provide an exemption for affordable housing. Strongly encourage the Council to exempt affordable housing from planning contributions until CIL introduced.

Policy CP13 is not legally compliant as inconsistent with national policy. The policy relies on a non statutory SPD to assess infrastructure contributions. This is no longer acceptable as the s106 contributions have now to conform with regulation 122 of the CIL Regulations which came into force in April 2010 (three tests). This places onus on the LPA to demonstrate the contributions which they seek are directly related to development. A developer will have the ability to challenge the contribution on that basis. The Council should use the SPD as an evidence base to work towards CIL Charging Schedule in parallel with the Core Strategy to avoid these problems. The Council should produce a full CIL Charging Schedule in order to make the Core Strategy legally compliant.

Policy is unsound. Whilst no objection in principle, this policy should refer to Circular 05/05 Planning Obligations and the need for such contributions to be necessary, fair and reasonable and directly related to the development. Request a change to refer to this in supporting text or in policy wording.

Not sound or effective as further clarification is needed in relation to CIL and how it will impact on the communities impacted.

Council Response Support noted. Outside the remit of the Core Strategy to be considered when Planning Obligations SPD is reviewed.

The Council is already preparing for the implementation of CIL, the timetable for preparing a Charging Schedule will be included in the LDS Review.

Outside the Scope of the Core Strategy – but the SPD already does consider the three tests for Planning Obligations as previously included in Circular 05/05 and not incorporated into the CIL Regs 2010. Each Planning Obligation sought can be justified on a case by case basis where needed.

As above.

As above. There is no requirement to produce a CIL Charging Schedule alongside the Core Strategy in order to make it legally complaint. While the CIL Regs. Specify that this can be undertaken in parallel there is no requirement to do this.

This is considered to be a duplication of national policy. The Circular has been superseded by the CIL Regs 2010 in any case.

Recent announcement on this by the coalition government suggests it will be up to each local area to define their approach, but that this is for a proportion of financial benefits to go directly to the local communities.

Proposed Change No Change

Issue Number: 12.04 **Plan Section:** Core Policies - Infrastructure

Issue Title: Infrastructure - Additional Items

Issue description Additional Infrastructure items

Heritage Assets should be considered key infrastructure. Future CIL payments could contribute to the upkeep of the historic environment, other payments in kind could also include land transfers including the transfer of buildings at risk or repairs or improvements to heritage assets where they are cultural or recreational facilities. No specific changes requested.

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. Infrastructure delivery partners need to be alerted to the fact that in the particular circumstances of 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.

Given that the Bath Delivery Office 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 Delivery Office should be included as part of a package of infrastructure that is required for Bath. This is a significant public service and should be referenced.

While not a soundness issue there should be reference to the Strategic Road Network in the IDP - specifically improvements required to the SRN as a result of development. While no specific improvements to the SRN are identified at this stage a general reference should be included - this will allow potential s106 and CIL charges to be levied. A reference to the need for major applications to include an up to date transport assessment (and to define major development).

Reference to the following infrastructure items is also needed: community space, youth centres and play areas; allotments; walking and cycling routes.

Concerned about lack of comment on Broadband IT for rural areas

Specify terms under which they would like to be consulted in terms of DPDs:

- Any policies related to overall 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 adjacent to existing high voltage electricity substation sites and gas above ground installations
- Policies relating to infrastructure provision
- Policies relating to development in the countryside
- Landscape policies
- Waste and Minerals policies

Council Response

There is an opportunity for English Heritage to contribute to the Infrastructure Delivery Programme (IDP) and identify specific items or introduce “desirable” principle in the district wide section of the IDP. This could also be added as a section in the delivery section of policy CP1. However, this approach has not been in any other IDPs. No change to the Core Strategy.

This repeats Policy B4 in the Core Strategy.

Include as an infrastructure item in the IDP in discussion with the Royal Mail Group Ltd.

General reference could be added to the IDP but little value where no specific impacts identified. No change to the Core Strategy.

Already included with the exception of community space and youth centres – which will be addressed in the Placemaking Plan.

This is included in the IDP already.

Comment noted

Proposed Change No Change

Issue Number: 12.05 **Plan Section:** Core Policies - Infrastructure

Issue Title: Infrastructure - Green Infrastructure in policy CP13

Issue description	Consider policy unsound as inconsistent with national policy. CP13 should include a reference to green infrastructure as a key component of infrastructure – with reference to PPS12, PPS1 and PPS2.
Council Response	The Core Strategy already includes a standalone policy on Green Infrastructure CP7 and a GI Strategy in underway. GI opportunities are also identified in the place based chapters and are reflected in the IDP. To include in policy CP13 is considered repetitive.
Proposed Change	No Change

Issue Number: 12.06 **Plan Section:** Core Policies - Infrastructure

Issue Title: Infrastructure - Support

Issue description Support

Note previous engagement with the policy team on the IDP and in relation to proposed development sites in B&NES and welcome continued engagement. Support policy CP13. Additional detail included in the letter that could be incorporated into DWI.7 and DWI.8 within the IDP.

Policy is sound. In relation to Bath, the Flood Risk Management Strategy and Infrastructure Delivery Plan provide sufficient detail to inform the Core Strategy on likely flood risk management solutions and their timing/funding. More detail will need to be included in the Place-making/Planning Obligations SPD on how specific schemes in the river corridor will be delivered and the mechanism by which funding will be collected. A clear planning framework in relation to flood risk infrastructure needed to ensure that implementation is not ad hoc and to ensure that the other objectives of the Core Strategy can be met.

Support for policy CP13 and welcome continued involvement in IDP process, in relation to water and sewerage infrastructure planning note that "Engineering appraisal will be required for major sites to confirm the scope and extent of improvements to existing infrastructure. Ongoing consultation with Wessex Water should be maintained to ensure infrastructure capacity improvements are planned to match the rate of development. We will seek the Council's cooperation in ensuring that new planning permissions include appropriate conditions or planning agreements are entered into to ensure that proper provision is made for sewerage, both on and off site. These may cover points of connection to the existing sewerage system, provision of extra capacity in the system and phasing of the development".

Council Response (ii) Incorporate additional wording into IDP with no change to the Core Strategy:
DWI.7 & 8 Add "Engineering appraisal will be required for major sites to confirm the scope and extent of improvements to the existing infrastructure. Ongoing consultation with Wessex Water & Bristol Water should be maintained to ensure infrastructure capacity improvements are planned to match the rate of development."

DWI.8 Add "Delivery methods will include the inclusion of conditions or planning agreements are entered into to ensure that proper provision is made for sewerage, both on and off site. These may cover points of connection to the existing sewerage system, provision of extra capacity in the system and the phasing of the development."

Comment noted.

Include Wessex Water text in the IDP:

"Engineering appraisal will be required for major sites to confirm the scope and extent of improvements to existing infrastructure. Ongoing consultation with Wessex Water should be maintained to ensure infrastructure capacity improvements are planned to match the rate of development. We will seek the Council's cooperation in ensuring that new planning permissions include appropriate conditions or planning agreements are entered into to ensure that proper provision is made for sewerage, both on and off site. These may cover points of connection to the existing sewerage system, provision of extra capacity in the system and phasing of the development".

Proposed Change No Change

Issue Number: 12.07 **Plan Section:** Core Policies - Infrastructure

Issue Title: Infrastructure - Delivery

Issue description

1. Policy is unsound as unjustified and ineffective. The wording is weak and omits direct responsibility for transport and movement which is shuffled to the JLTP3. There is no insistence that transport infrastructure is a pre-requisite for major developments. Suggest amendment: "No developments will be approved in the absence of previously agreed transport infrastructure provision." Policies are needed to encourage public transport provision from Wiltshire, both by bus and rail
2. Support tabulation of the infrastructure items and agree this gives suitable emphasis to infrastructure. This will be a valuable checklist in monitoring CP13. Should this be incorporated into monitoring objectives. Pleased to see that an infrastructure delivery programme is being prepared.
3. Policy is sound. Pleased to see reference to accommodation project under PFI in the IDP item DWI.23. The ASC has made previous representations in relation to s106 and requirements resulting from new development. Such requirements are not included in the current iteration of the IDP and it is considered these resources should be recognised.

Council Response

1. The delivery of infrastructure (including transport infrastructure) to support new development is clearly expressed in Policy CP.13 Infrastructure Provision.
2. Support noted. As set out in the Monitoring Framework progress on the delivery of infrastructure will be monitored and reported as part of the IDP.
3. Support noted. Ongoing engagement with Avon & Somerset Constabulary will need to continue in relation to s106 contributions outside the Core Strategy process.

Proposed Change No Change

Issue Number: 12.08 **Plan Section:** Core Policies - Infrastructure

Issue Title: Infrastructure - Priority

Issue description Infrastructure Priority

Note that a list of infrastructure required at Keynsham to support the delivery strategy is included in the Core Strategy (and IDP). Requirements should be considered on a site specific basis, overall costs from s106 should not affect the viability of the scheme in accordance with fundamental principles of s106. Provision should be made for the Council to prioritise infrastructure and planning requirements to ensure preference is given to the most urgent needs.

The requirements for infrastructure should be considered on a site specific basis and provision should be made in this policy for infrastructure requirements to be prioritised by the Council to ensure preference is given to the most urgent needs where viability issues arise.

Council Response Comments noted – defer to the Placemaking DPD which will outline site requirements taking viability into account.

Proposed Change No Change

Issue Number: 12.09 **Plan Section:** Core Policies - Infrastructure

Issue Title: Infrastructure - Keynsham

Issue description Keynsham Infrastructure

1. Pedestrian/cycling bridge over A4. The railway station is immediately adjacent to Abbey Park, which 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
2. Suggest an extension of free parking in the existing car parks to help local businesses
3. Take into account the continued need to ensure that Keynsham Station meets and serves the needs of all local residents.
4. The railway station needs a ramp for the disabled and a better link with bus services and cycle routes.
5. A park and ride on the A4 outside Keynsham would solve congestion problems.
6. There needs to be a much better link between bus' and trains.

Council Response These are generally detailed issues which can be addressed through the other strategies such as the Placemaking Plan.

2. This is outside the remit of the Core Strategy. NO CHANGE

4. Improvements to Keynsham train station are included as a key infrastructure item within Table 6. The IDP states that this should include pedestrian and cycle facilities, disabled access and improved links between the station, Somerdale and town centre. NO CHANGE

Proposed Change No Change

Issue Number: 12.10 **Plan Section:** Core Policies - Infrastructure

Issue Title: Infrastructure - Cross Boundary Issues

Issue description Supports the approach to align new development with infrastructure and recognises that this will enable B&NES to ensure the delivery of sustainable patterns of development. Given the strong functional relationships that exists between Bath and Wiltshire towns it is vital that transport infrastructure is planned and delivered in consultation with neighbouring authorities including Wiltshire Council. Core Policy 6G does not include reference to adjacent authorities and the need to plan comprehensively with partners on cross-boundary issues. A commitment to cross-boundary working where circumstances permit should therefore be acknowledged within Core Policy 6g.

Take into account the continued provision of effective cross boundary public transport links to enable people from wider area to access facilities in the Keynsham area.

Council Response Policy CP13 should be amended to refer to cross boundary working on infrastructure provision. A reference to continued working with adjoining authorities to address transportation issues will also be added to para 6.93 - see response to 'transport' key issue.

Proposed Change After 'in partnership with' add 'adjoining authorities,' in Policy CP13. (Proposed Change PC94)

At the end of paragraph 6.93 add sentence to read:

The Council will continue to work with neighbouring authorities to address these issues. (proposed change PC92)

Issue Number: 13.01 **Plan Section:** Core Policies - Other

Issue Title: Local food production and distribution

Issue description

1. Importance of local food production/agriculture should be referred to in strategic objectives 1, 2, 3 and 4 (and not just objective 6). In the monitoring framework only policy CP13 (Infrastructure) is listed as delivering strategic objective 6 with a set of indicators that do not relate to local food production/distribution.

2. In order to ensure the cross cutting nature of the benefits of local food production are realised a specific policy relating to local food production and retailing should be included in the Core Strategy. Policy should recognise the important role local food production plays in climate change mitigation and economic development; describe the various opportunities for local food production; seek to protect land suitable for local food production for this purpose before it is used for any other purpose and encourage distribution/sale through community shops.

3. Specific monitoring indicator/targets for local food production, retail and distribution should be included to support the policy e.g. by 2026 50% of fruit and vegetables sold in Bath will be grown within the city and its immediate environs.

4. 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. Allotments as an asset should be recognised for the whole of Somer Valley and, arguably, as a model for the District as a whole. Need to strengthen the role of allotments within a coherent policy for Local Food, which incorporates allotments as one method of local food production to meet both Objective 1 and Objective 6. Local Food policy should define 'local', i.e. proximity, for different types of food production, and proximity would need to be defined, then time and volume-based targets set. (B&NES Allotments Association 225)

5. Although the importance of local food production is noted in many places in the Core Strategy there is no policy to convert Local Food Production from being aspirational to being deliverable (policy wording suggested) and to ensure consistency of approach and delivery for all local communities, not just selected ones e.g. existing and potential allotments provisions are included as an asset for Radstock but omitted from Midsomer Norton. Local Define what is meant by 'local', i.e. proximity, for different types of food production, and proximity would need to be defined, then time and volume-based targets set. Local food objectives should be outlined for each locality

6. In the UK, we are largely dependent on the availability of cheap energy to grow and transport our food – as oil becomes scarcer our food supply chain will be disrupted. We must become more self-reliant in growing our own food .We must grow more food locally and organically.

Council Response

The importance of local food production is clearly acknowledged in the Core Strategy and its promotion encouraged. The Core Strategy will provide the context for consideration of a more detailed policy framework in the Placemaking Plan which could then be monitored through specific, properly evidenced indicators and targets. There will also be a range of indicators to monitor the provision and enhancement of green infrastructure as part of the GI Strategy which could include some specifically linked to local food production. (See also response to Key Issue Monitoring Framework.)

The best and most versatile agricultural land remains safeguarded through national planning policy which will continue to provide opportunities for local food production. Similarly the safeguarding of allotments through saved Local Plan Policy CF.8 will continue to facilitate the promotion of local food production.

It is not considered necessary or appropriate to place emphasis on local food production/agriculture in every strategic objective (barring 5 which relates to housing).

Proposed Change No Change

Issue Number: 13.02 **Plan Section:** Core Policies - Other

Issue Title: Minerals & unstable land not adequately addressed

Issue description

1. The issue of minerals is inadequately and inaccurately addressed in para 6.65 to 6.69 and as a major issue merits a policy in its own right to provide the context for the site specific Place-making Minerals Plan. Local Plan Minerals policies would be reviewed through the Core Strategy preparation process, to provide the strategic context for the Place-making Plan. Stowey Quarry, which has an outstanding minerals extraction consent valid until November 2012 and is being actively reworked, merits a mention.

2. Proposed approach to minerals set out in para 6.69 is at odds with the requirements of MPS1, and the saved Local Plan Policy M.2 does not define Mineral Safeguarding Areas, it utilises the outdated approach of using old Mineral Consultation Areas.

Bristol proposed not to safeguard mineral resources through its Core Strategy, however after a preliminary conclusion that the Inspector considered that the Core Strategy would be unsound without addressing the issue, they have proposed an interim position within the Core Strategy.

Incorporate the following:

- designation of a Mineral Safeguarding Area (illustrated on the Key Diagram, with the Proposals Map then defining the precise boundaries in due course
- policies/policy criteria to support the prior extraction of minerals
- Suitable policies/policy criteria for dealing with energy mineral proposals
- Site allocations for any relevant strategic proposals that may be put forward by the industry; and
- Policies/policy criteria for appropriate restoration and aftercare

3. Core Strategy does not address the issue of unstable land or propose strategic context for this as required by PPG14 although Local Plan Policy ES.14 (which would form a good basis for a new development management policy. The supporting text could make reference to the circumstances in which applicants would need to get prior written permission from the Coal Authority.

4. Amend para 6.66 to make reference to using rail transport in any future exploitation of coal reserves and for longer distance movement of stone. Suggests Radstock-Frome railway is safeguarded for possible future coal/other freight traffic. Investigate the feasibility of forwarding stone by rail at Limpley Stoke (by safeguarding lane for a siding) or any other suitable railhead, in the event of demand for longer distance traffic.

Council Response

1 & 2. Paras 6.65 – 6.69 provide a suitable and accurate overview of the minerals position in B&NES. Mineral extraction ceased at Stowey Quarry in 2007 and therefore hasn't been included as active site in the text. Para 6.69 sets out how the Council intends to deal with minerals proposals.

Whilst MPS1 requires MSAs to be defined in LDDs it does not stipulate this should be through the Core Strategy. The Council is not avoiding the issue and expresses its commitment in para 6.69 to defining MSAs in the Placemaking Plan. It is considered premature to define MSAs on the Key Diagram as suggested, albeit indicative, before the Minerals Consultation Areas, and other designations, have been properly reviewed. The policies and guidance in MPS1 will remain a material consideration where determining planning proposals and provide the framework for the review of the Local Plan minerals policies. It would be contrary to national planning guidance to include policies/allocations in the Core Strategy to the level of detail being suggested. This detail is more appropriate to Development Management policies which can cover the issues more fully.

3. The issue of unstable land is covered by Local Plan Policy ES.14 as noted. This can be reviewed in terms of developing a robust Development Management policy in the Placemaking Plan. There is no need to repeat this in the Core Strategy.

4. Para 6.66 is merely provides an overview of the mineral workings in the district. It is not appropriate to make reference to the use of rail infrastructure unless these links have been demonstrated to be commercially or environmentally suitable as per Local Plan M.9.

Proposed Change No Change

Issue Number: 13.03 **Plan Section:** Core Policies - Other

Issue Title: Minerals & unstable land inadequately addressed

Issue description

1. The issue of minerals is inadequately and inaccurately addressed in para 6.65 to 6.69 and as a major issue merits a policy in its own right to provide the context for the site specific Place-making Minerals Plan. Local Plan Minerals policies would be reviewed through the Core Strategy preparation process, to provide the strategic context for the Place-making Plan. Stowey Quarry, which has an outstanding minerals extraction consent valid until November 2012 and is being actively reworked, merits a mention. (Pro Planning)

2. Proposed approach to minerals set out in para 6.69 is at odds with the requirements of MPS1, and the saved Local Plan Policy M.2 does not define Mineral Safeguarding Areas, it utilises the outdated approach of using old Mineral Consultation Areas.

Bristol proposed not to safeguard mineral resources through its Core Strategy, however after a preliminary conclusion that the Inspector considered that the Core Strategy would be unsound without addressing the issue, they have proposed an interim position within the Core Strategy.

Incorporate the following:

- designation of a Mineral Safeguarding Area (illustrated on the Key Diagram, with the Proposals Map then defining the precise boundaries in due course
- policies/policy criteria to support the prior extraction of minerals
- Suitable policies/policy criteria for dealing with energy mineral proposals
- Site allocations for any relevant strategic proposals that may be put forward by the industry; and
- Policies/policy criteria for appropriate restoration and aftercare

3. Core Strategy does not address the issue of unstable land or propose strategic context for this as required by PPG14 although Local Plan Policy ES.14 (which would form a good basis for a new development management policy). The supporting text could make reference to the circumstances in which applicants would need to get prior written permission from the Coal Authority.

4. Amend para 6.66 to make reference to using rail transport in any future exploitation of coal reserves and for longer distance movement of stone. Suggests Radstock-Frome railway is safeguarded for possible future coal/other freight traffic. Investigate the feasibility of forwarding stone by rail at Limpley Stoke (by safeguarding lane for a siding) or any other suitable railhead, in the event of demand for longer distance traffic.

Council Response

1 & 2. Paras 6.65 – 6.69 provide a suitable and accurate overview of the minerals position in B&NES. Mineral extraction ceased at Stowey Quarry in 2007 and therefore hasn't been included as active site in the text. Para 6.69 sets out how the Council intends to deal with minerals proposals.

Whilst MPS1 requires MSAs to be defined in LDDs it does not stipulate this should be through the Core Strategy. The Council is not avoiding the issue and expresses its commitment in para 6.69 to defining MSAs in the Placemaking Plan. MPS1. It is considered premature to define MSAs on the Key Diagram as suggested, albeit indicative, before the Minerals Consultation Areas, and other designations, have been properly reviewed. The policies and guidance in MPS1 will remain a material consideration where determining planning proposals and provide the framework for the review of the Local Plan minerals policies. It would be contrary to national planning guidance to include policies/allocations in the Core Strategy to the level of detail being suggested. This detail is more appropriate to Development Management policies which can cover the issues more fully.

3. The issue of unstable land is covered by Local Plan Policy ES.14 as noted. This can be reviewed in terms of developing a robust Development Management policy in the Placemaking Plan. There is no need to repeat this in the Core Strategy.

4. Para 6.66 is merely provides an overview of the mineral workings in the district. It is not appropriate to make reference to the use of rail infrastructure unless these links have been demonstrated to be commercially or environmentally suitable as per Local Plan M.9.

Proposed Change No Change

Issue Number: 13.04 **Plan Section:** Core Policies - Other

Issue Title: Place Making Plan

Issue description 1. The Core Strategy needs more detailed local plans produced with the local communities which get down to the level of place making.

Council Response This is proposed with the production of the Placemaking Plan, which will provide more detail on individual site allocations, refine planning policies, and review local designations. It is proposed to produce the Placemaking Plan in a collaborative manner.

Proposed Change No Change

Issue Number: 14.01 **Plan Section:** Monitoring & Review

Issue Title: Monitoring Framework

Issue description

1. Measures that monitor the impact of the plan in delivering the objectives for the historic environment should be included such as: historic assets at risk, number of conservation appraisals and management plans, adoption of historic environment SPD, delivery of WHS management plan actions and completion of public realm improvement schemes.
2. The indicators for monitoring 'sport and recreation' should be developed further and possibly include comparison with other local authorities.
3. The material in Table 2 relating to infrastructure should be incorporated into Table 9 on monitoring of strategic objectives.
4. The indicators bear little resemblance to the policies described in the Core Strategy. Should include additional guidance and indicators for CP1, CP3, CP5 and CP6. Monitoring should demonstrate that brownfield development has been exhausted before allowing building on green-field sites.
5. Monitoring and review indicators are not adequate as the combination will not show what the health of the resource is.

Council Response It is acknowledged that the Monitoring Framework needs to be reviewed and where indicators that can readily be monitored relating to historic environment exist they will be added.

For sport & recreation detailed policies relating to the provision of new facilities that can be monitored will be reviewed and included in the Placemaking Plan. Monitoring indicators will therefore be drawn up as part of the Placemaking Plan.

Proposed Change Review the Monitoring Framework to add relevant indicators that can be monitored covering the historic environment (Proposed Change PC96)

Issue Number: 14.02 **Plan Section:** Monitoring & Review

Issue Title: Monitoring Framework - support

Issue description

1. Support paragraphs on Monitoring & Review
2. Support monitoring of Core Strategy via the indicators set out and proposed 5 yearly review of the Core Strategy.

Council Response Support noted.

Proposed Change No Change

Issue Number: 15.01 **Plan Section:** Appendices and Glossary

Issue Title: Appendix 1: Replaced Local Plan Policies

Issue description 1. The replaced Local Plan policies are fine

Council Response Noted.

Proposed Change No Change

Issue Number: 15.02 **Plan Section:** Appendices and Glossary

Issue Title: Appendix 2 Local Plan Saved Policies - amendments

Issue description 1. Include Saved Local Plan Policies NE.1 and NE.2 in Appendix 2
2. The extent of the saved local plan policies listed in the appendix makes it clear that consultation on saving them requires a separate consultation.

Council Response Saved Local Plan Policies NE.1 and NE.2 were omitted in error and should be re-instated in Appendix 2. The Planning and Compulsory Purchase Act allows the LPA to make a request to the Secretary of State to extend saved Local Plan policies for a further period. The procedure for saving relevant policies in the Local Plan is outside that of the Core Strategy and complies with the advice and protocol in PPS12. There is no requirement for the LPA to consult on which policies it requests to be saved.

Proposed Change Re-instate Saved Local Plan Policies NE.1 and NE.2 in Appendix 2. (Proposed Change PC99)

Issue Number: 15.03 **Plan Section:** Appendices and Glossary

Issue Title: Glossary

Issue description 1. Useful to define expression "Community". In rural areas communities are represented by their elected parish Councils and we propose that such words "Community" or "Neighbourhood" should, in these cases, be equated with "parish".
2. Provide definitions of locality, community and neighbourhood in the Glossary and cross-reference them to Locality (6.12 para 5 p10).
3. Brownfield land definition needs updating, as it still covers the curtilage of the development, which included gardens. It also refers to PPG3 which is now PPS3.
4. Include the definition of a heritage asset (PPS5 annex) in your glossary.

Council Response 1. & 2. It is considered premature to provide a definition of these terms before the enactment of the Localism Bill.

3. Agree that the definition of brownfield land should be updated to be consistent with that in PPS3 (2010)
4. Agree that the term 'heritage asset' should be defined in the Glossary using the PPS5 definition for consistency.

Proposed Change

Glossary:
 Amend the definition of 'Brownfield land or development'. (Proposed Change PC100)
 Define 'Heritage Asset'. (Proposed Change PC102)

Issue Number: 15.04	Plan Section: Appendices and Glossary
Issue Title: Diagrams - amendments to	

Issue description

1. Amend all diagrams so they do not show the built-up extent of the City of Bath as including the area along the A367 beyond the boundary which is in the Green Belt.
2. Diagrams 4 & 5 show 'Flood Storage Facility' are already in the flood plain.
 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.
3. The Avon Valley east of Bath as a distinctive key asset should be shown on Diagrams 4 and 5 and the diagrammatic representation of Park and Ride site at Bathampton meadows should be deleted.
4. Former Fullers Earth Works is incorrectly identified as the Former Fuller's Earthworks and identify Combe Hay on Diagram 5.
5. Change Diagram 4 to show that South Stoke is not part of urban Bath, but is instead washed over by Green Belt and AONB designations. Similarly change Diagrams 3, 14, 18, and 20 to show South Stoke is not part of suburban Bath and suggest it is marked by a black dot like Wellow and Corston.
6. Show South Stoke parish and village as washed over by both Green Belt and AONB on Diagram 4 and other diagrams where applicable.
7. Annotate the route of the Canal on Diagram 4 to indicate that it is separate from the river although part of the green corridor.
8. All spatial inferences in the core strategy must be precise as to ownership and availability, so that landowners may raise reasonable objection during construction; diagrams correctly labelled and consistent with the references in the main text; ensure graphic technique doesn't impede legibility throughout document (e.g. hyphens); check consistency in para numbering.
9. Delete reference to SAC on diagram 10 as has not been justified by the Council in the Core Strategy.
10. Diagram 16 and 17 policy areas not clear. Midsomer Norton Policy boundary is too large including the Alcan site. Radstock policy boundary is too narrow to achieve strategic objectives.

Council Response

- * need to check base map to all Diagrams. Potential non-material change.
- 2. Diagram is indicative only.
- 10. Boundaries are indicative broad location only. Diagram 15, 16 and 17 should be presented in line with other spatial strategy diagrams.
- 3. Disagree. No change
- 4. Agree to change wording to Fullers Earth Work, and reference to Combe Hay will be added if appropriate in final design.

5. Agree to make changes to South Stoke

Proposed Change

Potential change:

Amend base layers to show that South Stoke is washed over by the Green Belt and lies within the Cotswolds AONB. (Proposed Change PC10)

Change the key - Area for location of Flood Storage Facility to 'Area of search for location of Flood Storage Facility' in line with Diagram 5, and remove notation from outside of B&NES boundary. (Proposed Change PC10)

Agree to change wording on Diagram 5 with reference to Fullers Earth Works, and reference to Combe Hay will be added if appropriate in final design. (Proposed Change PC15)

Diagram 16 Remove dotted line showing 'The Policy Area'. (Proposed Change PC64)

Diagram 17 Replace dotted line showing 'The Policy Area' with shading to indicate extent. (Proposed Change PC64)

Issue Number: 15.05 **Plan Section:** Appendices and Glossary

Issue Title: Consultation - process

Issue description

1. The process for consultation has not been legally compliant or sound. Purposeful consultation should be carried out with documents easily comprehensible by the average person. Evidence relating to flood management and infrastructure has not been produced and should be available.
2. The document is poorly compiled and the process for finding the representation form online was not clear enough.
3. Under the centralised approach to consultation used, the community can only respond to pre-determined choices and not be involved in local developmental processes.
4. Baseline information has not been available to the public early enough in the process and therefore is not in compliance with PPS12 nor the SCI. The non-availability of the evidence base has also led to the failure of the Sustainability Appraisal to adequately appraise the sustainability of the strategy. The evidence base remains insufficient.

Council Response

1. The Consultation statements at launch and options stages outline the consultation carried out. Efforts have been made to improve the user-friendliness of the document, however this had to be reconciled with the requirements of a formal planning document. Flood risk management report and infrastructure delivery programme are available on the website and were published alongside the Draft Core Strategy Consultation.
2. The representation form was available on our website with clear links from the Council's homepage. During the consultation period the presentation of the website was modified in direct response to comments made by the public to ensure its effective usability.
3. The community have had both formal and informal opportunities to be involved in the development of the Core Strategy, including the launch document consultation in 2007 and the spatial options consultation in 2009.
4. Evidence base has been continually updated as appropriate on the 'evidence base' pages of the website and has informed the Sustainability Appraisal. In line with PPS12 evidence is as up to date as practical.

Proposed Change

No Change

Issue Number: 16.01 **Plan Section:** Other

Issue Title: Community/neighbourhood planning

Issue description

1. Provide definitions of 'locality', 'community', and 'neighbourhood' and make reference to plans such as parish plans, vision statements and where they fit in the hierarchy of development planning documents.
2. Paragraph 6.12 of PPS12 requires LPAs to pay close attention to the contents of Parish Plans. 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. Add reference to Parish Plans in Locality (1.12 para 5 p10).
3. Reference should be made to how Parish Plans have informed the Draft Core Strategy.

Council Response

1. It is considered premature to define these terms in advance the enactment of the Localism Bill.
2. & 3. The Council has sought to take Parish/Town Plans into account in the preparation of the draft Core Strategy and has worked closely with local communities.

Proposed Change No Change

Issue Number: 16.02 **Plan Section:** Other

Issue Title: Flexibility of strategy

Issue description

Council Response

Proposed Change No Change