

**Bath & North East
Somerset Council**

Improving People's Lives

Local Plan
Publication Stage Representation
Form

Ref:

(For
official
use only)

Name of the Local Plan to which
this representation relates:

Bath and North East Somerset Council

**Please return to Bath and North East Somerset Council BY 23:59 on the 8th
October 2021**

Please note that while anyone can comment on consultations on local Planning Policy documents; we cannot accept confidential or anonymous comments and your name (but not any other details) may be published alongside the comments. For more information on what Planning does with personal information please see the [Council's privacy policy](#) and the [Planning specific privacy policy](#).

**Please send completed forms to post to: Planning Policy Team, Lewis House,
Manvers Street, Bath BA1 1JG**

This form can also be [completed online](#):

<https://consultation.westofengland-ca.gov.uk/bath-north-east-somerset/lppu-draft/>.

Users who complete the form online will receive a receipt and a link to a PDF copy of the response upon submission. There is also a 'save and return' feature which allows respondents to come back to their incomplete survey response at a later date without losing the information they've already entered as part of their response.

Please note that you must have cookies enabled in your web browser to use this feature, and the feature is not available for responses that have already been completed and submitted.

If you are having difficulty in submitting representations please contact planning_policy@bathnes.gov.uk or call 01225 39 40 41 (Option 6)

This form has two parts –

Part A – Personal Details: need only be completed once.

Part B – Your representation(s). Please fill in a separate sheet for each representation you wish to make.

Part A

1. Personal Details*

**If an agent is appointed, please complete only the Title, Name and Organisation (if applicable) boxes below but complete the full contact details of the agent in 2.*

Title	<input type="text"/>	<input type="text" value="Mr"/>
First Name	<input type="text"/>	<input type="text" value="Matt"/>
Last Name	<input type="text"/>	<input type="text" value="Golisti"/>
Job Title (where relevant)	<input type="text"/>	<input type="text" value="Associate Planner"/>
Organisation (where relevant)	<input type="text" value="Aberdeen Standard Investments"/>	<input type="text" value="Avison Young"/>
Address Line 1	<input type="text"/>	<input type="text" value="St Catherines Court"/>
Line 2	<input type="text"/>	<input type="text" value="Berkeley Place"/>
Line 3	<input type="text"/>	<input type="text" value="Bristol"/>
Line 4	<input type="text"/>	<input type="text"/>
Post Code	<input type="text"/>	<input type="text" value="BS8 1BQ"/>
Telephone Number	<input type="text"/>	<input type="text" value="07876848672"/>
E-mail Address (where relevant)	<input type="text"/>	<input type="text" value="Matt.golisti@avisonyoung.com"/>

2. Agent's Details (if applicable)

Part B – Please use a separate sheet for each representation

Name or Organisation:

3. To which part of the Local Plan does this representation relate?

Paragraph Policy Policies Map

4. Do you consider the Local Plan is :

4 (1) Legally compliant

Yes

No

4 (2) Sound

Yes

No

4 (3) Complies with the
Duty to co-operate

Yes

No

Please indicate as appropriate

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

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

Please see enclosed letter.

(Continue on a separate sheet /expand box if necessary)

6. Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at 5 above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Please note In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

7. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

No, I do not wish to participate in hearing session(s)

Yes, I wish to participate in hearing session(s)

Please note that while this will provide an initial indication of your wish to participate in hearing session(s), you may be asked at a later point to confirm your request to participate.

8. If you wish to participate in the hearing session(s), 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 in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

Part B – Please use a separate sheet for each representation

Name or Organisation:

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Duty to co-operate

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Please indicate as appropriate

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

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

Please see enclosed letter which outlines why this policy is no longer aligned to national policy and therefore unsound.

(Continue on a separate sheet /expand box if necessary)

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To ensure that Policy SB9 in the LPPU is sound in this regard, we propose the following amendment to the policy wording:

"Mixed use redevelopment comprised of employment (minimum of ~~1,500~~ 1,000 sq m (GIA) of office flexible Class E floorspace and residential development (at least 200 flats), potentially complemented by opportunities within the leisure sectors..."

Please see enclosed letter for further details.

Please note In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

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Please note that while this will provide an initial indication of your wish to participate in hearing session(s), you may be asked at a later point to confirm your request to participate.

8. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

I would only wish to participate if planning permission for revisions to the approved scheme has not been secured by the time the draft LPPU hearing sessions take place. It would be important to provide and explain evidence to justify why the provision of office space stated in the policy is outdated and fails to align with national policy.

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

Our Ref:

Your Ref:

4 October 2021

BANES Council
Planning Dept
Lewis House
Manvers Street
Bath
BA1 1JG**By email:**Planning_policy@Bathnes.gov.uk

Dear Sir/Madam

BANES Local Plan Partial Update Consultation – Reg 19 Representations

We write on behalf of Aberdeen Standard Investments (ASI) in response to the BANES Local Plan Partial Update that is out for public consultation until 8 October 2021.

ASI owns the former Bath Press site on Lower Bristol Road, central Bath (see attached plan), and is currently in the process of securing planning permission to redevelop the site as the extant permission (15/02162/EFUL) has proved undeliverable.

ASI is broadly supportive of an update to existing Local Plan policies, with their main comments as follows:

- There is overall support for the updates to policy to ensure alignment with the Council's climate emergency strategy;
- The proposed update to parking standards in light of the climate emergency is supported. The current scenario of planning applications being determined against standards based on an outdated approach of minimum car parking provision is not appropriate. BANES's current car parking policy approach (Policy ST7) is not aligned with the Council's intentions and targets regarding climate change and sustainability as approved at the full Council meeting in March 2019 under the Climate Emergency Resolution. We highlight that in the meeting the Council acknowledged *"the urgent need for action to be taken fast enough for there to be a chance of further climate change being limited."* Specifically relating to car use, paragraph 23a of the LPPU consultation document states one of the three climate emergency priorities to be *"a major shift to mass transport, walking and cycling to reduce transport emissions."* There is current disparity between adopted transport policy and the climate emergency strategy, with

recent planning decisions being recommended for refusal on highways grounds and then overturned at Planning Committee. This has resulted in confusion and uncertainty for developers seeking to deliver significant new development in the city. ASI therefore asks that the update to parking standards is accelerated so that there is clarity on this matter and so applications currently in the planning process are not required to meet out of date policy thresholds. This is particularly pertinent as lower parking provisions lead to reduced car ownership, improved walking and cycling ratios and results in a significant improvements to traffic congestion, air quality, noise impacts, placemaking and road safety.

- There is support for the proposed updating of climate-related and sustainability policies to ensure that future development is as energy-efficient and sustainable as possible, without challenging the overall viability and delivery. The requirement for updated policies is urgent and should be a priority for the council in advance of the Local Plan process. This must however be consistent with national requirements and must be flexible to respond to any subsequent updates in the future. This will ensure that schemes are high quality in terms of sustainable design over the longer term. However, the updated policy requirements must not be so stringent that development is stifled; they must be based on appropriate evidence and must allow for development to still be deliverable.
- While not proposed in the Draft LPPU consultation document, ASI would like to suggest an alteration to the wording of Policy SB9 regarding the explicit reference to office use, to reflect the introduction of Class E (Commercial Business and Service). Class E permits the change of use between office space and other commercial uses without planning permission and is set out in the Explanatory Memorandum to the Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020 (2020 No. 757). This change replaces several previous use classes, including B1a (office), with Class E in order to increase flexibility in commercial uses and reduce the potential for vacancy. Class E came into effect after Policy SB9 was adopted, therefore Policy SB9 is outdated and no longer consistent with national policy – one of the NPPF's tests of whether a Local Plan policy is "sound" (as set out in paragraph 35d). ASI would also like to suggest that the provision of commercial space is reduced to reflect market demand in this area of the city, therefore reducing the potential for vacant units. To ensure that Policy SB9 in the LPPU is sound in this regard, we propose the following amendment to the policy wording:

"Mixed use redevelopment comprised of employment (minimum of ~~1,500~~ 1,000 sq m (GIA) of office flexible Class E floorspace and residential development (at least 200 flats), potentially complemented by opportunities within the leisure sectors..."

We hope that this response will assist the Council in its next stages of plan-making, and we would like to be kept informed of updates to the Review process.



Yours faithfully

A handwritten signature in black ink, appearing to read "M. Golisti".

Matt Golisti MRTPI
Associate Planner
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matt.golisti@avisonyoung.com
For and on behalf of Avison Young (UK) Limited