



Planning Policy Team
Bath and North East Somerset Council
Lewis House
Manvers Street
Bath
BA1 1JG

62260953

15 February 2021

Dear Sir / Madam,

BATH AND NORTH EAST SOMERSET LOCAL PLAN PARTIAL UPDATE OPTIONS CONSULTATION

We write on behalf of Standard Life Assurance Limited (SLAL) in response to the Bath and North East Somerset Local Plan Partial Update Options consultation.

These representations are submitted in respect of The Maltings Industrial Estate (herein “The Maltings”) and also in relation to Policy SB15 regarding the former Hartwells of Bath site on Newbridge Road in Bath.

SLAL supports the ongoing protection of identified Strategic Industrial Estates, and for that reason, considers that Policy SB15 should be amended to ensure that the redevelopment of the Hartwells of Bath site does not result in harm to The Maltings and its operations. The Maltings is one of the best industrial estates in the city, which suffers from a lack of such premises.

BACKGROUND

SLAL owns The Maltings, which adjoins the Hartwells site and includes, running across it, an access route through to the Hartwells site from Brassmill Lane. The Hartwells site was subject to an outline planning application (ref: 19/01854/OUT) submitted in April 2019, which proposed its redevelopment for residential development, student accommodation and a commercial retail unit; with all matters reserved except access and layout. The application was refused by the Council’s Planning Committee on 11 March 2020, but its refusal is now subject to an appeal by way of public inquiry, which commences on 16 February 2021.

SLAL has an interest in any development proposals that come forward for the Hartwells site and, in addition to previously submitting objections to the planning application, SLAL is now a Rule 6 party in the appeal proceedings. SLAL’s objection to the proposals relates to the potential harm that the proposed use of the right of way across the industrial estate would cause to the Maltings and its operations. The proposals include a small car park (nine spaces) at the southern edge of the site, access to which would be across The Maltings rather than by means of the two accesses off Newbridge Road. The access across The Maltings is also proposed to be used for commercial deliveries, servicing and emergency vehicles accessing the site from Brassmill Lane. SLAL consider that the development should be served via these principal access points and not across The Maltings and that the proposed access arrangement results from the overdevelopment of the site. Any harm caused to The Maltings would be contrary to planning policies that aim to protect

the existence and operations of the very limited stock of good quality employment premises in Bath.

PROTECTION OF EMPLOYMENT LAND

We note that the Options document has been prepared with reference to the Employment Growth and Employment Land Review (EGELR) (March 2020), which highlights that there have been significant losses of industrial land across the district since the start of the Local Plan period in 2011. The EGELR also finds that there has been an increase in demand for industrial space, that demand is greater than was envisaged at the time of preparing the current Local Plan and that there are limited opportunities to provide new industrial land, especially in Bath.

As such, there is a clear need for employment land across the district and the lack of supply emphasises the importance of retaining and protecting existing employment sites, especially those that are identified as Strategic or Primary Industrial Estates, such as The Maltings.

The proposed amendments to Policy ED2A (consultation reference DM 26) seek to maintain the level of protection that is already applied to identified Strategic Industrial Estates. This is welcomed by SLAL. The ongoing protection of existing industrial states is also consistent with Paragraph 80 of the National Planning Policy Framework (NPPF), which requires Local Plans to give significant weight to supporting economic growth and productivity.

POLICY SB15 - FORMER HARTWELLS OF BATH SITE

The Local Plan Partial Update Commencement Document and Policies Review, which were consulted upon from 6 April to 1 June 2020, stated that Policy SB15 should be reviewed as the site was not subject to planning permission. WSP submitted representations on 27 May 2020, which supported the review of the allocation in order to ensure that the site is redeveloped in an appropriate manner. However, we note on page 102 of the Options document that it is now proposed for Policy SB15 to be retained with no amendments proposed.

We disagree with the retention of Policy SB15 in its current form. The site is not subject to planning permission and, as set out above, an application for its redevelopment (ref: 19/01854/OUT) was refused on 11 March 2020. Although the refusal is the subject of an appeal, SLAL has been granted Rule 6 status and is presenting a case for its dismissal, and the ultimate outcome could take some time to finally be resolved. Six reasons for refusal are listed on the decision notice. These are summarised below:

1. The proposals exceed the indicative capacity that is set out in the allocation;
2. The proposals result in overdevelopment and fail to respond positively to the site's context;
3. The proposed development fails to provide an inappropriate housing mix;
4. The proposed development does not incorporate sufficient habitat creation, protection or enhancement;
5. The proposals fail to provide necessary additional recreational open space; and
6. The proposed development fails to make a satisfactory or policy compliant contribution to affordable housing.

As a result of overdevelopment, the layout of the proposed scheme relies upon access via The Maltings. This issue relates primarily to reason for refusal 2 above, however the associated unacceptable effects on The Maltings go beyond the scope of the Council's reasons for refusal. There is therefore a requirement for the wording of Policy SB15 to be amended to ensure the protection of The Maltings and its operations. The lack of employment land identified in the EGELR emphasises the need to protect existing industrial sites.

As set out in our earlier representations, the wording of Policy SB15 should therefore be updated to reflect the following:

- To ensure adequate and suitable access and egress, all vehicular access should be taken from Newbridge Road to the north, rather than from The Maltings;
- To prevent the intensification of the use of the existing right of way through The Maltings, evidence should be required to demonstrate that the burden on The Maltings would not be increased by the redevelopment of the Hartwells site. Appropriate mitigation and management measures should be agreed and secured before planning permission is granted;
- To avoid highway and pedestrian safety issues, the density of the site should be limited;
- To remove ambiguity, it should be clarified that uses other than Use Class C3 are acceptable on the site only if they would not compromise the delivery of family and affordable housing.

We therefore propose that Policy SB15 is reviewed and we suggest the following amendments to the policy wording:

"Policy SB15 Hartwells Garage

Development Requirements and Design Principles

1. Residential development of around 80- 100 of dwellings, which could include a variety of specialist older persons housing types. ~~but not student accommodation, where this would prejudice~~ Other uses outside of Use Class C3, including student accommodation, are acceptable only if they do not result in overdevelopment or prejudice the achievement of Policy DW.1 and B1 in respect of boosting the supply of standard market and affordable housing.

2. On the upper part of the site, the Upper Bristol Road street frontage should be defined by an active frontage (dwellings could be arranged as houses or flats inside) and the articulation of facades and roofs should help these buildings integrate with the surrounding context.

3. An apartment typology would be appropriate for the lower part of the site and enable efficient use of it. This typology should have a comfortable scale with the surroundings, both existing and proposed. The view of the site from Kelston View amongst others is an important consideration in relation to the setting of the Conservation and the impact on the OUV of the WHS.

4. *The design response must recognise the importance of the disused railway line as a connective habitat, particularly as dark corridor for bats, and as a protected sustainable transport route.*

5. *Ease of access to any upgrade of the disused railway line as a cycle route should be achieved.*

6. *If development is phased then the design response on phase 1 (likely to be the garage) should not prejudice the achievement of the good design and efficient use of land within phase 2 (likely to be the concrete batching area).*

7. *Undertake a detailed historic environment assessment, and where necessary evaluation, in order to identify and implement appropriate mitigation.*

8. *Access and egress serving any future development on the site should be taken from Newbridge Road to the north. Use of the existing access through The Maltings Industrial Estate to the south should be avoided and, in any event, at no greater inconvenience than currently. Evidence should be provided to demonstrate this, and appropriate mitigation and management measures should be agreed and secured with the Local Planning Authority and third party landowners via an appropriate legally binding and enforceable agreement before planning permission is granted."*

CONCLUSION

These comments are submitted to the Bath and North East Somerset Local Plan Partial Review Options document. On behalf of SLAL, the owner of The Maltings, we support the ongoing protection of identified Strategic Industrial Estates. We also request that our suggested amendments are made to Policy PMP:SB15 in respect of the Hartwells Garage allocation, which seek to ensure that the site is redeveloped in an appropriate way, without compromising The Maltings or its operations.

We trust that these representations will be taken into account during the preparation of the Local Plan Partial Review. If you have any queries please do not hesitate to contact me or my colleague, Fraser Dann.

Yours faithfully



Louise Bending
Associate Director