

**From:**

**Sent:** 08 December 2017 10:17

**To:** Planning Policy

**Subject:** Local Plan 2016-2036 Issued & Options consultation winter 2017

I appreciate from having spent time in the past trying to influence the West of England Spatial Plan that once authorities have made up their mind there is little chance of having them listen to the public.

Nevertheless I am submitting my comments on the above:-

Spatial Priorities include under (5) reducing the risk of hazards to human health including improving air quality and under 6 reducing the need to travel. The link road from the A4 to the A37 runs counter to both these aims.

Spatial Strategy Options (3.03) says options to avoid the loss of green belt must be considered first. What options have been considered? The link road will drive right through the green belt and as sure as night follows day housing will follow the road.

Diagram 10 (Item 5) refers to protection of Stockwood Vale. Why? Putting the road if one is considered essential, which I would challenge, through the Vale would be less injurious in every respect than putting it close to existing housing at the rear of Bifield Rd, Stockwood. So the answer to Q10b is that the road should be taken through Stockwood Vale and the answer to Q11i is Yes.

Regarding Q14b this can only be achieved by increasing frequency and reliability and ensuring the cost is affordable for those who require public transport on a regular basis eg daily journey to and from work.

Richard Hall

**From:** [REDACTED]

**Sent:** 15 December 2017 09:38

**To:** Planning Policy

**Subject:** Fw: Local Plan 2016-2036 Issued & Options consultation winter 2017

Further to my e-mail of 8 December, I have some additional comments, which I trust will be considered carefully.

To mitigate the effect of fumes and to help the wildlife that abounds on the land proposed for the A4/A37 link road as it passes close to Stockwood, if in the final analysis sanity does not prevail and the decision is taken to build the road along the line in the plan rather than move it well away from housing via Stockwood Vale, which would be less injurious to Stockwood residents, then I suggest it is absolutely essential on a wild wooded area being planted between the road and the houses so that a natural defence is provided for people and wildlife against pollution and noise. Additionally there needs to be tunnels so that the deer that populate the area can move freely between wildlife areas in the locality.

Richard Hall

[REDACTED]

**From:** Roger Harrison  
**Sent:** 02 January 2018 15:36  
**To:** Local Plan  
**Subject:** Removal of Cranleigh Farm from Green belt. ba25sd

Sir / Madam, I own a 6 acre field, in SouthStoke (--- ---) This land was discussed in the report (Jun 2014) by the Planning Inspectorate's inspector Simon Emmerson. Paragraph 192 and in the councils SHLAA report (site E14bi). It is now included in Bathnes Hella E14a. I wish to request that during the formation of the new Local Plan the Council remove this land from the Green Belt in accordance with paragraph 83 of the NPPF. My reasoning for this is that it no longer serves any of the purposes described in Paragraph 80 of the NPPF. During the creation of the last Local Plan land of a far more open aspect was removed from Green Belt at Sulis Meadows. Would you please advise if you need any more information or if you can give any advice. Regards, Roger Harrison

**From:** Fairfield, Gaye [mailto:Gaye.Fairfield@highwaysengland.co.uk]  
**Sent:** 09 January 2018 09:07  
**To:** Local Plan  
**Cc:** Ball, Andrew/UKS  
**Subject:** RE: BATHNES Local Plan 2016 to 2036 Issues and Options consultation - Comments by 10/1/18

Thank you for consulting Highways England on the B&NES Local Plan 2016 – 2036: Options consultation. We are already involved in the West of England Joint Spatial Plan (WoE JSP) consultation and our comments on the Local Plan reflect this. The B&NES Local Plan is considering the location of housing and employment allocations in the authority area concerned, excluding the Strategic Development Locations which have been set in the WoE JSP.

With regard to the JSP allocation of 'urban living' within the Bath area, we would wish to be involved in the consideration of any potential allocations that would be designated on the A4 corridor to the east of Bath. This is to ensure continued safe operation of the A4.

With regard to the consultation on the B&NES local plan Spatial Strategy options, we would welcome the opportunity to be involved in considering the assessment process for the Spatial Strategy options being put forward and considering any associated mitigation requirements. Whilst we have no particular view on the benefits of concentrating allocation on a few settlements or a more dispersed allocation to a wider range of settlements, it is generally the case that public transport services require a critical mass to be viable, which would suggest that larger settlements are better placed to encourage travel choices, though this does depend on location. Of interest to us is the specific choice of settlements for expansion, and whether these are close to or served by the SRN. In both cases, we would be expecting an assessment of potential traffic impact and seeking appropriate mitigation to ensure the continued safe operation of the SRN. The draft IDP that accompanies the Options Consultation contains reference to a new link to the East of Bath. This new link was described in the WoE Joint Transport Study. We were involved in the development of the JTS and are therefore aware of the potential scheme. Also, we are aware of a wider review of routes between the south coast and the M4 which may impact on the detailed alignment of the scheme, which is not yet fixed (as noted in the IDP). We would suggest that the implications for the SRN and the local road network of this proposed new link could be significant and whilst most of these implications will be considered at the sub-regional level, there could be implications for the Spatial Strategy options under consideration in this consultation as the potential future highway network would be different from the situation found today. We suggest that the consideration of Spatial Strategy should consider the implications of this potential scheme

Regards

**Gaye Fairfield, Assistant Spatial Planner**

Highways England | Brunel House | 930 Aztec West | Bristol | BS32 4SR

Tel: +44 (0) 300 4704160 | Mobile: + 44 (0) 7867372967

Web: <http://www.highways.gov.uk>

GTN: 0300 470 4160

**From:** Nick Matthews [mailto:NMatthews@savills.com]

**Sent:** 09 January 2018 17:45

**To:** Local Plan

**Subject:** B&NES Local Plan Issues and Options Consultation - Representations on behalf of the Hignett Family Trust

Dear Sir / Madam,

Please find enclosed our representation on behalf of the Hignett Family Trust (HFT) to the Local Plan Issues and Options consultation.

The representation is identical to that which we have submitted today to the West of England Joint Spatial Plan. In the representation we have set out the case for the allocation of a strategic development location on land owned by the HFT to the south of Bath.

Based on the conclusions that we draw within the representation, there is a need to increase the overall housing requirement of the JSP; allocate additional strategic locations to deliver the scale of development required; and, in so doing, direct development towards the most sustainable and suitable locations. The land promoted by HFT as a strategic development location, in part falls within the existing Policy B3A allocation and in part extends into the adjacent land holdings. Once the strategic issues including the scale of the housing requirement and location for growth have been resolved through the JSP, we anticipate changes will need to be made to the emerging Local Plan to ensure consistency. We will comment further in due course.

If you have any queries regarding the representations, please do not hesitate to contact me.

Kind regards,

Nick

**Nick Matthews**  
**Director**  
**Planning**

Savills, Embassy House, Queens Avenue, Bristol BS8 1SB



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## West of England Joint Spatial Plan - Publication Representation Form

The West of England councils - Bath & North East Somerset, Bristol City, North Somerset and South Gloucestershire councils are inviting representations on the Publication Document of the West of England Joint Spatial Plan. These will be considered by the examining Inspector in the context of the soundness and legal compliance of the Plan.

**Please return this form by Wednesday 10<sup>th</sup> January 2018.**

**Email to:** [comment@jointplanningwofe.org.uk](mailto:comment@jointplanningwofe.org.uk) **or post to:** West of England Joint Spatial Plan, C/o South Gloucestershire Council, Planning, PO Box 1954, Bristol BS37 0DD

**This form has two parts:**

**Part A** – Personal Details

**Part B** – Your representation.

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

To ensure your representation is restricted to issues of soundness and legal compliance, you are advised to refer to the accompanying **Guidance Document** and make your representation on this official form that has been specifically designed to assist you in making your representation.

**Please be aware that all comments made on the Joint Spatial Plan will be publicly available.**

Anonymous forms cannot be accepted and so to submit your form you must include your details below.

You should refer to section 5 in the Guidance Document for advice on how to make a **joint representation**.

### Part A

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

\* If an agent is appointed, complete only the Title, Name and Organisation boxes in 1. below adding the agent's details in 2 below.

Title*		Mr
First Name*		Nick
Last Name*		Matthews
Job Title		Director
Organisation*	Hignett Family Trust	Savills
Address Line 1		Embassy House
Address Line 2		Queens Avenue
Address Line 3		BRISTOL
Address Line 4		
Post Code		BS8 1SB
Telephone Number		
E-mail Address		<a href="mailto:nmatthews@savills.com">nmatthews@savills.com</a>

Signature

Date

# West of England Joint Spatial Plan - Publication Representation Form

## Part B - Your Representation

Please use a separate form for each representation made and read the accompanying **Guidance Note** that accompanies this form before you complete it.

Name or Organisation:

**Q1. On which part of the Joint Spatial Plan are you commenting? Please see the note above.**

Chapter  Paragraph  Policy

Key Diagram

**Q2. Do you consider the Joint Spatial Plan to be:**

Legally compliant?	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>
Sound?	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>
Compliant with the Duty to co-operate?	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>

*Please tick as appropriate*

**Q3. Please give details of why you consider the Joint Spatial 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 Joint Spatial Plan or its compliance with the duty to co-operate, please also use this box to set out your representation.**

Please see attached representations.

*Please continue on a separate sheet/expand box if necessary*

## West of England Joint Spatial Plan - Publication Representation Form

**Q4. Please set out what modification(s) you consider necessary to make the Joint Spatial Plan legally compliant or sound, having regard to the matter you have identified at Q3 above where this relates to soundness. (Please note that any non-compliance with the duty to co-operate is incapable of modification at Examination.) You will need to say why this change will make the Joint Spatial 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 see attached representations.

*Please continue on a separate sheet/expand box 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. **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.**

**Q5. If your representation is seeking modification, do you consider it necessary to participate at the oral part of the Examination?**

No, I do not wish to participate at the examination hearings

Yes, I wish to participate at the examination hearings

**Q6. If you wish to participate, please outline why you consider this to be necessary.**

We request the opportunity to reserve the right to appear at the Examination, subject to any revisions made by the West of England authorities.

*Please continue on a separate sheet/expand box if 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.

Name

Savills

Date

10 / 01 / 18

**All representations must be received no later than Wednesday 10<sup>th</sup> January 2018**

**Please keep a copy of this form for future reference.**

# HELAA: Call for Sites January 2017

## GUIDANCE ON COMPLETING THIS FORM

Please return this form, a plan that clearly and accurately identifies the site boundary and any other attachments to: **planning\_policy@bathnes.gov.uk** or Planning Policy, Planning Services, Bath & North East Somerset Council, Lewis House, Manvers Street, Bath, BA1 1JG (email preferred).

- MS Word Users: Please enter text or tick boxes where requested, and please chose Yes / No / Unknown from the available drop-down menu.
- Apple Pages Users: Please enter text where requested, delete where applicable and if you cannot tick the appropriate boxes please indicate your choice with text beside the relevant box.

Data Protection Statement: This information is collected by Bath and North East Somerset Council as data controller in accordance with the data protection principles in the Data Protection Act 1998. The purposes for collecting this data are: to assist in plan making, to contact you, if necessary, regarding the answers given on this form, and to keep you informed of progress with plan making. Some of the data relating to specific sites will be made public as it will form part of the evidence base used to inform the creation of planning policy documents. The above purposes may require public disclosure of any data received on the form, in accordance with the Freedom of Information Act 2000.

<b>1. PREVIOUS SUBMISSIONS</b>	
<b>a. Has this site previously been submitted?</b>	Yes*
<b>b. Previous reference number (if known):</b>	Please enter text here.

**\*Please choose/delete where applicable**



**c. If the site has already been submitted, how does the information provided in this form change the information you have previously provided to us?**

Following the allocation in the Core Strategy in July 2014 (Policy B3A), the land at Sulis Down, (including that which is allocated for housing) has been the subject of further assessments and site investigations, extensive public consultation and meetings with statutory consultees and officers. This extensive programme of work has formed part of a masterplanning exercise and the preparation of a detailed planning application on part of the allocation.

The evidence in support of Sulis Down is extensive and continues to be assembled, however the Hignett Family Trust ( HFT) will cooperate with the Council to demonstrate that the constraints and opportunities that exist across the site, both within and beyond the current allocation, can deliver an additional, strategic contribution to the housing requirements for Bath and North East Somerset.

In addition, two plans are attached which should be read alongside these representations.

Copies of technical reports can be made available on request.

**2. YOUR DETAILS**

**a. Name:** Matthew Macan

**b. Company/organisation:** Macan Consultancy Limited

**c. Address:** Orchard House, Deepdene Park, Exeter

**d. Postcode:** EX24PH

**e. Telephone:** 7712189208

**f. Email:** [matthew.macan@me.com](mailto:matthew.macan@me.com)

**g. Status (please mark all that apply):**

i. Owner (all/part of site)

ii. Land agent

iii. Planning consultant

iv. Developer

v. Amenity/community group

*If acting on behalf of landowner/ developer, please provide client name and address details (including postcode):*

Please enter text here.  
Hignett Family Trust  
Manor Farm  
Southstoke  
Bath

**\*Please choose/delete where applicable**

vi. Registered housing provider	BA2 7DP	
vii. <input type="radio"/> Please enter text here. ther:		
<b>h. Ownership details (please mark where applicable):</b>		
i. Owner of entire site	ii. Owner of part of site x	iii. No ownership of site
<b>i. If owner/part owner, have you attached a title plan and deeds with this form?</b>	No	
<b>j. If you are not the owner of the entire site, please provide details of the (other) owner(s), if known</b> 1.Odd Down Football Club, Combe Hay Lane 2.Jaime Rodriguez Ojeda, Sulis Manor, Burnt House Road, BA2 2AQ		
<b>k. Does the owner (or other owner(s)) support your proposals for the site?</b>	Yes	

<b>3. SITE DETAILS</b>		
<b>a. Site Address:</b>	Land at Sulis Down, Odd Down, Bath ( see attached plan)	
<b>b. Postcode (where applicable):</b>	N A	
<b>c. Current Land Use</b>	Predominantly agricultural use, residential school(Sulis Manor), sports club (Odd Down FC)	
<b>d. Adjacent Land Use(s)</b>	Park and Ride to the west, Residential to the north and east, woodland and agricultural to the south.	
<b>e. Relevant Planning History (including reference numbers, if known)</b>	Allocated for residential and employment use on part of Sulis Down in 2014. Planning permission for change of use of farm buildings.	
<b>f. Please confirm that you have provided a site plan:</b>	Yes	

\*Please choose/delete where applicable

#### 4. POTENTIAL USES & CAPACITY

Suggested uses (please tick all that apply and where mixed use indicate % of overall site for each use)

USE	SELECT	Capacity (number of units) and indication of possible residential tenures, types and housing for different groups
Residential dwellings (C3)	Yes	<p>Total Allocation Area B3A (in hectares): 33.0  Less: Employment Area (see below) 1.8  Tree belts and Green Infrastructure 5.0  Wansdyke SAM 0.9  Odd Down Football Club 2.3  <b>Allocated area available for Housing: 23.0</b></p> <p>Land adjoining B3A, in Green Belt: 13.9  Derrymans (Green Infrastructure only) 3.8  30 Acres: suitable for Green Infrastructure 5.6  suitable for Housing/Development 4.5</p> <p>Total Area set aside for Green Infrastructure 15.3</p> <p><b>Total Area suitable for Housing: 27.5</b></p> <p>Tenure  Open Market Housing 60%  Affordable Housing 40%</p> <p>Density  Policy B3A average density 35-40 dph</p>
Residential – self-build dwellings only	NA	
Other residential, e.g. student accommodation, residential care homes etc (specify)	Yes	Potential exists for elderly and residential care accommodation on part of the site
Office, research & development, light industrial (B1)	Yes	Further conversion of farm buildings at Sulis Down Business Village, covering 1.8 hectares, will increase employment to 350 jobs
General industrial (B2) / warehousing (B8)	No	

\*Please choose/delete where applicable

Sports / leisure (please specify)	Yes	Odd Down Football Club, approximately 2.3 hectares, will continue to provide local sport facilities. Green Infrastructure, amounting to 15.3 hectares, together with POS, will be provided throughout Sulis Down.
Retail	No	

## 5. SITE SUITABILITY

Question	Answer	Further details including details of further studies undertaken / mitigation proposed
Does the site have any physical constraints (e.g. topography, access, severe slope, vegetation cover etc.)?	No	Extensive site investigation studies demonstrate that the site has no physical constraints
Is the site subject to flooding?	No	The whole site is located in Flood Zone 1. Soakage tests demonstrate that localised SUDs can be delivered across the site.
Is the site affected by 'bad neighbour' uses (e.g. power lines, railway lines, major highways, heavy industry)?	No	
Is there a possibility that the site is contaminated?	No	A full site investigation demonstrates no contamination across the entire site.
Can satisfactory vehicular access to the site be achieved?	Yes	The site is served by two access points, Combe Hay Lane and Southstoke Lane.
Has the Highways Agency been consulted?	Yes	During the earlier Core Strategy Consultation
Is the site subject to any other key constraints?	Yes	Part of the site lies within Green Belt.

### a. UTILITIES / INFRASTRUCTURE PROVISION

Please tell us which of the following utilities are currently available to the site:

i. Mains water supply	yes	ii. Mains sewerage	yes
iii. Electrical supply	yes	iv. Gas supply	yes
v. Landline telephone	yes	vi. Broadband internet	yes

**\*Please choose/delete where applicable**

vii. Other (please specify):

There are a number of ecology, landscape and heritage policy considerations (i.e. WHS, AONB, and Bath & Bradford-on-Avon SAC etc) relevant to the future development of the proposed site.

The nature of these constraints are well understood and can be adequately addressed through a sensitive masterplanning process..

viii. Please provide any other relevant information relating to site suitability:

**\*Please choose/delete where applicable**

<b>6. SITE AVAILABILITY</b>											
<b>Question</b>	<b>Answer</b>			<b>Further details including details of further studies undertaken / mitigation proposed</b>							
Are there any legal/ownership constraints on the site that might prohibit or delay development of the site (e.g. ransom strip/covenants)?	No										
Must land off-site be acquired to develop the site?	No			HFT own land alongside Sulis Down, which will be available if appropriate, for mitigation recreation and Green Infrastructure.							
Are there any current uses which need to be relocated?	No										
Is the site owned by a developer or is the owner willing to sell?	Yes			HFT have been promoting their land at Sulis Down with a view to securing a very high quality and sustainable mixed-use scheme, which will be developed out over time. The first phase is now coming forward with Bloor Homes. An identical process is envisaged for subsequent phases of development.							
<b>a. When do you estimate the first housing completion could realistically occur (if applicable)?</b>											
i. Within the next 5 years Yes				ii. 6 to 10 years				iii. 11 to 20 years			
<b>b. What do you estimate the rate of delivery to be?</b> <i>NB Year 1 is the first year of delivery: Potential to increase the rate of delivery in future exists</i>											
<b>Year</b>	<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>	<b>6</b>	<b>7</b>	<b>8</b>	<b>9</b>	<b>10</b>	<b>11-20</b>
Number of units completed in year	50	50	100	100	100	100	100+				

**\*Please choose/delete where applicable**

**c. Do you have any information to support when the site will come forward and its phasing?** Please consider suitability, achievability and constraints.

An Illustrative Masterplan, which is designed around the current site allocation Policy B3A, shows 4 Phases of residential development commencing in the west, with employment to the east. This masterplan will accompany the Detailed Planning Application for 175 homes in Phase 1, which will be submitted in April 2017. Housing completions will take place from 2019. The Illustrative Masterplan is capable of delivering at least 450 homes.

Conversion and redevelopment at Sulis Down Business Village will lead to 150 jobs by 2019. Once completed, the overall employment is expected to reach 350 jobs.

Further housing capacity can be unlocked within the allocation area, subject to satisfactorily resolving impacts such as the setting of a Scheduled Ancient Monument, situated along the northern edge of the site.

An early review of the Green Belt on part of the Sulis Down has the potential to provide further housing and to increase delivery.

Taken as a whole, the opportunity exists to make a strategic contribution to the overall housing requirement arising from the Review of the Core Strategy and the Joint Strategic Plan and which will exceed the 300 homes currently planned in the Core Strategy.

<b>7. SITE ACHIEVABILITY</b>		
<b>Question</b>	<b>Answer</b>	<b>Comments / Further Details</b>
Are there any known significant abnormal development costs (e.g. contamination remediation, demolition, access etc.)? If yes, please specify.	No	
Does the site require significant new infrastructure investment to be suitable for development? If yes, please specify.	Yes	Investment is required to address the impacts of development and secure the necessary impact, however these are typical of a development of the scale proposed and would not therefore detrimentally impact upon the achievability of development.
Are there any issues that may influence the economic viability, delivery rates or timing of the development? If yes, please specify.	No	

**\*Please choose/delete where applicable**

Has a viability assessment / financial appraisal of the scheme been undertaken?	No	
Have any design work studies been undertaken?	Yes	

**8. ADDITIONAL COMMENTS**

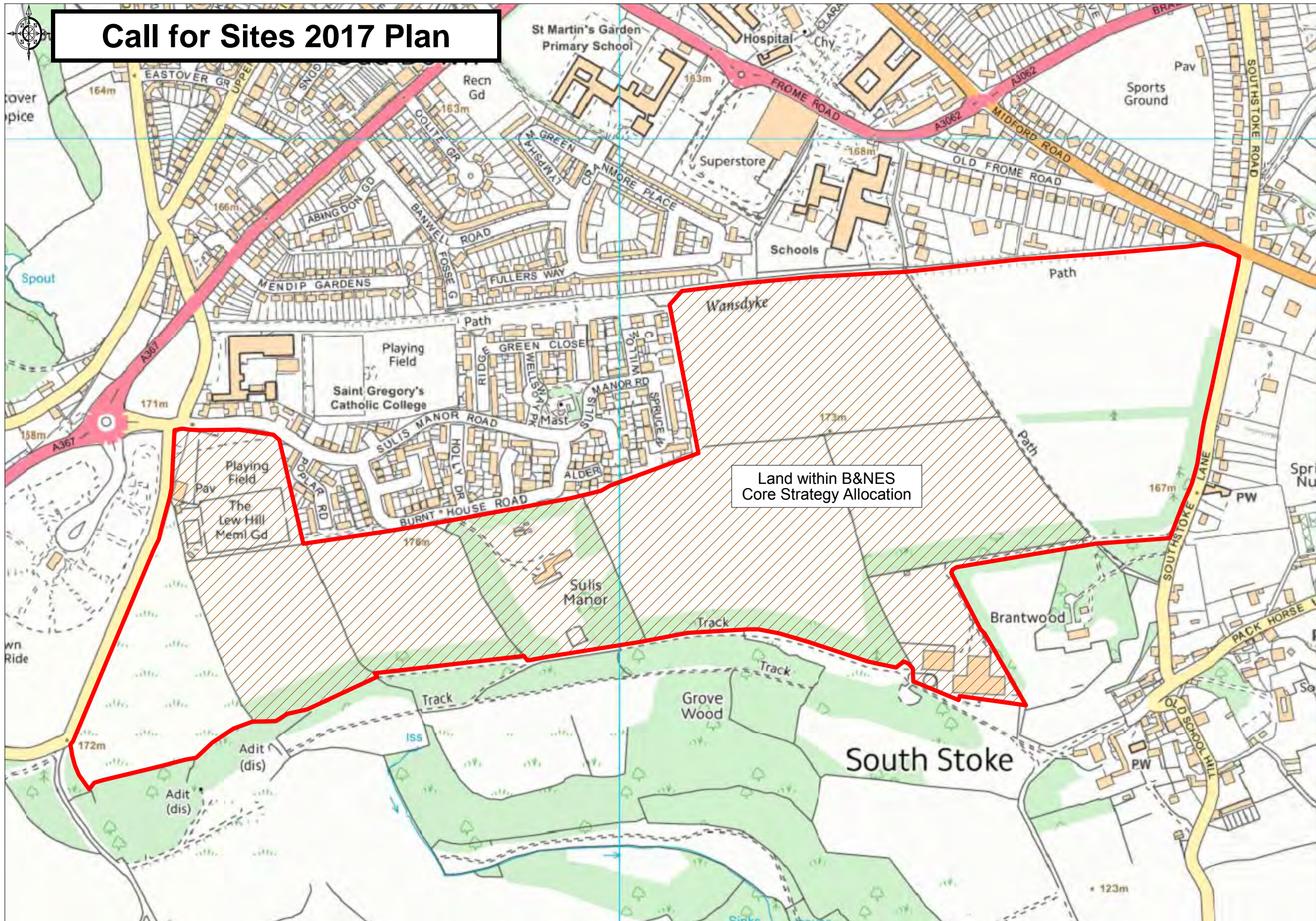
Hignett Family Trust look forward to working with the Local Planning Authority to deliver high quality housing, including a substantial quantity of affordable housing and housing for the elderly, beyond that so far allocated at this site. In this way, they will strive to boost the annual supply of housing whilst optimising the capacity of Sulis Down, having regard to the constraints and opportunities, as well as the sustainability of this location.

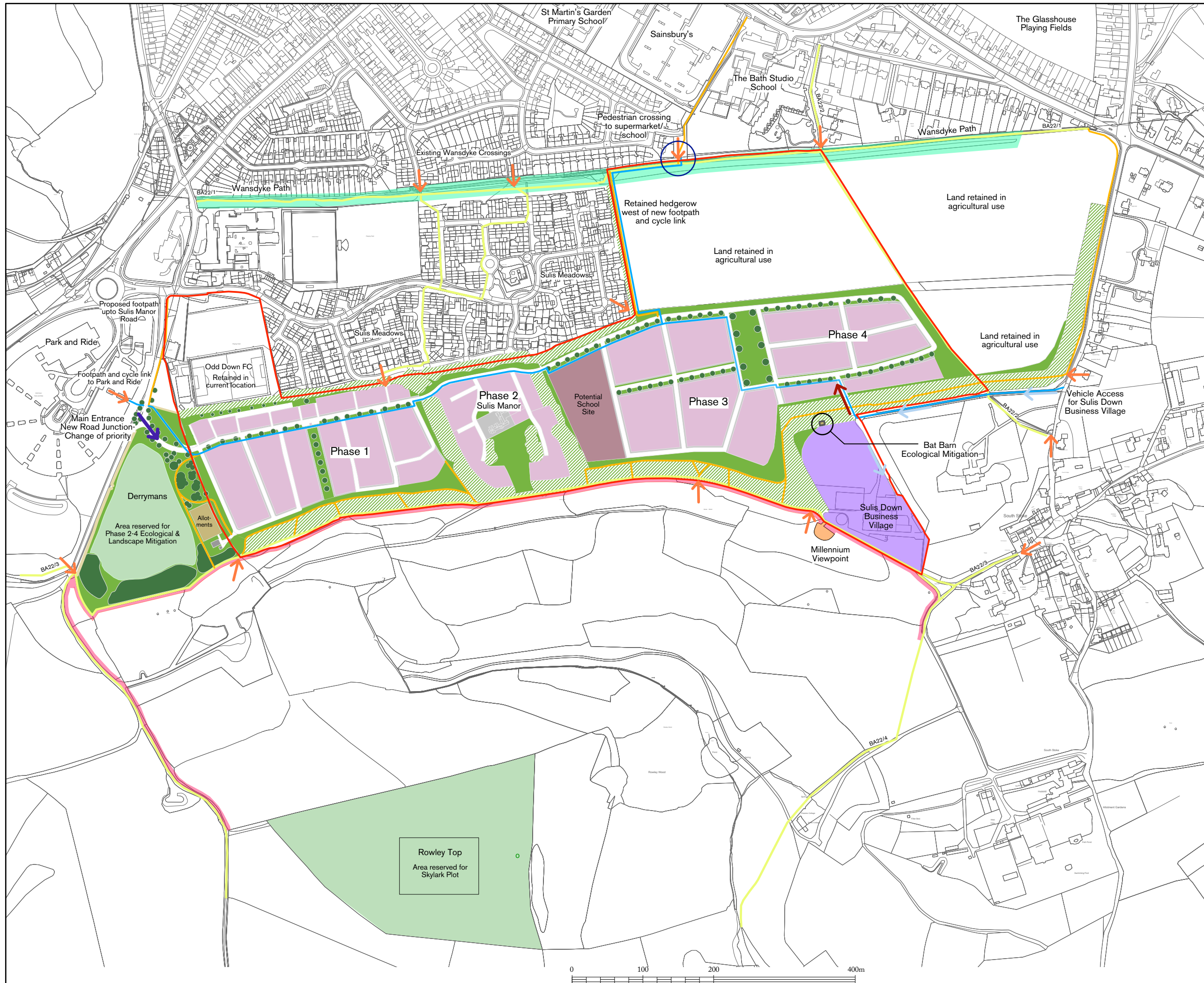
**\*Please choose/delete where applicable**





# Call for Sites 2017 Plan





- ### Drawing Key
- Strategic Site Allocation Boundary
  - Wansdyke Scheduled Monument
  - Green Infrastructure
  - Retained vegetation and protection of dark skies
  - Buildings
  - Sulis Down Business Village
  - Potential School Site
  - Management of boundary fences and gates to prevent unauthorised access.
  - Proposed Trees
  - Bat Barn - Ecological Mitigation
  - Allotments
  - Pumping Station and Sub-station
  - Reserved area of Derrymans and Rowley Top for Phase 2-4 ecological and landscape mitigation
  - ↑ Primary Vehicle Access
  - ↑ Pedestrian Links
  - ↑ Emergency Access Route
  - ↑ Sulis Down Business Village Access
  - Public Rights of Way
  - Permissive and proposed Public Rights of Way
  - Cycle Route
  - Monument Crossing

REV. NO.	AMENDMENT	DATE
D	-	31.01.2017

**Ben Pentreath**  
 3 Lamp Office Court  
 Lambs Conduit Street  
 London WC1N 3SF  
 T +44 (0) 20 7430 2424  
 benpentreath.com

PROJECT:	SULIS DOWN	
TITLE:	ILLUSTRATIVE COMPREHENSIVE MASTERPLAN	
DRAWING NO:	A-110	REV. NO: D
SCALE:	1:2500 @ A1 1:5000 @ A3	DRAWN BY: SM
DATE:	19.09.2016	CHECKED BY: BP

All dimension to be checked on site.  
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# Land to the south of Odd Down, Bath

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Savills on behalf of The Hignett Family Trust

# Land to the south of Odd Down, Bath

Savills on behalf of The Hignett Family Trust

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# Land to the south of Odd Down, Bath

Savills on behalf of The Hignett Family Trust

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## Introduction

This Report has been prepared by Savills on behalf of The Hignett Family Trust (HFT); and relates to fields to the west of Southstoke Lane, Odd Down, Bath.

It has been produced as part of the representations to the Joint Spatial Plan (JSP) and the Core Strategy (Local Plan) Review that is underway in Bath and North East Somerset and it demonstrates the potential for the allocation of further land at Odd Down for residential development. A plan is enclosed at Appendix 1 illustrating the extent of land to which this Report relates, known as 30 Acres. All the land considered in this Report is within the ownership of HFT.

The site is located adjacent to the City of Bath, and benefits from access to a wide range of facilities, services and job opportunities alongside very good public transport infrastructure and significant potential for sustainable travel choices.

The Core Strategy allocates a parcel of land on the wider Odd Down Plateau for “*residential led mixed use development of around 300 dwellings*”; and is accompanied by 11 Placemaking Principles and a Concept Diagram (enclosed at Appendix 2).

Development proposals in relation to the Core Strategy allocation are coming forward; with a detailed planning application currently submitted for ‘phase 1’ development on land to the west of Sulis Manor, for 173 residential units, open space, allotments, green infrastructure, landscaping and associated works including provision of vehicular access from Combe Hay Lane. The planning application is accompanied by an Illustrative Comprehensive Masterplan (ICM) which demonstrates the potential development form on the remainder of the Core Strategy allocation.

Through the process of compiling the planning application and the ICM, a substantial evidence base has been assembled resulting in a greater understanding of the key planning constraints and opportunities affecting the Odd Down Plateau. In response to the evidence, this Report reconsiders the development potential of Green Belt land immediately to the east of the current residential allocation.

# Land to the south of Odd Down, Bath

Savills on behalf of The Hignett Family Trust

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The West of England authorities have acknowledged that the substantial need for housing within the JSP area constitutes 'exceptional circumstances' which justify a review of the Green Belt. However any significant development on the edge of Bath will also need to address sensitive and important environmental assets which would otherwise constrain or potentially preclude development. This high level Report deals with the following key planning constraints:

- Landscape;
- Heritage Assets
- Green Belt.

The Report does not address ecology impact at this stage, given that there is already substantial evidence to demonstrate that the ecological sensitivity of 30 Acres is low. However, it is recognised that the site is located within proximity of an SAC and therefore any assessment of future plans for this site would need to be accompanied by an assessment under the Habitat Regulations, to ensure no likelihood of significant effects on the SAC. Should the Council consider that additional ecological evidence, together with appropriate mitigation, is required at this stage to properly assess the potential impact on significant ecological features, including the SAC, then an ecology report can be prepared.

A Heritage Asset Assessment is included at Appendix 3, which considers the significance of key heritage assets in the vicinity of the site, the risk of harm arising from development and proposals to minimise harm, including mitigation. The findings are summarised in this Report.

Since this area was the subject of earlier, high level assessments in 2013, as part of the preparation of the Core Strategy, this Report together with the appended Heritage Asset Assessment reviews the evidence which supported the Council's allocation, but which excluded 30 Acres. The Report also draws on the conclusions of the Inspector following the Core Strategy Examination.

Finally, having assessed the key planning constraints, the Report recommends changes to the Green Belt boundary, key matters to be addressed in any policy allocation (ie Placemaking Principles) and a draft Concept Diagram.

## Environmental Assets

### Cotswold Area of Outstanding Natural Beauty

The site is situated within the southern extent of the Cotswold Area of Outstanding Natural Beauty (AONB). The Plateau is characterised as generally flat with few landscape features, and a close relationship with the existing urban edge.

It is notable that the Plateau's inclusion within the AONB in the 1990s was a result of the administrative convenience of demarcating the AONB boundary up to the old City boundary; with the Countryside Commission recommending that the Plateau was excluded from the AONB as it was not of outstanding natural beauty.

The distinction between the Plateau and the undulating open countryside to the south is clear. The Plateau is visually and spatially separated from the southern countryside due to a combination of topography and existing woodland tree belts. As confirmed by the Core Strategy Inspector, the Plateau is impacted by the *“existing visual intrusion of built development, the fact that the Plateau exhibits only some of the qualities that make the AONB special, and that built development could be pulled back from the most sensitive parts of the Plateau where it could have a wider adverse landscape impact”* (paragraph 143, Inspector's Report June 2014).

This assessment was based upon the document *‘WHS Setting and AONB Landscape and Visual Impact Assessment for Land Adjoining Odd Down’*. This LVIA represented a broad, high level assessment of the sensitivity of parts of the Plateau for development, utilising fields boundaries, and assessing the sensitivity of the development of a *“hypothetical two storey housing development type of similar density to the existing Sulis Manor Estate in the north western sector of the site”* (#1.6).

Section 5.1 considers the eastern side of the Plateau; with Fields East 2 and East 3 those relevant to this Report. In relation to the potential significance of effects on the individual fields in relation to their AONB designation of the hypothetical development scenario, the Assessment concludes a medium/high negative in respect to Field East 2, and a high negative in relation to Field East 3.

This is based upon a consideration of the sensitivity, taking account factors such as susceptibility, tranquillity, landscape features (stone walls), distinctiveness of settlements (South Stoke), and accessibility.



# Land to the south of Odd Down, Bath

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It is important to set these conclusions in context and be mindful of the fact that the high level assessments considered only the hypothetical development scenario identified above, and not whether the magnitude of the effects could be reduced should only part of these fields be developed, with the wider land areas utilised for enhanced recreation, landscape and ecology uses. It also took limited account of topography and existing landscaping, alongside the potential for additional mitigation and enhancement opportunities afforded through sensitive design and landscaping.

In addition, the baseline of the assessment is now out of date, in that the effects of development were based upon the existing Plateau. Following the allocation of a significant part of the Plateau for development under Policy B3a, the future build out of the allocation site will permanently alter the baseline conditions. The majority of the Plateau will be developed in a manner similar to the ICM, alongside an increase in the informal recreational use of the wider Plateau. This will have an effect on the tranquillity of the remaining two eastern fields; and will reduce their susceptibility to change. The Assessment itself identifies the land already bordering existing development at the northern boundary and at Cross Keys junction as 'low' sensitivity as a result of the impact of existing development on the tranquillity of the area; and this will be extended across the remaining Plateau as a result of development associated with the allocation.

The remaining element of the impact on the AONB identified within the Assessment pertains to the impact of development on the Plateau on the distinctiveness of South Stoke Village. This is considered in further detail below in relation to the South Stoke Conservation Area, however, in this respect it is noted that the topography and heavily wooded hillside results in a strong sense of detachment between the village and the urban edge of Bath. This would not be diminished to any significant extent through the sensitive development on part of the eastern edge of the Plateau.

In addition, it is noted that the acceptability of development within the AONB, as stated by the Core Strategy Inspector, was that built development can be pulled back from the most sensitive areas. In this respect, the Plateau, including that already allocated for residential development, will remain within the AONB and as such the designation will influence the nature of any development proposals coming forward. Any future development proposals will be accompanied by a detailed LVIA, which will consider the appropriateness of design to the range of AONB characteristics identified as important in respect to this site.

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In conclusion, given the surrounding existing and allocated development, woodland nature of the Plateau edge, the separation of the site from the more undulating countryside to the south, there is capacity within the site to absorb residential development subject to the provision of mitigation and enhancement; including retention of open space and existing landscaping, and provision of enhanced and new woodland.

## City of Bath World Heritage Site

The site lies outside but bordering the City of Bath World Heritage Site (WHS); and it is recognised that the Plateau falls within the setting of this heritage asset. The accompanying Heritage Asset Assessment (Appendix 3) considers this asset, its significance and the potential impact of development in more detail.

It confirms that the site is on a hill-top plateau above the City, and as such is beyond the green hillsides which are identified as particularly important aspects of the setting of the WHS. The setting of the WHS within the site contributes only to the maintaining of the green, treed skyline to the City within its hollow, and also its maintenance of the rural nature of the setting, by ensuring that the City does not appear to spill out over the lip of the hollow into the rural landscape to the south.

Through ensuring development does not break the skyline as viewed from the hollow, and with development providing enhancement to the treed skyline, it is considered that the sensitive development of the site would result in less than substantial harm to the asset.

The Inspector similarly found that development on the Odd Down Plateau would not result in substantial harm to the WHS provided built development did not become prominent on the edge of the plateau when viewed from the south (paragraph 151, Inspector's Report June 2014). He concluded that the Council's assessment tended to overstate the harm to the WHS, given that Odd Down was not an important green hillside in the WHS Setting SPD (paragraph 153, Inspector's Report June 2014).

The potential impact of development in respect to the Cross Keys Public House is considered below, however, in relation to the WHS and the associated Georgian route into the city, it is concluded that an appropriate set back from the asset, limiting building height and suitable screening, alongside ensuring that any future vehicular access is designed to retain the rural character, will also result in less than substantial harm to the WHS.

# Land to the south of Odd Down, Bath

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## Cross Keys Public House

There are two elements of the setting of the listed Cross Keys Public House which are material to the consideration of development potential on the site: the immediate setting pertaining to the existing road network, and the wider setting of the public house and Sulis Down to the south.

There are a range of design options for the provision of vehicular access from the east, and the sensitive design of this access, ensuring the retention of the rural character of the existing junction through design, landscaping, materials, street furniture etc, and an appropriate lighting strategy, will mitigate against any harm.

In respect to wider views across Sulis Down, the listed public house sinks below the horizon some 35m into the site as a result of the changing topography. As such, this provides a suitable set back for built form; thus ensuring the open aspect of the setting is retained.

## Wansdyke Scheduled Monument

It is agreed that in order to retain the significance of this asset, and to provide a suitable setting, that a green buffer of a sufficient scale to protect the setting of the scheduled monument is required; in addition to the delivery of a Wansdyke Management Plan which provides significant enhancement opportunities to address existing issues.

The Heritage Asset Assessment confirms that since the original heritage assessment underpinning the allocation a geophysical survey and trial trenching have been undertaken on the Plateau. This is material, as the uncertainty in respect to the potential for associated features was part of the consideration of heritage harm. The surveys and trenching have subsequently confirmed that there are no finds or features that could be confidently interpreted as related to the scheduled monument. The heritage risk has therefore changed.

In addition, the study underpinning the allocation did not consider the potential for any mitigation and/or enhancement for the area surrounding the scheduled monument. Subsequent masterplanning associated with the allocation site has identified significant potential for the creation of a sensitive, landscaped setting for the scheduled monument; which, with the inclusion of the eastern fields, would provide a significant area of open recreational space, alongside suitable strategic landscaping along the northern edge of any built development.

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## South Stoke Conservation Area and associated Listed Buildings

The Conservation Area encompasses the village of South Stoke, and borders the southern extent of the site. The properties along the east of South Stoke Lane are excluded from the designation. The Heritage Asset Assessment considers the significance of the asset in detail; and in summary identifies that the character of the village is of a nucleated settlement, with the key relationship being that with the Cam Valley situated to the south of the village.

There is a clear separation between the urban edge of Bath and the village, by the nature of South Stoke Lane which drops considerably on the lip of the Plateau, reflecting the change in topography between the village and the site, and the heavily wooded nature of the road. As a result, it is concluded that there is strong sense of detachment between the existing urban edge and the village. The topography and existing dense vegetation also precludes visibility between the site and the listed buildings within the Conservation Area (Church of St James, Tithe Barn and adjoining Stable and Dovecote, and Horse Engine House).

The Core Strategy Inspector confirmed that the important considerations in respect to the setting of this asset are the perception of separation between the edge of the city and the entrance to the rural village on the lip of the Plateau; alongside ensuring that development closest to the asset is sensitively designed, in respect to density and building heights.

For simplification, existing field boundaries were utilised in defining the allocation site, and the requirement to find land for only 300 dwellings resulted in it being unnecessary to go through the detailed balance between housing provision and heritage harm in respect to these field parcels.

The Heritage Asset Assessment confirms that through design, an appropriate development scheme can be brought forward on the eastern fields which ensures a suitable degree of separation is retained between the urban edge of Bath (which would be redefined on the Plateau) and South Stoke village. This would involve a suitable set back from South Stoke Lane for any development proposals, and strategic landscaping to enhance the wooded nature of the route, and to further emphasise the sense of detachment of the village from the City of Bath.

These design considerations can be suitably enforced through the development management process and considered in line with the requirements of the Planning (Listed Building and Conservation Areas) Act 1990.

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## Undesignated Archaeological Assets

Geophysical surveys and trial trenching have been undertaken across the Plateau; and this has returned no results which would preclude development on the site.

## Green Belt

The assessment of Green Belt at the time of the Core Strategy allocation was intrinsically linked to the wider assessments of harm to the AONB, WHS and South Stoke Conservation Area. As such, the reconsideration of the impact of development on these assets reflects on the requirement to reconsider the role of and the continued appropriateness of the Green Belt designation on the two remaining fields.

It is also material to note that paragraph 86 of the NPPF states that Green Belt shouldn't be utilised to protect characteristics, such as open character of a village, where this can be appropriately protected by other means, for example conservation areas or normal development management policies. This is particularly relevant to this site, given the range of other designations which will inform and influence the nature and form of any development proposals.

The Green Belt Assessment (Stage 2) produced to inform the Core Strategy only considered the requirement to identify suitable land for 300 dwellings on the Plateau, and calculated the required allocation area (in hectares) based upon density and open space provision assumptions; see section 3.1.2. As land for only 300 dwellings was required, it was only necessary to identify sufficient land to meet this requirement; there was no identified housing need, or therefore exceptional circumstances, to justify the release of additional Green Belt.

The planning context in so far as the Green Belt is concerned has now changed as there is now an acknowledged need for additional housing land to address the emerging requirements for the JSP. As recognised by the Core Strategy Inspector, the opportunities for housing, and the need for housing, including affordable housing, in Bath in particular, constituted exceptional circumstances to justify the removal of land from the Green Belt in this location through the Core Strategy (paragraph 165, Inspector's Report June 2014). As explained in the introduction, as part of the JSP, the West of England authorities have again concluded that exceptional circumstances exist which justify the removal of land from the Green Belt for the housing development. It is therefore necessary to consider

# Land to the south of Odd Down, Bath

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whether the Green Belt designation on the site should continue to preclude the release of land to meet housing needs or whether the need outweighs the harm.

In this respect, the Green Belt Assessments (Stage 1 and 2) produced for the Core Strategy are now out of date by virtue of the allocation of land on the wider Plateau for development. Consideration of the future build out of the allocation and the implications that this will have on the role of the remaining fields in fulfilling the five purposes of the Green Belt (as defined by paragraph 80 of the NPPF) is required.

The Core Strategy Inspector concluded that the retention of the Green Belt designation on the two fields was justified on the basis of the role in meeting two Green Belt purposes: safeguarding the countryside and preserving the setting of the historic town (paragraph 142, Inspector's Report June 2014).

With regards the first of these, it is commonly accepted that all land within the Green Belt performs a role in safeguarding the countryside from encroachment. Indeed, as a policy tool, the Green Belt designation is very effective in safeguarding the countryside that falls within the designation. However given the pressing need for housing (which cannot all be delivered within the existing urban areas) development will encroach into the countryside whether or not this is Green Belt land. Given the pressing need for housing within the JSP, the context for the conclusions of the Core Strategy Inspector has changed and we contend that safeguarding the countryside from encroachment is no longer a Green Belt purpose which should preclude development.

In line with the landscape and heritage assessments, the Green Belt (Stage 2) considered each field in their entirety, and did not consider the potential for partial development of any field. This fails to reflect the Green Belt (Stage 1) assessment which had identified the potential to build on the eastern side of the Plateau; subject to sensitive design which directs development away from the southern edge, minimises visibility of any development from the south, protects the setting of the Cross Keys Pub, and retains the distinct separation between the urban edge of Bath and the village of South Stoke.

For the reasons set out above in relation to the wider environmental assets, these concerns can be appropriately addressed through the sensitive design of development; with mitigation and enhancement principles secured through an allocation policy which, similar to Policy B3a, sets Placemaking Principles and includes a Concept Diagram to guide future development.

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It is also material that the exclusion of the land from the Green Belt, whilst facilitating the delivery of housing, will provide substantial wider public benefits through the delivery of open space, creation of an appropriate and managed setting for the Wansdyke Scheduled Monument, and recreational facilities.

## Development Options and Masterplanning

This Report, and associated Heritage Asset Assessment, has identified a number of design constraints, alongside mitigation and enhancement opportunities which combined ensure that sensitive and appropriate development can come forward on the site in a manner which overcomes the potential harm.

These principles include:

- controlling building heights through, for example, the advice in the Bath Building Heights Strategy;
- integrating built development into a green infrastructure of enhanced (strengthening existing tree lines) and new planting that maintains a 'treed' skyline when viewed from the north and south;
- including landscape structures and tree avenues within the built form to break up development form and enhance the rural character of the site;
- creating a sensitively designed, feathered edge to development integrating the built form with the existing and proposed green infrastructure;
- avoiding any development close to the edges of the Plateau before it drops into the Cam Valley to the south, and a buffer of a minimum of 35m from the north-east of the Site (the wider setting of the Cross Keys PH);
- avoiding any development close to South Stoke Lane, and providing landscaping enhancement along the lane to retain the sense of separation and detachment of the village;
- avoiding high density of dwellings particularly at the edges of the site;
- using appropriate building materials, consistent with the local vernacular;
- sensitive design of vehicular access to retain the rural character of the junction and the relationship with Cross Keys Public House;
- inclusion of significant recreation and open space; and



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- position and type of lighting; e.g. downlighting, post lighting and ground surface-set lighting controlled in the development masterplan.

In response to these principles, a Concept Diagram has been produced which identifies an area of 9.6ha for allocation; and this is enclosed at Appendix 4. The proposed allocation covers the entire site, however clearly demarcates those areas where the evidence base indicates that built form should be precluded. This results in a significant area of additional and enhanced green infrastructure across the Plateau; and provides a Concept Diagram which would effectively extend the existing site allocation; ensuring a comprehensive and coordinated approach to development on the Plateau.

The Concept Diagram, and associated commentary in this Report and the Heritage Asset Assessment, confirm that through the plan-making and development management process, that there are sufficient opportunities and controls available to facilitate the delivery of sensitively planned development across 30 Acres in response to the range of designations and environmental assets over, and within proximity to, the site.

In line with the emerging JSP, there are exceptional circumstances to justify the removal of land from the Green Belt, and the site represents a highly sustainable location in an area of great housing need. In light of the assessment above, the Green Belt boundary in this area should be amended to remove 30 Acres from the Green Belt; alongside an effective allocation policy which provides the framework for the future delivery of housing and open space on the site.

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## Appendix 1 – Location Plan



**Sulis Down East**  
**Location Plan**



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# Land to the south of Odd Down, Bath

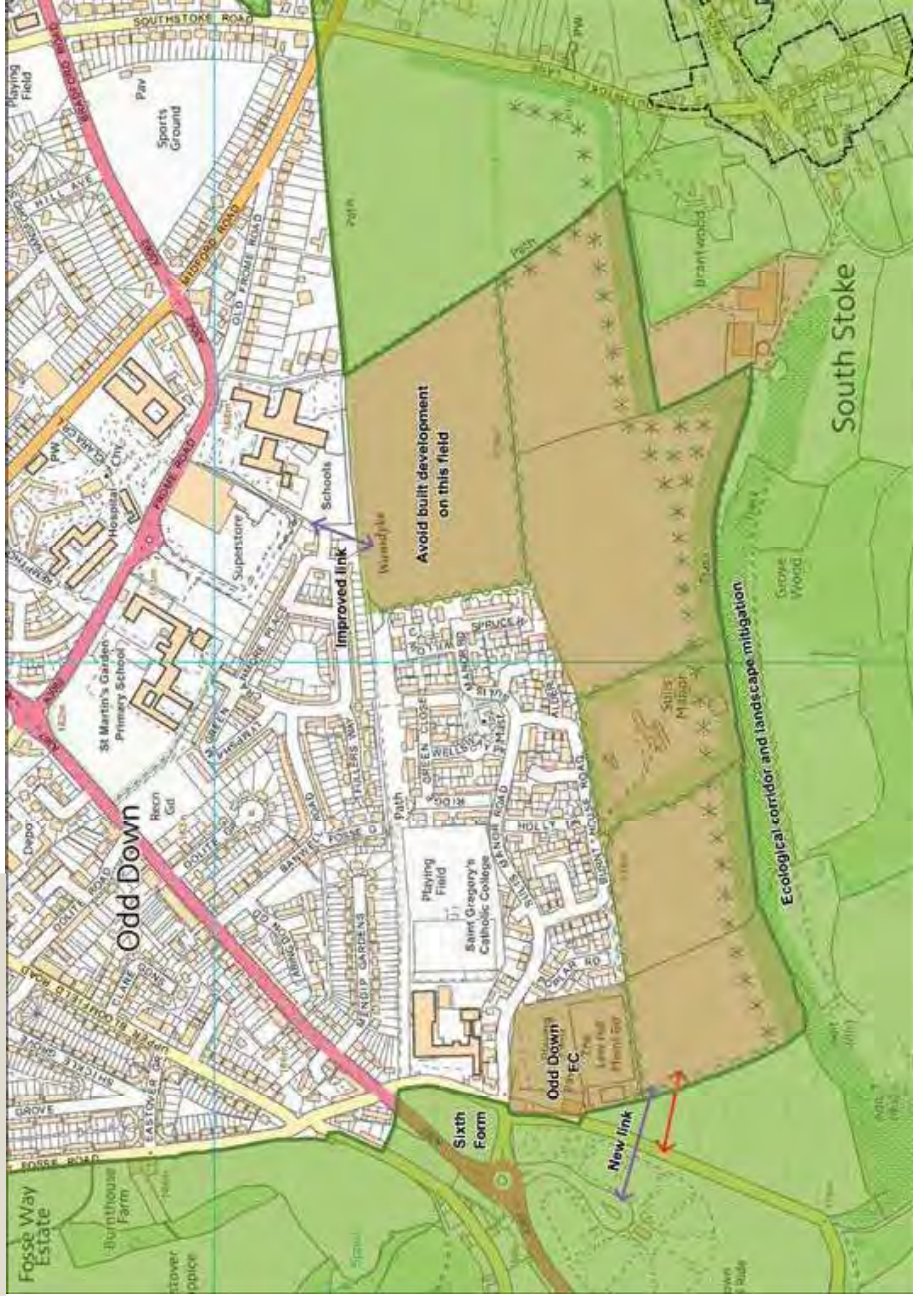
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## Appendix 2 – Core Strategy Allocation – Concept Diagram

CONCEPT DIAGRAM  
FOR LAND AT  
ODDDOWN  
STRATEGIC SITE  
ALLOCATION



KEY

-  Green Belt
-  Strategic Site Allocation
-  Pedestrian and cycle link
-  Primary vehicle access
-  Housing Development Boundary
-  Retained hedgerow and trees
-  Retained vegetation
-  Additional Green Infrastructure

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## Land to the south of Odd Down, Bath

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## Appendix 3 – Heritage Asset Assessment



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**HERITAGE ASSET  
ASSESSMENT**

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**LAND AT 30 ACRES  
ODD DOWN  
BATH**

**JULY 2017**

**Local Planning Authority:  
BATH & NORTH EAST  
SOMERSET COUNCIL**

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7.0	Summary and Conclusions

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- Appendix 1: Geophysical Survey Report, Stratascan 2014  
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## **Executive Summary**

This Heritage Asset Assessment presents a summary of the findings of various heritage-related studies that have been undertaken on behalf of the landowner, The Hignett Family Trust, at 30 Acres, **Odd Down, Bath (the "Site")**.

The report considers heritage issues associated with the allocation of approximately 9.6 hectares of land in accordance with a draft concept plan ( Fig 2 ), alongside the current strategic site allocation at Odd Down, Policy B3 A, forming the southern urban fringe of the **City of Bath (the "plateau")**.

There are a number of designated heritage assets relevant to this Heritage Asset Assessment, either because the asset is located in the Site, or an element of its setting is within the Site. These comprise the City of Bath World Heritage Site (WHS), the West Wansdyke (a scheduled monument), the South Stoke conservation area and the Grade II listed Cross Keys public house.

In summary, the Heritage Asset Assessment has not identified any over-riding heritage constraints either individually or as a group that would prevent the Site accommodating development in accordance with the draft concept plan and in association with appropriate mitigation.

## **1.0 INTRODUCTION AND SCOPE OF STUDY**

- 1.1 This Heritage Asset Assessment has been researched and prepared by CgMs Consulting on behalf of the Hignett Family Trust. The report considers land at 30 Acres, Odd Down, Bath, hereafter referred to as the 'Site', which comprises two arable fields of approximately 9.6 hectares, together with tree belts centred at National Grid Reference 374612, 161702 (as shown in Fig. 1).
- 1.2 The Heritage Asset Assessment delivers a detailed consideration of the significance of the following heritage assets and their settings in relation to the potential allocation of part of the Site for residential development:
- Bath World Heritage Site (WHS);
  - West Wansdyke Scheduled Monument;
  - South Stoke Conservation Area;
  - Cross Keys PH.
- 1.3 The Heritage Asset Assessment has also reviewed the earlier LUC Study 2013, including an assessment of risk to the above heritage assets from residential development, together with unknown archaeological remains. Where the Heritage Asset Assessment departs from earlier conclusions, a clear explanation and justification is provided, together with a revised assessment of risk to heritage assets.
- 1.4 The LUC Study 2013 stated that it *"provides a strategic assessment of the proposed risk of development to heritage assets"* and therefore in the absence of site investigations and of any detailed proposals, the study *"cannot draw conclusive statements regarding the significance of the potential impacts."* With the benefit of detailed site investigations and the consideration of a draft Concept Plan for the Site, (as shown in Figure 2) the Heritage Asset Assessment is able to review the earlier assessment and to reach firmer conclusions over the risk of harm to heritage assets.
- 1.5 The Site is located immediately to east of the current Bath and North East Somerset Core Strategy allocation B3A for residential development, together with local employment and associated infrastructure. Consequently, this assessment has

had regard to that Development Plan allocation, its policies and to the evidence in support of it.

1.6 The Heritage Asset Assessment has been prepared in accordance with the NPPF, relevant Circulars, published standards and guidance set out in the National Planning Practice Guidance (NPPG) and Historic England (formerly English Heritage) guidance, including: GPA 1: The Historic Environment in Local Plans; GPA 2: Managing Significance in Decision-Taking in the Historic Environment, and GPA 3: The Setting of Heritage Assets.

1.7 The Heritage Asset Assessment was carried out through the use of previous walk-over surveys combined with the consideration of the following documents:

- *Heritage Appraisal, Sulisdown, Land at Odd Down, Bath*. April 2013, CgMs.
- *Bath and North-East Somerset Core Strategy/Placemaking Plan Additional Evidence: Heritage Asset Study*. September 2013, Land Use Consultancy with BaRAS and The Conservation Studio for BNES (CD9/LV/1).
- *City of Bath World Heritage Site Setting Supplementary Planning Document. August 2013, BNES*.
- *Geophysical Survey: Odd Down, Bath*. February 2014, Stratascan.
- *Archaeological Evaluation: Land Off Combe Hay Lane, Odd Down, Bath*. November 2015, Cotswold Archaeology.
- *Bath and North East Somerset Core Strategy 2014*
- Bath Building Heights Strategy 2010

## **2.0 BATH WORLD HERITAGE SITE & ITS SETTING AT ODD DOWN**

### **2.1 The World Heritage Site (WHS)**

- 2.1.1 The northern boundary of the Site corresponds with the southern limits of the WHS.
- 2.1.2 The City of Bath World Heritage Site (WHS) was recognised as a place of 'Outstanding Universal Value' (OUV) by the United Nations Educational, Scientific and Cultural Organisation (UNESCO) in 1987 and marks the designated area as an internationally significant heritage asset. This recognition relates to:
- Heritage assets of the Roman city;
  - Heritage assets of the Georgian City;
  - The Neo-classical style of the **city's public buildings; and**
  - The transposition of Palladian ideas to the scale of a complete city.
- 2.1.3 Of particular relevance to the Site, with its position on a hill-top plateau above the City, is the consideration of its potential for impact on the setting of the WHS where architecture and landscape combine in a complete city-scape situated within a hollow in the hills, built to a Picturesque landscape aestheticism to create a garden city feel. Bath exemplifies the eighteenth-century move towards the idea of planting buildings and cities in the landscape to achieve Picturesque views and forms that visually (and at times physically) draw in the green surrounding countryside.
- 2.1.4 Although no buffer zone has been identified for the WHS, the *City of Bath World Heritage Site Setting SPD* (August 2013) does indicate an extent of setting for the WHS. This is based upon a consideration that the setting should be a large enough zone to provide sufficient space to maintain the compact nature and distinct entity of the city within its hollow and thereby maintain its green setting, and provide protection of the OUV and **the WHS'** integrity. Therefore, the Site, whilst not within the WHS itself, is located within its setting.
- 2.1.5 The setting of the WHS in relation to the Site and its surroundings largely comprises open arable farmland on the plateau, mainly bordered by mature

woodland to the south, with younger woodland belts along part of the eastern boundary adjacent to South Stoke Lane. Boundaries within these areas mainly run north-south, with the exception of an east-west boundary across much of the eastern half of the plateau, including the Site. These areas are south of the skyline to the *hollow* in which Bath sits. The current view from the southern aspect of the **WHS's setting (within the Cam Valley) is of a largely wooded skyline, thereby maintaining this area of the WHS setting's rural character and its sense of detachment from the city of Bath.**

- 2.1.6 The setting of the WHS within the Site (when considering the OUVs of the WHS designation) can be considered to be of moderate significance; its contribution to **setting pertains only to its maintenance of the green, 'treed' skyline to the City within its *hollow* and also its maintenance of the rural nature of the WHS's setting by not giving the appearance of the urban morphology of the City spilling out over the lip of the *hollow* into the rural landscape of the WHS's setting beyond.**
- 2.1.7 Development of the Site that does not break the skyline as viewed from within the *hollow* of the City will have no harm on the WHS. There is the opportunity to **enhance the 'treed' nature of this skyline, when experienced from within the City's *hollow***, by suitable planting in an area which is currently sparse in this regard. This would also have **the effect of softening the elements of 'hard', ungreen skyline** caused by the late twentieth and early twentieth-first-century development abutting the southern **edge of the City's *hollow*.**
- 2.1.8 Views limited to the north-east corner of the Site from the Midford Road in front of the listed Cross Keys public house, would be likely to break the impression of the **green-tinged, 'treed' edge to the lip of the City's *hollow*.** Therefore, built development would need to be adequately set back, a minimum of 35m from the corner, be of low elevation (no greater than two storeys) and be suitably screened with appropriate tree planting. Any new link from the Cross Keys junction would need to be designed so that it maintained, as much as possible, the rural character of the area. This would keep any harm to a less than substantial level.
- 2.1.9 The draft concept plan (Figure 2) shows a substantial area of Green Infrastructure along the northern and eastern boundaries of the Site, which could be set aside for public open space and planting, with the area for built development set well back

from the WHS boundary. This positive approach to the Site would ensure that impacts to heritage assets were minimised.

## 2.2 **Commentary on the LUC Study**

2.2.1 The LUC Study divides the Site in two when assessing the risk of harm to heritage assets. The northern 2/3rds (East 2) is separated from the southern field (East 3) by a replanted tree belt. It notes the position of the WHS and its setting in relation to the Odd Down plateau.

2.2.2 The study cites the findings of ARUP, as set out in the *Odd Down Development Concept Options Report*. These concur with the Heritage Asset Assessment's conclusion when stating that "development would need to be kept away from the more exposed parts and the edges of the plateau to prevent the appearance of the city spilling beyond the contained *hollow* of Bath into rural views and the open setting of Bath".

2.2.3 The LUC study is in an accord with the Heritage Asset Assessment when it states that the woodland shelter belts "provide an important screen to the Site in views from the south". However, the Landscape and Visual Impact Assessment (LVIA) mistakenly does not include consideration of these woodland screens' mitigating effects when assessing the development of individual fields, and the consequent risk of impacts on the WHS and its setting.

2.2.4 The Heritage Asset Assessment diverges in its conclusions from the LUC Study in regard to the Site in that development here is asserted by LUC to risk causing a substantial level of harm to the WHS and its setting. This Heritage Asset Assessment notes that within, certain design and layout criteria (e.g. development not breaking the southern and northern 'treed' skyline, particular areas not developed etc.), the resultant harm on the WHS and its setting would be less than substantial.

2.2.5 The LUC study does not include the consideration of any mitigation and enhancement for the areas it considers to be at risk of causing a substantial level of harm to the WHS and its setting if developed. The study, in paragraph 3.94 Appendix 3, cites the NPPF for this approach, stating that "development in areas of

high risk of harm should be exceptional or wholly exceptional". **This is an error** in that the study misinterprets this element of the NPPF. Paragraph 132 of the NPPF **states that "substantial harm to or the loss of designated assets of the highest significance [such as the WHS and Wansdyke] ... should be wholly exceptional".** It is substantial harm to a heritage asset that should be exceptional or wholly exceptional, not the unmitigated risk of substantial harm. Therefore, the Heritage Asset Assessment includes consideration of mitigation in association with the draft Concept Plan to reduce the levels of harm to the WHS and its setting. This assessment is discussed further in Section 6 below.



### **3.0 HERITAGE SIGNIFICANCE OF THE WANSDYKE & ITS SETTING AT ODD DOWN**

#### 3.1 **Introduction**

- 3.1.1 A scheduled section of the West Wansdyke (SM BA93; NHLE 1007003; HER MBN6035; NMR 1066087) lies partially within and along the northern boundary of the Site. The heritage asset is thought to date to the Anglo-Saxon period.
- 3.1.2 The element of the heritage asset relating to the Site comprises the south-eastern section of an intermittent linear earthwork bank and ditch and associated buried deposits, known as the West Wansdyke. At its tallest point, the heritage asset is c.1.5m high on its south side, with the land to the north falling away more sharply. Other sections of the Wansdyke, away from Odd Down, exhibit an associated ditch up to 5m in width and up to 3m in depth. No evidence of a ditch associated with West Wansdyke is immediately apparent in the Site.
- 3.1.3 The geophysical survey (Appendix 1), comprising a detailed magnetic gradiometer survey over land at the Odd Down plateau (including the Site), did not identify any anomalies that could be confidently interpreted as being of an archaeological origin. Furthermore, the subsequent archaeological trial trench evaluation comprising 53 trenches (13 of which were located within the Site itself – see Appendix 2) did not record any significant archaeological features that could be confidently seen to be related to the scheduled monument, or that would contribute to its significance. Indeed, both surveys showed no unknown archaeological remains within the Site which might lead to a judgement of higher sensitivity to development overall.
- 3.1.4 Its designation as a scheduled monument marks the Wansdyke as a nationally significant heritage asset. It is identified by Historic England **as being 'at risk'** (Heritage at Risk Register 2016: South West). This defines the monument's **condition as being 'generally unsatisfactory with major localised problems'** and the current trend in its long-term preservation as **'declining'**. The urban area extends close to and in places encroaches on to the northern part of the scheduled monument and footpaths across the asset have also caused significant, localised erosion to the bank. The scheduling ceases approximately 90 metres to the west of the Midford Road-South Stoke Lane junction, where the extant physical remains of the monument dissipate beneath modern development.

- 3.1.5 The most recent developments in the vicinity of the Wansdyke at Odd Down have addressed Historic England's **desire to provide a green buffer of sufficient scale to protect the setting of the scheduled monument**. The Threeways School application in 2004 permitted buildings within 15m of the scheduled monument. This approach was set out in a letter from Historic England (then English Heritage) **as follows: "As noted in my previous letter, the principle of maintaining a green buffer setting between the Wansdyke Scheduled Monument and adjacent development has been established in planning case history at the nearby Sulis Meadows housing development and English Heritage will vigorously seek to preserve such a buffer wherever undeveloped land adjoins the monument. This is especially the case at the present site, which as previously noted, is the last undeveloped area to the north of the monument and thus its setting is of particular significance"** (EH to BNES 23.11.04).
- 3.1.6 This Heritage Asset Assessment concurs with Historic England's **consistent view on the setting of the Wansdyke**. Any development in the Site will need to be set back sufficiently from the green buffer to allow for appropriate landscaping, including the **planting of trees to strengthen the green, 'treed' skyline from the City's hollow** looking to the south as discussed in regard to the WHS and its setting above. Any such planting will need to be no less than 16m from the scheduled area. In **addition, development should not 'turn its back' on the scheduled monument**.
- 3.1.7 The draft Concept Plan recommends a substantial offset comprising open space and green infrastructure to the south of the Wansdyke to conserve its setting. Careful design that integrates planting through the development and delivers neither a continuous line of houses or trees to address the scheduled monument will cause **negligible harm to the significance of the Wansdyke's setting and will enhance the 'treed' skyline to the City's hollow** in this area. Improved management, including moving the public footpath off the monument and better interpretation would provide additional benefits and minimise harm.
- 3.2 **Commentary on the LUC Study**
- 3.2.1 The LUC study notes the position of the scheduled Wansdyke in relation to the plateau. It also notes the potential for an associated ditch and further features abutting it to the south. However, the geophysical survey and archaeological

evaluation trenching carried out in the site in 2014 and 2015 did not identify any finds or features that could be confidently interpreted as relating to the scheduled monument.

- 3.2.2 The LUC study suggests that Wansdyke was built in open countryside and that its **setting extends to the "modern hedge" aligned east-west** across the centre of the plateau. Consequently Field East 2 was assessed as high risk, and East 3 Medium Risk. It is not yet proven that the plateau had been cleared of woodland when the Wansdyke was constructed and its original setting could equally have been of a tightly enclosed nature within dense woodland, although it is impossible to establish **the contemporary landscape's** vegetation with any certainty.
- 3.2.3 The earlier CgMs appraisal notes the potential for associated features to the south of the Wansdyke. Such features have been recorded elsewhere along the length of the Wansdyke and this Heritage Asset Assessment accepts such potential; the earlier investigations do not, however, indicate that there are likely to be continuous features along the margin of the scheduled monument. Furthermore, the recent archaeological investigations undertaken on the Site did not record any finds or features related to the scheduled monument. Such potential can be dealt with in the usual manner within the planning process as set out in the NPPF. In addition, the green buffer requirement stipulated by Historic England minimises, if not negates, potential development impacts on any buried heritage assets that may be present within the Site on the south side of the Wansdyke.
- 3.2.4 This Heritage Asset Assessment diverges in its conclusions from the LUC study in regard to the setting of the monument in field East 2, in that development here is asserted by the LUC study to risk causing a substantial level of harm to the scheduled monument and its setting. This Heritage Asset Assessment concludes that by maintaining a buffer, including Green Infrastructure as shown on the draft concept plan and with certain design and layout criteria, the resultant degree of harm on the scheduled monument and its setting would be less than substantial.
- 3.2.5 The LUC study does not include consideration of any mitigation and/or enhancement for the areas of the monument it considers to be at risk of a substantial level of harm from development. In paragraph 3.94, Appendix 3, the

study cites the NPPF as the basis for this approach, stating that “development in areas of high risk of harm should be exceptional or wholly exceptional”. This is an error, in that the study misinterprets this element of the NPPF. Paragraph 132 of the NPPF states that “substantial harm to or the loss of designated assets of the highest significance [such as the WHS and the Wansdyke] ... should be wholly exceptional”. It is substantial harm to a heritage asset that should be exceptional or wholly exceptional, not the unmitigated risk of substantial harm. It is, therefore incorrect when assessing the potential risk, to not include mitigation for these areas to reduce/minimise any harm to the scheduled monument and its setting.

- 3.2.6 In summary, Historic England has been consistent in seeking a green buffer of 16m between development and the scheduled Wansdyke. This distance offers potential within the Site for the provision of enhanced landscaping and development to the south of this buffer whilst minimising any harm to the scheduled monument and its setting. The draft concept plan shows provision for green infrastructure and open space in the Site to satisfy that need.

#### **4.0 HERITAGE SIGNIFICANCE OF SOUTH STOKE CONSERVATION AREA & ITS SETTING AT ODD DOWN**

##### **4.1 Introduction**

4.1.1 Lying to the south of Bath and the WHS boundary, the conservation area encompasses the village of South Stoke. The village sits on the steep, south-facing hillside of the Cam Valley (Fig. 1). Part of the northern boundary of the **conservation area abuts a section of the Site's southern boundary**. It consists of a small nucleated settlement, largely unaltered in plan since the seventeenth century. With a consistent use of local limestone, narrow roads and a built form predominantly lining the back-of-pavement, the conservation area consists of a tightly-knit form, whose character is largely defined by the steeply sloping landscape on which it sits (facing south and away from the Site). The conservation **area's setting relates almost entirely to a rural landscape comprising an undulating patchwork of irregular fields and woodland set in the deep, steeply sloped Cam Valley**.

4.1.2 Beyond the conservation area boundary, but within its wider setting, South Stoke Lane provides an important approach to the village from the north that drops down a steep slope through a hillside heavily wooded with mature and veteran trees. This approach lends the conservation area a strong sense of detachment from the edge of Bath, due to the woodland screening and the abrupt drop in elevation, albeit that residential development fronts along much of its eastern side, from Midford Road (at the junction where the Cross Keys PH is located) to the heart of the conservation area.

4.1.3 The conservation area and the listed buildings within it are largely experienced from within the asset and from the Cam Valley to the south and south-west. Glimpsed views of the conservation area are available from the plateau through dense, mature woodland along the upper slopes of the Cam Valley and through belts of more recent woodland along the plateau edge, but only from along the central southern boundary of the Site, where it runs along the edge of the plateau.

4.1.4 The current view of the East 3 part of the Site from the southern aspect of the **conservation area's setting is only of a largely wooded skyline, thereby maintaining the conservation area and its setting's** tranquil, rural character, detached completely from the city of Bath.

4.1.5 Development of the East 3 part of the Site that avoids breaking the skyline along its southern edge, **and that can enhance the 'treed' nature of this skyline through** appropriate planting and strengthening of the existing planting, will not harm the conservation area or its setting.

#### 4.2 **Commentary on the LUC Study**

4.2.1 The LUC study notes the detachment of the conservation area and its setting from the Site due to woodland screening and the abrupt drop in elevation, stating that the plateau and **the conservation area "are not...strongly related"**. While the woodland setting still visually separates the Site from the conservation area, since publication of the LUC study an amendment to the conservation area means that the site now abuts the area. Further comment in the document **notes that "the setting of South Stoke Conservation Area "...will not be affected by the development at Odd Down" and that development "presents an overall low risk to the significance of the conservation area"**.

4.2.2 The Heritage Asset Assessment and the LUC study appear to be in accord in relation to this heritage asset and its setting. The draft concept plan shows the provision of Green Infrastructure along the edge of Southstoke Lane, which will maintain a sense of detachment and rural character. Limiting height and density of development closest to the conservation area will avoid harm to its setting.

## **5.0 Heritage Significance of the Setting of the Cross Keys Public House**

### **5.1 Introduction**

5.1.1 The setting of this Grade II listed building relates mainly to its position on the north-western corner of a cross roads on the eighteenth and nineteenth-century Turnpike Road from Bath towards Salisbury. When the pub was built in either the late seventeenth or early eighteenth century, its wider setting would have been largely open in all directions. The building was substantially re-ordered and remodelled in the nineteenth century by the end of which period, and into the early twentieth century, its wider setting was increasingly becoming that of an urban fringe. This character has been reinforced with subsequent twentieth-century housing development along Midford Road, South Stoke Road and South Stoke Lane. The south-west corner of the junction remains open farmland.

5.1.2 The heritage significance of the Cross Key pub is high (nationally important) and relates to the evidential value of earlier building on the plateau, the architectural quality reflecting the influence of Georgian Bath, its community purpose and its association with the Turnpike Road.

5.1.3 In terms of its setting, the major consideration relates to the immediate setting of the roads and their junction. The original wider setting, that is the open space of the plateau and surrounding areas, is of markedly less consideration and is now lost. Development that sets back any new building on the Site from the junction to beyond the proposed green infrastructure shown on the draft concept plan would have only a low level of harm on the setting of the listed pub. Any new link from the Cross Keys junction would need to be designed so that it maintained, as much as possible, the rural character of the area. This would keep any harm to a less than substantial level.

### **5.2 Commentary on the LUC Study**

5.2.1 The LUC study notes the Cross Keys pub as a significant landmark visible across the plateau. The experience of the listed pub is in fact limited to the north-east corner of the plateau; visual connection diminishes quickly as the land within the Site rises to the south-west and the listed pub sinks below the horizon only 35m from the junction. Overall the LUC study assesses the risk to be low.

- 5.2.2 This Heritage Asset Assessment suggests that the setting of the Cross Keys is less sensitive than suggested by the LUC study. Nevertheless, care will be needed to incorporate a green buffer, screening from appropriate planting, and associated set back of any development from the road junction at the north-east corner of the Site.



## 6.0 **ASSESSMENT OF RISK AND IMPACT**

6.1 The LUC study used the following criteria to define the risk to known archaeological assets:

Potential Risk	Definition of Potential Risk to Known Heritage Assets
High	Asset is of high or medium sensitivity and the magnitude of the potential impact will be of such a scale that the significance of the heritage asset would be substantially harmed
Medium	Asset is of high or medium sensitivity and the magnitude of the potential impact will be of such a scale that the significance of the heritage asset would be harmed. Or, Asset is of low sensitivity but the impact will be of such a scale that the significance of the impact would be substantially harmed.
Low	Asset is of high, medium or low sensitivity and the potential impact will be of such a minimal scale that the significance of the asset will not be harmed. Or, Asset is of low sensitivity but the scale of the impact will be of such a scale that the significance of the asset would be harmed.

6.2 The LUC study also sets out how their findings of the study should be interpreted in the context of the NPPF:

Level of Risk	Policy Framework and Recommendations
Red Areas	<p>There is a high risk that development will cause substantial harm to the significance of one or more heritage assets, or non-designated assets of demonstrably equivalent significance, and/or their settings. Therefore, development of these areas should be exceptional or wholly exceptional depending on the nature of the asset (NPPF 132 and 139).</p> <p>Where a proposed development will lead to substantial harm to or total loss of significance of a designated heritage asset, the NPPF states that local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply:</p> <ul style="list-style-type: none"> <li>• The nature of the heritage asset prevents all reasonable uses of the site; and</li> <li>• No viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable conservation; and</li> <li>• Conservation by grant-funding or some form of charitable or public ownership is demonstrably not possible; and</li> <li>• The harm or loss is outweighed by the benefit of bringing the site back into use. (NPPF Para 133)</li> </ul>
Orange Areas	There is medium risk that development will cause harm to the significance of one or more designated or non-designated heritage assets of demonstrably equivalent

	<p>significance, and/or their settings.</p> <p>Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use (NPPF 129 and 134).</p>
Green Areas	<p>There is low risk that development will cause harm to any designated or non-designated heritage assets of demonstrably equivalent significance, and/or their setting.</p>

6.3 This Heritage Asset Assessment has re-assessed the sensitivity of identified designated heritage assets and their settings in relation to proposed development at 30 Acres to identify the risk to the significance of the heritage assets both with and without mitigation measures. The results of this are shown in the table below:

<b>Land at 30 Acres Field "East 2"</b>							
<b>Asset</b>	<b>Inherent Significance of heritage asset</b>	<b>Sensitivity to Development in East 2</b>	<b>Direct Impact?</b>	<b>Setting Impact?</b>	<b>Risk to Significance in Relation to Concept Plan</b>	<b>Risk to Significance with further Mitigation</b>	<b>Resultant Level of Harm</b>
City of Bath World Heritage Site	High	Moderate	No	Yes	Low	Low	Less than Substantial (Low)
West Wansdyke Scheduled Monument	High	High	No	Yes	Low	Low	Less than Substantial (Low)
Cross Keys Public House Listed Building (GII)	High	Moderate	No	Yes	Low	Low	Less than Substantial
South Stoke Conservation Area	High	None	No	No	None	None	No Harm

Land at 30 Acres Field "East 3"							
Asset	Inherent Significance of heritage asset	Sensitivity to Development in East 3	Direct Impact?	Setting Impact?	Risk to Significance in Relation to Concept Plan	Risk to Significance with further Mitigation	Resultant Level of Harm
City of Bath World Heritage Site	High	Moderate/Low	No	Yes	Low	Low	Less than Substantial (Low)
West Wansdyke Scheduled Monument	High	Moderate/Low	No	Yes	Low	Low	Less than Substantial (Low)
Cross Keys Public House Listed Building (GII)	High	Low	No	Yes	Low	Negligible	Less than Substantial (Negligible)
South Stoke Conservation Area	High	Low	No	Yes	Low/None	Low	No Harm

6.4 This shows that an allocation in 30 Acres in accordance with the draft concept plan, together with the application of specific mitigation measures as outlined in this document, will not result in substantial harm to any of the identified heritage assets; with no harm being identified for the South Stoke conservation area in particular.

## **7.0 SUMMARY AND CONCLUSIONS**

7.1 This Heritage Asset Assessment presents a summary of the background and conclusions of heritage studies undertaken at Odd Down periodically since 2010 and aims to assist the consideration of the suitability of the Site for allocation in the BNES Core Strategy by giving particular consideration of the heritage significance of:

- The WHS and its setting;
- The West Wansdyke scheduled monument and its setting;
- The South Stoke Conservation Area and its setting;
- The Cross Keys PH.

7.2 The assessment recognises that the WHS borders the northern boundary of the Site. All of the Site falls within the setting of the WHS.

7.3 The Heritage Asset Assessment of the draft concept plan concludes that with appropriate design and mitigation measures, including enhanced landscaping south of a green buffer zone (minimum 16m) for the scheduled monument, guidance on building heights and densities, building materials and the retention of existing woodland and the strengthening of existing landscape features by further green infrastructure planting, development of the Site can be accommodated without causing substantial harm to any statutorily designated heritage assets. Any harm will be significantly less than substantial and there will be opportunities to enhance some **aspects of heritage assets' significance.**

7.4 In view of the current landscape and topographical context of Odd Down, with urban development immediately north, north-west and east, any significant harm resulting to the WHS and its setting can be avoided through sensitive design by:

- controlling building heights through, for example, the advice in the Bath Building Heights Strategy;
- incorporating a development masterplan which carefully integrates built development into a green infrastructure of enhanced (strengthening **existing tree lines**) and **new planting that maintains a 'treed' skyline when viewed from the north and south;**

- incorporating a development masterplan that avoids any development close to the edges of the plateau before it drops into the Cam Valley to the south, a buffer of a minimum of 35m from the north-east of the Site (the wider setting of the Cross Keys PH);
- avoids a high density of dwellings particularly at the edges of the proposed development;
- uses appropriate building materials, as per the local vernacular.
- position and type of lighting; e.g. downlighting, post lighting and groundsurface-set lighting controlled in the development masterplan.

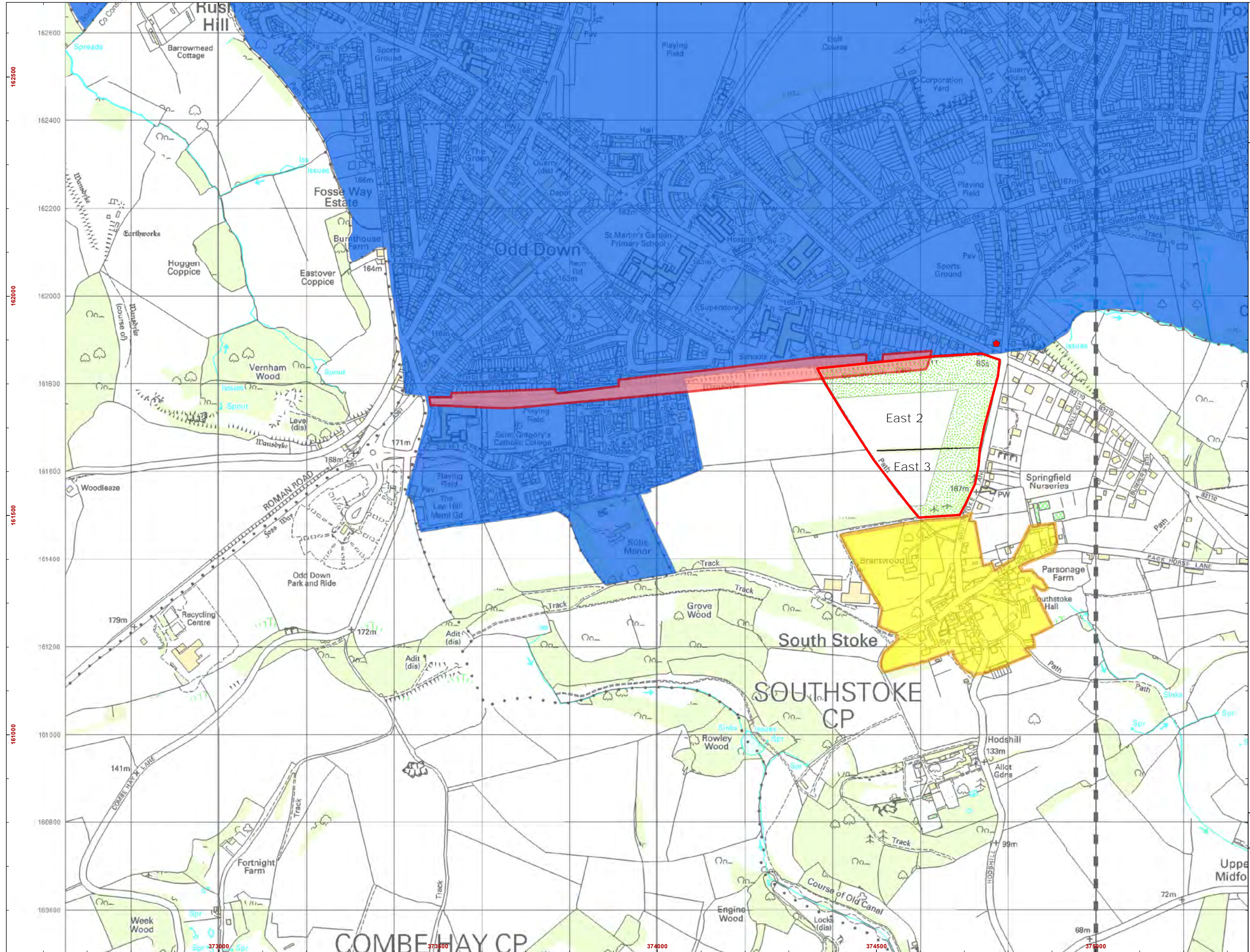
7.5 The careful treatment of the junction of the Midford Road and Southstoke Lane to accommodate development and maintain a sense of separation along Southstoke Lane to the conservation area is important. On the basis that these Design Parameters can be achieved, no significant harm to the setting of the South Stoke Conservation Area is predicted.

7.6 Development at Odd Down must not have a direct impact upon the scheduled area and, therefore, no development, landscaping or planting should be proposed within the designated area. The green buffer of at least 16m between the earthwork of the Wansdyke and the edge of development would be positively managed to avoid erosion to the monument by footpath and cycle users, and a Management Plan setting out a strategy for the long-term preservation and effective management of the monument and detail measures for its positive enhancement will be developed in consultation with Historic England and the BNES Archaeological Officer. There is scope to set in place enhancement works to the scheduled monument (including realigning of the footpath off the monument to the south) and to provide interpretative materials.

7.7 **Additionally, the architectural treatment of the 'built edge' of development will be** carefully considered and potentially result in dwellings facing north towards the monument, in order to give a sense of ownership and guardianship to the monument and its buffer green space.

7.8 The green buffer together with Green Infrastructure would be extended eastward from the scheduled monument and enlarged in the vicinity of the junction of Midford

Road, the Cross Keys Pub and Southstoke Lane to enhance the wider setting of the listed pub. As a result, it is anticipated that no significant harm will result to the setting of Wansdyke and a Management Plan and improved management and interpretation of the monument will result in a heritage benefit, potentially removing this nationally significant heritage asset from the *Heritage Assets At Risk Register*.



- Site Boundary
- World Heritage Site
- Wansdyke
- Scheduled Monument
- ◆ Cross Keys PH
- Area to comprise green infrastructure and public open space
- South Stoke Conservation Area



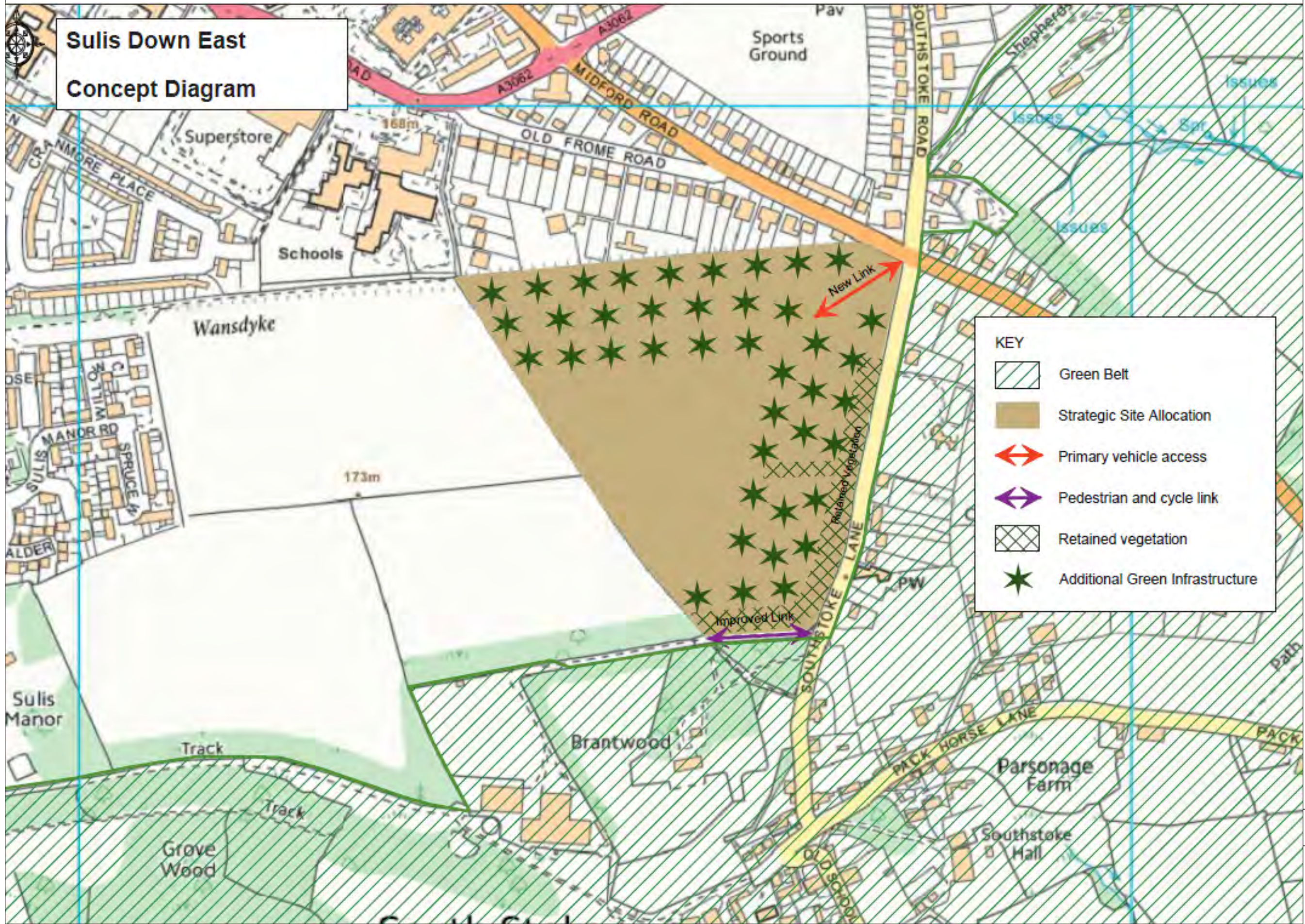
Scale at A3: 1:8,000  
0 250m

Land at 30 Acres  
Odd Down  
Bath

Figure 1



# Sulis Down East Concept Diagram



**KEY**

- Green Belt
- Strategic Site Allocation
- Primary vehicle access
- Pedestrian and cycle link
- Retained vegetation
- Additional Green Infrastructure

Legend  
 Site Boundary



Not to Scale:  
Illustrative Only

Land at 30 Acres Odd  
Down, Bath

Figure 2:  
Concept Diagram



**Appendix 1:**  
Geophysical Survey Report, Stratascan 2014

GEOPHYSICAL SURVEY REPORT

# STRATASCAN™



Project name:  
Odd Down, Bath

Client:  
CgMs Consulting Ltd

February 2014

Job ref:  
J6375

Report author:  
Thomas Richardson MSc AIFA

**Appendix 2:**  
Archaeological Trial Trench Evaluation, Cotswold Archaeology 2015

Land off Coombe Hay Lane,  
Odd Down  
Bath and North East Somerset

*Archaeological Evaluation*



for  
CgMs Consulting

CA Project: 5591  
CA Report: 15734

November 2015



**Cgms**

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Cgms

# Land to the south of Odd Down, Bath

Savills on behalf of The Hignett Family Trust

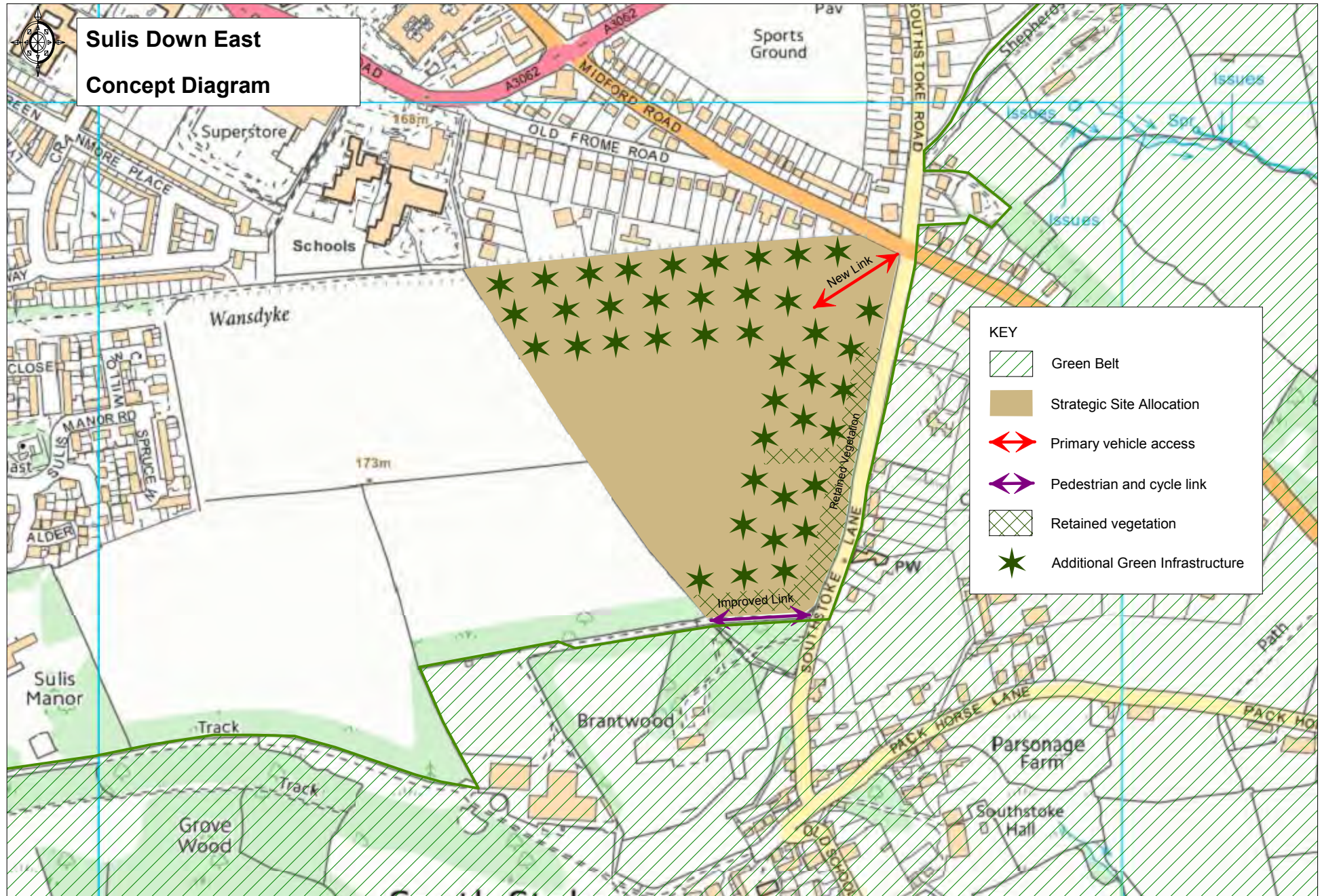
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## Appendix 4 – Proposed Concept Diagram



# Sulis Down East Concept Diagram



**KEY**

- Green Belt
- Strategic Site Allocation
- Primary vehicle access
- Pedestrian and cycle link
- Retained vegetation
- Additional Green Infrastructure

## Policy 1 - Housing Requirement

## Policy 2 – Spatial Strategy

## Policy 7 – Strategic Development Locations

### Introduction and Background

1. This representation has been prepared by Savills on behalf of the Hignett Family Trust (HFT) in relation to the land owned by HFT to the south of Odd Down, Bath, referred to in this representation as 'Sulis Down'. The matters covered relate to Policy 1 (Housing Requirement), Policy 2 (Spatial Strategy) and Policy 7 (Strategic Development Locations), and since the issues are inter-related, this Statement forms the representation to each of these policies.
2. The land HFT propose for allocation as an SDL comprises a plateau area of circa 44.4 hectares (edged red on the plan enclosed with the earlier Call for Sites evidence, attached at **Appendix 1**). The proposed area is close to and accessible to a range of facilities: to the north is the urban area of Bath, with a local secondary and primary school, as well as Sainsburys Supermarket, close by and accessible on foot. To the east is South Stoke Lane and to the west is Combe Hay Lane, alongside the Odd Down Park and Ride. To the south, the land falls away sharply beyond the escarpment edge into the open agricultural land beyond. Visibility between the proposed SDL allocation and the land to the south is limited by topography and the intervening vegetation.
3. The land was previously promoted for development through the Bath & North East Somerset Core Strategy. A large proportion of the land (shown hatched red on the plan enclosed with the Call for Sites) was duly removed from the Green Belt and allocated for around 300 dwellings, together with the redevelopment of farm buildings for local employment. The existing allocation is set out in the detailed Policy B3A, where the housing figure was explicitly acknowledged as not representing a cap to the scale of development provided the policy requirements were satisfied.
4. This representation follows correspondence with the Local Authorities and the submission of the HELAA evidence in January 2017, demonstrating the availability of land within and alongside the present allocation, which would both support a substantial and strategic number of additional dwellings and provide for a significant amount of Green Infrastructure to enhance the setting of the site and to mitigate against any potential harm. To optimise the potential of the SDL will necessitate the removal of some land from the Green Belt, however much of this will remain undeveloped and be used for public open space, infrastructure and ecological mitigation.



# West of England Pre-Submission Joint Spatial Plan

Representation Statement by Savills on behalf of the Hignett Family Trust

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5. A Comprehensive Masterplan of the current allocation B3A has been placed before the Council and recently updated from that enclosed within the Call for Sites evidence in January 2017 (**Appendix 1**). This work indicates that despite the potential requirement to provide a single form entry primary school, it is possible to deliver significantly higher numbers of dwellings at this location. Particular regard is had to the current policy requirement to achieve an average of 35-40 dph, however emerging JSP policy encourages development to achieve even higher densities, in sustainable locations, in line with new thinking on urban living.
6. A detailed planning application for 173 dwellings has been submitted for the first phase of development on land to the south of the Sulis Meadows estate, west of Sulis Manor. This is due to be determined in the first half of 2018. Subsequent planning applications will be submitted for development consistent with the remaining phases of the allocation in due course.
7. Provision of local employment continues with phased redevelopment of further farm buildings at Sulis Down Business Village, which will eventually create 350 local jobs.
8. Whilst the principle of significant mixed-use development on the plateau has been established through the Core Strategy, the scale of the allocation was limited both by the extent of the housing requirement and by the evidence before the Core Strategy Inspector on the environmental effects of development. It is important to reflect on these as they provide an important context to the SDL now proposed.
9. With regard to the first of these, the residual housing requirement which needed to be identified on the site through the Core Strategy was 300 dwellings. In this context, the Core Strategy Inspector had no need to test the implications (both positive and negative) of a higher figure and to arrive at a planning judgement on the suitability of additional land on the plateau for development. Even if he had sought to arrive at a judgement, this would inevitably have been heavily influenced by his earlier conclusion that no further land was required and that there was therefore no public benefit weighing in favour of a larger allocation. The context is very different now, where through the JSP work, a significant scale of additional housing and affordable housing is identified up to 2036.
10. The second point highlighted above is the availability of evidence before the Inspector on the environmental effects of development. Whilst there was an evidence base produced by the authority in support of the allocation, this was high-level in its scope and in some instances, we consider, misleading. Indeed, we maintain that the landscape and heritage harm reported in the authority's evidence overstated the potential harm from development and failed to take account of the full potential for mitigation.

11. Further detailed evidence on landscape, heritage and ecology has since been produced by specialists on behalf of the HFT. This evidence, which is explained later in this representation, demonstrates that further development can be accommodated within the plateau in a sensitive manner which respects the important characteristics of the various environmental assets. Details of the land available for development were provided on the HELAA submission from January 2017 (see **Appendix 1**).
12. For these reasons, we firmly believe that combining the remaining land within the Sulis Down plateau within a comprehensive mixed-use scheme represents an entirely suitable and sustainable location for a strategic development location on the edge of Bath and therefore should form part of the JSP.
13. The JSP however states at paragraph 16 that *“evidence also shows that due to significant environmental constraints there is no scope to further expand Bath outwards”*. We are not aware of any clear and compelling evidence that supports, what appears to be, the only explanation as to why there is no strategic scale growth proposed at Bath. Whilst development at Bath is inevitably sensitive due to the presence of important environmental assets, including the Cotswolds AONB and the World Heritage Site status of the city, the presence of wide, area-based constraints should not preclude development as a matter of principle.
14. On the contrary, for the reasons explained in this representation:
  - there is a strong and pressing need for additional housing at Bath;
  - locating development on the edge of Bath would ensure the housing needs of the Bath HMA are delivered in a sustainable location, well placed to meet that need; and
  - there is land available on the edge of the city which is available and suitable for development, sustainable and would not result in harm to environmental assets which could not be suitably mitigated or overcome. Indeed, the land to the south of Odd Down represents a logical and appropriate opportunity for an additional SDL.

### **Structure of this Representation**

15. This representation addresses the key matters and explains these in the following three sections:
  - A. The case for a strategic allocation at Bath;
  - B. The broad sustainability implications of an SDL at Bath; and

# West of England Pre-Submission Joint Spatial Plan

Representation Statement by Savills on behalf of the Hignett Family Trust

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- C. Why the land at Sulis Down is of a scale and significance to qualify as a potential SDL and why it should be allocated through the JSP.
16. In the final section of this representation we summarise our conclusions and propose changes which would overcome our objections.

## A. The Case for Strategic Development Location at Bath

17. The SHMA evidence produced by the joint authorities significantly and demonstrably underestimates the considerable need for housing across the West of England area. The SHMA and consequently the JSP:
- adopt flawed assumptions which result in an under-estimation of the objectively assessment need (OAN);
  - fail to reflect the consequences of up to date economic and job growth forecasts on the demand for housing within the West of England area;
  - do not respond positively to the identified need for affordable housing by making a suitable adjustment to the overall housing requirement;
  - rely upon an OAN which is clearly an outlier when compared with other assessments of housing need produced by the development industry and business community, and those assessments based upon the proposed methodology of the Local Plans Expert Group and the Government consultation on the standard methodology.
18. Failure to address the housing needs of the area through the JSP will result in a number of harmful consequences to the social, economic and environmental well-being of the residents and the area.
19. A proportion of the housing need within the WoE arises from Bath. The city has a population of 94,782 residents, many of whom are reliant upon the city for employment, education and the wide range of services and facilities available. Indeed, as the JSP recognises, Bath falls within its own Housing Market Area for which there is a specified housing requirement derived through the SHMA.
20. Whilst there is some housing development in the pipeline within the Bath urban area, the available supply falls considerably short of the identified demand. At the time of the Core Strategy, three large previously developed MOD sites became available and there was a permission in place for the delivery of housing at Bath Western Riverside. In addition to these, the allocation of land at Sulis Down was made through the Core Strategy to delivered 300 dwellings of the residual requirement. Following the successful regeneration of these allocations and the contribution from various smaller scale previously developed sites, there are now very few opportunities available within the city for future growth to meet the medium to long term housing needs.
21. Despite this, there are no SDLs or other identified forms of housing supply proposed through the JSP within the entire Bath Housing Market Area. Indeed, all of the 12 SDLs identified through the JSP are within the Bristol Housing Market Area. In contrast, the majority of other large settlements within

the WoE area, including Yate, Thornbury and Coalpit Heath in South Gloucestershire, Nailsea / Backwell and Weston-Super-Mare in North Somerset, benefit from at least one allocation.

22. The lack of any strategic allocation or alternative source of housing land supply is particularly concerning given the scale of affordable housing need across both the wider WoE area and at Bath.
23. Notwithstanding our objections to the overall housing requirement, even with a requirement of 105,000 dwellings the proposed JSP will deliver substantially fewer affordable homes than the authorities' SHMA evidence indicates are required.
24. The SHMA concludes that there is a need to provide circa 32,200 affordable homes across the WoE area. In other representations we have explained why we consider this represents an underestimation of the total existing and arising need during the plan period. Nevertheless, the JSP proposals will fall substantially short of delivering even 32,200 affordable homes. This shortfall is made explicitly clear in the reasoned justification to Policy 3, where it states at paragraph 17 that the affordable housing target is 24,500 dwellings, representing approximately 76 percent of the identified needs.
25. This conclusion of the JSP does not appear to be a reasonable interpretation of the evidence and is particularly concerning when one interrogates the evidence supporting the supply of new affordable homes. Topic Paper 1 briefly summarises at paragraph 3.10 the six sources of affordable housing supply which combine to achieve the 24,500 dwelling figure. The major source of new supply (after that coming from existing commitments) is from the SDLs. In relation to this source, the Topic Paper states:

*“Strategic Development Locations – the forecast assumes a policy compliant position of 35% Affordable Housing, using developer subsidy where fully viable, and bringing in public subsidy to make up any shortfall where full delivery is unviable. Current projections are based on the current 12 SDLs delivering a total of 17,600 dwellings of which around 6,000 will be Affordable Housing”.*

26. The viability evidence produced in Topic Paper 4 however strongly indicates that a number of the proposed SDLs cannot viably deliver a policy compliant percentage of affordable housing, even without making contributions towards strategic infrastructure. The assumption that public sector affordable housing funding will be available to bridge the viability gap is nothing more than a leap of faith at this stage and cannot be used as a reliable basis upon which to plan for the delivery of affordable housing. As a consequence, and on the basis of the proposals contained within the draft

JSP, we would characterise the 24,500 affordable home target not as 'ambitious', as the authorities describe it, but as 'unrealistic'.

27. Notwithstanding, Topic Paper 1 claims that *"the high level of need for affordable housing and the shortfall in both past and projected delivery, justifies the need to maximise delivery from all possible sources"*. Yet despite this, the authorities have failed to consider two key opportunities available to increase the delivery of affordable housing.
28. First, they have discounted the opportunity of increasing the overall housing requirement and securing with it further affordable housing. Second, they have not taken into consideration the opportunity available from additional SDLs to boost the delivery of affordable housing.
29. In other representations submitted by Savills to both the Issues and Options JSP and the TESS, we explained that the most logical and deliverable solution available to the JSP to deliver more affordable housing is to take a more positive approach to the overall housing requirement, increasing the proposed housing target and allocating more SDLs. Additional homes coming forward will generate more affordable housing completions and furthermore the additional market housing would also deliver benefits in addressing wider housing needs and reduce pressure upon the affordable housing stock.
30. Such an approach is entirely consistent with the Planning Practice Guidance which requires authorities to consider *"an increase in the total housing figure included in the local plan where this could help deliver the required number of affordable homes"* (ID: 2a-029-20140306).
31. This is a strategy that has already been employed by B&NES as part of their Core Strategy, via an upward adjustment to the housing target with the sole purpose of securing the delivery of additional affordable housing. Similarly at Brighton and Hove, the Inspector concluded that a higher requirement should be adopted to boost the delivery of affordable housing through the City Plan.
32. Despite the conclusions of inspectors elsewhere, the TESS (paragraph 26) dismissed this strategy as being *"very unlikely"* to lead to the delivery of more affordable housing and went on to make the spurious and unsubstantiated claim that if such a strategy were to be pursued, an increase in the number of market homes would in some way create *"an imbalance in jobs and homes by drawing in additional workers resulting in increased level of households in need"*.
33. This conclusion is fundamentally flawed and, unsurprisingly, no evidence is provided to support it. However, even if this proposition was correct, there is no reason why the JSP's job growth target could not also be increased, particularly in light of the recently updated Oxford Economics Forecasts

which show a considerably more positive outlook for the WoE economy than that out of date evidence produced by the WoE authorities.

34. Whilst raising the overall housing requirement would provide a theoretical increase in the supply of affordable dwellings and should therefore be supported in principle, the delivery of these dwellings can be secured with greatest certainty if land is allocated for development which can guarantee the delivery of higher levels of affordable housing.
35. There is an opportunity on the land at Sulis Down to secure 40% affordable housing, as has been achieved on the application for phase 1. This is not only above the proposed 35% target in Policy 3 of the JSP, but would provide affordable housing in a location of very significant need where the house price to income ratio is the highest across the WoE
36. Unlike other SDLs which are subject to very significant infrastructure burdens, there is no such burden at Sulis Down. Not only does this provide sustainability and deliverability benefits, it means that the development is not subject to significant upfront capital expenditure. This has a major effect on the 'return on capital' measure of viability and means that the development is capable of providing affordable housing where other SDLs cannot. This is evidenced in the WoE authorities' Topic Paper 4 covering viability, where the outputs indicate that certain SDLs are not sufficiently viable to provide a policy compliant level, if indeed any, affordable housing.
37. The very significant need for additional market and affordable housing across the WoE area and at Bath is a plan-making consideration of considerable weight which goes to the heart of the soundness of the JSP and the benefit to affordable housing delivery should be a factor weighing heavily in favour of Sulis Down as an alternative or additional SDL within the JSP.
38. For the reasons explained, we firmly believe that there is a strong strategic case for the allocation of an SDL at Bath to meet the needs of this HMA.

## B. The broad sustainability implications of an SDL at Bath

39. This section of the representation addresses the broad sustainability implications of an SDL at Bath. Consistent with the National Planning Policy Framework (Framework), the JSP contains a number of references to the importance of sustainable development.

40. The first ‘critical issue’ identified in figure 3 of the JSP is the:

*“critical need to substantially boost the housing supply, particularly affordable housing of which the need is acute across the plan area“.*

41. The corresponding ‘strategic priority’ is:

*“to meet the sub regions identified housing needs, in a sustainable way. In particular to make a substantial step change in the supply of affordable housing across the plan area“.*

42. Similarly, the third critical issue contained in figure 3 is that:

*“The form and function of development in some parts of the West of England has resulted in significant pressure on infrastructure and settlement patterns which are over-reliant on the private car. This inhibits wealth creation and productivity and contributes to climate change and poor health“.*

43. The strategic priority proposed in response to this issue is:

*“To deliver a spatial strategy which:*

- focuses on three primary centres of Bristol, Bath and Weston-super-Mare and recognises the complementary role of market towns to achieve sustainable growth.*
- ensures that new development is properly aligned with infrastructure and maximises opportunities for sustainable and active travel.*
- through a place making approach promotes places of density and scale with a range of facilities and which encourages healthy lifestyles and cultural wellbeing.*
- integrates high quality, multi-functional green infrastructure. Reduces greenhouse gas emissions and ensure resilience to the impacts of climate change.” [our emphasis]*



44. From the analysis of the critical issues and strategic priorities, the JSP develops the Vision for the future of the WoE area. The proposed Vision again highlights the importance of sustainability, stating that:

*“patterns of development and transport will facilitate healthy and sustainable lifestyles“.*

45. The principles outlined in the early parts of the JSP are taken forward in elements of Chapter 3 on the formulation of the spatial strategy. For example, in relation to the strategic development locations, paragraph 15 of the JSP states:

*“Sustainability is closely related to proximity and accessibility to services and facilities, particularly in Bristol, Bath and Weston-super-Mare, and the potential to use existing and new transport corridor opportunities“.*

46. The final subsection of chapter 3 seeks to encourage sustainable transport choices across the plan area. Paragraph 29-33 of the JSP highlight the importance of non-car modes of transport, including the role of conventional bus services, Park & Ride facilities, walking and cycling.
47. We agree with all of these objectives and sustainability principles that have been set out within the first three chapters of the JSP. Where we strongly object is the failure of the JSP to adequately reflect these principles in the distribution of development or the selection of certain SDLs.
48. As explained in the previous section of this representation, Bath is a major settlement in the WoE with a wide range of services and facilities. It also has an existing and well used public transport network including Park & Ride services, notably the Odd Down Park & Ride adjacent and directly connected to the Sulis Down SDL.
49. Development on the edge of Bath would, at a strategic level, fit entirely with the broad sustainability objectives and proposed distribution strategy of the JSP advocated through its first three chapters. Strategic Priority 3 is particularly pertinent as this proposes to focus development on the three primary centres of Bristol, Bath and Weston-super-Mare. Whilst strategic scale growth is proposed at Bristol and, despite a significant existing housing supply pipe line at Weston-super-Mare, two SDLs are proposed, no strategic growth is proposed within the Bath HMA in the JSP. In this respect, the proposed growth fails to accord with the JSP’s own strategic priorities.

# West of England Pre-Submission Joint Spatial Plan

Representation Statement by Savills on behalf of the Hignett Family Trust

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50. In the following section of this representation we explain why land at Sulis Down represents an entirely suitable and sustainable option for strategic scale growth on the edge of Bath which would accord with the sustainability principles endorsed through the early chapters of the JSP.

## C. Why the land at Sulis Down should be an SDL in the JSP

51. Together with the existing allocation for mixed use, the location of Sulis Down represents the best and most sustainable opportunity to provide a strategic housing site for the Bath HMA.
52. The evidence in the HELAA Call for Sites January 2017 shows that with modest changes to the Green Belt, in order to release land for development, as well as for Green Infrastructure, a comprehensive scheme can be delivered which optimises the capacity of the site whilst mitigating the potential harmful impacts.
53. Respecting the environmental assets through sensitive masterplanning requires careful consideration of the scale and function of the Green Infrastructure network across the plateau. There are parts of the proposed SDL which it is envisaged would remain open and others would be used for strategic landscaping. Having given careful consideration to the sensitivities of the land and the opportunities for mitigation and enhancement we consider that the total land area available for development is circa 27.5 ha. This is made up of development (a) within the existing allocation and (b) through the release of land from the Green Belt as described below:
  - a. This includes land within the current Core Strategy allocation area owned by HFT and the proprietor of Sulis Manor. The allocation also includes the Odd Down Football Club, however, current indications are that they wish to remain at their current premises. In total this area comprises 33 ha gross, of which 23 ha net is available for housing once the employment area, tree belts and green infrastructure and football club have been excluded.
  - b. Immediately to the east of the existing Core Strategy allocation are two fields (known as 30 Acres North and 30 Acres South) which when viewed together appear as a large triangle. These fields are bounded by the allocation to the west, South Stoke Lane to the east and the existing built up area to the north. In addition to these, to the west of the allocation is a field known as Derrymans.

These fields are located within the Green Belt and HFT recognise their sensitivity. However, further analysis of the environmental assets (see Report attached at **Appendix 2**) reveals that a limited scale of development is achievable within 30 Acres alongside well designed landscaping. No development is proposed within Derrymans, which will remain part of the Green Infrastructure. Of the total 13.9 ha, the majority, 9.4 ha, would allow the integration of high quality multi-functional green infrastructure across the site, improving health and wellbeing outcomes as well as building resilience to impacts of climate change. Approximately 4.5 ha would be available for residential development.

54. Whilst part of the land is already allocated in the Development Plan for 300 dwellings, a modest release of Green Belt land alongside it, would deliver a total of 27.5 ha of development land suitable for residential development, including onsite provision of a single form entry primary school. Together with the supporting green infrastructure measuring 15.3 ha, this location would contribute sufficient additional dwellings to comfortably meet the threshold for a SDL. If it was allocated within the JSP this would have the following strategic benefits:

- It would increase the scale of committed development, boosting current supply and contributing towards the delivery of further open market and affordable housing targets to the tune of 500 dwellings;
- It would provide housing in a sustainable location to meet the identified needs arising from the Bath HMA; and
- It would provide certainty for the plan making process and enable the details of the allocation to be worked up through the replacement Local Plan.

55. The Report attached at **Appendix 2** was produced by Savills on behalf of the HFT with the input of heritage specialists CgMs. The Report examines the latest available evidence on landscape, heritage and Green Belt and explains how these environmental assets bear upon the scale of development achievable on the Sulis Down plateau.

## Conclusion and Proposed Changes

56. Based upon the evidence contained within this representation we draw the following conclusions:
- a. Whilst the land owned by the HFT to the south of Odd Down was previously considered by the Core Strategy Inspector, the inspector had concluded that no more than 300 dwellings were needed on the allocation at that stage; this limited the scale of the allocation. Furthermore, the 'evidence' supporting the environmental effects of development overstated the harm.
  - b. There is a strong and pressing need for additional housing at Bath to meet both the open market and affordable housing demand, however, there are no SDLs proposed to address this need within the entire Bath Housing Market Area.
  - c. From a strategic perspective, development on the edge of Bath would be entirely consistent with the important sustainability principles enshrined within the 'critical issues', 'strategic priorities', 'vision' and proposed spatial strategy explained within the first three chapters of the JSP.
  - d. Sulis Down represents an entirely suitably and sustainably located opportunity for strategic scale growth. Part of the land is already allocated for development and the evidence produced by the HFT demonstrates that this, alongside the remainder of the Sulis Down plateau, is capable of delivery within the early stages of the plan period and should be allocated as an SDL.
  - e. Through sensitive landscape-led design and masterplanning, the Sulis Down plateau is capable of delivering 27.5 ha of residential land on the edge of Bath, within a green infrastructure framework extending to 15.3 ha that mitigates and overcomes the heritage, landscape and ecological sensitivities of the land. This scale of development means that the location will make a significant contribution to the strategic housing requirements of the JSP, including affordable housing and should therefore be allocated as a SDL.
57. For the reasons outlined above, we contend that a SDL allocation at Sulis Down should be identified on the JSP Key Diagram. In addition, Sulis Down should be included within Policy 2 sub-para 4, alongside North Keynsham and Whitchurch. Policy 2 should also recognise that the Green Belt will be amended at Sulis Down, through the Local Plan, to enable the delivery of the SDL. Finally, a suitably worded policy in Section 7 of the JSP should be framed for Sulis Down SDL.

**Savills (NM)**

**9 January 2018**

**From:** Clerk Hinton Blewett [mailto:clerk@hintonblewettpc.co.uk]  
**Sent:** 11 December 2017 10:26  
**To:** Local Plan  
**Subject:** New Local Plan Options consultation

Hinton Blewett Parish Council would like to assurance that it would be consulted on any suggestion of redrawing the Housing Development Boundary.

Kind regards,  
Emily Merko  
Clerk  
Hinton Blewett Parish Council  
Bath & North East Somerset  
01761 433761  
[www.hintonblewettpc.co.uk](http://www.hintonblewettpc.co.uk)



Historic England

Planning Policy  
Bath and North East Somerset  
Manvers Street, Bath, BA1 1JG

10 January 2018

Response provided by email: [local\\_plan2@bathnes.gov.uk](mailto:local_plan2@bathnes.gov.uk)

Dear Sirs,

### **B&NES Local Plan Issues and Options Consultation**

Thank you for providing Historic England with an opportunity to consider this Issues and Options report. As the Government's adviser for the historic environment Historic England is keen to advocate to ensure the significance of the District's cultural heritage is sustained and opportunities for its enhancement are fully considered as part of a clear and positive strategy.

*Local planning authorities should set out in their Local Plan a positive strategy for the conservation and enjoyment of the historic environment, including heritage assets most at risk through neglect, decay or other threats. NPPF paragraph 126*

With regard to Q1 page 6 of the B&NES I&O report, a strength of the existing Core Strategy and Placemaking Plan is how both consider and respond to the District's cultural heritage, the City of Bath World Heritage Site and its Outstanding Universal Value. It is therefore disappointing the report makes no reference to the World Heritage Site, or the evident importance of the historic environment to the District's identity, sense of place and future economic, environmental, social well-being, and the delivery of sustainable development. The current approach to heritage management within the Core Strategy and Placemaking Plan needs to be reviewed to ensure any future expression in the Local Plan remains up to date, relevant and effective.

At this early stage it may be opportune to emphasise that a positive strategy in the terms of NPPF paragraphs 9 and 126 is not a passive exercise but will require a plan for the maintenance and use of heritage assets and for the delivery of development, including within their setting, which will afford appropriate protection for those assets and make a positive contribution to local character and distinctiveness.

Historic England believes that it is clear from the NPPF that the Government is expecting local planning authorities, through their Local Plans, to actively deliver the conservation and enhancement of the historic environment. The Government's use of the words and phrases "seeking positive improvements", "positive strategy", "deliver the conservation and enhancement" and "a clear strategy for enhancing" all demonstrate that it is not sufficient for local planning authorities to be merely reactive in the conservation and enhancement of their historic environment.

In response to this it may be helpful if you were to prepare a Heritage Topic Paper setting out the issues, opportunities, risks and challenges facing B&NES's historic environment and how the Local



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Plan, associated guidance, management plans, initiatives etc, might address these matters and fulfil national policy obligations. These issues and a coherent positive response could be informed by engaging the enthusiasm and expertise within and beyond the Council including important associations such as the City of Bath World Heritage Site Steering Group.

We would encourage the local authority to address the following key issues and opportunities:

- **Design Quality.** Careful planning and good quality design is essential to help maintain a sense of place, and local distinctiveness; encourage the innovative reuse of existing buildings; heritage-led regeneration; support for the vitality and viability of town centres; and the growth of heritage based tourism. Conversely without great care and attention there is a risk of an excessive and discordant scale, massing and height of development, resulting in the loss or erosion of landscape/ townscape character; an adverse impact on the historic integrity and setting of the District's historic settlements; a direct and or indirect impact upon individual heritage assets and their settings; traffic congestion, a reduction in air quality, noise or light pollution and other problems affecting the historic environment. In view of the further urban intensification envisaged for Bath (B&NES I&O report page 9 paragraph 3.01), the local authority is encouraged to prepare and adopt a Design and Buildings Height Supplementary Planning Document, and employ the advice and expertise of a Design Review Panel to provide greater clarity and certainty to prospective developers; help ensure design quality is secured and the Outstanding Universal of the World Heritage Site is safeguarded.
- In lieu of the decision not to proceed with a P&R to the east of Bath, the Local Plan will no doubt provide a refreshed and coherent transport/traffic and movement strategy.
- The Local Plan will need to acknowledge and respond to the growth potential of the tourist visitor economy, currently 9% of GDP, an 8.1% increase since 2010, and by 2025, the total contribution of tourism to the UK is forecast at £324 billion and 4.6 million jobs (Dellotte/Oxford Economics). What are the implications for Bath, how can they be planned for and how can the opportunities be realised? The local authority should reflect and incorporate the emerging Destination Management Strategy within the Local Plan to ensure the growth in visitor numbers to the Bath World Heritage Site is planned for.
- The Local Plan needs to acknowledge and reflects the City of Bath World Heritage Site Management Plan.

We hope a topic paper will enable you to address the above, setting out the (clear and up-to-date) evidence, initiatives and commitments in place (or to be initiated) to inform a clear and positive heritage strategy within the Local Plan.

### **Identifying suitable locations for the delivery of sustainable development**

The planning system in England is based on the principle of sustainable development and heritage plays an increasingly important role in stimulating regeneration and informing sustainable growth, securing positive change that helps safeguard our historic places and heritage assets. Historic England will continue to respond constructively to the positive opportunities provided by new development suggested in the emerging Plan.

The following references in legislation and national policy recognise the finite and irreplaceable nature of the nation's heritage assets and will need to be acknowledged:



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1. Great weight should be given to the conservation of heritage assets (NPPF Paragraph 132);
2. Special regard must be given to desirability of preserving the setting of a listed building and special attention must be given to desirability of preserving or enhancing the character or appearance of a conservation area in the exercise of planning functions (S66 & S72, Planning (Listed Buildings and Conservation Areas) Act 1990);
3. Development will be expected to avoid or minimise conflict between any heritage asset's conservation and any aspect of the proposal (NPPF Paragraph 129);
4. Harm should always be avoided in the first instance. Only where this is not possible should mitigation be considered (NPPF Paragraph 152). Any harm and mitigation proposals need to be fully justified and evidenced to ensure they will be successful in reducing harm.

We note the suggested spatial strategy and infrastructure required to accommodate future growth and appreciate that a consideration of the significance of the District's historic environment is, and will continue to be an important factor noting the above legislative and policy context.

The following comments relate to the two major allocations proposed at Whitchurch and Keynsham.

### **Whitchurch**

Historic England welcomes the Whitchurch Historic Environment Appraisal (LUC/Conservation Studio November 2017) which provides essential evidence to inform both the WOE Joint Spatial Plan and the emerging B&NES LP. It does however highlight, unfortunately, as does the Sustainability Appraisal, the very real potential harm to the significance of a number of heritage assets and the historic landscape. To address statutory and national policy tests the local authority will need to demonstrate more explicitly, and at the plan making stage, how such a major development and infrastructure (e.g. link road to the west affecting the setting of Lyons Ct Farmstead and St Nicholas Church) could take place in an appropriate location and form responding to the challenges emphasised by the evidence base as it may well affect fundamental planning matters such as the potential location and quantum of development.

The implications for the setting of heritage assets should not be overlooked or 'parked' to a later application stage. Where this may be appropriate in some situations Planning Policy Guidance (PPG) is clear that where sites are proposed to be allocated in a development plan, sufficient detail should be given to provide clarity about the nature and scale of development (addressing the 'what, where, when and how' questions). We would also refer to the above statutory and policy tests that need to be addressed to ensure the Plan is Sound.

The PGG is also clear that evidence needs to inform what is in the plan and shape its development rather than being collected retrospectively.

### **Keynsham**

Historic England would emphasise the archaeological sensitivity of the site mindful of the proximity of the former Roman settlement to the west. Could we advise early involvement of the local authority archaeologist and the relevant Historic England Inspector of Ancient Monuments.



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I sincerely hope that our advice can help ensure growth complements the District's special historic character and internationally renowned heritage assets. We look forward to continuing to work constructively with you on this important planning document.

Yours sincerely

Rohan Torkildsen BaHons DipUD MRTPI  
South West and West Midlands Historic Environment Planning Adviser  
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