



Inspector's Report

May 2006

Bath & North East Somerset Local Plan
including minerals & waste policies



BATH & NORTH EAST SOMERSET



The Planning Inspectorate

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April 2006

Mr Everitt
Chief Executive
Bath and North East Somerset Council
Guildhall
High Street
Bath
BA1 5AW

Dear Mr Everitt

Report on objections to the Bath and North East Somerset Local Plan Including Minerals and Waste Policies 1996 - 2011.

As you know, I was appointed by the First Secretary of State to hold a public inquiry into objections to the above mentioned plan. My colleague Mr Roy Foster was also appointed to assist me in holding the inquiry, and Mr Simon Emerson was later appointed to assist in the writing of the report. The inquiry was held between the 8 February and the 6 May 2005; it sat on 33 days; and was formally closed by letter dated 27 May 2005.

The Bath and North East Somerset Local Plan was placed on deposit for a period of six weeks ending 29 February 2002. The revised deposit plan was placed on deposit for a period of six weeks ending on the 11 December 2003. A first set of Pre-inquiry Changes (PICs) to the Local Plan were placed on deposit for a six week period ending 30 September 2004, and a set of Further Pre-inquiry Changes (FPICs) were placed on deposit for a six week period ending 20 January 2005. Some 22 minor changes were put forward as Inquiry Changes (ICs) under delegated authority and as agreed with the Executive Member for Sustainability and the Environment and some comments on these were received during the inquiry. I have had regard to all these changes in the consideration of the objections. A complete set can be found in the Local Plan library.

At the opening of the inquiry, there were:

2379 outstanding duly made objections and 663 outstanding duly made supports to the Deposit Draft Local Plan (DDLDP)

1607 outstanding duly made objections and 1125 outstanding duly made supports to the Revised Deposit Draft Local Plan (RDDLP)

175 outstanding duly made objections and 86 outstanding duly made supports to the PICs

133 outstanding duly made objections and 12 outstanding duly made supports to the FPICs

In total there were some 176 conditional withdrawals of representations.

A Pre Inquiry Meeting (PIM) was held on the 19 October 2004. Prior to, during and after the inquiry I carried out visits, mostly unaccompanied, to view those sites the subject of objection.

Format of the Report

The template for the report was prepared by the Programme Officer on behalf of the Council. It largely follows the order of the plan itself, although I have made some amendments where it makes for more logical and efficient reporting. The representations considered are those listed by the Council in the template. As agreed with the Council, the draft Sections on housing and shopping were submitted to the Council officers in draft, followed by the remaining sections of the report. Where appropriate I have dealt with any factual matters raised by the Council in my final report.

For each item in my report I list the policy and/or the paragraphs, or objection site. This is generally followed by a list of objections and supporting representations. However, where the number of representations is significant, they are listed separately in Appendix 1 to the report. A full list of representations, both supporting and objecting, is deposited in the Local Plan library together with complete lists of inquiry documents and inquiry appearances produced by the Programme Officer.

All references in the report are to the consolidated version of the Local Plan March 2005 (inquiry document A2.1.28). Under each heading within the report I list the main issues arising from the objections, then set out my reasoning on those issues and my consequent recommendations. I do not summarise the arguments for the parties, and mainly respond to the generality of the issue rather than the specific points raised by each representation. My recommendations relate to the consolidated version of the plan. This means that where I recommend no change, I am endorsing any pre-inquiry change which is included in that document. Changes put forward during the inquiry (ICs) are not included in the consolidated plan and therefore are highlighted where appropriate in my recommendations.

The scope of the recommendations

In my recommendations I have concentrated on the policies themselves, suggesting their rewording where appropriate, and in places the rewording of the supporting text. I generally found the plan to contain an unnecessary level

of detailed narrative which in places I have recommended to be deleted or substantially edited. The text should set out the reasoned justification for the particular policy which it supports. It is unnecessary to explain in detail the existing circumstances or history behind the approach adopted in the plan. However, it has not been feasible to carry out the comprehensive job of editing the text which I consider would be required in order to achieve a succinct and focussed plan. I have therefore concentrated my recommendations for deletions and changes to the text where these are straightforward or where they are of importance to the strategy of the plan.

There are a number of areas within the plan where the policies overlap or are repetitive. Where appropriate I have recommended the deletion or amalgamation of policies, but as for the editing of the text, it has not been feasible to recommend all the changes which I consider would be necessary to deliver a comprehensive but well directed set of policies. I have concentrated on those policies where a change is straightforward or where the policy is critical to the strategy of the plan, and there may be places where the council will need to redraft the wording of the supporting text to reflect the revisions made to a policy.

In general terms I have supported the overall strategy of the plan, but have concerns as to the Council's proposals for its implementation. In particular I find insufficient evidence to support the Council's view that the Bath Western Riverside would deliver the high level of residential development during the plan period to enable the deletion of the proposals for the release of land from the Green Belt at Keynsham which would accord with the policies of the Joint Replacement Structure Plan. In addition, I recommend against the level of retail development proposed for the Western Riverside site. I consider that a large scale retail development on this out of centre site would constitute a risk to the proposals for Southgate and to the vitality and viability of retailing within the historic city centre as it readjusts following the redevelopment of Southgate. Furthermore there are other sequentially preferable sites for city centre type retail development which should be investigated as part of the development of a city centre shopping strategy. In view of my conclusions regarding Western Riverside the Council may wish to pursue a less ambitious but potentially more readily deliverable scheme for the redevelopment of this important site in the Local Plan.

My conclusions in relation to the strategic housing land requirement are also significant. Whilst the plan is clearly based on the policies of the JRSP, that only runs to 2011. The context to 2016 as set out in RPG10 is an important consideration in order to ensure that the approach taken in this plan does not prejudice the long term provision of housing land in the District. I therefore recommend that the housing requirement in Policy HG.1 be revised from 6,200 dwellings to 6,855 dwellings by 2011 to take the RPG10 provision into account.

In terms of individual housing allocations, the most significant changes which I recommend are the reduction in the contribution to housing land supply from the development of Western Riverside and the deletion of the MoD Foxhill allocation. With other amendments I recommend to the level of provision to be expected from allocated sites, I calculate a shortfall in provision of some 1190 dwellings.

Having considered all the sites proposed in the DDLP and put forward by objectors, I identify sites for the Council's further consideration which could be released to make up the shortfall having regard to national and JRSP policy.

As you are aware, Government published draft PPS3 on housing after the close of the inquiry, and as a result I do not base my reasoning or my recommendations on the emerging statement of national policy. However, by taking a pragmatic approach to the availability of housing sites and recommending the higher rate of housing land supply implied by RPG10, my recommendations aim to ensure the plan provides at least a five year supply of developable land which is suitable, viable and available. With these changes in place, I consider that the policies of the plan would accord with the direction of travel set out in emerging Government policy.

I recommend substantial changes to the employment policies of the plan, which link them firmly to the findings of the Business Location Requirements Study (BLRS) prepared for the Council by Roger Tym & Partners/Cluttons and published in an updated final version in October 2003. The brief set for the BLRS is recognised as a "good practice example" in the recent national guidance on undertaking reviews of the adequacy of employment land. The changes I recommend provide a clear and realistic policy context for the future of employment land provision in the District, based on a commercially informed study.

As regards the Green Belt, I take the view that apart from the change to the boundary at Keynsham to provide for housing land, there is no remit in the JRSP for further changes to its extent or detailed boundary. The approach to Green Belt set out in RPG10 does not in my view support the ad hoc release of Green Belt land in this plan, but provides for a wider review as part of the next round of development plan preparation. I do find exceptional circumstances to justify a release of land for the expansion of the University, but I recommend against the release of land at Newbridge for a new park & ride, transport interchange and waste transfer facility.

Adoption of the Plan

I am very aware of the pressures on the Council to adopt the Plan prior to the 21 July SEA deadline, and the delay which could be incurred in the event of a Modifications Inquiry being held. The consolidated version of the Plan incorporates the PICs and FPICs which were subject to public consultation, and the responses to the public consultation have been considered through the Local Plan Inquiry. Therefore where I recommend no change to the consolidated version of the plan, it is unlikely to be necessary for the Council to take that part of the plan to a Modifications Inquiry.

Similarly, where I have recommended a change which reinstates a proposal included in the First Deposit Local Plan, such as the release of the land at Keynsham, those proposals have been subject to public consultation and whilst some objections were withdrawn, I have considered those which were not, or which were conditionally withdrawn. Clearly the Council will need to give careful thought to each of these recommendations and whether there would be

prejudice to any party if they were to be adopted without a Modifications Inquiry, but there should be opportunities for the Council to do so in a number of instances.

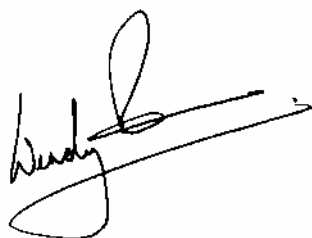
It is where I have recommended changes which have not been through public consultation that a Modifications Inquiry might be required. In order to avoid the consequent delay to the adoption of the full plan following a possible Modifications Inquiry, the Council may wish to consider the option of adopting only those parts of the plan which, if my recommendations are accepted, it would not be necessary to take through the modifications procedures. Whilst it is not entirely satisfactory to have a plan which does not cover all the matters set out in the consolidated plan, it would ensure that housing sites excluded from the First Deposit Draft can be brought forward in accordance with an adopted plan policy. Thus the supply of housing land in the District would be maintained whilst the Council progress the work on the new LDF. Those parts of the plan which are not adopted, together with the recommendations which I make on them, would then inform the work on your emerging LDF, bearing in mind the level of public consultation to which they have been subject.

Other matters

I wish to place on record my appreciation of the very hard work carried out by the Council's advocates and all their witnesses together with the Programme Officer Christine Self in ensuring the smooth running of what was a challenging timetable for the completion of the inquiry. All the participants adapted readily to the varying formality and procedures which I adopted in hearing the evidence at the inquiry. I would also like to record my thanks to my colleague Roy Foster who held some important inquiry sessions and drafted the relevant parts of the report, and to Simon Emerson who stepped in to speed the delivery of the report when I had been indisposed.

A copy of this letter has been sent for information to the Government Office for the South West and to the Office of the Deputy Prime Minister.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Wendy J Burden', with a long horizontal flourish extending to the right.

Wendy J Burden BA Dip TP MRTPI

Inspector

The abbreviations used in the report are:

2004 Act	Planning and Compulsory Purchase Act 2004
AONB	Area of Outstanding Natural Beauty
BAP	Biodiversity Action Plan
BLRS	Business Location Requirements Study
B&NES	Bath and North East Somerset
BWR	Bath Western Riverside
CA	Conservation Area
C&TCS	City and Town Centres Study
CD	Core Document
CPO	Compulsory Purchase Order
DPD	Development Plan Document
EA	Environment Agency
ES	Environmental Statement
FPC	Further Proposed Change
FDDLPL	First Deposit Draft Local Plan
FSS	First Secretary of State
GOSW	Government Office for the South West
HA	Highways Agency
HDB	Housing Development Boundary
JRSP	Joint Replacement Structure Plan
LDF	Local Development Framework
LDS	Local Development Scheme
LP	Local Plan
LPA	Local Planning Authority
LRT	Light Rapid Transit
LTP	Local Transport Plan
MEDS	Major Existing Developed Site
ODPM	Office of the Deputy Prime Minister
PIC	Pre-Inquiry Change
PMM	Plan, Monitor and Manage
POS	Public Open Space
PPG	Planning Policy Guidance Note
	2 Green Belts 1995
	3 <i>Housing, 2000</i>
	4 <i>Industrial and Commercial Development and Small Firms, 1992</i>
	6 <i>Town Centres and Retail Development, 1996 (as clarified) (replaced by PPS6)</i>

	7	<i>The Countryside – Environmental Quality and Economic and Social Development, 1997 and as amended March 2001 (replaced by PPS7)</i>
	8	<i>Telecommunications, 2001</i>
	9	<i>Nature Conservation, 1994</i>
	12	<i>Development Plans, 1999</i>
	13	<i>Transport, 2001</i>
	15	<i>Planning and the Historic Environment, 1994</i>
	16	<i>Planning and Archaeology, 1990</i>
	17	<i>Sport and Recreation, 2002</i>
	21	<i>Tourism, 1992</i>
	24	<i>Planning and Noise 1994</i>
	25	<i>Development and Flood Risk, 2001</i>
PPS		Planning Policy Statement
	1	<i>Delivering Sustainable Development, 2005</i>
	6	<i>Planning for Town Centres, 2005</i>
	7	<i>Sustainable Development in Rural Areas, 2004</i>
	12	<i>Local Development Frameworks, 2004</i>
	22	<i>Renewable Energy 2004</i>
	23	<i>Planning and Pollution Control 2004</i>
PUA		Principle Urban Area
RDDLDP		Revised Deposit Draft Local Plan
RPG		Regional Planning Guidance
RSL		Registered Social Landlord
RSS		Regional Spatial Strategy
SAM		Scheduled Ancient Monument
SEA		Strategic Environmental Assessment
SNCI		Site of Nature Conservation Importance
SPD		Supplementary Planning Document
SPG		Supplementary Planning Guidance
SSSI		Site of Special Scientific Interest
SUDS		Sustainable Urban Drainage Systems
TP		Topic Paper
TPO		Tree Preservation Order
UHCS		Urban Housing Capacity Study
WEHNAM		West of England Housing Need Affordability Model.
WWTP		Waste Water Treatment Plant

SECTION 1 - Chapters A1 – A5

General Objections

88/B19	William & Pauline Houghton	A1
461/B11	Hinton Blewett Parish Council	GENERAL
502/B20	Camerton Parish Council	GENERAL
564/B40	London Road Area Residents Association	GENERAL
578/B88	Norton Radstock Town Council	GENERAL
1904/B2	Ms B Cohn	GENERAL
3067/B1	Mr M A Seymour & Mrs E A McMartin	GENERAL
3186/B5	Chew Magna Parish Council	GENERAL
3257/B14	Somer Valley Friends of the Earth	GENERAL
3273/B1	Bath & District Community Health Council	GENERAL
3298/B1	Cam Valley Wildlife Group	GENERAL
3298/B20	Cam Valley Wildlife Group	GENERAL
3310/B2	Ms A Harding	GENERAL
743/C32	Combe Hay Parish Council	GENERAL/A
3533/C6	Network Rail Infrastructures Ltd	GENERAL/A

Supporting Statement

1867/B1	Mr C R Hackett	GENERAL
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Issues

- i) Whether the Plan should address existing problems that affect local residents such as flooding, disruption of electricity and water supplies, overgrowing roadside hedges, lack of facilities for local children and indiscriminate parking.
- ii) Is the Proposals Map readily understandable by the public, does it adequately explain proposals and is it on an accurate base map?
- iii) Should the plan highlight Networks Rail's operational and safety requirements?
- iv) Does the plan give sufficient priority to the conservation and enhancement of biodiversity?
- v) Should a more comprehensive Index be included?
- vi) Should places such as Twerton on Avon be distinguished from the City Centre?

Inspector's Reasoning

Issue i)

- 1.1 The Local Plan deals with matters which can be controlled under the Town and Country Planning Acts, normally as a result of proposals for new development. It can have little influence on many existing environmental and social problems. The provision of play space for children and of car parking are relevant matters in relation to the demands generated by new

development. I am satisfied that the plan addresses all matters which legitimately come within the scope of a Local Plan.

Issue ii)

- 1.2 I have some sympathy with objectors who find the different notations on the Proposals Maps difficult to pick out and understand. This is primarily due to the multiplicity of notations and designations generated by the policies in the plan. The Proposals Map in the adopted plan will, however, be simpler as a result of changes made in the RDDLP (such as the deletion of the landscape character areas) and the implementation of recommendations in this report to remove other designations from the Proposals Map. I have no specific recommendations to make on presentation, which is primarily a matter for cartographic expertise.
- 1.3 The Proposals Map needs to be read in conjunction with specific policies and proposals of the Local Plan. It is not the place for additional explanation, which would only add to its visual complexity. I consider that no additional information is necessary. The Proposals Map uses an OS base map. A number of objectors highlight where this base map is out of date. The Council indicate that the OS is updating the survey information for the District and it would be helpful if the Council were able to use a more up to date base for the Proposals Map when the Plan is adopted. But in my view, nothing material turns on the accuracy of the base map and I find no significant fault with the approach taken.

Issue iii)

- 1.4 There are allocations in the plan which adjoin operational railway land. I recognise the importance of safety on the rail network and of Network Rail being able to undertake its necessary operational works, but I see no reason why these matters need to be flagged in the plan. Allocations in the plan do not override landownership and Network Rail would normally be consulted on any planning application on land adjoining a railway. They would then have the opportunity to comment on matters such as security and tree planting.

Issue iv)

- 1.5 The plan has a Chapter on the Natural Environment which contains a number of policies to achieve the protection of biodiversity. The plan must be considered as a whole (as stated in paragraph A1.14). It is not necessary for the aims of the policies for the protection of the natural environment to be repeated in other policies for them to remain relevant. This approach is not undermined by the use of the phrase "development will be permitted" in many policies. It is self evident that such a permissive approach is applicable only to the criteria in that particular policy. Nor do I attach any significance to the frequency with which particular issues are mentioned in the plan. The significance of an issue is not determined by the number of references made to it, especially when, in my view, there is considerable unnecessary repetition. There needs to

be less repetition not more. I note that Key Objective E.3 is "to secure the effective stewardship of the area's biodiversity (wildlife and habitats), and geology". I consider that this provides a clear and adequate aim for the protection of biodiversity on which the detailed policies effectively build.

Issue v)

- 1.6 There is a list of contents at the beginning of the plan, and the Council proposes to add an index with chapters and paragraph headings to the final plan. The format and presentation of the document is essentially a matter for the Council and not one on which I intend to make any recommendation.

Issue vi)

- 1.7 I can understand the desire of some objectors who wish to distinguish their parts of the built-up area of Bath from the city centre, but I see no need to do so in relation to the policies of the plan. Where there is a need for regeneration and improvement, the new system of LDFs will provide the opportunity for Action Area Plans to be developed to deal with the particular issues in parts of a city. But I have no evidence to conclude that there is a need for further policies in this plan to deal with particular neighbourhoods within the wider area of Bath.

Recommendation: no change

A1 - Introduction - Paragraphs A1.1-A1.26

686/B27	Bath Preservation Trust	A1.1
686/B28	Bath Preservation Trust	A1.10
878/B38	The Bath Society	A1.19
578/B20	Norton Radstock Town Council	A1.20
578/B81	Norton Radstock Town Council	A1.20
3257/B17	Somer Valley Friends of the Earth	A1.20

Supporting Statement

505/B23	Bathampton Parish Council	A1.25
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Issues

- i) Should paragraph A1.1 refer to the development plan, including the Structure Plan?
- ii) Should paragraph A1.10 include reference to the World Heritage Site (WHS) Management Plan?
- iii) Does the reference to "strategies of the Council and other organisations" need clarification?

- iv) Should reference be made to growth during the Regency Period?
- v) Is the population figure for Norton-Radstock up to date?
- vi) Should this section of the plan highlight biodiversity and the area's wealth of wildlife?

Inspector's Reasoning

Issue i)

- 1.8 When adopted the Local Plan will form part of the Development Plan together with the regional spatial strategy and the structure plan. Section 38(6) of the 2004 Planning and Compulsory Purchase Act refers to regard being had to the development plan, and any determination being made in accordance with the plan unless material considerations indicate otherwise. Thus on its own the Local Plan cannot necessarily be the single most important consideration in the determination of planning applications. The final sentence of A1.1 is misleading, but I do not consider that the change put forward by the objector improves the wording. In my view the content of this entire paragraph is very generalised and adds nothing of value to the plan. The local plan would benefit from having less text. I recommend that A1.1 is deleted.

Issue ii)

- 1.9 Section A contains several references to the WHS. Chapter C3 includes much detail on the WHS. Reference to the WHS Management Plan in paragraph A1.10 would not add to the understanding of the plan and its policies.

Issue iii)

- 1.10 Paragraph A1.10 contains a cross reference to paragraphs A2.1 to A2.4. This cross-reference is helpful. The text in Section A2 provides the clarification sought by the objectors. It is not clear, however, why the cross reference refers only to paragraphs A2.1 to A2.4. All of Section A2 is relevant and should be included in the cross-reference, if paragraph A1.10 is retained.
- 1.11 This paragraph is followed by the first of a number of "Quick Guides". These raise the question: what are they quick guides to? A number of the Quick Guides amplify matters in the main text. In that sense they are not something which add to an understanding of the plan, but are an invitation to the reader to explore a topic in more detail. In my view, picking out this material and putting it in a box gives the material more prominence than it warrants and confusingly draws the reader's attention to matters that make more sense when read in context rather than in isolation. I therefore consider it easier for users of the plan to absorb this material when it is presented as a coherent part of the narrative. In my view, these guides should be deleted and where any part of their content is relevant to the reasoned justification for the plan's policies it should be

incorporated in the main text. Succinctness in a Local Plan is an advantage to all users.

- 1.12 In relation to Quick Guide 1, it shows the timetable for the preparation of the Local Plan. The process is also referred to in the Foreword. But once the plan is adopted this background will be of little relevance and only a brief reference in the Forward would be sufficient. More generally, the whole of section A1.5- A1.11 would become redundant on adoption. The Council should review whether there is need for this section at all.

Issue iv)

- 1.13 The Council contend that the Regency period was not as significant as the Georgian era for the growth of the City and therefore has not been highlighted. The historic description in paragraph A1.19 is of little relevance to the policies and proposals in the plan and not a matter on which I need make any recommendation.

Issue v)

- 1.14 The Council state that the population figure for Norton-Radstock is based on the 1991 Census, but that it will be up-dated once the results of the 2001 Census are published. It is clearly beneficial for the population of the district and of the main towns to be accurately noted in the plan. There is no point in me recommending the insertion of an estimate made by the Town Council if a census figure is, or will be, available. The Council should update this figure if more accurate figures are available.

Issue vi)

- 1.15 This section of the plan provides a brief outline of the settlements in the plan area. More information on ecology and biodiversity is provided elsewhere in the plan, in particular in Chapter C2. Additional reference here would neither be appropriate in the context of this section nor necessary given that the issue is covered elsewhere. No change is therefore recommended.

Recommendations:

- R1.1 Modify the plan by deleting paragraph A1.1 and Quick Guide 1.
- R1.2 The Council to consider whether there is any need to retain sections A1.5- A1.11. If paragraph A1.10 is retained, the cross-reference at the end of the final sentence should be replaced with "(see Section A2)".
- R1.3 The Council to update population figures (such as in paragraph A1.20).

Chapter A2, Paragraphs A2.1-A2.16, Diagram 2

564/B39	London Road Area Residents Association	Diagram 2
686/B32	Bath Preservation Trust	A2
686/B33	Bath Preservation Trust	A2.3
732/B12	Swainswick Parish Council	A2.3
686/C135	Bath Preservation Trust	A2.3/B
3570/C10	Bath Spa University College	A2.3/B
3570/C8	Bath Spa University College	A2.5A/A
88/B20	William & Pauline Houghton	A2.8
3264/C16	Landscape Estates Ltd	A2.10A/A
686/B35	Bath Preservation Trust	A2.13
689/B9	British Horse Society	A2.14
110/B2	Sport England South West	A2.15
1427/B17	Environment Agency	A2.15

Supporting Statements

1427/B16	Environment Agency	A2
3251/B58	Prospect Land Ltd	A2.2
3298/B19	Cam Valley Wildlife Group	A2.4
3116/C47	Bath & North East Somerset Allotment Association	A2.5A/A
686/B34	Bath Preservation Trust	A2.8
878/B4	The Bath Society	A2.8
3251/B57	Prospect Land Ltd	A2.12

Issues

- i) Should this section include a reference to the WHS?
- ii) Does paragraph A2.3 adequately explain how conflicting priorities will be resolved?
- iii) Should a reference be made in paragraph A2.5A to the Universities?
- iv) Is sufficient priority given to tackling Bath's traffic problems and should 'horse riding' be highlighted?
- v) Whether the Structure Plan objectives in QG 3 should be amended?

Inspector's Reasoning

1.16 The RDDLP makes a correction to Diagram Two to show the Lambrook/Avon confluence; an omission highlighted by an objector. The RDDLP deletes the list of PPGs and MPGs. It is not necessary to list this national guidance and the removal of the list obviates any concerns about its comprehensiveness.

Issue i)

1.17 I recognise that the WHS status of Bath is a very important consideration, but it is not necessary to include further reference to it in this section of the plan. The WHS Management Plan does not have the same planning status or over-arching relevance to the Local Plan as the other documents highlighted in this section.

Issue ii)

- 1.18 Objectors have a variety of concerns about the wording of paragraph A2.3. In my view, the paragraph does not explain how conflicting priorities will be addressed. Anticipating having to make trade-offs between competing objectives undermines the principle of sustainable development set out in paragraph A2.2. In my view, the plan aims to set out policies to achieve sustainable development and does not give guidance as to how trade-offs between conflicting policies will be resolved. Where such conflicts arise it will be for the decision-maker to assess the overall balance of considerations. I consider that paragraph 2.3 should be deleted. Its omission would not lessen the public's understanding of how the plan will be used and would avoid the need to add any of the caveats sought by objectors.
- 1.19 This paragraph follows QG 2. I have already commented on the use of this device which I consider detracts from the flow of the plan. I recommend that this is deleted and that if reference is to be made to the National Sustainable Development Objectives it is done in the text of paragraph A2.2.

Issue iii)

- 1.20 Paragraph A2.5A identifies the role of the Community Strategy in setting the long term vision for the area. A reference to particular institutions, such as the Universities, would introduce an inappropriate level of detail to this section of the plan. It is not necessary to insert the word 'education' into the second sentence of the paragraph. This is covered by the broader categories of 'social' and 'economic'. Since the publication of the RDDLP paragraph A2.5A has been updated to acknowledge that the Community Strategy has now been adopted.

Issue iv)

- 1.21 This section of the plan is essentially setting the scene rather than seeking to highlight particular policies or projects. Paragraphs A2.6 to A2.10A of the plan outlines the main policy considerations for the District contained in Regional Planning Guidance (RPG). It is not the place to set out the Council's own priorities. Paragraph A2.8 summarises the RPG's guidance for Bath and refers to the need to give high priority to reducing road traffic and congestion affecting the City. The Council's policies and priorities for addressing this issue are set out in other chapters of the plan and I comment on specific objections to those policies in due course. No additional wording about traffic and transport should be introduced here.
- 1.22 In the same way that paragraphs A2.6 to A2.10A outline the context of the RPG, paragraphs A2.13 to A2.14 highlight themes from the Local Transport Plan (LTP) in order to provide a context for the remainder of the plan. Thus a change to this text which introduces a different policy stance or the inclusion of specific proposals/measures would be inconsistent with

the general context of this section of the Local Plan and with what the LTP actually says.

- 1.23 For the above reasons, it would be inappropriate to include a reference to "horse riding" under the second bullet point of paragraph A2.14 since this would not then accurately reflect the themes of the LTP.

Recommendations:

R1.4 Modify the plan by deleting Quick Guide 2 and, if reference to the National Sustainable Development Objectives is to be retained, incorporate in paragraph A2.2;

R1.5 Modify the plan by deleting paragraph A2.3.

Chapter A3, Paragraphs A3.1-A3.8 and Key Objectives OS1-OS4

686/B37	Bath Preservation Trust	Quick Guide 3
732/B13	Swainswick Parish Council	Quick Guide 3
3299/B37	Bovis Homes (South West Region) Limited	Quick Guide 3
88/B21	William & Pauline Houghton	A3
3257/B13	Somer Valley Friends of the Earth	A3
745/B36	South Stoke Parish Council	A3.1
2118/B1	Mr S C Banks	A3.1
3266/B2	O A G Stephens Limited	A3.3
578/B21	Norton Radstock Town Council	A3.7
3570/C7	Bath Spa University College	A3.7BB
2303/B4	Wellow Residents Association	Key Objective OS.2
3099/B1	Barratt Bristol Limited(Mr A T P Joliffe)	Key Objective OS.3
3098/B1	George Wimpey Strategic Land	Key Objective OS.4

Supporting Statements

686/B36	Bath Preservation Trust	Quick Guide 3
878/B5	The Bath Society	Quick Guide 3
696/B6	South West RSL Planning Consortium	A3.3
120/C153	Ms Helen Woodley	A3.3/A
696/C40	South West RSL Planning Consortium	A3.3/A
3251/B49	Prospect Land Ltd	A3.4
696/C41	South West RSL Planning Consortium	A3.4/A
695/B22	Society of Merchant Venturers	A3.5
3251/B56	Prospect Land Ltd	Key Objective OS.2
696/B7	South West RSL Planning Consortium	A3.8

Issues

- i) Whether the Structure Plan objectives in QG 3 should be amended.
- ii) Does the plan set out a meaningful vision and is this reflected in the Key Objectives for the Overall Strategy?
- iii) Should the wording of the Key Objectives be changed?

- iv) Whether comprehensive monitoring is required to ensure the delivery of balanced communities.
- v) Whether the plan should explain how it meets the objectives set out in Section A.3.
- vi) Whether specific reference to the Universities should be included.

Inspector's Reasoning

Issue i)

- 1.24 QG 3 sets out the objectives for the plan as derived from the Joint Replacement Structure Plan (JRSP). Point (8) is taken directly from Policy 2(h) of the JRSP. In such circumstances, it would be inconsistent with the JRSP to amend the Quick Guide as sought by objectors. In my view, the summary of the objectives of the JRSP as set out in the RDDLP is reasonable. But for the reasons already given, I consider that all the QGs should be deleted. I see no need to set out in detail the key objectives of the JRSP since they can be readily found in that document.

Issues ii) and iii)

- 1.25 I find the opening part of this chapter (paragraphs A3.1-A3.7) to be confusing and unhelpful.
- 1.26 The 'vision' section does not contain a vision itself, but instead refers to the Local Agenda 21 vision which is set out in QG 4. Since the Local Agenda 21 vision is only one of the considerations outlined in paragraph A3.3 and in the earlier part of the plan, this does not represent a balanced vision. The vision set out in QG 4 is not focussed on the particular role of the Local Plan, is lengthy and wide ranging. It seems to me that the vision contained in the Local Agenda 21 process should inform the vision and objectives of the plan rather than simply be adopted as the vision of the plan. The plan does not explain why the vision in the Local Agenda 21 has been adopted and not other visions, such as that in the Community Strategy (highlighted in A2.5A).
- 1.27 The section following "vision" is entitled "balanced communities". Here the achievement of 'balanced communities' is put forward as the overriding objective for the local plan. But the explanation of what balanced communities means does not, in my view, encompass the protection of the natural environment and wise use of finite resources. The latter considerations are clearly important to the Council since they appear as a number of specific key objectives. Thus I find that that balanced communities is too narrow to be the logical overriding objective of this plan. I do not see how balanced communities directly flows from the vision.
- 1.28 I believe that the opening section of this Chapter should, if possible, set out a clear, succinct vision on which the objectives which follow can be based. There is no need for the plan to state that it takes into account

government guidance, or that the Council has been working with partners to produce a Local Agenda 21 vision, as the background to the plan has already been established.

- 1.29 Contrary to one suggestion by an objector, the vision statement in the plan will need take into account the reality of the planning system and other prevailing circumstances. The vision should concentrate on what the Council wish to achieve over the duration of the plan period. Inevitably such a vision will be a general statement and would not be measurable against specific outcomes.
- 1.30 The vision for the plan should be the Council's, not mine or that of particular objectors. I therefore do not suggest any particular form of words. If a clear, succinct vision cannot be expressed, then I recommend that paragraphs A3.1-A3.4 be deleted.
- 1.31 In accordance with my recommendations above, I also propose the deletion of QG 4. The Local Agenda 21 vision that this sets out should inform the vision for the Local Plan, but I see no value in reproducing it at length here.
- 1.32 Paragraph A3.7 follows the heading "Overall Strategy", but it is primarily concerned with public participation in the local plan process. Once the plan is adopted, this aim will no longer be relevant. The last sentence of the paragraph refers to quality in design. There then follows what are described as "Key Objectives - Overall Strategy" with objectives relating to high quality design, safe and accessible environments, and mixed use, high density developments. Whilst I accept that these are all important, they are surely the main means of achieving the other objectives of the plan, rather than an expression of an "overall strategy". These objectives are similar to some of the specific policies in the plan. In addition, they are closely related to national planning objectives and so add nothing specific to B&NES. Apart from the single sentence on design there is no explanation as to why these have been identified as the objectives of the overall strategy. Given the apparent priority attached to these objectives, I can understand objectors' concerns that they are too narrow in focus and prejudice other considerations.
- 1.33 In my view, these 3 objectives do not assist the flow of the plan from a (possible) vision, through broad objectives to specific policies. I see no real purpose in trying to define objectives for the overall strategy. The individual objectives in the sections that follow provide a comprehensive set of aims. (In its response to these objections, the Council appears to include objectives L, E and T within the "overall strategy" but this is not consistent with the structure of the headings used in the plan.) I therefore consider that the heading "Overall Strategy" paragraph A3.7 and the Key Objectives - Overall Strategy (OS1-OS3) should be deleted. This would contribute to making the introductory text more focussed and overcome a number of objectors' concerns about the scope of the first set of objectives.

Issue iv)

1.34 The issue of monitoring is addressed in Chapter A4 of the plan. This includes a number of targets and indicators relating to the key objectives set out in Chapter A3. No change is needed in response to this objection.

Issue v)

1.35 Chapter A4 of the plan sets out how the Council will seek to implement the objectives in Chapter A3. Additional text on this matter in Chapter A3 would lead to unnecessary duplication and I recommend no change.

Issue vi)

1.36 In my view, the Universities are included within the term "organisations" in paragraph A3.7. The inclusion of only one named body (such as a University) would lead others to believe that they had been excluded, when this was not the intention. In any event, I have concluded that this whole paragraph should be deleted.

Recommendations:

R1.6 Modify the plan by deleting paragraphs A3.1-A3.4 and, if possible, by inserting a clear, succinct vision relevant to the task of the Local Plan.

R1.7 Modify the plan by deleting heading "Overall Strategy", paragraph A3.7 and the Key Objectives – Overall Strategy (OS.1-OS.3).

R1.8 Modify the plan by deleting Quick Guide 4.

Chapter A3 - Key Objectives L.1-L.14

3299/B6	Bovis Homes (South West Region) Limited	Key Objective L.1
3098/B2	George Wimpey Strategic Land	Key Objective L.7
3299/B39	Bovis Homes (South West Region) Limited	Key Objective L.7
3299/B8	Bovis Homes (South West Region) Limited	Key Objective L.9
3098/B3	George Wimpey Strategic Land	Key Objective L.12
110/B3	Sport England South West	Key Objective L.14

Supporting Statements

3251/B55	Prospect Land Ltd	Key Objective L.2
1427/B18	Environment Agency	Key Objective L.3
3251/B54	Prospect Land Ltd	Key Objective L.7
3099/B2	Barratt Bristol Limited(Mr A T P Joliffe)	Key Objective L.11
3251/B53	Prospect Land Ltd	Key Objective L.12
3099/B3	Barratt Bristol Limited(Mr A T P Joliffe)	Key Objective L.14
120/C179	Ms Helen Woodley	Key Objective L.14/A

Issues

- i) Should the objectives highlight the importance of releasing greenfield sites in the event of brownfield sites not coming forward?

- ii) Should reference be made to planning beyond the life of this local plan?
- iii) Should greater emphasis be given to sustainability in objective L.7?
- iv) Should the existing provision of employment and business activities in Keynsham and Radstock be recognised in objective L.9?
- v) Should objective L.12 refer to housing development in rural areas?

Inspector's Reasoning

Issue i)

1.37 The additional objective proposed by the objector is not in itself an objective for the plan but a possible means of achieving an objective. The objective for housing development should be (and is in objective L.7) to provide sufficient housing to meet the needs of the District. Where this land is located and the nature of the development sites is a matter for the policies later in the plan.

Issue ii)

1.38 The objectives in the Local Plan are not time limited. Although the plan itself deals with a specific period, there is no reason why the objectives should not be ongoing, although subject to review as the new LDF is prepared. I find no reason to introduce a specific reference to planning for development in the longer term.

Issue iii)

1.39 The issue of sustainability is in my view addressed sufficiently through the objectives as a whole and does not require additional reference in objective L.7. The objectives come together to set the framework for the policies and proposals in the plan. Taking into account the content of all the objectives, I am satisfied that sustainability considerations will not be prejudiced by a lack of specific reference in objective L.7.

Issue iv)

1.40 The RDDLP now refers to both maintaining and enhancing opportunities for business and employment in Keynsham and Norton-Radstock, thus acknowledging that they are already centres for business. I see no need for further reference to their existing employment and business roles.

Issue v)

1.41 Each of the objectives provides a general statement on an issue relevant to the plan. Any greater level of detail would be unnecessary and result in cumbersome objectives which are not easily understood.

1.42 The over-arching objective for the rural areas is set out in L.12. The means by which this objective is achieved is set out in the plan through

policies and proposals. Additional reference to the role of housing development in rural areas is unnecessary. Objective L.7 seeks to meet the Districts housing needs in a sustainable way.

Recommendation: no change

Chapter A3 - Paragraph A3.11 and Key Objectives E1-E6

3265/B7	Mr D E Packman	A3.11
686/B42	Bath Preservation Trust	Key Objective E.1
1427/B19	Environment Agency	Key Objective E.3
1427/B20	Environment Agency	Key Objective E.5
1427/B21	Environment Agency	Key Objective E.6

Supporting Statements

3251/B52	Prospect Land Ltd	Key Objective E.2
3298/B11	Cam Valley Wildlife Group	Key Objective E.3
3251/B51	Prospect Land Ltd	Key Objective E.4

Issues

- i) Whether the environmental objectives should seek a reduction in noise pollution.
- ii) Whether the phrase "make positive use" in objective E.1 is appropriate.
- iii) Whether objective E.3 should refer to "no net loss" of biodiversity.
- iv) Whether objective E.6 should refer to the "quantity" as well as the "quality" of water resources.

Inspector's Reasoning

Issue i)

1.43 The issue of noise pollution is covered in objective L.5 and therefore I consider that no change is required.

Issue ii)

1.44 Making "positive use" of the historic environment is a legitimate and sound objective for the plan and I see no reason to delete this phrase.

Issue iii)

1.45 I consider that "effective stewardship" of the area's biodiversity is a suitably broad and positive objective. I see no reason to refer to "no net loss" of biodiversity. This should be achieved by effective stewardship.

Issue iv)

1.46 In my view, the quantity of water resources is as relevant as their quality to both human needs and the well being of the natural environment. Although E.5 refers to conserving and reducing the consumption of water, among other matters, this is not as all embracing as maintaining and improving the quantity of water resources. I recommend the addition of "quantity" to the objective.

Recommendation:

R1.9 Modify objective E.6 by inserting "quantity and" after "improve the".

Chapter A3 - Paragraph A3.14 and Key Objective T.1 – T.4

708/B30	The Widcombe Association	A3.14
689/B10	British Horse Society	Key Objective T.2

Supporting Statements

2251/B10	Federation of Bath Residents Associations - Transport Group	A3.14
120/B34	Ms Helen Woodley	Key Objective T.1
1427/B22	Environment Agency	Key Objective T.1
120/B35	Ms Helen Woodley	Key Objective T.2
1427/B23	Environment Agency	Key Objective T.2
120/B36	Ms Helen Woodley	Key Objective T.3
1427/B24	Environment Agency	Key Objective T.4

Issue

- i) Should objective T.2 include reference to horse riding?

Inspector's Reasoning

1.47 In my view, a number of the objections to this section of the plan amount to comment on transport matters and the Council's priorities. They do not seek any specific changes to this part of the plan and I do not consider them further.

1.48 Objective T.2 identifies the most commonly used means of transport which provide alternatives to the private car. The reference to "public transport, cycling and walking" is not intended to be an exhaustive list. However, horse riding is most likely to be a leisure activity rather than a daily transport option and therefore I consider that a specific reference to horse riding would not be appropriate in objective T.2.

Recommendation: no change.

Chapter A3 - Paragraph A3.15 and Policy 1

3201/B1	South West Regional Development Agency	A3.15
3242/B1	Davies Street (Bathampton) Ltd	A3.15
120/B75	Ms Helen Woodley	Policy 1
578/B22	Norton Radstock Town Council	Policy 1
686/B46	Bath Preservation Trust	Policy 1
1269/B5	B&NES Allotments Association	Policy 1
2226/B8	ETSU	Policy 1
3007/B11	Grant Thornton	Policy 1
3098/B4	George Wimpey Strategic Land	Policy 1
3107/B8	English Nature	Policy 1
3257/B15	Somer Valley Friends of the Earth	Policy 1
3271/B6	Bellwish Limited	Policy 1
3295/B8	G L Hearn Planning	Policy 1
3298/B36	Cam Valley Wildlife Group	Policy 1
3299/B30	Bovis Homes (South West Region) Limited	Policy 1
3097/C17	Mr M Swinton	P.1/A
3098/C51	George Wimpey Strategic Land	P.1/A
3264/C17	Landscape Estates Ltd	P.1/A
3098/C50	George Wimpey Strategic Land	P.1/B
2641/C22	David Wilson Homes	P.1/C
3098/C49	George Wimpey Strategic Land	P.1/C
3116/C62	Bath & North East Somerset Allotment Association	P.1/F
3257/C23	Somer Valley Friends of the Earth	P.1/F
3298/C40	Cam Valley Wildlife Group	P.1/F
3098/C48	George Wimpey Strategic Land	P.1/G

Supporting Statements

696/C49	South West RSL Planning Consortium	A3.15A/A
376/B7	Mr I Wallis	Policy 1
696/B8	South West RSL Planning Consortium	Policy 1
1427/B25	Environment Agency	Policy 1
3251/B50	Prospect Land Ltd	Policy 1
696/C42	South West RSL Planning Consortium	P.1/A
3257/C21	Somer Valley Friends of the Earth	P.1/A
696/C43	South West RSL Planning Consortium	P.1/B
3257/C22	Somer Valley Friends of the Earth	P.1/B
696/C44	South West RSL Planning Consortium	P.1/C
696/C45	South West RSL Planning Consortium	P.1/D
696/C46	South West RSL Planning Consortium	P.1/E
696/C47	South West RSL Planning Consortium	P.1/F
696/C48	South West RSL Planning Consortium	P.1/G

Issue

- i) Whether the policy is necessary, too restrictive, should contain other criteria or should indicate priorities among the criteria.

Inspector's Reasoning

1.49 There are a large number of wide ranging objections to this policy. I can appreciate the Council's desire to try and set out one over-arching policy to foster sustainable development. The intention is laudable, but I consider that Policy 1 will be difficult to apply effectively.

1.50 The policy is wide-ranging in the matters it seeks to address. It implies a comprehensiveness, which is always difficult to achieve in a single policy,

hence the concerns of some objectors that matters are missing or not given enough emphasis.

- 1.51 The intention is that the policy applies to all development and that all the criteria should be met. But in responding to some of the objections, the Council accepts that there may well be material considerations which outweigh adherence to this policy, including other policies in the plan. For example, development in the smaller settlements in the District, which the plan intends to allow on a small scale would surely conflict with the first criterion on minimising the need to travel; many minor developments would be difficult to assess against the criteria in the policy. In my view, the Council would end up ignoring or implicitly contravening aspects of this policy so as to permit many developments which accord with the plan's other policies and this would undermine the creditability of Policy 1.
- 1.52 In many respects the criteria in the policy represent objectives rather than policy considerations. As objectives they are legitimate aims, but there are already objectives broadly covering each of the criteria in this policy and more detailed policies in the following chapters. This raises the question as to why the policy is required. In my view, the considerations in the policy would make more sense as an indication of the Council's priorities, or as the basis on which sites have been allocated for development in the plan, but it is not necessary to do so since these aspects are already implicit in the existing objectives.
- 1.53 To redraft the policy to avoid the shortcomings that I have identified would result in a policy which was complex and unwieldy. As a result of the above considerations I recommend that Policy 1 and paragraph A3.15 be deleted from the plan. In my view, this recommendation would not undermine the aim of securing sustainable development. Sustainability is a theme which runs through the objectives and detailed policies and proposals of the plan. The broad pattern of new development is established by the allocations made in the plan and the focus on the main urban areas. Broad generalisations in the policy such as "wherever possible (development) uses brownfield land" do not add meaningfully to national advice.
- 1.54 The deletion of the policy and supporting text overcomes or obviates the majority of objections. I deal briefly below with 2 objections that remain relevant. I have sympathy with the view that there is not a clear, logical flow explaining how the vision/objectives are translated into specific land use proposals for particular settlements. But restructuring the plan from its broad themes to one focussed on settlements would involve such additional work at this late stage as to not be justified. Furthermore, additional policy sections on each settlement would result in unnecessary repetition.
- 1.55 Objection is raised to the absence of an objective or policy in this section promoting the use of renewable energy. The environmental objectives seek to conserve non-renewable energy sources, amongst other considerations. I agree with the Council that the use of renewable energy

is one of the means by which non-renewable resources will be conserved and that specific reference in this section of the plan would represent an unnecessary level of detail.

Recommendation:

R1.10 Modify the plan by deleting the heading "Sustainable Development Policy", paragraph A3.15, and Policy 1.

Chapter A3 - Paragraph A3.16

120/B47 Ms Helen Woodley

A3.16

Issue

- i) Whether the car parking provision on the old allotment land at Newbridge should be reduced, with some reinstatement of the allotments.

Inspector's Reasoning

1.56 This part of the plan contains a brief statement regarding the overall approach to car parking in Bath and is not concerned with specific sites. No change is justified.

Recommendation: no change

Chapter A3 - Quick Guide 4

689/B11 British Horse Society

Quick Guide 4

Supporting Statement

2695/B9 The Springs Foundation

Quick Guide 4

Issue

- i) Whether the QG should include reference to "riding".

Inspector's Reasoning

1.57 For the reasons previously given, I have recommended the deletion of QG 4. I do not therefore comment on its content.

Chapter A3 - Paragraphs A3.17- A3.17A

There are large numbers of objections; details are listed at Appendix 1

Issues

- i) Should the paragraphs refer to other policies besides the Green Belt?
- ii) Is the release of Green Belt land at the University justified?
- iii) Does paragraph 17A accurately reflect circumstances at the University and in the higher education sector?
- iv) Should the possible need for changes to the Green Belt in the longer term be highlighted?

Inspector's Reasoning

- 1.58 Most of the objections made to this part of the plan relate to the removal of specific areas from the Green Belt. Details of the proposals in relation to the Green Belt at Newbridge and at the University are set out in Chapter C1 of the plan, and I deal with the issues raised by objectors in relation to these proposals in Sections 7 and 9 of my report. In order to avoid duplication I do not repeat the reasoning and conclusions here. In this section I deal exclusively with the content of paragraphs A3.17 and A3.17A. I have made recommendations elsewhere which will need to be reflected here.
- 1.59 I consider that paragraph 3.17A is unnecessarily detailed, given that these matters are covered elsewhere in the plan. It should be deleted with only a brief reference to changes to the Green Belt boundary in an amended paragraph A3.17. I recommend accordingly.
- 1.60 Paragraphs A3.16–A3.17A set out where development will be focussed in Bath. It is intended to serve as an introduction to the rest of the plan's policies for Bath and is not itself a statement of policy. The Green Belt is clearly the primary policy constraint on outward expansion and needs to be highlighted. Other policies in the plan are also important material considerations but there is no need to refer to them here. The plan should not speculate on changes to the Green Belt after 2011.

Recommendation:

R1.11 Modify the plan by deleting paragraphs A3.17 and A3.17A and substituting:

"In order to maintain the character and setting of the City, consistent with its status as a World Heritage site and with the objectives of the Bristol/Bath Green Belt, the focus for development and change will be the existing built up area. The plan makes one change to the Green Belt boundary to allow for the expansion of the University of Bath".

Chapter A3 - Paragraph A3.18

2975/B2	Crest Nicholson Properties Limited	A3.18
3098/B7	George Wimpey Strategic Land	A3.18
3299/B26	Bovis Homes (South West Region) Limited	A3.18
601/C26	House Builders Federation	A3.18/A
696/C50	South West RSL Planning Consortium	A3.18/A
2356/C21	The Hon W H M Jolliffe	A3.18/A
2601/C18	Linden Homes (Developments) Limited	A3.18/A
3257/C24	Somer Valley Friends of the Earth	A3.18/A
3299/C53	Bovis Homes (South West Region) Limited	A3.18/A
3446/C1	Taylor Woodrow Developments Ltd	A3.18/A
601/C27	House Builders Federation	A3.18A/A
696/C51	South West RSL Planning Consortium	A3.18A/A
3298/C84	Cam Valley Wildlife Group	A3.18A
3299/C54	Bovis Homes (South West Region) Limited	A3.18A/A

Supporting Statements

695/B21	Society of Merchant Venturers	A3.18
3098/B6	George Wimpey Strategic Land	A3.18
120/C154	Ms Helen Woodley	A3.18/A
120/C155	Ms Helen Woodley	A3.18A/A
1427/C140	Environment Agency	A3.18A/A

Issue

- i) Whether land should be released from the Green Belt at Keynsham and if so where.

Inspector's Reasoning

1.61 Issues raised by objectors in relation to the original paragraph in the DDLP and to the changes in the RDDLP relate to the principle of releasing land from the Green Belt at Keynsham and which site should be released. These matters are covered in detail in Section 5 of this report, and I do not repeat them here. I recommend that the original allocation at Keynsham be reinstated in the plan. As a result, paragraph A3.18 of the DDLP should be reinstated and new paragraphs A3.18 and A3.18A should be deleted.

Recommendation:

R1.12 Modify the Plan by deleting paragraphs A3.18 and A3.18A from the RDDLP and reinstating paragraph A3.18 from the DDLP.

Chapter A3 - Paragraph A3.19, A3.20 and A3.21

578/B24	Norton Radstock Town Council	A3.19
3047/B4	Mrs E W Styles	A3.19
3278/B11	Persimmon Homes (Wessex) Ltd	A3.19
3098/B8	George Wimpey Strategic Land	A3.20
3099/B4	Barratt Bristol Limited(Mr A T P Joliffe)	A3.20
3266/B3	O A G Stephens Limited	A3.20

3257/C25	Somer Valley Friends of the Earth	A3.21/C
3298/C76	Cam Valley Wildlife Group	A3.21/C

Issues

- i) Whether there should be a positive introduction to Norton-Radstock like there is for Bath.
- ii) Whether the need for improvements to the road network should be highlighted.
- iii) Should paragraph A3.19 refer to the provision of local leisure facilities and shops?
- iv) Does the text fairly reflect the area's tourism potential?
- v) Whether opportunities for residential development are unreasonably restricted?
- vi) Whether the emphasis on new employment development rather than housing is appropriate?

Inspector's Reasoning

Issue i)

1.62 I have some sympathy with the objector in respect of this issue. The plan provides a far more positive and descriptive introduction to Bath than it does for Norton-Radstock. But as this is a matter of background only and is not material to the policies in the plan I do not recommend any change.

Issue ii)

1.63 Some updating of the text in relation to roads is needed since, I assume, that the route studies referred to have been completed or others are under way. But the plan should refer only to highway improvements which are firm proposals likely to be implemented during the life of the plan. I am not aware that there are any such proposals to serve Norton-Radstock. The plan should not speculate on what might be desirable.

1.64 The text also refers to the proposed reopening of the railway between Radstock and Frome. Whilst I am aware that this is being strongly advocated by some, it is not a firm proposal likely to be implemented in the plan period and reference to it here seems misplaced.

Issue iii)

1.65 Paragraph A3.19 forms part of a section of the plan which outlines the general approach to the main settlements and rural areas in the District. It does not, nor does it need to, specify all proposals or aspirations for the different parts of the District. I see no reason to refer to the need for local leisure provision or shops.

Issue iv)

- 1.66 In response to this objection the Council made a change to paragraph A3.21 in order to acknowledge that the area has 'other assets' to support tourism. These paragraphs are not intended as a means of promoting tourism in the area and thus a more comprehensive description is not justified.

Issue v)

- 1.67 Whilst Norton-Radstock is of a similar scale to Keynsham it is not so well placed to meet the wider strategic housing needs of the District in a sustainable manner. Keynsham is located between Bristol and Bath and connected to both by good transport links. Norton-Radstock, in contrast, is more isolated from the larger employment, retail and leisure centres within and outside the District. It is for this reason that Policy 9 and Policy 16 of the Structure Plan propose the removal of land from the Green Belt and residential development at Keynsham. Paragraph 2.92 of the JRSP states that "these towns (including Norton Radstock) are not identified as locations for significant additional housing development beyond their existing commitments". Thus the reference in paragraph A3.20 to only "limited" further housing is reasonable
- 1.68 I recommend in Section 5 of my report the investigation of further sites for residential development within Norton-Radstock, but only if required to make up any shortfall in housing land provision if sites in Bath and Keynsham are not sufficient.

Issue vi)

- 1.69 The location of new employment development near to residential areas will not necessarily mean that those living in the area will wish to work nearby. However, new employment opportunities near to existing or future housing provide opportunities for people to live closer to their work.
- 1.70 In the case of Norton-Radstock there is currently a high level of out commuting and therefore every opportunity should be taken to increase employment opportunities within the settlement. However, the demand for new employment sites in the area is clearly restricted and I take the view that significant greenfield allocations would not be justified. I make a number of recommendations on employment land provision in Section 2 and these influence the recommendations which I make in Section 5 for the investigation of sites in Norton-Radstock for mixed use development. It is clearly desirable to address the current imbalance between the scale of the workforce and available jobs in the settlement but a realistic approach is needed to the viability of some of the older industrial sites within the area, and their potential for redevelopment. I recommend in Section 5 that development for a mix of housing and employment uses is more likely to lead to the provision of modern employment units and would be preferable to the long term stagnation of such sites. To reflect

this approach, I consider that a change is required to paragraph A3.20 and recommend accordingly.

Recommendation:

R1.13 Modify the plan by deleting the text of paragraph A3.20 and substituting:

"To create a sustainable pattern of development within Norton-Radstock, new residential development will be limited to that required to ensure the plan is able to provide an adequate supply of housing land within the plan period. Development will be mainly on brownfield sites, and will include mixed use schemes wherever appropriate in order to contribute to the provision of modern employment facilities."

Chapter A3 - Paragraphs A3.26 to A3.31

695/B20	Society of Merchant Venturers	A3.29
1427/B26	Environment Agency	A3.30

Supporting Statements

3251/B48	Prospect Land Ltd	A3.26
3251/B47	Prospect Land Ltd	A3.27
3251/B46	Prospect Land Ltd	A3.28
3251/B45	Prospect Land Ltd	A3.29
3251/B44	Prospect Land Ltd	A3.31

Issues

- i) Is the scale of development anticipated in the rural area clear?
- ii) Whether the reference to 'services' in paragraph A3.30 should highlight needed sewerage infrastructure.

Inspector's Reasoning

Issue i)

1.71 The need for limited development in rural areas is generally accepted, but some objectors are concerned to ensure that this is not at the expense of development in more sustainable locations. I support this view and believe this is also the aim of the plan. Reading the plan as a whole it is clear that the primary focus for development is the urban areas. No large scale development is proposed in the rural areas, but with the changes I recommend to the policies on windfall development, there will be scope for some infill development in scale with the size and function of the settlement. This approach is reflected in the wording of paragraph A3.29 and A3.30. I recommend no change.

Issue ii)

1.72 I recognise that there may be individual rural settlements which need a new sewage treatment works, but this level of detail is not relevant in the plan. Policy ES.5 would prevent development where there is inadequate sewerage infrastructure to support the proposal.

Recommendation: no change

Chapter A4 - General

3257/B18 Somer Valley Friends of the Earth A4

Issues

- i) Is the role and weight to be attached to SPG and other strategies clear?
- ii) Should the plan stipulate when the various assessments in paragraph A4.14 will be required?

Inspector's Reasoning

I deal with the first issue in my reasoning under objections to paragraphs A4.14 and A4.15 and the second issue under objections to paragraphs A4.9 and A4.20.

Recommendation: no change (in accordance with my recommendation following Paragraphs A4.16 - A4.20)

Chapter A4 - Paragraphs A4.8 and A4.9 and Policy IMP.1

110/B5	Sport England South West	A4.8
723/B34	Bath Chamber of Commerce	A4.9
578/B25	Norton Radstock Town Council	IMP.1
2975/B3	Crest Nicholson Properties Limited	IMP.1
3097/B13	Mr M Swinton	IMP.1
3098/B9	George Wimpey Strategic Land	IMP.1
3099/B5	Barratt Bristol Limited(Mr A T P Joliffe)	IMP.1
3257/B16	Somer Valley Friends of the Earth	IMP.1
3286/B1	BLCT (11680) Ltd	IMP.1
3287/B1	BLCT (11650) Ltd	IMP.1
2641/C23	David Wilson Homes	IMP.1/A
3257/C28	Somer Valley Friends of the Earth	IMP.1/A

Supporting Statements

3116/C55	Bath & North East Somerset Allotment Association	A4.11/A
3257/C27	Somer Valley Friends of the Earth	A4.11/A
3298/C73	Cam Valley Wildlife Group	A4.11/A
746/B7	NHS Executive South West	IMP.1
2985/B5	Bath & North East Somerset Primary Care Trust	IMP.1
3257/D301	Somer Valley Friends of the Earth	PIC/A/6 (IMP.1)
3298/B12	Cam Valley Wildlife Group	IMP.1
120/C178	Ms Helen Woodley	IMP.1/A

Issue

- i) Is the approach to the use of planning obligations too broad and contrary to national guidance?

Inspector's Reasoning

- 1.73 The RDDLP now includes a reference in paragraph A4.8 to the provision of sports facilities and therefore the objection on this point has been met.
- 1.74 At the time of the Local Plan Inquiry, Government policy on planning obligations was set out in Circular 1/97. That has now been replaced by Circular 05/2005 to which the Council needs to have regard.
- 1.75 National policy has consistently indicated that obligations can be used to make acceptable a development which would otherwise be unacceptable in planning terms. Obligations may be used to prescribe the nature of development; may be used to secure replacement facilities that would be lost or to mitigate a development's impact on existing facilities and services.
- 1.76 The RDDLP does not state explicitly that obligations should be sought only where a development would otherwise be unacceptable. Paragraph A4.6 refers to conditions "necessary to ensure conformity with planning policies thus enabling development to go ahead". Reference is made to this matter in paragraph A4.11, but the text refers to demonstrable need generated by a development, rather than a need which if not met would require planning permission to be refused. I consider that greater clarity is required here to ensure that the role of planning obligations is properly defined. I recommend changes to the text to secure this.
- 1.77 It is well established that planning permission should not be bought or sold, and that unacceptable development should not be permitted because of benefits or inducements offered by a developer which are not necessary to make the development acceptable in planning terms. These tests are accurately reflected in paragraph A4.8 of the Local Plan, and I consider that it is not necessary to include them in Policy IMP.1.
- 1.78 It is increasingly common practice for Council's to set out in SPG the financial cost per dwelling of contributions to particular facilities, such as additional school classrooms or open space. Such contributions should, of course, only be sought where the development would place unacceptable demands on existing facilities. Setting out in future SPD the likely level of contributions would increase certainty and transparency to the benefit of all involved in the development process. I thus find that the reference in paragraph A4.11 to the intended use of SPD is acceptable.
- 1.79 Turning to the wording of the policy itself, I consider that it should be clear that obligations are only to be sought where a development would otherwise be unacceptable *and* that what is sought is to overcome or mitigate the identified objection. An obligation which did not address the relevant matter of concern would not be consistent with national advice.

As currently worded, that requirement is not clear from the policy. I propose a new form of words which would ensure that it properly reflects national advice. Subject to the recommended modification, and given that the plan must be read as a whole, I am satisfied that the policy would not operate to the detriment of sustainable development and good planning.

Recommendations:

R1.14 Modify paragraph A4.7 by adding at the beginning:

"Where the use of planning conditions would not be appropriate, planning obligations may be sought in order to make acceptable development proposals which would otherwise not be granted planning permission.";

by deleting: "Another method of securing such improvements is by mean of Planning Obligations" inserting "Planning obligations are" and removing the brackets around the rest of the sentence.

R1.15 Modify Policy IMP.1 by deleting the text and substituting:

"In determining planning applications, Planning Obligations under section 106 of the Town and Country Planning Act 1990 may be sought:

- i) where a particular form of development is required to comply with policy;
or
- ii) to provide compensatory provision for what is lost or damaged as a result of the development; or
- iii) to mitigate an otherwise unacceptable impact of the development on local facilities and infrastructure; or
- iv) to overcome any other identified harm which would make the development otherwise unacceptable."

Chapter A4 - Paragraphs A4.14 and A4.15

564/B38	London Road Area Residents Association	A4.14
578/B26	Norton Radstock Town Council	A4.14
1427/B27	Environment Agency	A4.14
3298/B27	Cam Valley Wildlife Group	A4.14
3298/B8	Cam Valley Wildlife Group	A4.15

Supporting Statements

878/B6	The Bath Society	A4.14
2695/B10	The Springs Foundation	A4.14
3116/C129	Bath & North East Somerset Allotment Association	A4.14/A
3257/C26	Somer Valley Friends of the Earth	A4.14/B
3511/C1	British Waterways	A4.14/B

Issues

- i) Whether there should be more detail on the monitoring and review of air quality, including establishing a baseline.
- ii) Whether transport assessments should refer to traffic impact.
- iii) Whether there should be minimum development thresholds for the submission of nature conservation assessments.
- iv) Whether paragraph A4.15 should state that permission will always be refused if a required assessment is not submitted.

Inspector's Reasoning

Issues i) – iii)

- 1.80 Objectors generally seek more detail as to the content of the various assessments listed under paragraph A4.14 or when they will be required. This list serves only as a brief introduction to the possible need for various detailed assessments to accompany a planning application. It is not the place for stipulating when particular assessments are required. Nor is it realistic to set out here the scope and detail of each assessment, since what is required will vary depending on the circumstances of each case. If, when considering a planning application, the Council believe that the submitted assessment is inadequate, more information can be requested or the application can be refused if, because of inadequate information, an unacceptable impact seems likely.
- 1.81 The arrangements for the monitoring of air quality and establishing baseline information is beyond the scope of the Local Plan. The Council indicate that the monitoring of pollution is the responsibility of the Environmental Monitoring & Licensing service.
- 1.82 PPG13 contains policy guidance on the issue of transport. Paragraph 23 of this guidance states that "Transport Assessments" replace "Traffic Impact Assessments". It is intended to encompass all transport issues and would still include an assessment of the impact of traffic where necessary. No change to the wording is necessary.
- 1.83 Thresholds for the submission of any particular type of assessment (whether based on the size of the site or of the development) would be arbitrary and are not the right means of ensuring that assessments are undertaken when they are required.
- 1.84 The RDDLP now includes in the list "flood risk and drainage assessments". Although the reference is shorter than that suggested by the objector, I consider that it adequately addresses this topic here.

Issue iv)

1.85 A planning application should not be refused solely on the grounds that a relevant assessment has not been submitted, but that might often be the outcome provided that that assessment was essential to properly assess the impact of the development. The key test is whether or not there is likely to be an unacceptable impact. The absence of an adequate assessment would make that judgment more difficult, but the precautionary principle would give grounds for refusing an application where an adverse risk was possible. The last phrase of A4.15 should be more emphatic since, if the Council had concluded that there would be demonstrable harm, then refusal should normally follow. I make a recommendation for a small change to this effect.

Recommendation:

R1.16 Modify paragraph A4.15 by deleting "thus possibly refusing the application" and inserting "resulting in the refusal of the application".

Chapter A4 - Paragraphs A4.16 - A4.20

3286/B2	BLCT (11680) Ltd	A4.16
3287/B2	BLCT (11650) Ltd	A4.16
3264/B13	Landscape Estates Ltd	A4.17
1856/B1	Mr E Diaz	A4.19
88/B22	William & Pauline Houghton	A4.20
110/B6	Sport England South West	A4.20
696/B9	South West RSL Planning Consortium	A4.20
3186/B2	Chew Magna Parish Council	A4.20
3250/B4	Lattice Property Holdings	A4.20
2601/C12	Linden Homes (Developments) Limited	A4.20/A

Supporting Statement

3298/B13	Cam Valley Wildlife Group	A4.20
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Issues

- i) Does the plan adequately address the weight that can be given to SPG and its purpose?
- ii) Should the plan give guidance on the content of SPG and should other SPG be prepared?
- iii) Should SPGs be included on the Proposals Map?
- iv) Whether the plan should encourage the use of development briefs in villages.

Inspector's Reasoning

Issue i)

1.86 The weight to be attached to SPG/SPD will vary depending on whether its preparation and adoption accords with national guidance, particularly regarding public consultation. Paragraphs A4.17 and A4.18 outline the role of SPG consistent with national guidance and I see no reason to recommend any change.

Issue ii)

1.87 The content of SPG is not a matter before me. There is nothing in this section of the plan which indicates that the content of any particular SPG will be inappropriate and thus there is nothing which needs to be changed.

1.88 The list in A4.20 should include only those SPGs (now SPD) and Development Briefs which the Council intends to prepare and is thus a matter for the Council to determine in the light of its resources prior to finalising the plan for adoption. My recommendation elsewhere in this report to reinstate the residential allocation at Keynsham may trigger the reinstatement of a development brief for that site in the list, but I leave that to the Council and make no specific recommendation on the content of these lists.

Issue iii)

1.89 SPG is normally intended to supplement policies and proposals in the Local Plan. It is those policies and proposals which should be shown on the Proposals Map, not SPG. Some SPG prepared in the past may not directly relate to policies in this Local Plan, but that is not a reason for showing the extent of that SPG on the Proposals Map. It would imply a greater status to that SPG than was justified. I thus consider that neither the SPG for the Walcot Street Works nor any others should be shown.

Issue iv)

1.90 I appreciate the time commitment from local people required to produce village design statements, but I do not believe that any such difficulties justify a requirement for development briefs on all sites likely to have an impact on a particular community. In most cases, development in villages would not be of a scale or complexity which warrants the preparation of a development brief. I do not support the change proposed by the objector.

Recommendation: no change

Chapter A4 - Paragraphs A4.23 and A4.25

2601/B1 Linden Homes (Developments) Limited
1427/B28 Environment Agency

A4.23
A4.25

Issue

- i) Should the plan be reviewed every 2 years to ensure that policies are relevant and up to date?

Inspector's Reasoning

1.91 In response to the Environment Agency's objection, paragraph A4.25 was changed in the RDDLP to refer to their role and that of other organisations in the preparation of the plan. I consider that no further explanation is necessary.

Issue i)

1.92 As a result of the changes to the development plan system resulting from the Planning and Compulsory Purchase Act 2004, this Local Plan will have a lifespan of only three years from the date of adoption. The Council has published its Local Development Scheme which identifies the documents which will form the new Local Development Framework (LDF). Through the preparation of documents forming the LDF there will be the opportunity for the review of the Council's policies and proposals. I recommend that paragraph A4.23 be deleted and a new paragraph be inserted to refer to LDFs. If policies are out of date or are no longer relevant these may be material considerations indicating that an exception to the development plan should be made. This principle is established in statute and does not need to be duplicated in the plan.

Recommendation:

R1.17 Modify the plan by deleting paragraph A4.23 and substituting:

"A new system of development plans has been introduced by the Planning and Compulsory Purchase Act 2004. As a result, this "old style" Local Plan will be saved for only three years from adoption. The Council's Local Development Scheme sets out the timetable for the preparation of the documents forming the new Local Development Framework which will replace this Local Plan. The new system will provide greater flexibility for the review of policies and proposals as they become out of date."

Chapter A4 - Paragraph A4.26

3264/B12	Landscape Estates Ltd	A4.26
3276/B8	Temra of Bath	A4.26
686/C138	Bath Preservation Trust	A4.26A/A
2340/C21	Mr & Mrs S Wiseman	A4.26A/A
2356/C7	The Hon W H M Jolliffe	A4.26A/A
2478/C10	English Heritage	A4.26A/A
2601/C19	Linden Homes (Developments) Limited	A4.26A/A
2641/C24	David Wilson Homes	A4.26A/A
3219/C8	The Hon Andrew Jolliffe	A4.26A/A
3264/C26	Landscape Estates Ltd	A4.26A/A
3286/C9	BLCT (11680) Ltd	A4.26A/A

3511/C2	British Waterways	A4.26A/A
3611/C3	Homebase Group Ltd	A4.26A/A
601/C24	House Builders Federation	A4.26B/B
686/C178	Bath Preservation Trust	A4.26B/B
2340/C23	Mr & Mrs S Wiseman	A4.26B/B
2356/C6	The Hon W H M Jolliffe	A4.26B/B
2601/C20	Linden Homes (Developments) Limited	A4.26B/B
3219/C6	The Hon Andrew Jolliffe	A4.26B/B
3264/C24	Landscape Estates Ltd	A4.26B/B
3605/C13	Nicholson Estates	A4.26B/B
3004/D9	Renrod Limited	PIC/A/8 (A4.26C)

Supporting Statements

3201/B2	South West Regional Development Agency	A4.26
3264/B1	Landscape Estates Ltd	A4.26
3116/C49	Bath & North East Somerset Allotment Association	A4.26/D
3116/C50	Bath & North East Somerset Allotment Association	A4.26A/A
3605/C12	Nicholson Estates	A4.26A/A
3116/C51	Bath & North East Somerset Allotment Association	A4.26B/A
3116/C52	Bath & North East Somerset Allotment Association	A4.26B/B
3116/C53	Bath & North East Somerset Allotment Association	A4.26C/A

Issue

- i) Whether the text should be more or less prescriptive over the development of Western Riverside and the programme for its implementation.

Inspector's Reasoning

1.93 A wide range of concerns are raised by objectors with many detailed changes sought to highlight various aspects or to promote greater flexibility in the development of this area of the City. Chapter A4 is concerned with implementation and the site is listed under the sub-heading "Promoting Development Projects". I have no disagreement with the inclusion of a brief reference to each of the projects which the Council is promoting, but details of the individual developments and the policy approach to them should be contained solely in the relevant policy sections. Western Riverside is the first of the sites dealt with in Chapter B9 where the details of the site and its development requirements are set out. Many of the objections to Paragraph A4.26A arise because of objectors' impression that these paragraphs are setting out policy for the development of that site. This is not the place for any implicit policy content.

1.94 Paragraphs A4.26A - C contribute to the unwieldy form of the plan. I therefore recommend that most of the content of these paragraphs be deleted. The one or two short paragraphs concerning the site that remain in this section should focus on factual matters and include a cross reference to the relevant policy section. The text will also need to be updated. The Council may wish to consider whether any of the points listed under Paragraph A4.26A should be incorporated into Chapter B9 under the heading "Bath" as an introduction to Policy GDS.1/B1.

- 1.95 I deal with the all the site specific issues concerning the development of Western Riverside in Sections 5 and 7 of my report, including its likely capacity and the timescale for its development. I do not repeat those matters here. With the deletions I am recommending, objectors concerns will be met or are matters which go to the heart of this project and which I address in the main policy section. The content of the future SPD for this site is not a matter for me.
- 1.96 With the deletion of paragraphs A4.26A-C the reference to opportunities at Lower Bristol Road included as a pre-inquiry change will be removed. This site stands in its own right as a development site under GDS.1/B12, and I find there is little reason to refer to it here.
- 1.97 Paragraph A4.26 refers to this location providing for a significant part of the housing requirement of the District. This will need to be updated in the light of my recommendations and progress which has been made since the close of the Local Plan Inquiry on bringing the site forward. I deal with its anticipated contribution and the need for further housing land allocations in Section 5 of my report.
- 1.98 This section of the plan deals with development projects with which the Council have close involvement. No projects not already mentioned in this section have been highlighted to me of a comparable scale and concern to the Council and so I see no reason to refer to any other areas or projects.

Recommendations:

R1.18 Modify the Plan by deleting:

paragraph A4.26A;

paragraph A4.26B after the 2nd sentence;

paragraph A4.26C;

and by updating the remaining paragraphs as necessary.

R1.19 The Council to consider whether any of the points listed under Paragraph A4.26A should be incorporated into Chapter B9 under the heading "Bath" before Policy GDS.1/B1.

Chapter A4 - Paragraph A4.27

2965/B1

Morley Fund Management Limited

A4.27

Issue

- i) Should the paragraph acknowledge the Council's support for the redevelopment of Southgate?

Inspector's Reasoning

- 1.99 The status of the Southgate scheme has changed since this paragraph was drafted. Planning permission has been granted for the scheme and a Compulsory Purchase Order (CPO) has been confirmed by the Secretary of State. The paragraph should be updated to reflect this position. I recommend a suitable form of words.
- 1.100 The RDDLP replaced the reference to "housing /living over the shops" with "residential use" in response to an objection and no further change on this point is needed.

Recommendation:

R1.20 Modify paragraph A4.27 by:

deleting first sentence and substituting:

"Planning permission has been granted for the major redevelopment of the Southgate area of Bath city centre, and a Compulsory Purchase Order has been confirmed by the Secretary of State to enable the scheme to proceed." and

deleting final sentence.

Chapter A4 - Paragraph A4.29

3201/B3	South West Regional Development Agency	A4.29
3257/C31	Somer Valley Friends of the Earth	A4.29/A
3116/C133	Bath & North East Somerset Allotment Association	A4.29/B
3219/C17	The Hon Andrew Jolliffe	A4.29/B

Supporting Statements

1427/C144	Environment Agency	A4.29/A
3257/C29	Somer Valley Friends of the Earth	A4.29/A
3257/C30	Somer Valley Friends of the Earth	A4.29/B

Issues

- i) Should the linkages between the different regeneration initiatives for Norton-Radstock be better highlighted?
- ii) Is a reference to flood mitigation required?
- iii) Whether ecological constraints should limit the anticipated scale of development?

Inspector's Reasoning

Issue i)

1.101 It is not clear to me whether the new heading in the RDDLP "Norton-Radstock Regeneration Schemes" applies only to paragraph A4.29 or to A4.30 and A4.31 as well, which concern other projects in the Norton-Radstock. Clarification of the headings and sub-headings would enable all the initiatives in Norton-Radstock to be readily seen together. Many of the headings under "Promoting Development Projects" need reviewing given the inconsistent use of different fonts. Other than this point on layout, I do not see the need for additional text in these paragraphs to explain the linkages between these projects. This section outlines the actions undertaken by the Council and since each of these initiatives are separate actions, it is logical to include them under separate sub-headings. Some updating of paragraph A4.29 is now required.

Issue ii)

1.102 In its response to this objection the Council contends that flooding is not a significant enough constraint for a mention in paragraph A4.29. I have no evidence to justify taking a different view. It is not necessary for this introductory text to refer to all the planning issues that might be relevant. No change is required.

Issue iii)

1.103 The change to the RDDLP highlights the ecological interest of the Radstock Railway Land. I have dealt with the residential capacity of this site in Section 5 of the report. I do not duplicate my reasoning here and no change to this text is needed.

Recommendation:

R1.21 Council to clarify the headings/sub headings to paragraphs A4.29-A4.31 (and more generally all those under "Promoting Development Projects") and update text in A4.29.

Chapter A4 - Paragraph A4.32

3196/B1

Combe Down Stone Mines Community Association

A4.32

Issue

- i) Whether further explanation should be given of the Combe Down Stone Mines project.

Inspector's Reasoning

1.104 Paragraph A4.32 provides a brief summary/introduction to the Combe Down Stone Mines project. In my view, this is all that is required. Further detail should be avoided. No change is justified.

Recommendation: no change

Chapter A4 - Paragraph A4.33

88/B26 William & Pauline Houghton A4.33

Issue

- i) Whether the DETR Indices of Local Deprivation (2000) should be used as a guide to where Council resources are used.

Inspector's Reasoning

1.105 I do not see the relevance of this objection for the Local Plan and recommend no change is made to the text.

Recommendation: no change

Chapter A4 - Paragraphs 4.38 - A4.40

689/B12	British Horse Society	A4.40
689/B13	British Horse Society	A4.40
3298/D85	Cam Valley Wildlife Group	PIC/A/10 (A4.40)

Supporting Statements

686/B53	Bath Preservation Trust	A4.38
3298/B14	Cam Valley Wildlife Group	A4.39

Issues

- i) Whether paragraph A4.40 should include reference to Ride UK Routes to link the Cotswolds AONB to the Mendip AONB.
- ii) Should the paragraph A4.40 include reference to a proposed Rights of Way Improvement Plan?

Inspector's Reasoning

1.106 Whilst I appreciate the Council's wish to include as much information as possible within the plan, paragraph A4.40 is another example of unnecessary, and partly repetitive, text. The specific objections would introduce further unnecessary detail to the plan. This paragraph and the list of strategies should be deleted.

Recommendation:

R1.22 Modify the plan by deleting paragraph A4.40 and the list of strategies.

Chapter A4 - Paragraphs A4.41 and A4.43

485/B3	Prowting Projects Ltd	A4.41
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601/B8	House Builders Federation	A4.41
3299/B5	Bovis Homes (South West Region) Limited	A4.41
3299/B7	Bovis Homes (South West Region) Limited	A4.43

Issues

- i) Whether the monitoring arrangements are adequate.
- ii) Should the plan be reviewed every 5 years?
- iii) Should paragraph A4.42 identify the need to release greenfield sites where necessary to meet housing provision?

Inspector's Reasoning

Issue i)

1.107 The objectors assert that the monitoring arrangements in the plan should have regard to the requirements of the DTLR Good Practice Guidance, but do not provide any detail of how it should be changed. The Council states that it has taken into account the guidance in 'Monitoring Provision of Housing through the Planning System'. I do not have grounds to recommend any change to the overall approach to monitoring. I consider below the specific targets.

Issue ii)

1.108 I have dealt with the issue of the review of the plan earlier in this section of my report. The Council's new Local Development Framework will facilitate more regular review and updating of policies.

Issue iii)

1.109 This section of the plan deals with monitoring and not the consequences that might arise from monitoring. It would be inappropriate to set out possible policy implications here.

Recommendation: no change

Chapter A4 - Targets - General

120/B67	Ms Helen Woodley	Targets
120/B68	Ms Helen Woodley	Targets
120/B70	Ms Helen Woodley	Targets
120/B71	Ms Helen Woodley	Targets
578/B28	Norton Radstock Town Council	Targets
2226/B1	ETSU	Targets
3098/B40	George Wimpey Strategic Land	Targets
3257/B19	Somer Valley Friends of the Earth	Targets
3266/B7	O A G Stephens Limited	Targets

Supporting Statement

1427/B29 Environment Agency

Targets

Issues

- i) Whether the targets and indicators are measurable, relevant to the plan's policies and meaningful.
- ii) Should additional targets and indicators be included: for pedestrian safety, connectivity, reducing off-street parking spaces and traffic in Bath; renewable energy production and sustainable development?

Inspector's Reasoning

issue i)

1.110 Objectors raise various concerns over the choice and wording of the targets and indicators in the plan. In many cases I share these concerns. There are a number of shortcomings in the table of targets and indicators. I set out my overall reasoning here and address the issues raised in relation to the individual targets below.

1.111 My first concern is that many of the targets are more akin to objectives than targets as they do not provide a benchmark against which success or failure can be measured. Examples include: "enabling of farm diversification schemes" and "enabling of rural exception schemes for affordable housing". Whilst the number of farm diversification schemes or rural exceptions sites can be measured there is no indication in the target of what the Council consider to be a success. Without this it is not possible to determine whether the policy approach in the plan is successful or in need of review.

1.112 Secondly, in a number of instances where the targets do provide a 'level' against which success can be judged, the 'level' is not consistent with the related policy. For example, indicator number 5 measures the net change in playing fields and recreational open space against a 'target' of "no net loss" of such facilities. But Policy SR.1 of the plan permits development involving the loss of playing fields where there is no longer demand or the prospect of demand for the recreational use of the site. In such cases development would be consistent with the policies in the plan, but would result in the target being missed, giving the impression that the policy is failing.

1.113 The third general concern is that some of the indicators have been chosen because they are easy to measure rather than because they measure what is important. I accept that monitoring indicators should be clear and simply measured. Nevertheless, no matter how defined and measurable the indicators are, if they do not measure what is important they are of little value.

1.114 The Council should reconsider how best to monitor the achievement of the plan's objectives and policies. In reviewing the targets and indicators, attention should be given to the following:

- o whether the target provides a measurable indication of success or failure;
- o whether the target is consistent with the objective of the policy and therefore capable of measuring its effectiveness;
- o whether the indicator will measure what needs measuring rather than what is easily measured;

1.115 Where objections have been raised to the individual targets I have addressed these briefly below, in the light of my overall comments, the Council may be able to identify more suitable targets and indicators.

Issue ii)

1.116 One objector recommends the addition of a number of new targets and indicators for inclusion in this section of the plan. Targets should only be included which are consistent with the stated objectives and where there are policies and proposals seeking to achieve any specific measures being monitored. The suggestion for the achievement of safe crossings on 40 key pedestrian routes and 40 significant connectivity improvements would be arbitrary, since there are no specific proposals for that number of improvements to be achieved. Similarly, I see no basis for suggesting that there should be a 20% reduction in the number of off-street car parking spaces by 2006. Monitoring and targets for the reduction of traffic growth are best addressed in the LTP.

1.117 There is no justification for transposing the RPG target of 11%-15% of electricity from renewable energy sources by 2010 into a district target. The generation of an increased proportion of electricity from renewable energy sources is a legitimate aim (facilitated by policy ES.1, as recommended to be modified). But there would need to be further work at a sub-regional level to derive a realistic and appropriate target for individual districts, based on what is actually achievable in each area.

1.118 The underlying purpose of planning policy is to achieve sustainable development and therefore the achievement of objectives and fulfilment of policies in the plan would in itself indicate that the objectives of sustainability were being achieved. I am not convinced that there are more suitable targets for sustainability, relevant to this Local Plan, than the ones included in the list.

1.119 I consider that monitoring arrangements and the monitoring required for the structure plan (which might have been agreed with adjoining authorities) do not need to be set out in the plan.

Recommendation:

R1.23 The Council reconsider the targets and indicators to ensure they are measurable; consistent with the objective of the policy the target is intended to measure; are based on indicators which will provide a clear indication of success or failure and measure what is important.

Chapter A4 - Targets 1, 2 and 2A

578/B29	Norton Radstock Town Council	Target 1
686/B51	Bath Preservation Trust	Target 2
2975/B4	Crest Nicholson Properties Limited	Target 2
3098/B41	George Wimpey Strategic Land	Target 2
3099/B6	Barratt Bristol Limited(Mr A T P Joliffe)	Target 2
3126/B36	Bath Friends of the Earth	Target 2

Supporting Statement

3116/C132	Bath & North East Somerset Allotment Association	Target 2/A
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Issues

- i) Whether the number of submitted Design Statements will measure good design.
- ii) Whether the density target should be: higher; different for urban and rural sites; or determined for individual development sites.

Inspector's Reasoning

1.120 I have recommended that Overall Objectives OS1-OS3 be deleted and so it would not be logical to have these targets related to these objectives. The objections made to the suitability of these targets and indicators reinforce that conclusion.

Recommendation :

R1.24 Delete Targets 1 and 2 and Indicators 1 and 2.

Chapter A4 - Target 3

578/B31	Norton Radstock Town Council	Target 3
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Issue

- i) Whether Target 3 should include reference to the efficient use of land, number and quality of jobs, and the design of buildings.

Inspector's Reasoning

1.121 The granting of planning permission for employment use does not guarantee the provision of new jobs, but is capable of easy monitoring by

the Council. However, if the objective is to measure the contribution of new development to the provision of jobs in the District, this target and its associated indicator is of no great value. Monitoring the implementation of permitted employment schemes would be better and I therefore recommend that the Council review this target and its associated indicator to reflect the rate of take up of new schemes for employment uses. Other aspects raised by the objector are outside the scope of this particular target. The quality of jobs is outside the scope of the plan.

Recommendation :

R1.25 Target 3 and its associated indicator be reviewed so as to relate to the development/implementation of permitted employment sites and buildings.

Chapter A4 - Target 4

578/B32 Norton Radstock Town Council

Target 4

Issue

- i) Whether Target 4 is sufficient to promote farm diversification.

Inspector's Reasoning

1.122 The target forms part of the monitoring process and is not itself intended to encourage farm diversification. Should the Council wish to encourage such schemes then this must be done through the policies in the plan, not the monitoring targets. Simply monitoring the number of such schemes is of no real value as an indicator of whether the target has been achieved. The indicator needs to be reviewed to better measure success or failure. (One indicator could be based on the percentage of applications for farm diversifications schemes which are permitted). I do not see this target as particularly important and thus if no better measure can be defined the target could be deleted.

Recommendation:

R1.25 Indicator 4 be reviewed to identify a clear measure of success or failure or, alternatively, delete the target.

Chapter A4 - Target 5

110/B7	Sport England South West	Target 5
110/B8	Sport England South West	Target 5
578/B33	Norton Radstock Town Council	Target 5
689/B14	British Horse Society	Target 5
3261/B11	Bath & North East Somerset Primary Care Trust	Target 5

Issues

- i) Whether the target should include the provision of indoor sports facilities.
- ii) Whether the target is relevant where there is a surplus of pitches available.

Inspector's Reasoning

1.123 As I have already indicated, Target 5 is not sufficiently matched to the policy for the protection of playing fields to properly indicate success or failure of the policy and is of little value. I see no benefit in monitoring the number of indoor sports facilities permitted or built since the plan does not propose any particular number of new facilities. In the absence of any better measure of the success or failure of the target, the target could be deleted.

Recommendation:

R1.26 Target 5 and the related Indicator be reviewed to more closely relate to policy or, alternatively, delete the target.

Chapter A4 - Targets 6 and 8

120/B77	Ms Helen Woodley	Target 6
120/B78	Ms Helen Woodley	Target 8

Issue

- i) Whether Targets 6 and 8 should be broadened to include local shopping centres.

Inspector's Reasoning

1.124 Target 9 relates to the loss of A1 units in local shopping centres and therefore there is no need to change Targets 6 or 8.

Recommendation: no change

Chapter A4 - Targets 10 and 11

2975/B5	Crest Nicholson Properties Limited	Target 10
3098/B42	George Wimpey Strategic Land	Target 10
3099/B7	Barratt Bristol Limited(Mr A T P Joliffe)	Target 10
696/B10	South West RSL Planning Consortium	Target 11
2965/B2	Morley Fund Management Limited	Target 11
2975/B6	Crest Nicholson Properties Limited	Target 11
3098/B43	George Wimpey Strategic Land	Target 11
3126/B37	Bath Friends of the Earth	Target 11

3299/B42 Bovis Homes (South West Region) Limited

Target 11

Issues

- i) Whether the Target 10 should be for a different number of completions.
- ii) Whether other indicators are needed to assess progress in reducing affordable housing needs.
- iii) Whether the Target 11 for affordable housing should be higher or lower than 30%.

Inspector's Reasoning

Issue i)

1.125 I deal with the required level of housing provision over the plan period in Section 5 and recommend a figure of 6,855. Target 10 should be amended to reflect this number and reworded to refer to "Make provision which will deliver 6,855 additional dwellings in the plan period" so as to emphasize the importance of realism in the provisions that are made. The indicator should refer to completions as the best indicator of the effectiveness of provision, even though completions will be affected by market conditions. Policy HG.3 was deleted from the RDDLP and I have not recommended its reinstatement; reference to HG.3 should therefore be deleted.

Issue ii)

1.126 I agree with the Council that the additional indicators sought by the objector are more directly related to the work of the Council's Housing Services rather than this Local Plan. The monitoring in the plan seeks to measure the overall success or failure of the policies, rather than the underlying justification for the policy. A percentage for affordable homes provided on development sites is a meaningful target because the policy seeks a percentage.

Issue iii)

1.127 In Section 5 I recommend that the overall average of affordable housing provision should be 35% and that this figure be incorporated into a revised Policy HG.8. I also recommend changes to the circumstances in which affordable housing is sought. Target 11 should be amended to reflect those changes.

Recommendations:

R1.27 Target 10 be modified by deleting the existing wording and substituting:

"Make provision which will deliver 6,855 additional dwellings within the plan period."

R1.28 Target 11 be modified to reflect Policy HG.8 as recommended to be modified.

Chapter A4 - Targets 13-16

3126/B38	Bath Friends of the Earth	Target 13
3126/B39	Bath Friends of the Earth	Target 14
3126/B42	Bath Friends of the Earth	Target 15
3126/B40	Bath Friends of the Earth	Target 16

Issues

- i) Should the targets be more ambitious?
- ii) Should the targets run until the end of the plan period?
- iii) Would Target 15 implicitly promote incineration and conflict with Policy 1(f)?

Inspector's Reasoning

Issue i)

1.128 The Council states that the targets are based on the Government's Waste Strategy 2000 and the Strategy provides the basis for Target 13 in paragraph 2.32, Target 15 in paragraph 2.35 and Target 16 in paragraph 1.7. However, Target 14 is more demanding than the National Strategy. Paragraph 2.38 of the Strategy sets targets for England and Wales of recycling or composting at least 25% of household waste by 2005, 30% by 2010 and 33% by 2015. Target 14 reflects the levels which the objector seeks. If the target for 2003/2004 has not proved achievable, then I recommend the Council modify the target to accord with the National Waste Strategy.

Issue ii)

1.129 It is desirable for a target in a local plan to relate to the duration of the plan period. But these targets are generally taken from the Waste Strategy 2000, and I have no basis on which to extrapolate them to the end of the plan period. There would be benefits in updating Targets 13 and 14 to reflect the Council's aspirations in the light of any revisions of the related national targets when available and I recommend accordingly.

Issue iii)

1.130 The term "recover value" is defined in the plan at paragraph B8.60 and the Waste Strategy 2000 at paragraph 2.36. Recovery can consist of recycling, composting, other forms of materials recovery such as anaerobic digestion and various methods of energy recovery. I accept that there is an overlap with some of the other targets, but this target is nonetheless another distinct measure of effective waste management. I

see no reason to narrow the scope of this target as the objector suggests. It thus encompasses the broad range of methods of recovery highlighted above and would not implicitly promote incineration or be inconsistent with Policy 1(f). The target for the recovery of municipal waste is the same as that set out in the Waste Strategy 2000 and I have no reason to recommend a change.

Recommendations:

R1.29 The Council to reassess Target 14 to ensure that it is realistic in the light of experience to date and roll-forward the timescale.

R1.30 Roll forward Target 13 if revised national targets for the period are available.

Chapter A4 - Targets 17-19

1427/B30	Environment Agency	Target 17
3298/B2	Cam Valley Wildlife Group	Target 17
689/B15	British Horse Society	Target 18
3299/B41	Bovis Homes (South West Region) Limited	Target 19

Issues

- i) Whether the Target 17 is too weak; should measure "net loss of biodiversity" rather than sites; or seek to increase the areas of nature conservation value.
- ii) Whether Target 18 should include the creation of new bridleways in the Forest of Avon.
- iii) Whether Target 19 ignores that fact that development on the best agricultural land may represent the most sustainable option.

Inspector's Reasoning

Issue i)

1.131 I agree with the Council that it would be unrealistic to define and measure the District's biodiversity and without such a baseline measure it would not be possible to monitor net loss. Target 17 is clear and measurable and directly related to objectives and policies in the plan. I therefore recommend no change.

1.132 Targets which sought to increase the area that meets the criteria for SNCI designation or the number of Local Nature Reserves would not, in my view, be monitoring the effectiveness of the plan's policies in controlling development but would relate more to wider land management issues.

Issue ii)

1.133 Targets in the Local Plan cannot encompass all that might be desirable, such as new bridleways. Target 18 highlights a likely beneficial outcome of new development in the Forest of Avon, namely additional tree planting and in my view this should not be expanded. However, the stated indicator has little value since it does not measure success or failure. The proportion of new planting schemes implemented out of those initially sought from applicants might form the basis of a useful indicator.

Issue iii)

1.134 Target 19 is one of those targets inconsistent with the policy most closely related to it, namely, Policy NE.16, especially as recommended to be modified. The policy recognises that development on the best and most versatile land can sometimes be the most sustainable option if the use of agricultural land is necessary. In such circumstances, the loss of best and most versatile land should not be counted as a failure of the plan. The target should either be deleted or recognise that such development is allowed for in Policy NE.16. However, I consider that the latter would make the indicator difficult to measure effectively and so I recommend its deletion.

Recommendations:

R1.31 Modify the plan by deleting Target 19 and the corresponding indicator.

R1.32 Modify the plan by identifying an indicator for Target 18 which better measures success in achieving the provision of additional planting.

Chapter A4 - Target 20

686/B54	Bath Preservation Trust	Target 20
723/B33	Bath Chamber of Commerce	Target 20
732/B14	Swainswick Parish Council	Target 20
3126/B43	Bath Friends of the Earth	Target 20
3298/B21	Cam Valley Wildlife Group	Target 20

Issues

- i) Should the target should be higher?
- ii) Would the target unfairly favour residential use on former employment land?
- iii) Should the target specify that development should only be on sites of low nature conservation value?

Inspector's Reasoning

Issue i)

1.135 I deal with the proportion of development that should take place on brownfield land in Section 5 and conclude that there is no justification for departing from the 50% figure in RPG10. I recommend that Target 20 be modified accordingly.

Issue ii)

1.136 Tapping the Potential, the companion guide to PPG3, identifies eleven sources of brownfield land, including the intensification of existing areas, subdivision of existing housing and the redevelopment of car parks. Land that was previously in employment use is only one source of brownfield land. The target of 50% represents a target against which development is to be monitored. It does not have the status of a policy in determining planning applications. Policies in the plan favour the retention for employment uses in some areas. In the context of the whole plan this target would not prejudice the retention of employment uses on former employment sites where such use was the best option in planning terms.

Issue iii)

1.137 The nature conservation value of a previously developed site is an issue that would be taken into account in determining a planning application for the development of that site. Relating the target to previously developed land of low nature conservation value would add unnecessary complication to the monitoring of this indicator and I therefore recommend no change.

Recommendation:

R1.33 Modify Target 20 by deleting "60%" and inserting "50%"

Chapter A4 - Target 23A; 23B

686/C168	Bath Preservation Trust	TGT23/A
2641/C27	David Wilson Homes	TGT23/A
686/C167	Bath Preservation Trust	TGT23/B

Issues

- i) Whether the target in the DDLP relating to the loss of listed buildings should be reinstated.
- ii) Whether the Target 23 attaches too much weight to Visually Important Open Spaces (VIOS).

Inspector's Reasoning

Issue i)

1.138 There are strict controls over the demolition of listed buildings/structures as a result of which few are lost. The Council confirms this to be the case in B&NES and I find little justification for a target measuring such loss.

Issue ii)

1.139 Target 23 is intended to monitor the effectiveness of Policy BH.15 for the protection of VIOS. However, in Section 11 of this report I recommend that the Council considerably rework this policy or delete it, along with VIOS designation on the Proposals Map. In these circumstances, I consider that it would be inappropriate to retain Target 23 and the related indicator.

Recommendation:

R1.34 Modify the plan by deleting Target 23 and the related indicator.

Chapter A4 - Target 25

3126/B41 Bath Friends of the Earth Target 25

Issue

- i) Whether the figure in this target should be higher.

Inspector's Reasoning

1.140 The target is derived from the national target for the reuse of aggregates in paragraph 41 of MPG6. Selecting a higher target would be arbitrary and unrelated to the wider policy context. I recommend no change.

Recommendation: no change.

Chapter A4 - Targets 26 and 27; 27A

878/B7	The Bath Society	Target 26
3098/B44	George Wimpey Strategic Land	Target 26
3099/B9	Barratt Bristol Limited(Mr A T P Joliffe)	Target 26
3299/B40	Bovis Homes (South West Region) Limited	Target 26
3126/B28	Bath Friends of the Earth	Target 27
3257/C33	Somer Valley Friends of the Earth	Target 27/A

Issues

- i) Whether Target and Indicator 26 are unduly restrictive.

- ii) Whether two housing allocations at Bailbrook fail to meet this target.
- iii) Should the "reasonable bus service frequency" for Keynsham and Norton Radstock be 4 buses per hour?
- iv) Whether Target 27 should provide a baseline for the increase in travel plans, be more ambitious and longer-term.

Inspector's Reasoning

Issue i)

1.141 Target 26 is not an objective or a policy in the plan, but provides a benchmark against which access by means other than the car can be measured. Although the target/indicator is a crude measure of accessibility, it accords with RPG10 and provides an indicator as to whether the plan's policies are delivering a sustainable form of development. For this reason I support its retention in the plan. I have insufficient evidence to assess whether it is too restrictive or not. Given that the focus of residential development is on the built-up area of Bath and adjoining Keynsham, and the additional sites which I have identified to meet any housing land shortfall are within Norton Radstock, I consider this to be a realistic target to achieve.

Issue ii)

1.142 The target is for 80% of dwellings to fall within the specified distances of bus stops, food shops and primary schools. The Council indicate that the two sites identified by the objector at Bailbrook amounted to about 1.5% of total housing provision over the plan period and so even if these sites fail to meet the accessibility criteria the 80% target could still be met. The target is intended as a measure of the success in achieving more sustainable residential developments, and is not a policy requirement. I do not need to assess whether or not these sites meet the indicator. I consider objections to these sites in Section 7 of my report.

Issue iii)

1.143 The objector contends that PUAs such as Keynsham should be measured against the recommended public transport frequencies for a PUA as set out in RPG10 (i.e. every 15 minutes). The PUAs in the South West are defined and named in Policy SS.5 of the RPG. This policy does not identify Keynsham as a PUA. It is more accurate to include Keynsham in the 'other urban areas' grouping and thus the reasonable bus service in the indicator is in line with Table 3 of RPG10.

Issue iv)

1.144 Changes made in the RDDLP meet the first two concerns expressed by the objector by providing a baseline of 10 travel plans at 2000 and a target of 25 by 2006. However, a further objection was submitted on the basis that these targets were not sufficiently ambitious. Alternative targets of

20% of all schools and major employers by 2006 rising to 50% by 2010 are suggested.

1.145 I can see the merit in raising the target to a more ambitious level and incorporating a staggered increase in the targets at 2006 and 2010. But this target is focussed on existing schools and major employers and is thus not directly related to what the Local Plan can influence, namely travel plans associated with major new development. I am thus not minded to recommend any change which could be difficult to achieve.

Recommendation: no change

Chapter A5 - General; Urban Design Objectives and Paragraphs A5.4-A5.20

1427/B31	Environment Agency	A5
2226/B2	ETSU	A5
3273/B9	Bath & District Community Health Council	A5
3312/B4	Cllr G Dawson	A5
732/B15	Swainswick Parish Council	A5.4
3264/B11	Landscape Estates Ltd	A5.6
686/B55	Bath Preservation Trust	Urban Design Objectives
1427/B32	Environment Agency	Urban Design Objectives
2638/B2	High Littleton & Hallatrow Village Design Team	A5.18
686/B58	Bath Preservation Trust	A5.20

Supporting Statements

S581/B16	Batheaston Society	A5
S3251/B43	Prospect Land Ltd	Urban Design Objectives

Issues

- i) Whether these sections should refer to: the value of drainage/communication/environmental corridors; passive solar design; sustainable principles in construction, materials and energy efficiency; fire safety measures.
- ii) Does paragraph A5.40 set out the correct approach to evaluating the design of new schemes?

Inspector's Reasoning

1.146 Chapter A5 contains far too much text. Much of this text comments on design issues in a generalised way and is unnecessary, generally non-contentious background information. The important points the Council wants to make are easily lost in this lengthy text. I recognise the differences between "Character", "Public Realm" and "Townscape" and I accept that each is an important consideration in achieving good design, but I find the 3 lengthy sections based on these 3 headings rambling and unconvincing. There is considerable overlap between each section. The text and policy criteria in each of these 3 sections is not confined to the

respective headings. The meaning of Public Realm and Townscape are made too wide-ranging. In response to some objections the Council explains that Policy D.2 is concerned with functional aspects of design and Policy D.4 with the visual aspects, and this is suggested in paragraph A5.55. This could be the basis of a clear distinction between the 2 main policies in this section, but this reasoning is not brought out in the supporting text.

1.147 In my view, the Council should review the whole structure of this section with a view to making it much shorter and more focussed. Detail on design matters can be set out in SPD. But there are no objections seeking such radical changes and it is not for me to rewrite the plan. I have dealt with the specific objections below, but my recommendations on individual changes must be seen in the context of my considerable underlying concern with the lengthy and confusing nature of this section.

1.148 A number of the objections listed above include comments which do not seek particular changes or which do not warrant identification as a separate issue. The Urban Design Objectives are taken directly from those contained in the DETR publication "By Design" (2000). Thus it would be inappropriate to alter them by the inclusion of other considerations such as sustainability. I have no concerns about the use of the word "adaptability" in the context of Bath's historic buildings. Village Design Statements (VDS) should be listed in the plan only when they are complete and have been approved by the Council. I see no justification for highlighting the VDS for High Littleton and Hallatrow as "pending". SPG has been prepared for the Bath Western Riverside site, but does not need to be mentioned in this section.

Issue i)

1.149 The additional references in the text sought by objectors may all play a part in achieving good design, but in my view none justify specific reference or additional text in this section, especially given my comment above on its excessive length. Fire safety measures are a matter for the Building Regulations rather than the local plan.

Issue ii)

1.150 In the RDDLP "historical pastiche" has been replaced with "more traditional designs". I consider that this paragraph sets out an appropriate approach to the consideration of design in the context of existing character.

Recommendation: no change

Chapter 5 - Policy D.1 and Paragraphs A5.22-A5.42

2968/B1	Countryside Residential (SW) Ltd	D.1
2975/B7	Crest Nicholson Properties Limited	D.1
3098/B10	George Wimpey Strategic Land	D.1
3099/B10	Barratt Bristol Limited(Mr A T P Joliffe)	D.1
3233/B1	Mr & Mrs M Williams	D.1
3307/B1	Cllr R Symonds	A5.22
88/B51	William & Pauline Houghton	A5.23
1427/B33	Environment Agency	A5.24
3257/C34	Somer Valley Friends of the Earth	A5.27/A
3298/C77	Cam Valley Wildlife Group	A5.27/A
120/B33	Ms Helen Woodley	A5.28
2975/B8	Crest Nicholson Properties Limited	A5.39
2127/B2	Bath Pride	A5.41
578/C106	Norton Radstock Town Council	A5.41/A

Supporting Statements

2311/B1	Somer Community Housing Trust	A5.32
3251/B42	Prospect Land Ltd	A5.33
505/B41	Bathampton Parish Council	A5.34
3257/C35	Somer Valley Friends of the Earth	A5.41/A
505/B43	Bathampton Parish Council	A5.42

Issues

- i) Whether Policy D1 is too generalised, difficult to apply or should contain criteria to guide interpretation.
- ii) Whether use should be made of Twerton Railway Station.
- iii) Should vibrant street life and use of public open spaces be supported in A5.22?
- iv) Should A5.24 take account of topography, natural drainage patterns and existing natural landscape features?
- v) Whether biodiversity issues and measures to aid the movement of wildlife should be addressed in A5.27?
- vi) Should CPO powers be used to achieve better connectivity within existing developments?
- vii) Should A5.41 impose a ban on vehicles during the daytime; encourage the provision of underground parking and the reduction in on-street parking; and is the promotion of on-street parking and parking courts in paragraph A5.41 and A5.42 misguided?

Inspector's Reasoning

Issue i)

1.151 Policy D1 seeks to prevent development which does not maintain or enhance the character of an area. The Council describe this as an over-arching policy in which they have purposely avoided prescription and detail. Although succinct policies are generally to be commended, this

policy will be difficult to interpret, except where the character of an area has been clearly defined, such as in appraisals for conservation areas. (The character and appearance of conservation areas would be protected by other policies in the plan). I consider that Policy D1 adds nothing meaningful to the detailed criteria set out in Policies D.2 and D.4 (as recommended to be modified) and in other policies. In addition, the policy is at odds with what is clearly flagged in the text (paragraphs A5.16 and A5.20) namely that if the character of an area is poor or of no particular value, a policy requiring the maintenance of that character does not promote good design. I therefore recommend that Policy D1 be deleted.

Issue ii)

1.152 I see no need to refer in this section to the use of the Twerton Railway Station.

Issue iii)

1.153 The use of public open spaces and streets in the Bath City Centre to create a vibrant street life is primarily a matter for town centre management rather than the Local Plan and no additional text on this subject is justified. The plan places considerable importance on the public realm in new development.

Issue iv)

1.154 Topography, natural drainage patterns and existing natural landscape features all need to be taken into account in achieving good design, but are not the primary concerns in achieving good connectivity which is the focus of paragraph A5.24. No change is required.

Issue v)

1.155 I accept that there may be a need in some developments to accommodate the movement of wildlife, such as along existing wildlife corridors, but I am not convinced that such possibilities need to be flagged here. Inserting the words "for a variety of reasons" after "places and spaces" in paragraph A5.27, as suggested by the objector, would serve little purpose.

Issue vi)

1.156 The use of CPO powers as sought by the objector would be justified only where a particular access link, unrelated to other development, was proposed in the plan across existing development. I am not aware of any such proposals and I see no need to expand on the scope for the use of CPOs as suggested.

Issue vii)

1.157 Paragraphs A5.41 and A5.42 are primarily concerned with dealing with car parking in new development in order to achieve good design. It is not setting out wider considerations relating to traffic in Bath and is not the place for any such wider considerations.

1.158 I accept that on-street parking can detract from the street-scene, but such harm can be minimised by good design. On-street parking helps to make better use of land for development. Although this paragraph does not make specific reference to the provision of underground parking, I consider that the issue is covered adequately in paragraph D12.7.

1.159 I do not believe that the plan gives undue preference to courtyard parking and on-street parking over on-site parking. The references to on-street parking and parking courts in paragraphs A5.41 and A5.42 respectively, are examples of how parking may be incorporated into a development taking into account the need to maximise efficient use of land and achieve good design. The importance of safety in parking courts is acknowledged in the text and a sentence was added to paragraph A5.31 in the RDDLP to highlight the need for highway design to accommodate on-street parking safely. I consider that no changes to these paragraphs are necessary.

Recommendation:

R1.35 Modify the plan by deleting Policy D.1.

Chapter 5 - Policy D.2

120/B103	Ms Helen Woodley	D.2
578/B34	Norton Radstock Town Council	D.2
586/B2	Avon & Somerset Constabulary	D.2
686/B61	Bath Preservation Trust	D.2
696/B11	South West RSL Planning Consortium	D.2
2303/B5	Wellow Residents Association	D.2
2975/B9	Crest Nicholson Properties Limited	D.2
3007/B10	Grant Thornton	D.2
3097/B3	Mr M Swinton	D.2
3098/B11	George Wimpey Strategic Land	D.2
3098/B47	George Wimpey Strategic Land	D.2
3099/B11	Barratt Bristol Limited(Mr A T P Joliffe)	D.2
3240/B2	Westbury Homes	D.2
3241/B1	Edward Ware Homes Ltd	D.2
3242/B2	Davies Street (Bathampton) Ltd	D.2
3257/B12	Somer Valley Friends of the Earth	D.2
3265/B6	Mr D E Packman	D.2
3278/B10	Persimmon Homes (Wessex) Ltd	D.2
3295/B6	G L Hearn Planning	D.2

Supporting Statements

581/B17	Batheaston Society	D.2
3126/D68	Bath Friends of the Earth	PIC/A/15 (D.2)
3251/B41	Prospect Land Ltd	D.2

3257/D309
3257/C36

Somer Valley Friends of the Earth
Somer Valley Friends of the Earth

PIC/A/16 (D.2)
D.2/A

Issues

- i) Should the policy seek the provision of footpaths and cyclepaths within existing developments?
- ii) Should there be criteria to protect the City skyline; cut light pollution; improve public transport; and secure "urban clarity and safety";
- iii) Whether a more flexible approach to parking within affordable housing developments should be acknowledged?
- iv) Whether "well connected" is meaningful and clear?
- v) Whether criterion d) on density is arbitrary, contrary to national advice, or should have different requirements for urban and rural areas.
- vi) Whether criterion (e) on mixed-use is too simplistic and promotes mixed-uses too inflexibly.
- vii) Whether criterion (h) is poorly worded, too generalised or too restrictive?
- viii) Should the policy make reference to the integration of biodiversity and wildlife issues?
- ix) Is this policy in conflict with Policy D.4?

Inspector's Reasoning

Issue i)

1.160 This policy relates to criteria for new development and is not intended to deal with existing access problems or deficiencies in the provision of foot and cycle paths. The extension of routes for pedestrians and cyclists is an aim of Policies T.3 and T.4. No change is justified.

Issue ii)

1.161 Policy BH.22 seeks to prevent harm from new external lighting. It does not need to be referred to here. The effect of development on the skyline of Bath would be controlled by Policy D.4 as well as the policies for the conservation area and WHS. No reference to protecting the skyline is needed in Policy D.2.

1.162 The operation of public transport services is outside the scope of the Local Plan. The provision of facilities for public transport is referred to in Policy T.1. A reference to public transport would not relate well to Policy D2 which is intended to cover the design of the public realm.

1.163 I accept the importance of achieving developments which are understandable to users, free from physical hazards, and reduce opportunities for crime. These are all relevant considerations for the public realm. Whilst not perhaps as well expressed, I consider that criterion a) which refers to "schemes being easy and safe to move through" adequately covers the point, together with paragraphs A5.45-A5.47.

Issue iii)

1.164 I do not see the relevance of Policy D.2 to this objection which concerns parking provision in affordable housing developments. Parking standards are set out in Chapter D and are maximum standards; no minimum is specified for any type of housing development.

Issue iv)

1.165 I do not consider the objector's concerns over the clarity of the term "well connected" are justified. Paragraphs A5.22-A5.28 explain connectivity in some detail. In summary it is the network of spaces and routes which provide links between and access to developments and allow people to move through with ease. I consider that there is a sufficiently clear link between this text and the policy requirement of "well connected" to avoid any doubt as to what is sought.

Issue v)

1.166 Criterion d) seeks to maximise density whilst having regard to the character of an area. I do not understand why this density requirement is included in a policy supposedly on the design of the public realm. In addition, the plan has 2 policies – HG.7 and HG.7A - specifically on the density of development. In Section 5 of this report I recommend these are combined in one new policy. I see no need for a density criterion in Policy D.2 which cannot be as comprehensive as the new policy I am recommending. Criterion d) should be deleted.

Issue vi)

1.167 Objectors are concerned that criterion e) requiring a mix of uses is simplistic and would not allow for circumstances where a single-use may be the most appropriate development. The Council acknowledge that the promotion of a mix of uses may not be desirable in all circumstances. I recognise that national advice promotes mixed use as an important contribution to securing sustainable and accessible communities, but in my view this cannot be transposed into a requirement for all developments to incorporate a mix of uses; much will depend on the scale of the development, its location and the existing mix of uses in the area. I strongly support securing a mix of uses on a number of the larger development sites allocated in the plan or on those which I recommend for further consideration, but I do not see the justification for this inflexible criterion in this general design policy. It should be deleted.

Issue vii)

- 1.168 Criterion h) concerns the protection of residential amenity. Whilst the intentions behind the policy are generally supported, objectors consider that it is not clearly worded and is too simplistic. The Council has acknowledged that the wording in the consolidated version of the plan is badly expressed and should read "h) the amenities of the proposed development and existing or potential development in the area is not harmed". I consider that reference to the amenity of developments is too imprecise for a policy criterion. I do not know what it is intended to encompass. It should be specific such as by referring to the living conditions of residents with reference to daylight, sunlight, noise disturbance or other similar considerations.
- 1.169 The living conditions of existing residents and of the future residents of the proposed development under consideration should be taken into account, but consideration of the effect on "potential developments" would be incapable of objective assessment. Some aspects of what I think this criterion is intended to cover are addressed in other policies. The Council should reconsider the scope and wording of the criterion to be more specific.

Issue viii)

- 1.170 Whilst I agree that development should properly take into account biodiversity and wildlife, I do not see this as a matter for a policy concerned with the design of the public realm. Specific policies for the protection of biodiversity and wildlife are contained in Chapter C2 and duplication should be avoided.

Issue ix)

- 1.171 I do not consider that there is any direct conflict between the criteria in Policies D.2 and D.4 as suggested by the objector. Inevitably when considering a particular proposal, criteria in different policies may pull in different directions. It would be impossible to resolve all these tensions. No change is required in response to this objection.

Recommendations:

R1.36 Modify Policy D.2 by:

deleting criteria d) and e);

Reviewing the need for criterion h) and, if retained, specify more clearly what aspects of the living conditions of existing residents and the future residents of the proposed development are to be given consideration.

R1.37 Delete paragraph A5.32.

(See also my recommendation under Policy D3).

Chapter 5 - Policy D.3 & Paragraph A5.50/A

485/B5	Prowting Projects Ltd	D.3
601/B9	House Builders Federation	D.3
2975/B10	Crest Nicholson Properties Limited	D.3
3098/B12	George Wimpey Strategic Land	D.3
3099/B12	Barratt Bristol Limited(Mr A T P Joliffe)	D.3
3271/B5	Bellwish Limited	D.3

Supporting Statements

581/B18	Batheaston Society	D.3
3257/C37	Somer Valley Friends of the Earth	1A5.50/A

Issue

- i) Whether the policy lacks clarity; whether "significant development" should be defined and whether residential development should be exempt.

Inspector's Reasoning

1.172 Many objectors, whilst supporting the policy in principle, consider that it should clearly state what provision will be sought and on what basis, in particular seeking clarification of the size and nature of the development which might trigger public art being sought.

1.173 In my view, a separate policy simply seeking the provision of public art is not a very effective or imaginative way of addressing this issue. I recognise that public art has an important role in creating public places which are attractive and enjoyable and can contribute to a high quality public realm which is the focus of Policy D2, and it can take many forms including lighting, paving, planting and street furniture. Thus I do not consider that it is necessary to have a policy seeking public art, but that an additional criterion should be added to Policy D2 requiring all development to contribute to creating a public realm which is attractive, enjoyable and legible.

1.174 A residential development will include streets, roads and footpaths which are all examples of spaces frequented not just by residents but also by the general public. There will therefore be scope for public art assisting in the creation of high quality public realm in such developments. They should not be excluded from the scope of my recommended new criterion.

Recommendations:

R1.38 Modify the plan by deleting Policy D.3.

R1.39 Modify Policy D.2 by inserting the following additional criterion:

"it provides for public art or otherwise contributes to a public realm which is attractive, enjoyable and legible."

Chapter 5 - Policy D.4 and Paragraphs A5.59/A - A7.70

120/C226	Ms Helen Woodley	A5.60/A
686/C140	Bath Preservation Trust	A5.60/A
686/B62	Bath Preservation Trust	A5.66
686/B63	Bath Preservation Trust	A5.69
723/B29	Bath Chamber of Commerce	A5.69
686/B64	Bath Preservation Trust	A5.70
334/B12	Ms P Davis	D.4
686/B65	Bath Preservation Trust	D.4
687/B10	Peasedown St John Parish Council	D.4
2127/B1	Bath Pride	D.4
3097/B4	Mr M Swinton	D.4
3098/B13	George Wimpey Strategic Land	D.4
3099/B13	Barratt Bristol Limited(Mr A T P Joliffe)	D.4
3205/B3	Edward Nash Partnership	D.4
3233/B2	Mr & Mrs M Williams	D.4
3266/B6	O A G Stephens Limited	D.4
3278/B9	Persimmon Homes (Wessex) Ltd	D.4
3295/B7	G L Hearn Planning	D.4
3493/C1	Bath & Wells Diocesan Board of Finance	D.4/A

Supporting Statements

120/D286	Mrs H Woodley	PIC/A/17 (A5.59)
3257/D288	Somer Valley Friends of the Earth	PIC/A/17 (A5.59)
3257/C38	Somer Valley Friends of the Earth	A5.59/A
3298/C61	Cam Valley Wildlife Group	A5.59/A
3257/C39	Somer Valley Friends of the Earth	A5.59/B
3298/C62	Cam Valley Wildlife Group	A5.59/B
3257/C40	Somer Valley Friends of the Earth	A5.60/A
120/C223	Ms Helen Woodley	A5.66/A
3257/C41	Somer Valley Friends of the Earth	A5.66/A
120/C224	Ms Helen Woodley	A5.69/A
257/C43	Somer Valley Friends of the Earth	A5.69/B
3257/C42	Somer Valley Friends of the Earth	A5.69/A
120/C225	Ms Helen Woodley	A5.69/B
581/B19	Batheaston Society	D.4
3251/B39	Prospect Land Ltd	D.4

Issues

- i) Whether Policy D.4 is necessary, too vague or too prescriptive and would stifle innovative design and new development.
- ii) Whether the policy is unrealistic and unreasonable in its requirements.
- iii) Whether the meaning of words used in the policy and text needs to be clarified.

Inspector's Reasoning

1.175 I focus my reasoning firstly on the policy and its criteria. In doing so I also take into account objections to the supporting text. The supporting text should be amended to adequately justify the policy, without making unnecessary asides.

- 1.176 The government places great emphasis on the importance of good urban design as set out in paragraphs 33-39 of PPS1. If policy D.2 is intended, as the Council explain, to focus on the functional aspects of design, it is right to have another policy to address visual and aesthetic matters. Provided this distinction is consistently maintained in the policy criteria and text then this separate policy is justified.
- 1.177 In general, subject to the detailed recommendations on wording which follow, I consider that D.4 covers legitimate planning objectives consistent with national advice. It seeks to provide overall guidance whilst avoiding unnecessary prescription. Far from being too prescriptive, I consider that it states no more than some basic principles, which can be summarised as "respond to the local context". This is only one of a number of key objectives listed in PPS1. There is nothing in the policy that suggests to me that it might stifle innovation. The reference in the DDLP to responding to local context in an appropriately contemporary manner has been deleted in the RDDLP and the text in paragraph A5.69 has been correspondingly amended. I support this change since otherwise it would promote a particular style of design.
- 1.178 My main concern with wording of the policy is that it sets the standard for acceptable design too low. As I have already highlighted in relation to Policy D1, in areas where the local context - whether of the landscape or of the townscape - is poor and of no value, the criterion of "not adversely affecting" would make mediocre design acceptable. National advice seeks strongly to promote good design and improve the attractiveness of the environment. I therefore consider that some qualitative aspect needs to be introduced into the policy such as "complementing or reinforcing attractive qualities of local distinctiveness and improving areas of poor design and layout". The supporting text should explain where the attractive qualities and local distinctiveness of settlements is identified, such as conservation area appraisals and village design statements (and where existing documents are listed in the plan). The policy is unnecessarily lengthy because there is duplication and overlap between some of the criteria. My recommended wording seeks to combine all of those elements which I believe should respond to the local context. I consider that the general approach to design in paragraph A5.69 of the RDDLP is reasonable, but needs to be expanded to deal with the point I make above about those existing contexts which create a poor environment.
- 1.179 My recommended rewording will overcome or obviate a number of the objections to the detail of the wording. I deal with remaining points below. It is reasonable to require the landscaping of the development to enhance it, but I consider that it should also complement its surroundings. The various detailed considerations important in the design of a landscape scheme are set out in the additions made to paragraph A5.59 in the RDDLP. There is no need to elaborate these matters further in the text, but the policy should have a simple criterion which encompasses these wider considerations rather than solely the aesthetic value of the scheme in relation to the proposed development. In my view, the sentence added

at the end of paragraph A5.60 referring to offsetting CO₂ emissions is misplaced in this section and should be deleted.

- 1.180 It is unrealistic to expect the development of a site not to adversely affect some of its existing natural and man-made features. This is an inevitable consequence of change. What should be avoided is harm to features which are important. Policy NE.12 requires development to retain features of the landscape and lists many such features. It is not therefore necessary for this aspect to be repeated in Policy D.2, nor is it necessary to add further to the text by describing what is special about the landscape setting of Bath. This level of detail is more appropriate to SPG/SPD, such as a conservation area appraisal.
- 1.181 I consider that it is helpful to retain a specific criterion on extensions since they are such a frequent form of development. Paragraph A5.70 states that extensions should reflect the appearance of the existing building, but that would normally require the design to be similar, which is not always necessary or the best approach. Criterion g) states that extensions should respond appropriately to the appearance of the existing building, which is rather vague. I consider that "respect and complement" are clearer and more specific whilst allowing for imaginative solutions. I see no need for the plan to refer specifically to "mirror image extensions" which are of concern to one objector.
- 1.182 Whilst "morphology" is a recognised term within urban design, it is not widely used. The plan recognises the obscurity of the term by providing an explanation in the first sentence of paragraph A5.61. However, I consider that it should be deleted as a heading and from the text. In my view, "the pattern of streets, building and spaces" more clearly sums up what is being highlighted in paragraphs A5.61 and 5.62.
- 1.183 Adaptability over the life of building is mentioned in PPS1 and can play a part in achieving a more sustainable use of resources, but I consider that the reference in criterion e) and in paragraph A5.66 to "enabling extensions to be added when required and where appropriate" goes too far. It would be an unrealistic and unreasonable requirement since it might well require land to be left unused and hence result in an inefficient use of land, contrary to one of the underlying objectives of the plan. This requirement should be deleted from the text and from criterion e).

Recommendations:

R1.40 Modify Policy D.4 by deleting the existing text and substituting:

"Development will be permitted only where:

- a) it responds to the local context in terms of appearance, materials, siting, spacing and layout; reinforces or complements attractive qualities of local distinctiveness; or improves areas of poor design and layout;
- b) landscaping enhances the development and complements its surroundings;

- c) buildings and layouts are capable of adaptation;
- d) the appearance of extensions respect and complement their host building."

R1.41 Modify the supporting text to provide a reasoned justification for the policy by:

highlighting that the quality of the townscape and landscape varies and new development should complement what is attractive, but improve on what is poor;

referring to SPG/SPD where the attractive qualities and local distinctiveness of settlements is identified, such as conservation area appraisals and village design statements (and where such existing documents are listed);

deleting the last sentence of paragraph A5.60;

deleting the heading "Morphology" and the word in paragraphs A5.61 and 5.62 and amend the text to explain more straightforwardly what is being highlighted (such as "the pattern of streets, buildings and spaces")

deleting in paragraph A5.66 "without complete rebuilding" to the end of the sentence;

deleting paragraph A5.70 and adding at the end of paragraph A5.69: "Extensions should respect and complement their host building."

Chapter 5 - Policy D.5; Quick Guides 4A & 4B; Paragraphs A5.73/A and A5.74A

3097/C16	Mr M Swinton	A5.73/A
3257/C44	Somer Valley Friends of the Earth	A5.74/A
3257/C45	Somer Valley Friends of the Earth	A5.74/A
120/C138	Ms Helen Woodley	QG4A/A
3240/C12	Westbury Homes	A5.74A/A
3240/C11	Westbury Homes	A5.74B/A
3257/C47	Somer Valley Friends of the Earth	A5.74B/A
3257/C46	Somer Valley Friends of the Earth	QG4A/A
3298/C56	Cam Valley Wildlife Group	QG4A/A
120/C137	Ms Helen Woodley	QG4B/A
334/C13	Ms P Davis	QG4B/A
2356/C11	The Hon W H M Jolliffe	QG4B/A
3219/C15	The Hon Andrew Jolliffe	QG4B/A
3240/C10	Westbury Homes	QG4B/A
3257/C48	Somer Valley Friends of the Earth	QG4B/A
3298/C57	Cam Valley Wildlife Group	QG4B/A
3299/C60	Bovis Homes (South West Region) Limited	QG4B/A
3532/C2	Ms A Godfrey	QG4B/A
3604/C3	Mr S Bendle	QG4B/A
88/B23	William & Pauline Houghton	D.5
686/B66	Bath Preservation Trust	D.5
721/B16	Government Office for the South West	D.5

1427/B34	Environment Agency	D.5
2968/B4	Countryside Residential (South West) Ltd	D.5
3097/B6	Mr M Swinton	D.5
3098/B14	George Wimpey Strategic Land	D.5
3099/B14	Barratt Bristol Limited(Mr A T P Jolliffe)	D.5
3126/B3	Bath Friends of the Earth	D.5
3295/B5	G L Hearn Planning	D.5
3298/B32	Cam Valley Wildlife Group	D.5
721/C44	Government Office for the South West	D.5/A
3097/C15	Mr M Swinton	D.5/A
3219/C16	The Hon Andrew Jolliffe	D.5/A
3257/C49	Somer Valley Friends of the Earth	D.5/A
3298/C55	Cam Valley Wildlife Group	D.5/A

Supporting Statements

3511/C3	British Waterways	QG4A/A
120/C220	Ms Helen Woodley	A5.74A/A
120/C221	Ms Helen Woodley	A5.74B/A
120/D295	Mrs H Woodley	PIC/A/19 (Quick Guide 4B)
248/C1	Future Energy Solutions	QG4B/A
3257/D289	Somer Valley Friends of the Earth	PIC/A/19 (QG4B)
3511/C4	British Waterways	QG4B/A
581/B20	Batheaston Society	D.5
3205/B2	Edward Nash Partnership	D.5
3251/B40	Prospect Land Ltd	D.5
3298/B15	Cam Valley Wildlife Group	B1

Issues

QG4A

- i) Whether detailed additions or deletions should be made to the list of issues.

QG4B

- ii) Whether the quick guide repeats policies elsewhere in the plan and is unnecessary.
- iii) Whether it is too prescriptive and inflexible, or covers matters addressed (or best addressed) in other legalisation.
- iv) Whether detailed additions or deletions should be made to the bullet points and whether they should be re-ordered.
- v) Whether Council should encourage sustainable building through facilitating an advice service on sustainable building methods.

Policy D.5

- vi) Whether the policy should be deleted since it concerns the processing of applications rather than their determination.
- vii) Whether it is too weak or too onerous.

Inspector's Reasoning

Issues i) - v)

1.184 As I have previously stated, the status of the Quick Guides is unclear, as they appear to be neither supporting text nor policy. Both of these Quick Guides duplicate to some extent issues that are covered elsewhere. QGs 4A and 4B have the potential to be helpful checklists for development proposals, but this information should be included in SPD, for example the proposed "Design Guide" (paragraph A4.20) and not in the plan.

1.185 As I am recommending the deletion of QG 4A and 4B, it is for the Council to consider the extent to which the detailed points raised by objectors should be reflected in advice in SPD. For consistency, the reference to QG 4A in paragraph A5.74 should be deleted. Paragraphs A5.74A and B do not explain or support a policy in the plan and should therefore be deleted. None of the other matters advocated by objectors should be referred to in the text of the plan. The provision of an advice service on sustainable building methods is not a topic for the local plan.

Issues vi-vii)

1.186 Policy D.5 has been substantially altered in the RDDLP. It now requires the submission of a Design Statement with all planning applications. I acknowledge that the process of producing a Design Statement can assist in producing better design and in assessing the quality of a development. But policies in the plan should be those which are used for determining planning applications. The submission of a design statement is a procedural matter and should not be the subject of a policy. In order to encourage the submission of design statements the reference in the reasoned justification should be retained.

1.187 Requiring a Design Statement for all developments is unduly onerous and unnecessary. Many planning applications will not engage the issues of design set out in this section of the plan. I consider that a design statement should be sought only for all new buildings and extensions.

Recommendations:

R1.42 Modify the plan by:

deleting Quick Guide 4A, Quick Guide 4B and paragraphs A5.74A and B;

deleting the reference to Quick Guide 4A in paragraph A5.74.

R1.43 Modify the plan by deleting Policy D5.

R1.44 Modify the plan by deleting the first sentence of paragraph A5.73 and substituting "Design statements should accompany all planning applications for new buildings and extensions."

SECTION 2 - Chapters B1 and B2

Chapter B1 - Settlement Classification: Policy SC.1 and Paragraphs B1.9-B1.15

686/B67	Bath Preservation Trust	B1.2
2/B40	T2000/Railfutures	B1.3
3257/C50	Somer Valley Friends of the Earth	B1.3/B
2/B34	T2000/Railfutures	B1.4
3266/B1	O A G Stephens Limited	B1.4
700/B15	Chase Homes	B1.7
2599/B4	Mr G Glass and Mr R Weston	B1.7
721/C45	Government Office for the South West	B1.7/C
2641/C25	David Wilson Homes	B1.10/B
2/B33	T2000/Railfutures	SC.1
88/B24	William & Pauline Houghton	SC.1
502/B16	Camerton Parish Council	SC.1
566/B13	Clutton Parish Council	SC.1
614/B9	Temple Cloud Residents Committee	SC.1
631/B8	Cameley Parish Council	SC.1
695/B17	Society of Merchant Venturers	SC.1
721/B17	Government Office for the South West	SC.1
731/B12	Stowey Sutton Parish Council	SC.1
2199/B2	Mr M Fone	SC.1
2323/B3	Read Renewable Resource	SC.1
2332/B1	Mr & Mrs J Quinlan	SC.1
2648/B6	Persimmon Homes (Wessex) Ltd	SC.1
3047/B6	Mrs E W Styles	SC.1
3098/B15	George Wimpey Strategic Land	SC.1
3099/B16	Barratt Bristol Limited(Mr A T P Joliffe)	SC.1
3211/B2	Cllr M Hawkings	SC.1
3241/B11	Edward Ware Homes Ltd	SC.1
3265/B4	Mr D E Packman	SC.1
3299/B29	Bovis Homes (South West Region) Limited	SC.1
3312/B8	Cllr G Dawson	SC.1

Supporting Statements

695/B18	Society of Merchant Venturers	B1.3
3299/B9	Bovis Homes (South West Region) Limited	B1.3
257/C50	Somer Valley Friends of the Earth	B1.3/B
695/B19	Society of Merchant Venturers	B1.4
3251/B38	Prospect Land Ltd	B1.5
3251/B37	Prospect Land Ltd	B1.6
3251/B36	Prospect Land Ltd	B1.7
3257/C51	Somer Valley Friends of the Earth	B1.7/A
3257/C52	Somer Valley Friends of the Earth	B1.7/B
3257/C53	Somer Valley Friends of the Earth	B1.7/C
3251/B35	Prospect Land Ltd	B1.8
2641/C8	David Wilson Homes	B1.8/A
3257/C54	Somer Valley Friends of the Earth	B1.10/A
2641/C29	David Wilson Homes	B1.13/A
156/B10	Ubley Parish Council	SC.1
700/B13	Chase Homes	SC.1
2601/B2	Linden Homes (Developments) Limited	SC.1
3207/B1	Cindabi (International) Ltd	SC.1
3241/B4	Edward Ware Homes Ltd	SC.1
3242/B3	Davies Street (Bathampton) Ltd	SC.1
3251/B34	Prospect Land Ltd	SC.1
721/C46	Government Office for the South West	SC.1-REG24(9)

Issues

- i) Whether Bishop Sutton, Temple Cloud/Clutton, Farmborough, High Littleton, Paulton and Timsbury are appropriately classified as R1 settlements.
- ii) Whether a reference should be made to a change in the Green Belt at Keynsham, and should Keynsham be identified as a Principal Urban Area (PUA)?
- iii) Is there sufficient recognition of the opportunities for further development and need for self sufficiency for Norton-Radstock?
- iv) Is the classification of R2 and R3 settlements sound, and is there sufficient opportunity for development in the rural settlements to prevent their decline?
- v) Should Paulton, Peasedown St John and Farrington Gurney be treated as discrete from Norton-Radstock?
- vi) Should Policy SC.1 refer to R1 villages as local service centres?
- vii) Should the urban area of Bath include Bathampton, and should villages such as Twerton on Avon be identified separately from the urban area?
- viii) Is Camerton properly designated an R2 settlement?
- ix) Should Chew Magna be an R1 settlement?
- x) Should Farrington Gurney be an R1 settlement?
- xi) Should Hempnett/Thrubwell be classified as an R3 settlement?
- xii) Should Policy SC.1 recognise the relationship between Whitchurch and the rest of the built up area of Bristol?

Inspector's Reasoning

Issue i)

- 2.1 The Council carried out a detailed settlement classification analysis in order to define the extent to which settlements provided services to the rural areas. I have considered the approach adopted in the analysis and consider that it provides a reasonable classification of the many different types of rural settlements found within the district. There are bound to be discrepancies in an analysis of this sort, but in my view the approach taken correctly identifies those settlements which provide a reasonable level of local services and public transport provision. Whilst I have some sympathy with the views of those objectors in regard to Temple Cloud/Clutton, the two settlements provide an important range of services

to this rural area. I therefore agree with the Council's identification of the villages as an R1 settlement.

- 2.2 Although some objectors consider that Bishop Sutton has experienced too much development and should receive no more, the designation of the village as an R1 settlement does not in itself mean that it will receive further development. The classification acknowledges the status of the village as a rural service centre. That status will clearly have some bearing on future planning decisions, but any proposals would need to be considered on their individual merits, and against all the policies of the plan.

Issue ii)

- 2.3 The reference in paragraph B1.3 to a change to the Green Belt at Keynsham was deleted from the RDDLP as the result of the change in the strategy of the local plan. I recommend in Section 5 of my report that land be taken from the Green Belt for residential development at Keynsham in order to meet strategic housing land requirements. I therefore recommend the reinstatement of the deleted sentence. However, the definition of Principal Urban Area is set out in RPG10 and Keynsham is not included as a town which meets this definition. The differences between Keynsham and Norton-Radstock are not so significant that they justify a different settlement definition in the plan.

Issue iii)

- 2.4 It is an underlying objective of the plan to secure the development of sustainable communities. Norton-Radstock does have a significant level of local services and facilities, together with the potential for further employment. There are also a number of older employment sites which may be suitable for mixed-use development of residential and employment use. I recommend in section 5 of my report the investigation by the Council of a number of such sites in order to meet the housing land requirement. Whilst the Council is concerned to address the balance between residential development and employment within the town, in the absence of an adequate supply of housing land within the plan, Norton Radstock has the potential to make a significant contribution to the supply. Furthermore, there are opportunities to combine residential development with the provision of employment units. In my view such development would contribute to the self-sufficiency of the town, and I recommend changes to paragraph B1.4 to reflect this position.

Issue iv)

- 2.5 I have already expressed the view that the settlement classification analysis carried out by the Council was soundly based, and therefore recommend no change to the definition of the R2 and R3 settlements. The Council's objective is to steer development towards those settlements with good accessibility, local services and facilities, and this approach is in accord with the policies of RPG10 and the JRSP. However, there remains

scope for limited infill development which will help sustain the smaller villages and which is increased by the changes which I recommend to housing policies HG.4, 5, and 6.

Issue v)

2.6 Although Paulton, Peasedown St John and Farrington Gurney are in close proximity to Norton-Radstock, they remain separate communities with their own distinct characters. However, this does not prevent these other communities from benefiting from economic development in the area. Indeed there is potential for new employment development at Peasedown St. John and Paulton.

Issue vi)

2.7 The status of R1 settlements is made clear in the reasoned justification. I consider there is no need to repeat this in the policy.

Issue vii)

2.8 Although Bathampton is closely related to the urban area of Bath, it has maintained its separate identity as a village largely set in open countryside. As a result I agree with the Council that it should remain as a separate R1 settlement. However, Twerton on Avon is physically and administratively a part of the urban area of Bath and therefore I find no reason to identify it separately.

Issue viii)

2.9 Whilst I recognize the limited facilities at Camerton, it is not a village washed over by the Green Belt and would not therefore fall within the definition of an R3 settlement. However, its classification as an R2 settlement does not imply that it would be required to accommodate any significant development. The changes which I recommend to Policies HG.4 and 5 require consideration to be given to the scale of the settlement in terms of the availability of facilities and employment opportunities and accessibility to public transport.

Issue ix)

2.10 Chew Magna has a level of services and facilities which might well qualify it for the status of an R1 settlement. However, it is washed over by the Green Belt and as a result falls within the definition of an R3 settlement. I consider the distinction to be justified, although in any future review of the Green Belt the Council may investigate a change to make Chew Magna an inset village in recognition of its importance in serving the valley villages.

Issue x)

2.11 For the reasons given by the Council, I agree that Farrington Gurney should remain as an R2 settlement. Nevertheless the changes which I

recommend to Policies HG.4 and 5 would allow for some limited infill development as appropriate within the village.

Issue xi)

2.12 Nempnett Thrubwell is a fragmented area of development with poor accessibility within the Green Belt. As a result I agree with the Council that it should not be included in the classified settlements.

Issue xii)

2.13 Although Whitchurch is in close proximity to Bristol it remains physically and administratively separate from the urban area. I therefore find no justification for the change put forward by the objector.

Recommendations:

R2.1 Modify Paragraph B1.3 by reinstating the final sentence deleted from the DDLP.

R2.2 Modify Paragraph B1.4 by deleting the final sentence after “services” and adding: “and could accommodate mixed use development on some of the outdated employment sites. This would contribute to the housing land supply during the plan period, whilst contributing towards the development of a more balanced settlement in terms of homes and jobs.”

Chapter B2 - Policies ET.1 to ET.3 and Paragraphs B2.1-B2.41

There are large numbers of objections to these policies; details are listed at Appendix 1.

Issues

- i) Are the policies founded on a robust evidence base?
- ii) Do the policies conflict with national advice and the structure plan?
- iii) Do the policies fit together consistently and clearly?
- iv) Is there justification for Policy ET.1D?
- v) Is the purpose of Policy ET.3 and does it add to the plan?
- vi) Do Quick Guides 5, 6, 6A and 6B aid understanding of the plan?
- vii) Site-specific objections.

Inspector's Reasoning

Issue i)

- 2.14 Two parts of the evidence base are particularly important to the matters raised by objectors: -
- the Business Location Requirements Study (BLRS) prepared for the Council by Roger Tym & Partners/Cluttons and published in an updated final version in October 2003; and
 - the statistical data on employment land supply, published as Topic Paper Addendum 4.3 (as amended in April 2005).
- 2.15 The substantial revisions to the plan made at RDD stage aimed to create a firmer link between the BLRS and employment policies ET.1 to ET.3 with its supporting text. The brief set for the BLRS is recognised as a “good practice example” in the new national guidance on undertaking reviews of the adequacy of employment land provision (the ODPM report “Employment Land Reviews – Guidance Note”, December 2004). Following on from the brief, it seems to me that the methodology adopted in the BLRS is reasonably consistent with the first of the two main stages of the review process described in the ODPM guide. The BLRS therefore fulfils the function of “creating a picture of future requirements” (stage 2 of the ODPM guide). Moreover, it also gives some useful broad and commercially-informed observations on the stage 3 of the ODPM guide in identifying a ‘new’ portfolio of sites and on “policy development and monitoring”.
- 2.16 Objectors raised relatively little criticism of the content of the BLRS and were more likely to refer to it to support some aspect of their case, for instance suggesting that its findings and recommendations did not always provide a clear and convincing justification for the employment policies in the plan. I consider this point below in the context of issues *ii* and *iii*.
- 2.17 I turn next to table 1A in chapter B2 of the plan, entitled “Business employment changes and floorspace requirements 2001-11”. This was inserted in the plan at RDD stage to reflect the findings and recommendations of the BLRS. Since I have already concluded that the report’s methodology was generally sound, I consider in principle that table 1A provides a reasonably robust set of indicative quantitative guidelines which can be used for local plan policy purposes.
- 2.18 Although any such quantitative guidelines can only be approximate I agree with the BLRS (paragraph 5.15) that:- *“Without a broad indication of how much space may be required to meet market requirements and policy objectives it is very difficult to safeguard or allocate the right sites and defend long-term planning policies against immediate market pressures. This is to not to deny that forecasts themselves are always imperfect.....Quantitative benchmarks can provide no more than broad guidelines, but without them we are entirely in the dark.*

- 2.19 The policy implications of table 1A are that the plan should seek to implement District-wide objectives of (a) increasing office floorspace, heavily concentrating this growth in Bath, and (b) achieving a managed reduction in industrial floorspace affecting all four sub-areas, albeit to different degrees.
- 2.20 However, it is pertinent to consider the policy implications of table 1A against the statistical data on employment land provided in amended Topic Paper addendum 4.3. The latter was compiled at my request in order to gain an insight into the progress made in moving towards the aims of table 1A in the 3 years 2001-04. If the requirements of table 1A were to form a central plank of local plan policy for employment land, it would be essential to have access to reliable monitoring data to help inform judgements about individual planning against criteria-based policies such as ET.1A-1D.
- 2.21 At first sight the overall “progress” apparently revealed by the addendum is rather surprising. With regard to industrial floorspace it seems to show that while the reduction in B&NES as a whole is more or less on course, the overall loss in Bath urban area is set to be about 64,000sq.m (ie 4-5 times greater than the level in table 1A). A significant part of this difference seems to be accounted for by planned losses brought about by local plan allocations. In the rural areas industrial floorspace is on the way to an increase of 41,000sq.m rather than a reduction of 10,500sq.m. In Keynsham and Norton-Radstock there are smaller differences between the table 1A targets and the forecast change in floorspace quantities.
- 2.22 In the case of office supply the expected increase in floorspace in the District as a whole is some 4 times greater than the level in table 1A. Provision would exceed requirements in all four sub-areas but would eventually be particularly marked in Bath if the allocations in the plan were to be achieved within the plan period.
- 2.23 However, I am not convinced that the content of addendum 4.3 is so reliable that it should lead to widespread changes to the plan in an attempt to make its policies and proposals comply more directly with the indicative guidelines of table 1A. Some aspects of the raw data in the addendum do not seem to be sufficiently robust to provide firm evidence for such a course of action. While the completions data should hopefully be reasonably reliable I am not convinced that this applies to the ‘actual vacancy’ measurements or, necessarily, to the overall vacancy margin allowed for. It is also unclear how much weight can be placed on some of the information concerning commitments, in terms of what is likely to be completed within the plan period, and on the projected windfall losses and gains.
- 2.24 Nevertheless, my recommendations seek to bring some improvement in the alignment between the content of table 1A and the direction of the plan. Moreover, as the type of information presented in the table in the addendum is refined and updated in future it should become more reliable

in bringing information to bear on how far local plan policy is being achieved as a means of informing individual decisions.

- 2.25 I conclude that the information in table 1A should form the first in a set of revised employment policies as it provides the essential quantitative perspective which needs to underlie and inform all decisions on employment land. At the same time the new policy must recognise the need for careful annual monitoring to be undertaken so that each individual decision can be made in the light of information about the extent of progress being made against the two objectives. In this way the plan would be sensitive to the comment in the BLRS that: *“...the worst risks of over-reliance on doubtful numbers are mitigated if we apply the principles of plan-monitor-manage, cross-check forecasts against historical evidence and market sentiment, practise continuous monitoring and updating, and recognise that precision is unobtainable”* (paragraph 5.15).

Issues ii) and iii)

- 2.26 The most common themes of the objections are that:-

- the plan is generally too restrictive and inflexible: it fails to reflect advice in PPG3 and Policy 30 of the JRSP concerning the need to consider whether existing employment allocations and sites that are no longer realistically required should be redeveloped for housing or other uses; and
- the plan's policies are over-complex and have too many tiers, making them appear inconsistent and difficult to follow, and their geographical applicability is not always clear.

- 2.27 My headline response to these two themes is that I agree with these concerns, particularly those expressed under ii) above. It seems to me that the content of the reasoned justification, taken as a whole, has not been sufficiently restructured to fit the pattern of the deleted and revised policies. It is also over-elaborate, sometimes confusingly expressed, and/or repetitive. I therefore consider that the text should be comprehensively revised and rearranged to provide a supporting structure for a re-expressed set of policies. My recommended ET.1 provides a quantitative overview as discussed above and is followed by two new Policies ET.2 and ET.3, replacing and amending the content of the five RDDLP policies [ET.1A-D and ET.3]. The first would provide guidance on proposals concerning office-type business floorspace in the District and the second for proposals affecting non-office Class B floorspace. This approach would resolve issues raised by objectors concerning uncertainty about the geographical application of the policies, suggested over-concentration on Bath, and doubt about how far industrial premises are subject to 'blanket protection'.

- 2.28 Looking at the two themes of objection in more detail, I agree with objectors who consider that the plan does not distinguish clearly enough

between sites which need to be identified for positive protection and those where any future proposals for alternative forms of development can be judged more flexibly against a set of appropriate criteria, including the extent of progress being made towards achieving the quantitative guidelines. In my view positive and transparent safeguarding of an appropriate number of identified core employment sites is consistent with the options for policy development and presentation described in the ODPM guidance note. This course of action was also urged by some objectors who otherwise considered that the plan gave blanket protection to too many sites.

- 2.29 As was discussed at the RTS, the plan contains confusing messages about the relative importance and degrees of protection that are to be afforded to various employment locations. Policy ET1.B identifies only two core employment areas – at Locksbrook Road and Brassmill Lane in Bath. However, the supporting text appears to suggest that the retention of quite a number of other industrial estates is of equal importance. For example, paragraph B2.28Q identifies it as “essential” to safeguard two sites in Keynsham. In addition, paragraph B2.28R refers to the need to safeguard various identified employment areas in Norton-Radstock, making them appear to be as equally essential as the Keynsham sites. Yet the plan stops short of identifying these sites as core employment areas and makes them subject to Policies ET.1C & 1D. Consequently, any proposals at these locations fall to be considered under the same criteria as any other existing employment land in the District. More uncertainty is introduced by paragraph B2.25 (applying to all existing sites) which states that alternative uses will only “very occasionally” be acceptable. That paragraph relates to former Policy ET.1 in the DDLP, now deleted, and is inconsistent with the overall thrust of the rest of the RDDLP policies.
- 2.30 In my view the Council needs to clearly identify the key sites throughout the District which need to be protected as core employment areas and modify the plan accordingly. Although the supporting text of the plan may provide a few pointers I do not have the necessary comprehensive information to make recommendations about the location or extent of such sites. However, my recommended new policies proceed on the basis that these areas will be identified through the modifications process and their boundaries defined on the PM.
- 2.31 If the plan identifies broad quantitative policy guidelines and defines areas to be positively safeguarded as part of the process of achieving them, I consider that it would then be sufficient for proposals affecting employment floorspace on sites outside these areas to be judged according to a number of brief criteria, including consideration of the progress that may or may not be occurring in achieving the objectives of new Policy ET.1. The introduction to these new policies needs to be neutrally-worded rather than implying that permission for the loss of floorspace will normally be either refused or permitted. Individual decisions could then be linked firmly to the particular background circumstances of the time and location.

- 2.32 In the case of recommended Policy ET.2 (concerning office development), I support the concept of the Bath City Centre core office employment area. I also recommend setting the policy in terms which establish the defined core area as a focus for new development in accordance with Policy GDS.1 or as part of other mixed use schemes. I also support the imposition of a short-term general presumption against the loss of office floorspace, at least until such time as it becomes more certain that the plan's sought-for new office development will be completed on the other sites promoted in Bath outside the city centre core. I understand the concerns of a number of objectors who would like to see an earlier more permissive approach to the change of use of office floor space in the city centre for a variety of reasons, particularly the potential benefits of enhancing the fabric of the city-centre and increasing its vitality by re-converting some present offices back to residential use. However, in the short term I do not consider there to be sufficient evidence to provide an effective challenge to the Council's approach of interim protection. My recommended criteria are broadly similar to those in RDD policy ET.1A but with the addition of another requiring consideration of progress made against achieving the Bath office target. Taken together, these criteria should avoid the creation of unnecessary blight and provide for flexibility where circumstances are appropriate.
- 2.33 As for proposals for office development outside the Bath core, I consider that the general office-related content of RDD policy ET.3 should be included within my recommended ET.2 but with more location-specific guidance provided for new development.
- 2.34 Turning to proposals for non-office development in the business use class, my recommended Policy ET.3 begins by providing support for new development within core employment development areas to be identified as described above, as well as on GDS.1 sites and on other land currently used for such purpose. It then provides clear safeguarding for the core employment sites. Elsewhere, a more neutral criteria-based approach is followed. Such an approach would enable the assessment of schemes for the redevelopment of sites for residential or mixed uses in accordance with Policy HG.4, and Government policy as set out in PPG3 paragraph 42(a). This encourages the re-use of redundant or under used industrial or commercial sites for residential or mixed uses where appropriate.

Issue iv)

- 2.35 Some objectors doubt whether there is clear evidence to support the policy's more restrictive approach to the loss of small premises. I accept that there is little firm information on this issue, and that the Council's own "small sites study" is not particularly helpful in shedding further light on it. I also recognise that the JRSP does not make any distinction between large and small units. However, the BLRS (paras 4.73 4.79) contains a firm marketing judgement that there is a continuing demand for units of up to 500sq.m in Bath set against a pattern of generally shrinking supply and little or no replacement provision. In these circumstances I consider it justified to take a cautious approach to the

loss of existing small units in the city. In other parts of the District the report perceives a need (and potential scope within the new land supply) for a next generation of small-scale speculative development of units of below 400 sq.m, but it is not clear that circumstances in these areas justify the same degree of protection of existing small units outside identified safeguarded locations. I therefore consider that this policy should be deleted in its present form. However, my recommended Policy ET.3 includes a final paragraph referring to the need to give particular consideration to the requirement to retain a sufficient supply of small premises in the Bath urban area.

Issue v)

- 2.36 Objectors consider that Policy ET.3 is rather unqualified and adds little of value in its present form. I agree with this assessment and conclude that its content should be absorbed into my recommended recasting of the content of policies ET.1A-D and ET.3 where aims for future office development can be more firmly linked to former table 1A and the sustainability aims of the plan to concentrate future office development in central areas and other places with good public transport links.

Issue vi)

- 2.37 Objectors mainly focused on the content of Quick Guides 6A and 6B, inserted in the plan at RDD stage.
- 2.38 Guide 6A provides further detail on the considerations to be taken into account in deciding applications against the broad development control criteria of policies ET.1A, C and D. In my view this level of detailed coverage of normal development control criteria is unnecessary and can give the impression that the list is exhaustive, which is not the case.
- 2.39 The content of QG6B was criticised because it seeks to incorporate a range of *sui generis* uses into the definition of business uses for the operative purposes of the local plan policies. The Council has sought to do this for two reasons. The first is that in calculating the quantitative guidelines for employment land the BLRS necessarily uses inputs from SIC data which do not correlate exactly with use classes; the second is that many enterprises in the *sui generis* category have to compete for industrial-type premises and their retention in the City of Bath is essential to its functioning and maintenance. However, in my view, QG6B is confusing in its attempts to describe the potentially very wide range of *sui generis* employment-generating uses and associate them with the definition 'business' uses since they will always remain lawfully distinct. I therefore consider it misleading to define 'business' uses in this way although I recognise that *sui generis* uses will often need to occupy business-type premises.
- 2.40 I deal with the principle of using Quick Guides in Section 1 of this report, and recommend that they be deleted and where appropriate, their contents be relocated elsewhere within the text.

Issue vii)

Gay Street, Bath

- 2.41 An objector seeks exclusion from the Bath core office employment area of the east side of Gay Street between George Street and Old King Street. However, I am not convinced that the character and pattern of land use of this small area provide strong grounds for such exclusion.

British Waterways Land, Brassmill Lane, Bath

- 2.42 This is a small triangular area of undeveloped land next to a lock. From the notice displayed on the gate it appears that the site is currently retained free of development in order to safeguard access to the waterside for maintenance and emergencies. Beyond the former lock-keeper's house is a larger area of undeveloped land used as public open space. The objection suggests that the lock-side site should be excluded from the core employment area as it is too small for development for that purpose and lends itself better to residential use.
- 2.43 I agree that the site seems to have little potential for development for employment purposes. It seems to me that the natural termination of the main 'core employment site' on the south side of Brassmill Lane is the end of the developed area to the west of the public open space and that the two undeveloped areas may have been included in the core site only to form a continuous link between the two parts of it on the north and south sides of the road respectively. As the two parts of this area that are used for employment purposes are offset and do not directly adjoin each other I consider that it would be more appropriate to designate them separately.

Society of Merchant Venturers, Lower Bristol Road

- 2.44 The objector suggests that proposals should focus on delivering new employment opportunities with a range of premises for manufacturing and newer hi-tech enterprises with a small element of non business activity including housing and community facilities. In my view this would accord with the approach taken in the RDDLP where the site is allocated in GDS.1/B12 for mixed use redevelopment including 3 hectares of B1, B2, or B8. The allocation also makes provision for residential and retail development, and the Council has indicated that this could be as much as 200 dwellings. Whilst I accept that some higher value residential and retail uses may be required in order to provide a viable redevelopment, this should not be at the expense of the provision of new employment development. I deal with the detailed wording of GDS.1/B12 in Section 7.

St Peter's Factory, Westfield, Midsomer Norton

- 2.45 In the objector's view Policy GDS.1/NR4 does not need to reserve the whole area of the St Peter's factory at Westfield, Midsomer Norton for business uses. Whilst I accept that it would be desirable to reduce out-commuting from the Norton-Radstock area through the provision of more

employment opportunities within the towns, the BLRS indicates that the requirement for old style industrial type floorspace is in decline, whereas there is some demand for smaller units in B1 use. In these circumstances I consider that there is little benefit to be gained in retaining this site as currently allocated. Without a significant demand for industrial type uses there is little likelihood of the site being redeveloped, whereas a mixed use scheme which provides the small scale units for which there is a demand would benefit the supply of housing as well as provide new employment opportunities. I deal with the detailed wording of GDS.1/NR4 in Section 7.

Charlton Lane, Westfield, Midsomer Norton

2.46 This objection seeks the further extension of the Westfield industrial estate onto undeveloped land to the east. As I saw, this large and apparently thriving mixed estate offers only relatively limited opportunities for further development within the scope of current planning policy and commitments. However, taking account of employment land availability in Norton-Radstock as a whole, balanced against the findings of the BLRS, I find no clear-cut evidence of further need for growth onto the objection site, especially as such development would extend building beyond the current built-up area into a pleasant and open rural landscape.

Welton Bag Factory, Station Road, Midsomer Norton

2.47 The objectors state that there is a need to rationalise the use of this large brown field site, including undertaking mixed development which would retain employment uses within it. In their view the ET policies could inhibit this approach. The housing development boundary should therefore be extended to cover the site and a specific proposal included under Policy GDS.1.

2.48 This fairly densely developed site is embedded within the built-up area of the town and contains a mixture of industrial buildings of varying type and age. The site is not in intensive use and a mixed use redevelopment could provide modern industrial units to accommodate existing uses as well as new units for firms seeking to locate in the area. A residential element would clearly help to enable such a scheme. I recommend in the housing section of my report that the potential of this site is assessed for the provision of housing as part of a mixed use scheme within the current plan period.

Manor Farm, Writhlington

2.49 This objection seeks the allocation of land for mixed-use development including employment, housing and open space in order to “meet shortfalls” and satisfy structure plan objectives. However, in view of the site’s location beyond the urban boundary and the extent of employment land available in the Norton-Radstock area in relation to demand for such sites, I am not convinced that local needs for these purposes justify an additional allocation of this kind.

Old Mills, Paulton

2.50 Located to the north of the A362 this site is adjacent to existing commercial development which includes a DIY store and existing industrial estate. The Council allocates this greenfield site in order to provide for new employment development to take advantage of existing infrastructure and provide for improvements to the A362. However, the site is traditional pastureland broken up by hedgerows and very much part of the rural area such that its development would extend the urban area into the open countryside. I appreciate the Council's wish to attract economic development to the area, but there are other opportunities for the regeneration of existing industrial sites in Norton-Radstock with mixed use development. In the absence of a clear demand for such a site in the findings of the BLRS, I consider that this greenfield allocation should be deleted from the plan.

Former Jewson Yard, Bathampton

2.51 This site is within the Green Belt and has a lawful use for B8 and timber storage. The objectors make a case for the designation of the site as a Major Developed Site to facilitate infilling or redevelopment which I deal with in Section 9 on the Green Belt. In terms of the potential for this site to change from employment and be redeveloped, the recommendations which I make for a new policy ET.3 would allow for any such proposal to be considered on its merits, against the criteria listed under (3), and having regard to Green Belt policy.

Overall conclusion on the above issues

2.52 My recommended modifications present the subject matter of these policies in a substantially different way. They also necessarily require extensive reordering of the subject matter of the reasoned justification in order to address the main themes raised by objectors and at the same time shorten and simplify the text in the interests of achieving greater focus and clarity. Consequently, although I have considered all the objections made to these policies and paragraphs, I have not considered it fruitful to discuss matters of detail that either (a) are no longer retained within my recommended modifications to the supporting text or (b) do not in my view justify specific mention in (or change to) this chapter of the plan. This includes the issues raised by Bath Spa University College, Mr S C Banks, OAG Stephens Ltd, the Federation of B&NES Allotments Association, and Bath Organic Group.

2.53 I do not include MOD Foxhill within the list of employment sites in Bath under Policy GDS.1 since it is unlikely to be available within the plan period. I set out the reasons for this view in Section 5 of my report.

Recommendations:

R2.3 Modify policies ET.1 to ET.3 and paragraphs B2.1 to B2.41 as follows:

paragraph B2.1 - modify the quotation from PPG1 to conform with paragraph 4 of PPS1;

paragraphs B2.2 to B2.4 - retain;

delete paragraph B2.5 and insert: "A long term vision for the District's future is described in the Local Agenda 21 Strategy for Bath & North East Somerset, Change 21. Key points particularly relevant to the District's economy are" and set out the bullet points in Quick Guide 5;

delete Quick Guide 5;

paragraph B2.6 - retain but replace the last sentence with "The strategy has four building blocks underpinned by the themes of sustainability, partnership and inclusion" and include the bullet points in Quick Guide 6;

delete Quick Guide 6;

paragraphs B2.7 to B2.17 - retain;

delete paragraphs B2.18 to B2.41 (including Policies ET.1A-D and ET.3 and Quick Guides 6A and 6B).

R2.4 Insert the following text and policies:

"The general approach to employment land

The JRSP does not set out a target requirement for employment land in the District and Policy 31 seeks to limit the release of new greenfield sites for employment development. Consequently the local plan's starting point is to concentrate employment-related development on land already used for such purposes, including development undertaken as part of mixed use schemes, with greenfield employment land released only where necessary.

The Local Plan aims to maintain and enhance the economic prosperity of the District by ensuring that sufficient employment land is always available to meet development needs so that a diverse and buoyant economy can be preserved. Employment generating development should take place in locations that best accord with sustainable development objectives such as reducing the need to travel (through proximity to public transport and potential walking/cycling routes) and moving towards 'balanced communities'.

Forecast changes in demand for employment floorspace 2001-11

The Business Location Requirements Study 2003 (BLRS) provides an analysis of local employment trends up to 2011, forecasting market demand for floorspace during the period 2001-11 within the District and its four sub-areas. The study forecasts the need for an increase in office floorspace (B1a&b), mainly in Bath, and a managed reduction of industrial-type floorspace (B1c/B2/B8). These forecasts are incorporated

in policy ET.1 as indicative guidance on the scale of changes which would be appropriate in employment floorspace provision. The Council will carefully monitor progress being made towards these guidance figures as a means of informing future planning decisions.

Policy ET.1 Employment land: overview

During the period 2001-2011 the Council will seek (A) to achieve the following indicative increase in office floorspace (Class B1a&b) and (B) to allow for the managed reduction in industrial-type floorspace (Class B1c/B2/B8):

(A) a net increase in office floorspace (Class B1a&b) of approx 24,000sq.m distributed as follows:

	Total	Annual average
Bath	18,000 sq.m	1,800 sq.m
Keynsham	No net change	No net change
Norton-Radstock	2,000 sq.m	200 sq.m
Rural areas	4,000 sq.m	400 sq.m
B&NES Total	24,000 sq.m	2,400 sq.m

(B) a managed net reduction in floorspace for industrial-type floorspace (Class B1c/B2/B8) of approx -45,000 sq.m distributed as follows:

	Total	Annual average
Bath	-17,500 sq.m	-1,750 sq.m
Keynsham	-3,500 sq.m	-350 sq.m
Norton-Radstock	-14,000 sq.m	-1,400 sq.m
Rural areas	-10,500 sq.m	-1,050 sq.m
B&NES Total	-45,500 sq.m	-4,550 sq.m

However, as a means of increasing the self-sustainability of Keynsham, policy GDS.1/K1 makes provision for additional employment at the Somerdale site which will be considered as additional to the above.

Information will be compiled and published annually, cataloguing the net changes in the above types of floorspace resulting from new build developments, redevelopments and changes of use. This information will be used to provide an important input into a plan-monitor-manage approach to achieving the objectives of this policy, implemented through policies ET.2 and ET.3 below.

Managing the indicative scales of change in demand for floorspace to 2011

The Council will seek to work towards the indicative scales of change set out in policy ET.1 through a mix of new provision (see paragraphs below), safeguarding of sites defined as core employment sites (see paragraphs.....below) and the adoption of a criteria-based approach to proposals for change on other existing employment sites (see paragraphs....below).

New employment floorspace provision

The city of Bath is relatively self-contained from the employment standpoint, with 75% of residents employed locally. Opportunities to identify new employment land in the city are limited by environmental constraints such as topography, landscape and townscape considerations and the Green Belt. Nonetheless, some major redevelopment sites can make a significant contribution to retaining and stimulating employment growth during the plan period. These are listed under policy GDS.1 as Western Riverside (site B1), Lower Bristol Road (site B12), and Rush Hill, Odd Down (site B3).

Bath is expected to be the main focus of office development. Policies ET.1, ET.2 and GDS.1 therefore make provision for significant new office development in the city. Western Riverside has the potential to provide large capacity extending well beyond the plan period, and there may also be long term potential at MOD Foxhill, but such schemes are unlikely to be achieved in the short to medium term. In the short term the supply of offices in Central Bath is likely to remain tight as there has been relatively little speculative office development in the past 10 years. It is therefore considered important to safeguard this supply against pressures for changes of use to other purposes until alternative developments become available. Policy ET.2 therefore defines a core office employment area in the city centre within which the loss of office floorspace will be resisted unless certain criteria are met.

Keynsham has a high level of out-commuting with more than 79% of its employed residents travelling elsewhere to work in 1991. Therefore a key objective during the plan period will be to make the town more self-sustaining in terms of employment. Although demand for new office floorspace outside Bath is generally expected to be on a much smaller scale, the locational advantages of the allocated site at Somerdale in Keynsham (policy GDS1/K1) present the opportunity for a campus of high profile and quality which could attract demand from a wider area, helping to increase local jobs and reduce the high level of commuting from the town. The plan therefore promotes this development as a specific addition to the floorspace forecasts in policy ET.1.

In Norton-Radstock the growth in employment opportunities has not kept pace with past rates of residential development, so that over 50% of the town's workforce commuted elsewhere to work in 1991. In addition, although numbers have fallen in recent years, around 5600 people (about 25% of the local workforce) are still employed in manufacturing sectors such as printing, packaging, engineering and electronics. In view of these

factors, and in line with the JRSP, the employment strategy for this area focuses on regeneration, aiming to foster a range of new local employment opportunities. The Local Plan seeks to ensure that a variety of types and sizes of sites are available. Development at Westfield Industrial Estate is nearing completion and there is scope for a mixed use redevelopment of St Peter's factory at Westfield. A small site is also allocated at the former sewage works at Welton Hollow and provision is made for rounding-off Midsomer Norton Enterprise Park. Otherwise there is potential for a mixed use redevelopment at the Welton Bag factory and in the Coombe End area of Radstock. There is also potential for new employment development at the printing factory site in Paulton, near Midsomer Norton.

In the rural areas there is planning permission for 11ha of employment land at Peasedown St John, part of which originated through a comprehensive development scheme. In addition there is a requirement for the provision of small scale employment premises as part of the former Radfords site at Chew Stoke, as described in paragraph C1.39. Office development in the rural areas is likely to be small scale, through conversions, rural diversification and redevelopment of existing sites.

The key employment development opportunities described above, both those with planning permission and those allocated under policy GDS1 are shown on diagram 6.

Safeguarding core employment areas

As part of the process of managing an orderly planned reduction in industrial floorspace the Council has identified a number of core employment areas based on factors such as their location and environment, the concentration, range and quality of their existing premises, and the scope for further consolidation by development or redevelopment within their boundaries. The Council wishes to safeguard business premises within these areas against any pressures for redevelopment or change of use to other, often higher value, purposes as an important part of ensuring that there is sufficient accommodation to meet the demands of small and medium scale local businesses and prevent the loss of local employment activities and a possible increase in out-commuting. Policies ET.2 and ET.3 give effect to this.

In Bath land is identified for this purpose at Locksbrook Road and Brassmill Lane. These areas are particularly important in providing accommodation for the types of businesses which, if forced out of Bath by higher land values and a shrinking supply of alternative premises, could find it difficult to find alternative affordable options in the city. It has been found that employment land allocations in Keynsham and Norton Radstock are unlikely to attract significant relocations from Bath and that closure of larger companies in Bath has seldom resulted in relocation to other parts of the District.

Also in Bath, the Lower Bristol Road area has been considered for designation as a core employment area. However, this area has become run down over a long period of time and there is a need to regenerate derelict areas and older buildings through the provision of mixed use developments including the provision of offices, housing, spaces for non business activities and transport infrastructure. The area also presents an opportunity to enhance both the important A36 gateway route into the city and the riverside area. It has therefore been allocated for mixed use purposes under policy GDS.1/B12.

In Keynsham, the Ashmead Park Industrial Estate provides the bulk of the town's floorspace in the industrial sector. The retention of this site is essential in the interests of preventing growth in the large scale of outward commuting from the town.

At Norton-Radstock there remains a number of thriving and relatively modern trading estates, notably in the Westfield and Radstock Road areas. A number of larger industrial sites at Welton and Norton Hill retain significant employment at established companies. In order for the town to retain its employment base these areas need to be safeguarded.

There is also significant employment in the industrial sector in the rural areas varying from large sites within or adjoining villages such as the printing works at Paulton, to freestanding industrial estates in the countryside such as Hallatrow and Burnett Business Parks and Clutton Hill Farm. Some result from conversions of buildings formerly in other uses while others are long-established industrial sites. They often provide relatively low-cost premises and make an important contribution to providing employment in rural areas.

Changes within employment sites outside core employment areas

There is a wide range of premises used for employment purposes outside the core employment areas. Many offer important opportunities for local employment. In particular, Bath is characterised by a pattern of mixed uses with residential uses intermingled with commercial and community uses. This juxtaposition of uses makes a significant contribution to the City's townscape character and economic and social vitality as well as facilitating shorter journeys to work. A number of employment sites have been lost to other uses in recent years and it is important that pressure to find land for housing does not prejudice the objective of balanced communities since, once lost, such local sites are rarely replaced.

The Council will therefore strive to ensure that the managed reduction in industrial floorspace does not unduly erode the number of local employment premises which are still capable (or potentially capable) of offering viable accommodation to business occupiers in terms of location, condition, layout, vehicular access, accessibility to employees, environmental and "bad neighbour" issues, etc. Consideration will be given to the availability or otherwise of adequate alternative premises in the locality and, in Bath, particular consideration will be given to the need

to retain an adequate supply of small units of 500sq.m or less. In appropriate circumstances the Council will consider whether it would be right to support mixed use redevelopments providing opportunities for continuing employment, subject to the criteria set out in policies ET.3 (3) and HG.4.

Policy ET.2 Office development (class B1a & b):

Bath City Centre core office employment area. The following policies will apply within the area defined for this purpose on the Proposals Map:

- (1) Development for new office floorspace will be focused primarily on the sites identified for mixed use development in policy GDS.1. Subject to site-specific considerations new office floorspace will also be acceptable elsewhere in the defined core area as an element of mixed use developments.
- (2) Planning permission will not be granted for developments involving the loss of established office floorspace unless:
 - (i) it can be demonstrated that the aims of policy ET.1(A) for an increase in office floorspace in Bath will be met without retention of the premises in question; or
 - (ii) the site is no longer capable of offering office accommodation of adequate standard; or
 - (iii) the proposal will secure suitable alternative employment opportunities of at least equivalent economic benefit to the city centre; or
 - (iv) the proposal brings benefits to the city centre which assist the overall objectives of the plan and outweigh the loss of the office floorspace.

Elsewhere in the District:

- (1) Proposals for net gains of office floorspace will be supported in principle provided that the site is (a) within a site identified for the purpose in policy GDS.1 or elsewhere in the plan, (b) part of a protected core business area identified in policy ET.3 below, (c) within or very closely associated with the central areas of Bath, Keynsham, Midsomer Norton and Radstock or (d) in villages in accordance with policy ET.4. In all cases sites must be accessible to a range of transport modes.
- (2) Proposals for net losses in stand-alone office floorspace will not be granted in the protected core business areas or within or very close to the central areas of Keynsham, Midsomer Norton and Radstock unless:

- (i) it can be demonstrated that the aims of policy ET.1(A) for an increase in office floorspace in the relevant sub-area will be met without retention of the premises in question; or
- (ii) the site is no longer capable of offering office accommodation of adequate standard; or
- (iii) the proposal will secure suitable alternative employment opportunities of at least equivalent economic benefit to the sub-area.

Policy ET.3 Non-office business development (class B1c, B2 and B8)

- (1) Proposals for non-office development in the business use classes will be supported in principle within:
 - (a) the following core employment areas identified on the Proposals Map:

Brassmill Lane, Bath [NB: to be subdivided into two parts on the Proposals Map]

Locksbrook Road, Bath

[.....add others to be identified elsewhere in the District]
 - (b) sites identified for the purpose in GDS.1 or elsewhere in the plan, and
 - (c) other appropriate sites currently or last used for such purposes, and
 - (d) in villages in accordance with policy ET.4.
- (2) Planning permission will not be granted for proposals which would
 - (a) result in the loss of land or floorspace for non-office business use within the core employment areas identified on the Proposals Map or (b) run counter to the objectives of policy GDS1 in cases where such uses are proposed.
- (3) In all other locations proposals for the loss of land and floorspace for the above uses will be judged against the extent of positive or negative progress being made in achieving a managed reduction in floorspace on the scale sought by policy ET.1(B) and against the following additional criteria:
 - (i) whether the site is capable of continuing to offer adequate accommodation for potential business or other similar employment uses; or

- (ii) whether continued use of the site for business or other similar employment uses would perpetuate unacceptable environmental or traffic problems; or
- (iii) whether an alternative use or mix of uses offers community benefit outweighing the economic or employment advantages of retaining the site in business or other similar employment uses.

In weighing the above criteria, particular consideration will be given to the need to ensure retention of a sufficient supply of small units of up to 500 sq.m, especially in the urban area of Bath."

Chapter 2 - Policy ET.3A and paragraph B2.41A - Coomb End

88/B25	William & Pauline Houghton	B2.40
686/B71	Bath Preservation Trust	ET.3
1427/B37	Environment Agency	ET.3
3007/B9	Grant Thornton	ET.3
3257/C59	Somer Valley Friends of the Earth	B2.41A/A
3267/C11	C S J Planning Consultants Ltd	B2.41A/A
3298/C50	Cam Valley Wildlife Group	B2.41A/A
3299/C50	Bovis Homes (South West Region) Limited	B2.41A/A
578/C100	Norton Radstock Town Council	ET.3A/A
3044/C3	Mr A Hall	ET.3A/A
3257/C61	Somer Valley Friends of the Earth	ET.3A/A
3257/D310	Somer Valley Friends of the Earth	PIC/B/14 (ET.3A)
3267/C10	C S J Planning Consultants Ltd	ET.3A/A
3298/C49	Cam Valley Wildlife Group	ET.3A/A
3299/C48	Bovis Homes (South West Region) Limited	ET.3A/A
578/C101	Norton Radstock Town Council	ET.3A/B
3044/C2	Mr A Hall	ET.3A/B
3267/C9	C S J Planning Consultants Ltd	ET.3A/B

Supporting Statement

2360/B1	Landray Will Trust	ET.3
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Issue

- i) Is there justification for the designation of Coomb End as a regeneration area?

Inspector's Reasoning

2.54 This policy was added at RDD stage. Some objections seek its deletion: others do not oppose it in principle but suggest changes either to its boundaries or to the detailed terms of the policy, such as a more positive presumption in favour of housing; dividing the area into two parts, one to be used for employment regeneration and the other for mixed uses; and more positive use of the area for community uses.

- 2.55 The area comprises a ribbon of old and new houses interspersed with generally utilitarian industrial buildings. The pattern of development is generally fairly dense near Radstock Town Centre but thins out considerably as the valley rises into more rural surroundings. In my view ET.3A adds very little value to the overall policy framework of the plan. It does not provide a clear vision of the objectives for the regeneration area and, in any case, there are considerable constraints to such action such as multiple ownerships, the complex pattern of land uses, highway issues, and issues concerning gradients and land slippage. The policy provides no hint of a coherent framework for concerted regenerative action to address any clearly identified problems. In effect it merely identifies Coomb End as an area to be treated as some kind of exception to the normal District-wide application of Policies ET.1B-D. This does not take things very far.
- 2.56 I have recommended considerable restructuring of Policies ET.1 to ET.3, including definition of more core employment areas. In my view the Council needs to decide whether any part of this area justifies identification and safeguarding for that purpose. If not, proposals at Coomb End can be judged on their merits against the criteria in my recommended Policy ET.3. I do not consider that Policy ET.3A amounts to an identifiable strategy warranting "designation" of a regeneration area here. I therefore recommend its deletion. If more specific proposals for the area were to be worked up in future they could be brought forward in the form of an Area Action Plan DPD.

Recommendation:

R2.5 Modify the plan by deleting Policy ET.3A and paragraph B2.41A.

Chapter 2 - ET.4 and Paragraphs B2.42 to B2.44 - A Buoyant Rural Economy

3257/C60	Somer Valley Friends of the Earth	B2.42/A
3298/C58	Cam Valley Wildlife Group	B2.42/A
42/B13	CPRE	ET.4
686/B72	Bath Preservation Trust	ET.4
732/B18	Swainswick Parish Council	ET.4
2303/B3	Wellow Residents Association	ET.4
3242/B5	Davies Street (Bathampton) Ltd	ET.4
120/C165	Ms Helen Woodley	B2.44/B
239/C1	Country Land & Business Association	B2.44/B
3257/C62	Somer Valley Friends of the Earth	B2.44/B
3298/C74	Cam Valley Wildlife Group	B2.44/B

Supporting Statement

1865/B1	Mr J B D Robinson	ET.4
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Issue:

- i) Are elements of the policies and supporting text too restrictive/too permissive?

Inspector's reasoning

- 2.57 A major theme of the objections is that Policy ET.4 allows for development outside the limits of villages. In my view the approach outlined in the supporting paragraphs is generally consistent with national advice in PPS7 and with JRSP Policy 2(h) on the encouragement of rural enterprise, especially taking account of the addition to paragraph B2.42 in the RDDLP. However, the terms of the policy itself could be interpreted more widely than the supporting text, particularly as the RDDLP omits the original criterion (a). I therefore consider that criterion (a) should be restored as "scale" in this context is not just a design-related matter, and that Policy ET.4 should refer more clearly to small-scale enterprises, reflecting paragraph B2.42.
- 2.58 Concerns are also raised about the text inserted into paragraph B2.44 through the RDDLP. In this case it seems to me that the linked policy (ET.5) is appropriately worded and does provide a context for considering the kinds of situations raised by objectors such as further development within established rural employment sites; and larger-scale farm diversification projects.
- 2.59 Policy ET.12 permits small scale purpose built visitor accommodation within or adjoining R1 and R2 villages and within R3 villages i.e. the same locations as Policy ET.4 permits business uses. I recommend later in this report the deletion of Policy ET.12 and the insertion of "small scale purpose built visitor accommodation" among the list of uses at the beginning of Policy ET.4. I therefore include this recommendation below.

Recommendation:

R2.6 Modify Policy ET.4 by:

inserting after "and B8)" "and small scale purpose built visitor accommodation"; and

reinstating criterion a) from the DDLP.

Chapter B2 - Policy ET.6 and paragraph B2.47

578/B40	Norton Radstock Town Council	ET.6
580/B4	Hignett Brothers	ET.6
1427/B39	Environment Agency	ET.6

Supporting Statement

1427/B38	Environment Agency	B2.47
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Issues

- i) Does the policy adequately protect residents from proposed agricultural development?

- ii) Should the need for the development be a policy consideration?
- iii) Whether the policy should refer to Source Protection Zones?

Inspector's Reasoning

Issue i)

2.60 Paragraph B2.51 states that a range of policies will apply to agricultural development, not just Policy ET.6. The extent to which any development, including that associated with agriculture, may harm the living conditions of nearby residents would be a consideration under Policy D2. Furthermore, policies in Section B6 seek to control specific forms of pollution. I am satisfied therefore that this issue is covered adequately in the plan and that it is not necessary for residential amenity to be referred to in the policy.

Issue ii)

2.61 Given that new agricultural buildings may often be substantial in scale and most likely be proposed in the open countryside, it is inevitable that some conflicts with other policies in the plan will frequently arise. If the plan is going to facilitate change in the agricultural sector (as is its stated intention) some consideration needs to be given to the need for the proposed development and the benefits to the farmholding and/or to the rural economy (such as for new enterprises). Including such a factor in the policy would make explicit that a balancing of potentially conflicting considerations will often need to be made. To incorporate such an additional factor, the policy would need to be redrafted to list “considerations” rather than criteria that have to be met. I recommend accordingly.

Issue iii)

2.62 I appreciate that certain types of agricultural development may have the potential to affect Source Protection Zones, but I consider this issue is adequately covered by Policy NE.13. This seeks to protect from pollution groundwater source protection areas and other groundwater catchment areas. This policy applies to all forms of development and so this consideration does not need to be repeated here.

Recommendation:

R2.7 Modify Policy ET.6 by deleting all of the policy from (and including) “will only be permitted where” and substituting:

“will have regard to the following:

- i) any adverse environmental impact (including any conflict with other policies in the plan); and

- ii) the adequacy of provision for the storage and disposal of animal waste; and
- iii) where there is harm or conflict with other policies in the plan, the need for, or the benefits to, the enterprise or the rural economy."

Chapter B2 - Policy ET.7

578/B41	Norton Radstock Town Council	ET.7
581/B15	Batheaston Society	ET.7
239/C2	Country Land & Business Association	ET.7/E
3257/C63	Somer Valley Friends of the Earth	ET.7/E

Supporting Statements

581/C27	Batheaston Society	ET.7/E
1427/C193	Environment Agency	ET.7/B

Issues

- i) Does the policy adequately protect residents from agricultural development?
- ii) Whether the policy should require replacement agricultural buildings to be well designed.
- iii) Whether developments should be assessed on a case-by-case basis taking into account potential benefits and mitigation.
- iv) Should certain types of development be exempt from the policy?

Inspector's Reasoning

- 2.63 A number of these objections are difficult to understand because they do not specify how the policy should be changed or they appear to consider that it relates to controlling agricultural development. The policy seeks to mitigate the potential consequences for existing agricultural operations of proposed non-agricultural development nearby.
- 2.64 Parts i) and ii) introduce criteria not duplicated elsewhere in the plan to protect agricultural operations from the indirect effect of nearby non-agricultural development. This part of the policy is necessary and reasonable.
- 2.65 Part iii) seeks to prevent housing or other non-agricultural buildings being sited in proximity to livestock units and silage or slurry facilities. The plan does not explain the reason for the potential conflict between these uses (paragraph B2.53), but I presume that the main concern is odour and, possibly, noise. I see no reason for this part of the policy since Policies ES.9, ES.10 and ES.12 all seek to prevent sensitive development being located close to sources of pollution or nuisance, including odour and

noise. These policies give adequate protection to the living conditions of prospective occupiers of proposed development. Part iii) is thus unnecessary duplication. The deletion of this part, together with my recommendation below, would give Policy ET.7 a single focus which would make its scope more easily understood.

2.66 Part iv) is concerned with a different consequence of non-agricultural development namely the reuse of agricultural buildings triggering a need for replacement agricultural buildings or outside storage. This consideration would sit much more logically at the end of Policy ET.9 which lists considerations applicable to the conversion of rural buildings. I recognise that this factor would be relevant only for buildings in agricultural use, but several of the factors listed in ET.9 are not applicable in all cases. The wording would need to be amended to fit the permissive context of Policy ET.9 and I consider that the phrase “lead to a proliferation of” should be deleted to make the policy take into account the visual consequences of any likely replacement building. Neither Policy ET.7 nor ET.9 is the place to control the design of any such new building. Paragraph B2.54 (which already refers to Policy ET.9) should be moved to that policy section, such as after paragraph B2.62. Subject to these changes. Policy ET.7 will seek solely to protect agricultural/farming enterprises from disruption by non-agricultural development. No other changes or considerations need to be introduced.

Recommendations:

R2.8 Modify Policy ET.7 by:

deleting part iii);

deleting part iv).

R2.9 Modify the plan by moving paragraph B2.54 to after paragraph B2.62 (but delete the last sentence).

Chapter B2 - Policy ET.8 and Paragraph B2.57

686/D181	Bath Preservation Trust	PIC/B/15 (B2.57)
239/C3	Country Land & Business Association	B2.57/A
566/C18	Clutton Parish Council	B2.57/A
580/B5	Hignett Brothers	ET.8
686/B75	Bath Preservation Trust	ET.8
686/D182	Bath Preservation Trust	PIC/B/16 (ET.8)
732/B20	Swainswick Parish Council	ET.8
1427/B40	Environment Agency	ET.8

Issues

i) Whether Policies ET.8 and ET.9 are compatible and both necessary.

- ii) Whether paragraph 2.57 should refer to “holiday accommodation”, “equestrian facilities” and “sporting facilities”.
- iii) Whether the policy should require employment to be retained or increased (criterion i).
- iv) Whether the policy should refer to the openness of the Green Belt and protection of the AONBs.
- v) Whether residential amenity and the threat from pollution are adequately addressed.

Inspector’s Reasoning

Issue i)

2.67 Policy ET.8 is concerned with all forms of farm diversification covering the use of both land and buildings. Policy ET.9 concerns the reuse of all forms of building in the countryside, not just agricultural buildings. Many forms of farm diversification will involve the reuse of existing buildings. Accordingly, the policies are distinct, but there is likely to be considerable overlap. Many proposals for rural enterprise could be subject to both policies. I see no objection in principle to 2 separate policies on these matters, bearing in mind that PPS7 indicates that Councils should support well conceived farm diversification schemes (paragraph 30 ii). But it is essential that the 2 policies are compatible and consistent. One difficulty with the plan is that it does not make clear what constitutes a proposal for farm diversification – is it simply any proposal for a business use on a farm holding or is it a proposal which supports the continuation of a farm operation. I do not know the Council’s intention for the scope of this policy. This should be clarified in the text. This clarification might justify another criterion in the policy (such as some relationship between the proposal and the farm operation), but given the limited information before me, this is not a matter on which I can make any recommendation.

2.68 I see no good reason why a farm diversification proposal that requires a building and which could reuse existing buildings should not be subject to the same criteria as any other proposal for the reuse of a building in the countryside. Policy ET.8 contains no criteria on when the reuse of existing buildings would be suitable. In my view, Policy ET.8 should refer to the criteria in Policy ET.9. Without such a reference it would not be obvious that Policy ET.9 was to apply in addition to Policy ET.8.

2.69 Policy ET.8 allows for *additional* buildings subject only to the design and scale being appropriate to their rural surroundings. It is not clear whether scale is intended to cover only the appearance of the building or also the scale of the activity involved. I am concerned that this aspect of the policy gives too much scope for new, additional buildings in the countryside, in conflict with other related policies which seek to focus the limited economic development in the rural area to the main villages. I consider that the policy should contain the same over-arching criterion on

scale that is in other policies for the countryside (such as ET.5 and ET.9), namely, not to result in a dispersal of activity which prejudices town or village viability. In addition, I consider that any additional, new, non replacement buildings, should be small in scale and only for a use which is related to the use of the surrounding land or products of the landholding. Otherwise the opportunity for business related development on a piece of land belonging to a farm would be considerably greater than on an adjoining similar piece of land not belonging to a farm. Such a disparity is neither equitable nor necessary.

Issue ii)

2.70 The words “holiday accommodation” are reinstated by a PIC. An objector is concerned that this might lead to the development of new buildings. The provision of holiday accommodation by the conversion of buildings such as in farm diversification schemes is mentioned in paragraph 41 of PPS7. It is a common form of farm diversification. There is no good reason to exclude holiday accommodation from the illustrative list of potential farm diversification projects in paragraph B2.57. I have already commented on what I regard as the unacceptable scope in Policy ET.8 for new, additional buildings. The potential for new, purpose built holiday accommodation justified as a farm diversification scheme under Policy ET.8 illustrates my concern, since Policy ET.12 seeks to limit new purpose built development outside the main towns to small scale development in or adjoining the main villages. Policy ET.8 would undermine ET.12 and the underlying sustainability objectives of the plan. The change explained above would avoid this incompatible approach. (I recommend below the deletion of Policy ET.12, but for reference to purpose built holiday accommodation to be incorporated in Policy ET.4.)

2.71 PPS7 (paragraph 32) indicates that equine related activities can fit in well with farming and help diversify rural economies. If there are site specific concerns about highway safety as a result of increased riding these can be taken into account at the application stage. Similarly, “sporting facilities” encompasses a wide range of activities, many of which are unlikely to have the intrusive impact feared by the objector. There are a number of policies in the plan, such as ES.10 and ES.12, to restrict harmful development, including that which might be unacceptably noisy. Equestrian facilities and sporting facilities are both possible acceptable activities for farm diversification schemes and reference to them should not therefore be deleted from the plan.

Issue iii)

2.72 I recognise that an important benefit of farm diversification is to provide an element of stability in the rural economy through the provision or retention of employment, but criterion (i) imposes too strict a test for a farm diversification scheme. It would be hard to identify the cause of employment change on a farmholding and many worthwhile schemes may not provide additional employment, at least initially. In my view, this criterion goes beyond Government guidance and it should be deleted.

Issue iv)

2.73 Development in the Green Belt would need to be considered against the Green Belt policies in Chapter C1. These require consideration to be given to the issue of openness and it is not therefore necessary to include a further criterion within this policy. Similarly, the policy for the AONB would be equally applicable within those designated areas. They do not need to be mentioned here. The Council has frequently emphasised that the plan needs to be read as a whole. I agree.

Issue v)

2.74 Many new developments have the potential to harm residential amenity, or cause some form of pollution, but the protection of the living conditions of nearby residents and of the natural environment are secured by other policies in the plan and do not need to be repeated here.

Recommendations:

R2.10 Modify the plan by clarifying what constitutes farm diversification proposals for the purposes of Policy ET.9 (as opposed to other business proposals in the countryside).

R2.11 Modify Policy ET.8 as follows:

delete criterion (i);

delete criterion ii) and substitute "Existing buildings are used or replaced in accordance with the criteria in Policy ET.9"; and

add: "iii) the development would not result in a dispersal of activity which prejudices town or village viability";

Delete the last sentence and substitute "Where existing buildings cannot be reused in accordance with Policy ET.9, or replaced in accordance with Policy ET.5, new buildings will be permitted only where required for uses directly related to the use of, or products of, the associated landholding, are small in scale, well designed and grouped with existing buildings."

Chapter B2 - Policies ET.9 and ET.10 and Paragraph B2.61

1427/B42	Environment Agency	B2.61
345/B19	Freshford Parish Council	ET.9
580/B6	Hignett Brothers	ET.9
686/B76	Bath Preservation Trust	ET.9
720/B7	BT Group plc	ET.9
1427/B41	Environment Agency	ET.9
581/B14	Batheaston Society	ET.10
721/C47	Government Office for the South West	ET.10-REG24(9)

Issues

- i) Whether more emphasis should be given to environmental protection.
- ii) Does the policy conflict with GB.1 to protect the Green Belt, especially on the edge of small settlements?
- iii) Is the requirement in criterion 1 for the existing building to be “in keeping with its surroundings” arbitrary or vague?
- iv) Are Policies ET.8 and ET.9 compatible and are both necessary?
- v) Does the policy conflict with national advice by: requiring the conversion to respect local buildings style; preferring non-residential conversions; and in excluding residential conversions in isolated locations?
- vi) Whether the policy allows for unlimited retail development contrary to national advice.
- vii) Should the policy take account of traffic impact and restrict retailing to existing buildings?

Inspector's Reasoning

Issue i)

2.75 The plan should be read as a whole. As I have made clear in response to other objections in this section, other policies in the plan provide an adequate framework to secure protection of the natural environment. No additions need to be made to the text or the policy on this issue.

Issue ii)

2.76 I see no reason why the proper application of Policy ET.9 should undermine the protection of any part of the Green Belt. Policy GB.1(ii) refers to Policy ET.9. Part 6) of this policy sets out a clear test as to whether the proposal would have a materially greater impact on openness. Openness is the most important attribute of the Green Belt. The 2 policies are compatible and Policy ET.9 is consistent with national advice in PPG2.

Issue iii)

2.77 The term “in keeping with its surroundings” is commonly used in planning policies. It is important to ensure that buildings which detract from the character or appearance of the countryside are not given a new lease of life by reuse. Applying this policy test will require the exercise of judgement, but in my view it is not a vague or arbitrary test.

Issue iv)

2.78 I have considered under Policy ET.8 the compatibility of, and need for, Policies ET.8 and ET.9. The recommendations I make in relation to ET.8 will ensure that the 2 policies are compatible.

Issue v)

2.79 Since the objections were made, PPG7 has been replaced by PPS7. PPS7 is less prescriptive than the previous advice in relation to the conversion of rural buildings. It also encourages the replacement of buildings in some circumstances.

2.80 Control of the design of the conversion is a reasonable requirement in the interests of visual amenity. But it is more logical to require the conversion to respect the design and materials of the existing building, than to respect local building style and materials, since the policy is concerned with conversions rather than new buildings. Imposing a local building style on a modern, ubiquitous building could look odd.

2.81 PPS7 empathises the importance of economic development in the countryside. I consider that the clear preference for non-residential conversions in part 5 of the policy is justified. However, it is not clear how the first part of the test in criterion 5a would be measured (“deplete the stock of buildings suitable for employment use”). Most, or all, rural buildings might be capable of some business use. The second part of 5a provides an adequate test for ensuring that employment uses have been adequately explored. Thus I consider the first part of 5a is imprecise and unnecessary and should be deleted.

2.82 I consider that the requirement for residential conversions to be not “isolated from public services and community facilities” accords with the Government advice on sustainable development and the location of new housing. Criterion 5b should remain unchanged.

Issues vi & vii)

2.83 Policy ET.10 would not allow for unlimited retail development as part of a diversification scheme since criterion ii) would provide some check on excessive scale. Nonetheless, depending on local circumstances, a sizeable retail operation might be possible without harm to the viability of village shops, especially if there were none close by. In their response to this objection, the Council say that such proposals would also be subject to other policies, such as Policy S.4 which applies the sequential test in national advice. I find this confusing because the existence of this separate policy on farm shops would imply that the sequential test would not be applied. Farm shops are a common form of farm diversification and are included in the illustrative list in paragraph B2.57. Planning permission would not be required where the retail use was ancillary to the main use. Policy ET.10 does not indicate that the retail operation should be linked in anyway to the landholding or the produce of the farm. I see

no good reason for a policy which, in effect, promotes general retail uses in the countryside, since this is contrary to sustainability principles. Policy ET.8 would enable the proper assessment of a farm shop along with the shopping policies of the plan. I therefore consider that Policy ET.10 should be deleted along with the related text.

Recommendations:

R2.12 Modify Policy ET.9 by:

deleting in criterion 1 the words “local building styles and materials” and substituting “respect the style and materials of the existing building.”

deleting the first part of criterion 5a;

inserting the following new criterion before the existing 6):

“The development would result, or be likely to result, in replacement agricultural buildings or the outside storage of plant and machinery which would be harmful to visual amenity”.

R2.13 Modify the plan by inserting after paragraph B2.62 current paragraph B2.54 (deleting the last sentence). Update the text to reflect the advice in PPS7.

R2.14 Modify the plan by deleting the sub-heading “Farm Shops”, paragraphs B2.63 and 2.64 and Policy ET.10.

Chapter B2 - Policy ET.11 and Paragraphs B2.66-B2.72

689/B16	British Horse Society	B2.66
689/B17	British Horse Society	B2.68
578/B42	Norton Radstock Town Council	B2.72
3257/C64	Somer Valley Friends of the Earth	B2.72/A
3298/C48	Cam Valley Wildlife Group	B2.72/A
3298/C78	Cam Valley Wildlife Group	B2.72/A
376/B6	Mr I Wallis	ET.11
1427/B44	Environment Agency	ET.11
3257/B11	Somer Valley Friends of the Earth	ET.11

Supporting Statements

1427/B43	Environment Agency	B2.69
120/D294	Mrs H Woodley	PIC/B/17 (B2.72)
3257/D311	Somer Valley Friends of the Earth	PIC/B/17 (B2.72)
120/C125	Ms Helen Woodley	B2.72/A
1427/B35	Environment Agency	ET.11
2360/B2	Landray Will Trust	ET.11

Issues

- i) Should reference be made in paragraphs B2.66 and B2.68 to the British Horse Society's proposed “Ride UK” routes?

- ii) Should reference be made to the high quality sporting facilities available outside Bath?
- iii) Whether the plan should recognise that eco-tourism is not confined to the rural areas.
- iv) Should the policy support a major performing arts venue or conference centre?
- v) Should the policy recognise the potential for impacts on the natural environment from tourism?

Inspector's Reasoning

2.84 In my view, Policy ET.11 serves no useful purpose. For tourist development in the main towns it sets out no criteria or requirements at all. For developments in the rural area it requires only that rural character is not harmed. Rural character is adequately protected by other policies. Paragraphs B2.65-B2.73 refer to tourism in general and to various projects, but none of these are formal proposals in the plan. I consider that this whole section of the plan could usefully be deleted. None of the matters raised by objectors justify retaining the section. I recommend accordingly.

Recommendation:

R2.15 Modify the plan by deleting the heading "Tourism/Visitor Attractions", paragraphs B2.65-B2.73, QG7 and Policy ET.11.

Chapter B2 - Policy ET.12 and paragraph B2.77/A

686/B79	Bath Preservation Trust	ET.12
3098/B17	George Wimpey Strategic Land	ET.12
686/C145	Bath Preservation Trust	ET.12/A

Supporting Statements

120/C167	Ms Helen Woodley	ET.12/A
3257/C65	Somer Valley Friends of the Earth	ET.12/A
120/C168	Ms Helen Woodley	ET.12/B
120/C169	Ms Helen Woodley	ET.12/C
120/C170	Ms Helen Woodley	ET.12/D
120/C171	Ms Helen Woodley	B2.77/A

Issues

- i) Should this policy make reference to the Green Belt?
- ii) Whether the words "purpose-built hotels" should be reinstated.

Inspector's Reasoning

- 2.85 Although the above objections do not question the need for this policy it is impossible to consider detailed matters of wording without having regard to the overall effect of the policy. I am concerned that the policy is far too permissive in terms of where all types of visitor accommodation would be allowed and is at odds with national advice and the plan's stated objectives to promote a more sustainable pattern of development. I cannot contemplate making any recommendations on detailed aspects which would imply acceptance of the overall policy.
- 2.86 "Visitor accommodation" clearly includes hotels. Paragraph B2.75 indicates that the need in Bath is primarily for larger hotels. PPS6 (March 2005) indicates that hotels are among the wide variety of uses to which that policy statement applies. The emphasis in that advice is encouraging such uses as part of vibrant town centres. Policy ET.12 would permit hotel development anywhere within Bath, Keynsham and Norton-Radstock and *adjoining* these urban areas. In my view, to allow a hotel on the edge of these towns without requiring a sequential assessment of more sustainable sites is fundamentally unsound. Since the policy sets out no other criteria for the location of hotels, it has no purpose other than to loosely guide the location of such development in this permissive way. I consider that this part of the policy should be deleted and the Council should review its policy for visitor accommodation in the main towns as part of the preparation of the LDF.
- 2.87 The second part of the policy allows small scale purpose built visitor accommodation within or adjoining R1 and R2 settlements or within R3 villages. This is consistent with advice in PPS7 paragraph 37. Small scale accommodation is unlikely to raise such fundamental sustainability concerns as full scale hotels. But this part of the policy does not say anything different to Policy ET.4 applicable to office, industry and storage uses. Consistent with my view that the plan is unhelpfully long with too many policies, I consider that Policy ET.12 could be deleted in its entirety and Policy ET.4 modified to include "small scale purpose built visitor accommodation" among its list of uses. Given the needed emphasis on small scale uses in this context it would be inconsistent to substitute "hotels" for this phrase. The Council will need to review what parts, if any, of the supporting text should remain. With some editing, paragraphs B2.76-B2.77 could form the supporting text for the change to Policy ET.4. I recommend accordingly.

Recommendations:

- R2.16 Modify the plan by deleting Policy ET.12. (See also my recommendations under Policy ET.4.)
- R2.17 Modify the plan by deleting paragraphs B2.74-B2.77. (Consider editing and moving paragraphs B2.76-2.77 to supplement the reasoned justification to Policy ET.4.)

Chapter B2 - Policy ET.13 and Paragraphs B2.80 and B2.81

120/D298	Mrs H Woodley	PIC/B/18 (B2.80)
120/C166	Ms H Woodley	B2.81/A
120/D301	Mrs H Woodley	PIC/B/19 (B2.81)
3257/C67	Somer Valley Friends of the Earth	B2.81/A
120/B46	Ms H Woodley	ET.13
120/D303	Mrs H Woodley	PIC/B/20 (ET.13)
376/B2	Mr I Wallis	ET.13
721/B20	Government Office for the South West	ET.13
721/C48	Government Office for the South West	ET.13/A
721/C49	Government Office for the South West	ET.13/A

Supporting Statement

3257/D312	Somer Valley Friends of the Earth	PIC/B/19 (B2.81)
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Issues

- i) Does the policy unreasonably require (or imply) the provision of car parking to a certain standard?
- ii) Should the policy promote small scale establishments which encourage guests to arrive by public transport?
- iii) Would the policy reduce available affordable housing?
- iv) Is there sufficient justification for requiring the retention of a *substantial* residential unit in large schemes?

Inspector's Reasoning

2.88 In my view, the supporting text is rather rambling and unclear, especially in relation to how the presence or absence of parking will be evaluated. The Council has accepted that a further revision to the policy is required and indicates that part i) should now read: "in the case of larger residential properties, a substantial private residential unit is retained and an appropriate level of parking is available on-site, having regard to the criteria in Policy T.26, or in the vicinity"

2.89 The objectives set out in the text appear broadly to be: the protection of residential amenity; the retention of a unit of permanent residential accommodation within the building; and some assessment of parking. All these matters are covered by other policies in the plan. Policy HG.13 sets out a presumption in favour of retaining residential accommodation. A proposal for a change of use which retained an element of permanent living accommodation could be seen as complying with this policy. Policy ET.13 does not add anything on protecting residential amenity and, in my view, the issue of parking is still confused. It would be preferable to delete the policy and related supporting text. The Council should decide whether any of the supporting text (suitably amended) needs to be added to explain the application of Policy HG.13. In view of my recommendation, I do not consider the detail of the individual objections.

Recommendation:

R2.18 Modify the plan by deleting paragraphs B2.78-B2.84 and Policy ET.13.

SECTION 3 - Chapters B3 and B4

Chapter B3

2683/B4 Diocese of Bath & Wells B3

Issue

- i) Whether the plan should allow for the provision of new parsonages on sites outside defined housing areas.

Inspector's Reasoning

- 3.1 I recognise the importance of providing a home for the Parish incumbent within the locality that they are serving. But I do not understand why such needs cannot normally be met by the acquisition of an existing property, even if that subsequently needs to be altered or extended. Given that in the smallest villages one minister may serve several parishes, I cannot envisage that the choice of suitable properties would be unduly restricted. Where there is a specific need which cannot otherwise be met, this could be weighed against any conflict with planning policy, including Green Belt policy. In my view, the objector's concerns do not warrant any additional policy or acknowledgment in the plan.

Recommendation: no change

Chapter B3 - Policy CF.1

120/B97	Ms Helen Woodley	CF.1
1899/B3	Trustees of Bath Congregations of Jehovah's Witnesses	CF.1
2306/B2	Mr T W Evans	CF.1
2310/B3	Beechcroft Developments	CF.1
2310/B12	Beechcroft Developments	CF.1
2448/B1	Mr J Sewart	CF.1
2597/B4	Dr R C Rafferty	CF.1
2683/B5	Diocese of Bath & Wells	CF.1
2986/B2	Avon & Wiltshire Mental Health Partnership NHS Trust	CF.1
2987/B4	Royal United Hospital Bath NHS Trust	CF.1
3146/B2	Ms E O'Donnell & Mr P McKendry	CF.1
3261/B5	Bath & North East Somerset Primary Care Trust	CF.1
3493/C3	Bath & Wells Diocesan Board of Finance	CF.1/B

Supporting Statements

376/B13	Mr I Wallis	CF.1
2997/B2	London Road & Snowhill Partnership	CF.1

Issues

- i) Is the policy too restrictive and inflexible?
- ii) Should the policy require that the loss of community facilities should proceed only with community support?

- iii) Should surplus school buildings/land be exempt from this policy or should schools be specifically highlighted for protection?
- iv) Should community facilities be defined in the plan and should the definition exclude health care facilities?
- v) Whether the policy should allocate land for the provision of an extension or relocation of the library at Moorland Road.

Inspector's Reasoning

Issue i)

- 3.2 This policy sets a presumption in favour of the retention of land and buildings for community use. Some objectors are concerned that the policy would unduly restrict opportunities for change and new provision of public or other essential services. The wording in the RDDLP means that even if the change would not seriously affect the availability of community facilities it is still necessary to demonstrate that no suitable alternative community use can be found.
- 3.3 The assumption underlying the policy is that keeping an existing community site in community use is always preferable to its loss, unless the development provides an alternative equivalent provision. But in my view, this does not recognise the wide variety of circumstances in which this policy may operate. Some long established sites in community use may not be well located to serve local people. Simply because there might be an alternative community use willing to occupy the premises does not mean that it is best suited to that use, that the new use represents a particular need of the local community, or that the alternative use is in the overall public interest. In my view, the consideration of alternative community uses should be limited to those where there is a local community *need*, where the site is *suitable* to serve that need in terms of size and accessibility/location and where there is a *realistic prospect* of the site being put to that needed alternative community use. As highlighted by objectors, there is no benefit in premises being left vacant for long periods.
- 3.4 The Local Plan can seek to influence the loss or provision of facilities, but it has no direct effect on the provision of services. Whilst it might prevent an existing community facility being redeveloped, it cannot ensure that it is available for community use or that any particular service is actually provided. The policy does not recognise that the on-going changes in the way that many public services are provided may mean that replacement facilities are not necessarily required if the service is going to be provided in a different way. The strict application of the policy could well work against the improvement of public services in the District.
- 3.5 I therefore conclude that the policy is too restrictive and my recommended new wording sets out a series of alternatives which, if any are met, would allow the loss of the community facility. In my view, this

wording strikes a better balance between the need to protect existing community facilities and inevitable change.

Issue ii)

- 3.6 The views of the public and local organisations should be taken into account by the local planning authority in all planning decisions. But public opinion should not be the sole arbiter of what is in the overall public interest. Local community support should not be a criterion of the policy.

Issue iii)

- 3.7 One objection seeks the exemption of education land and buildings from this policy on the basis that the Government is encouraging Councils to consider disposing of surplus education land and buildings. But consent for the sale of playing fields under the School Standards and Framework Act 1998 does not imply that planning permission will be forthcoming. This is a separate process and Policy CF.1 has an important role in safeguarding the community function of school sites. Another objection seeks a more restrictive policy to prevent development which would result in the loss of a school. Schools and colleges are included in the definition of community facilities used in the plan (subject to clarification in accordance with my recommendation below). I see no need for them to be specifically mentioned in the policy.

Issue iv)

- 3.8 Paragraph B3.5 refers to "community services" in wide ranging terms. It is not clear to me that these are the community "facilities" to which Policy CF.1 applies. I consider that a definitive list should be set out after paragraph B3.12. This could be based on paragraph B3.5 but it is important to refer to "facilities" not services. In addition, those public facilities and commercial enterprises covered by other policies in the plan (such as public houses, allotments, shops and playing fields) should not be included here. With this change, paragraphs B3.5-B3.10 would not be providing the reasoned justification for any particular policy and, in my view, amount to unnecessary background material. They should be deleted as part of the drive to produce a more succinct plan.
- 3.9 Whilst I have acknowledged above that the Health and Education Authorities have their own procedures for determining changes in the provision of facilities, that is not a reason to exclude health facilities from the embrace of Policy CF.1. As recommended to be modified, the policy should not serve to frustrate change that is in the wider public interest and it is legitimate that planning considerations are applied to changes in the use of sites for health purposes, as well as the particular requirements of the service providers.

Issue v)

- 3.10 This policy is intended to safeguard the provision of community facilities; it is not concerned with the allocation of particular sites. The Council

advises that there is no specific proposal to extend or relocate the library at Moorland Road. The plan should include only those schemes which are likely to be implemented in the plan period.

Recommendations:

R3.1 Modify the plan by deleting the heading "Community Facilities in Bath and North East Somerset" and paragraphs B3.5-B3.10.

R3.2 Modify the plan by deleting the wording of paragraph B3.12 and substituting:

"The Local Plan and its application in development control decisions can play only a limited role in ensuring the retention of needed community facilities and the services they provide. Whilst the plan can seek to prevent the loss of existing sites and premises from community use, it cannot ensure that any particular facility continues to be made available to the public or any particular service continues to be provided. The proposed loss of community facilities used for public services may be part of wider proposals to improve the provision of services. Health and Education Authorities have their own procedures for planning changes in the provision of facilities and consulting the public, often on a wider basis than any one local community. In the public interest, it is important to take into account changes that might have an overall, wider benefit. The policy thus sets out a variety of circumstances where the loss of a community facility would be acceptable."

R3.4 Modify the plan by inserting after paragraph 3.13 a list of community facilities to which the policy applies.

R3.5 Modify Policy CF.1 by deleting the existing wording and substituting:

"Development involving the loss of a site used, or last used, for community purposes will be permitted only where:

- i) there is adequate existing local provision of community facilities; or
- ii) there is a local need for additional community facilities, but the site is unsuitable to serve that need or there is no realistic prospect of it being used for that local need; or
- iii) alternative facilities of equivalent community benefit will be provided; or
- iv) the proposed loss is an integral part of changes by a public service provider which will improve the overall quality or accessibility of public services in the District. "

Chapter B3 - Policies CF.2 and CF.2/A and Paragraph B3.16

110/B9	Sport England South West	B3.16 (B3.68)
88/B27	William & Pauline Houghton	CF.2 (CF.4)
1856/B2	Mr E Diaz	CF.2 (CF.4)
1876/B1	Mrs N Rimmer	CF.2 (CF.4)
1899/B1	Trustees of Bath Congregations of Jehovah's Witnesses	CF.2 (CF.4)
2597/B5	Dr R C Rafferty	CF.2 (CF.4)
3394/C4	Cllr A Furse	CF.2/A
3570/C1	Bath Spa University College	CF.2/A

Supporting Statements

2985/B3	Bath & North East Somerset Primary Care Trust	CF.2 (CF.4)
2986/B1	Avon & Wiltshire Mental Health Partnership NHS Trust	CF.2 (CF.4)
2987/B3	Royal United Hospital Bath NHS Trust	CF.2 (CF.4)
2997/B3	London Road & Snowhill Partnership	CF.2 (CF.4)

Issues

- i) Should the text acknowledge that community buildings and halls often provide for indoor sports?
- ii) Should the plan allocate land for new community facilities?
- iii) Is there conflict between the first and second part of Policy CF.2 and between the policy and PPG13?
- iv) Should Policy CF.2 require buildings for educational uses to accommodate community facilities?
- v) Should Policy CF.2 make specific reference to the potential needs of the higher education sector?

Inspector's Reasoning

Issue i)

3.11 The use of community halls for indoor sports is mentioned in paragraph B4.26. That is descriptive text which I recommend be deleted. I see no value in inserting this unnecessary description here.

Issue ii)

3.12 Policy CF.2 is a general policy for guiding the development of new community facilities and is not the place for specific allocations of land. I consider objections seeking specific allocations under what is now Policy CF.4. In general unless there are firm proposals for new community facilities likely to be implemented within the plan period, it is not good practice to allocate sites.

Issue iii)

3.13 The requirement for the location of new or replacement community facilities to be “accessible” accords with PPS1 (paragraph 16). The wording in the RDDLP now requires facilities to be “accessible by a range of transport modes” rather than solely by public transport. This recognises the importance of access on foot and, particularly in rural areas, access by car. I do not see any conflict with PPG13 and consider that no change in relation to accessibility is required.

Issue iv)

3.14 The use of educational facilities by the community is recommended in the PPG17 companion guide (“Assessing Needs and Opportunities”) as a way of providing community facilities and is encouraged in paragraph B3.57. It would be unreasonable however to make this a requirement of all new educational buildings. The Local Plan cannot influence the management of existing facilities.

Issue v)

3.15 This is a general policy which covers a wide range of community facilities, it would not be appropriate to make reference to any one particular type, such as education.

Recommendation: no change

Chapter B3 - Policy CF.3

578/B49	Norton Radstock Town Council	CF.3 (CF.6)
2601/B3	Linden Homes (Developments) Limited	CF.3 (CF.6)
2975/B11	Crest Nicholson Properties Limited	CF.3 (CF.6)
3098/B18	George Wimpey Strategic Land	CF.3 (CF.6)

Supporting Statements

746/B11	NHS Executive South West	CF.3 (CF.6)
2985/B2	Bath & North East Somerset Primary Care Trust	CF.3 (CF.6)
3257/B8	Somer Valley Friends of the Earth	CF.3 (CF.6)

Issues

- i) Should the policy reflect national advice more closely?
- ii) Should the policy take account of the cumulative effect of a number of small-scale developments?
- iii) Should the provision for health care facilities be deleted from this policy?

Inspector's Reasoning

Issue i)

- 3.16 Policy IMP.1 sets out the circumstances in which the Council will seek planning obligations to provide facilities arising from the impact of proposed developments. I have recommended a redrafting of that policy to make it more explicitly follow national advice.
- 3.17 Policy CF.3 overlaps to some extent with Policy IMP.1. In my view, Policy CF.3 should focus specifically on the adequacy of existing community facilities to accommodate the additional pressures arising from development, rather than the mechanisms by which any additional provision might be made, thus reducing the overlap between the 2 policies. My recommended rewording would be consistent with national advice. The key to the Council successfully negotiating for such facilities is being able to demonstrate: that any particular facility is needed to make the proposed development acceptable; the size of any such facility in relation to a particular size of development; and the level at which contributions should be made for any particular type of provision. Policy CF.1, as recommended to be modified, would establish the principle that community facilities must be able to accommodate the additional demands made upon them. It would be helpful if further advice relating to different types of community facilities was set out in SPD. But I leave that for the Council to consider.

Issue ii)

- 3.18 My recommended rewording of the Policy CF.3 should not weaken the Council's ability to negotiate pro rata contributions from a series of smaller developments where, cumulatively, they would result in the need for additional provision.

Issue iii)

- 3.19 I see no reason why health care facilities should be excluded from the ambit of Policy CF.3 (and Policy IMP.1) provided that the scale of the development and the lack of existing facilities would make the development without those facilities unacceptable.

Recommendation:

- R3.6 Modify Policy CF.3 by deleting the existing wording and substituting:

"Where existing community facilities are inadequate to meet the needs of future residents of new development, planning permission will be refused unless additional provision, related in scale and in kind to the proposed development, to meet those needs is, or will be, made."

Chapter B3 - Policy CF.4 and Paragraphs B3.22-B3.47

578/B45	Norton Radstock Town Council	B3.24 (B3.15)
578/B43	Norton Radstock Town Council	B3.22 (B3.13)
3114/B1	Mr E Kertzman	B3.23 (B3.14)
606/B9	Paulton Parish Council	B3.25 (B3.16)
578/B46	Norton Radstock Town Council	B3.35 (B3.26)
1899/B2	Trustees of Bath Congregations of Jehovah's Witnesses	B3.43 (B3.34)
578/C93	Norton Radstock Town Council	B3.41/A
3257/C69	Somer Valley Friends of the Earth	B3.41/A
3257/D290	Somer Valley Friends of the Earth	PIC/B/22 (B3.41)
578/B44	Norton Radstock Town Council	CF.4 (CF.2)
578/B86	Norton Radstock Town Council	CF.4 (CF.2)
670/B6	Keynsham Community Association	CF.4 (CF.2)
842/B9	Mr L W T Swift	CF.4 (CF.2)
462/C27	Gleeson Homes	CF.4/A

Supporting Statement

2997/B1	London Road & Snowhill Partnership	B3.29 (B3.20)
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Issues

- i) Whether the description of particular facilities is out of date.
- ii) Should reference be made to the use of the safeguarded land in Westfield for a shared church/community building?
- iii) Should a site be safeguarded for community facilities to serve parts of Norton-Radstock?
- iv) Whether the PIC B/22 is appropriate and necessary.
- v) Should the lack of a cinema in Norton-Radstock be highlighted?
- vi) Whether paragraph B3.34 should acknowledge the difficulties of identifying sites for places of worship.
- vii) Whether the community facility in Policy CF.4 (CF.2) should be part of a larger development at Charlton Park or whether the policy should refer to the use of the land at the rear.
- viii) Should the plan allocate a site for a community hall in Keynsham?

Inspector's Reasoning

Issues i) – vi)

3.20 I have already expressed my concern that the reasoned justification in the plan is often too detailed. Paragraphs B3.20 to B3.46 are lengthy and discursive. The descriptions of existing facilities are unnecessary and add little to the justification for the policies in this section of the report, since only one new community hall is proposed in Policy CF.4. These long descriptive passages obscure rather than clarify what the plan is actually proposing. I therefore recommend that these paragraphs, including

PIC/B/22 be deleted. In view of my recommendation, I do not deal explicitly with any of the suggestions made by objectors. None are sufficiently related to any particular policy or proposal to warrant inclusion in the plan and none justify the retention of any of this text.

Issue vii)

3.21 The allocation at Charlton Park (GDS/NR1) was deleted in the RDDLP and I have not recommended that it be reconsidered. In these circumstances there would be little opportunity for new community facilities to be provided. Policy CF.4 has been amended in the RDDLP to refer to open space and an equipped play area which I consider meets the objection concerning the use of the land to the rear of the proposed hall.

Issue viii)

3.22 Provision for a community centre has been negotiated as part of a retail development at St John's Court in Keynsham. I do not have the evidence to assess whether there is a need for further facilities, but there appears to be no other proposal likely to be implemented in the plan period and thus no specific allocation for a community centre can be made.

Recommendation:

R3.7 Modify the plan by deleting paragraphs B3.20-B3.46, including PIC/B/22.

Chapter B3 - Policy CF.5 and Paragraphs B3.48-B3.62

There are large numbers of objections to this policy; details are listed at Appendix 1

Issues

- i) Should paragraph B3.53 make reference to the City of Bath College's future accommodation needs?
- ii) Whether the needs of the University of Bath justify a change to the Green Belt boundary and the impact on the AONB and whether greater recognition should be given to its role.
- iii) Whether land in Norton-Radstock should be allocated for new schools.
- iv) Should the allocation at Freshford Primary School be for a playing field only and is the land suitable?
- v) Whether land safeguarded for a playing field at East Harptree Primary School would be better suited to housing.

- vi) Whether the site allocated for Pensford Primary School should be deleted because of the likelihood of flooding.
- vii) Whether a larger school on the Stanton Drew site would cause traffic and parking problems.
- viii) Whether Timsbury Primary School should be made available for housing and the school resited.
- ix) Whether land at Oldfield Lane or Lymore Avenue should be allocated for the relocation of St John's Catholic Primary School.

Inspector's Reasoning

Issue i)

3.23 The RDDLP (paragraph B3.53A) refers in greater detail to the City of Bath College, setting out its status and indicating the potential for changes in its accommodation. In my view, further elaboration is unnecessary. I note the College's interest in the Avon Street Car Park site for further accommodation. This site is allocated in the plan (GDS/B17) for uses compatible with the city centre. I do not see that allocation as excluding some accommodation for the College as part of a mixed use scheme. But the development of this site is some way off as it will not be available until the completion of the Southgate scheme. Furthermore, in Section 7, I note that as this site is well related to the central shopping area the mix of uses to be accommodated should form part of the retail strategy which I recommend should be produced. It would thus be premature to recommend that the site should, in part, be used for College accommodation.

Issues ii)

3.24 I consider in detail the issues raised by the University of Bath, the change in the Green Belt boundary and the impact on the AONB in Section 9 of my report, where I recommend changes to paragraphs B3.54 and B3.54A.

Issue iii)

3.25 The RDDLP allocates a site at Woodborough Lane, Norton Radstock, for a new primary school. The Council confirms that planning permission has been granted for a new school on this site. This permission would seem to meet the need highlighted by objectors. I have no evidence on which to conclude that any alternative site or arrangement would be preferable in planning terms. There is thus no justification to modify the allocation made in the plan.

Issue iv)

3.26 The allocation at Freshford has been amended in the RDDLP to refer to provision of a playing field rather than an extension to the school. This meets the concerns of objectors that the site should not be used for any

new building. The Council accepts that the allocation has its constraints, but the alternative site suggested by one objector also has village green status and similar physical constraints. The alternative site does not appear to offer any material advantages over that allocated in the RDDLP. Therefore I recommend no change to this allocation.

Issue v)

- 3.27 A site at East Harptree has been allocated for a school playing field for some years. The present arrangement for the school to use a playing field some 0.5 km away is undesirable. The allocated site would provide a playing field adjoining the school. The site forms an open area within the village of East Harptree and provides views out of the village to the Chew Valley Lake and the slopes of the Mendips. I agree with the Inspector in his report on the Wansdyke Local Plan Inquiry that its openness contrasts with the surrounding housing and contributes to the character of this part of the village and to the setting of the adjoining Conservation Area. As proposed by the objectors, the development of part of the site for housing would facilitate the provision of a school playing field together with some public open space. But in my view, the loss of part of the open area would be harmful and not be outweighed by the early provision of the playing field and additional housing. The objector argues that the housing would meet local needs. I note that the Council is actively pursuing the provision of housing for local needs within the village and has identified a potentially suitable site. I recommend no change to the allocation.

Issue vi)

- 3.28 The Environment Agency highlights that the site allocated for Pensford Primary School is at risk from flooding. The Council indicates that this site is being reconsidered because of this risk. In my view, it is unacceptable to allocate a site for a new school or school extension that would be at risk from flooding. I do not know if the risk can be overcome. On the evidence before me, I recommend this allocation be deleted until there is more certainty over the suitability of the site.

Issue vii)

- 3.29 An objector is concerned about the poor access to the school at Stanton Drew and the increased traffic that would be generated by an extension. Parking, access and highway safety are all matters that would be subject to scrutiny if a planning application were submitted. I am not convinced that access and parking at this site are so constrained as to make this allocation unacceptable in principle. I recommend no change.

Issue viii)

- 3.30 The rebuilding of the primary school at Timsbury is under consideration, but no firm proposal has yet been agreed. It would be inappropriate to allocate the existing site for housing, or any other use, until it is clear that it would no longer be required for educational purposes. It is thus

premature to allocate the site as sought by the objector, even if such an allocation was otherwise acceptable.

Issue ix)

- 3.31 Inquiry change 6 deletes the alternative allocations of land at Oldfield Lane and Lymore Avenue for a new primary school. In November 2004 the Council's Executive Committee rejected the Lymore Avenue Playing Fields from a short list of 4 possible sites for a new school. The site at Oldfield Lane was not included on the short list. These circumstances have culminated in the Inquiry change to delete both sites from the plan. This change would thus meet those objections seeking the deletion of one or other of these sites.
- 3.32 Others object to the deletion of these allocations because one or both of the sites is considered suitable. There seems little dispute that a new school on a single site is needed, but the Council's decision not to pursue the allocations would undermine their credibility if they were to remain in the plan. The uncertainties over the suitability of the sites at Oldfield Lane and Lymore Avenue justify their deletion from the Plan as now proposed by the Council. I recommend accordingly.
- 3.33 Some objectors seek the designation of these sites as visually important open space (VIOS) under Policy BH.15. However, in Section 11 of this report I have recommended a fundamental reassessment of this policy by the Council or, in the absence of such a reassessment, its deletion. In these circumstances I am making no recommendations for any additions to the VIOS designations.

Recommendations:

R3.8 Modify paragraphs B3.54 and B3.54A in accordance with the recommendation in Section 9 concerning paragraphs C1.10F-C1.10K.

R3.9 Modify Policy CF.5 by:

deleting "2 St Johns RC Primary" and details of the allocations in accordance with IC6;

deleting "14 Pensford Primary" and details of the allocation.

R3.10 Modify the Proposals Map to reflect the above.

Chapter B3 - Paragraphs B3.63-B3.71

746/B8	NHS Executive South West	B3.63 (B3.57)
3273/B3	Bath & District Community Health Council	B3.63 (B3.57)
2987/B5	Royal United Hospital Bath NHS Trust	B3.64 (B3.58)
3261/B6	Bath & North East Somerset Primary Care Trust	B3.67 (B3.61)
3428/C1	Bathwick St Mary's Church of England V A Primary School	B3.62A/A
578/B48	Norton Radstock Town Council	B3.70 (B3.64)

746/B9	NHS Executive South West	B3.71 (B3.65)
2985/B4	Bath & North East Somerset Primary Care Trust	B3.71 (B3.65)
578/C94	Norton Radstock Town Council	B3.70/A

Issues

- i) Whether reference should be made to all the Trusts and organisations responsible for health care in the District, their particular responsibilities and future plans.
- ii) Does the plan make adequate provision for health care and accurately identify existing problems?
- iii) Should paragraph B3.62A make reference to a preferred site for a playing field at St Mary's Primary School, Bathwick?
- iv) Whether health care facilities should be exempt from Policy CF.1.

Inspector's Reasoning

Issues i) - ii)

3.34 Paragraphs 3.63-B3.71 are descriptive and, with the exception of paragraph B3.67 (St Martin's Hospital), do not relate to the policies of the plan. The reasoned justification should focus on the plan's policies and proposals. Several objections seek corrections or amplifications of this unnecessary text which would only make it longer. The allocation of St Martin's Hospital is now well advanced and planning permission has been agreed, subject to a Section 106 agreement. I comment on objections to this allocation in Section 7 of my report. There seems little purpose in retaining a single paragraph in this section relating to that allocation. I consider that the whole of this section should be deleted. I am not aware of any plans for additional health care provision which are sufficiently advanced and have particular land use implications which justify an allocation in the plan. Accordingly, there is no point in the text describing the adequacy of health care provision in the district.

Issue iii)

3.35 This issue belongs in the previous section but since the objection is listed here, I deal with it accordingly. The Council state that the site the objector wants allocated for a playing field is not yet available. In those circumstances there is little certainty that it could be provided within the plan period and it would be inappropriate to include the site as an allocation now. The text at paragraph B3.62A highlights the need at St Mary's School for a playing field.

Issue vi)

3.36 I deal with the definition of community facilities earlier in this section of my report. I find no reason to exclude the facilities for health care from the scope of Policy CF.1.

Recommendation:

R3.11 Modify the plan by deleting the heading "Health Facilities" and paragraphs B3.63 - B3.71.

Chapter B3 - Policy CF.7

578/B50	Norton Radstock Town Council	CF.7
581/B13	Batheaston Society	CF.7
721/B21	Government Office for the South West	CF.7
2604/B3	Emlor Homes Ltd	CF.7
3097/B2	Mr M Swinton	CF.7
3257/C72	Somer Valley Friends of the Earth	CF.7/A

Issues

- i) Whether the policy should also cover shops and Post Offices.
- ii) Whether the policy is realistic and reasonable.

Inspector's Reasoning

Issue i)

3.37 In its response to this objection the Council highlights Policy CF.1 as protecting shops. But this is not clear from the supporting text to that policy. Nor is that policy, either as expressed in the plan or as I recommend be modified, particularly suited to covering commercial enterprises such as shops. In my view, adequate protection is afforded to individual shops and any associated Post Offices under Policy S.9 (as recommended to be modified). Policy CF.7 does not need to encompass these uses.

Issue ii)

3.38 As I highlight in relation to Policy CF.1, planning decisions cannot ensure that a particular service or enterprise continues. It can only prevent certain changes to other uses or redevelopment. In the case of public houses, changes of use to some types of offices would be outside the Council's control, but in my view that does not so undermine the effectiveness of the policy as to justify its deletion. But the commercial realities of running a public house need to be recognised.

3.39 The way that the criteria are linked in the policy would mean that even if a public house was not viable and had been unsuccessfully marketed, permission for its loss would not be granted if it would seriously affect the availability of community facilities. But adherence to the policy in these circumstances would most likely result in premises being left vacant, which is not in the public interest. In addition, I consider that the owner/developer of a public house should have to provide evidence on marketing and viability *only* if the premises are of particular benefit to the

local community. Not all public houses represent such a benefit to the community. The criteria in the policy need to be reordered.

- 3.40 I consider that the aim of criterion (i) is clear, but I recommend some minor changes of wording. Viability would take into account the physical suitability of the premises, including any needed works and repairs. Criterion (ii) would allow loss or redevelopment where a facility of equivalent community benefit is provided (such as a new public house as part of a redevelopment or a public meeting room). I consider that "community benefit" is capable of reasonable interpretation and application. But it is important that the particular benefit (if any) of the existing premises is properly identified at the outset. The supporting text should more clearly set out the matters which will be taken into account in determining whether or not an existing public house serves an important community function. This analysis could then inform the assessment of whether any replacement was of equivalent benefit. I recommend some additional text for this purpose.
- 3.41 It is important that being the only public house in the locality is not the primary consideration since that would allow the loss of other public houses which might be better suited to meeting community needs and encourage owners to redevelop (or get permission to redevelop) to avoid being the last public house in the area. The marketing needs to be realistic and I recommend an addition to the text to highlight how this would be assessed.

Recommendations:

R3.12 Modify the plan by deleting in paragraph B3.75 all the text after "is not lost to another use(s)" and insert:

"The following factors will be taken into account to assess whether a public house provides a valuable community facility: its size, layout, and facilities and thus its actual or potential for providing a useful and attractive place for local people to meet; its location and accessibility to the local community; the availability of other community facilities in the village or locality, including any other public houses and their suitability for serving the community. There is no benefit in a public house being protected from redevelopment if there is no realistic prospect of a public house being successfully and attractively operated from the premises. The policy thus allows for viability to be taken into account. Unsuccessful marketing will be one consideration in assessing viability. When this criterion applies, applicants will be expected to demonstrate that the marketing was undertaken in accordance with expert advice and effectively targeted at potential operators."

R3.13 Modify Policy CF.7 by deleting the existing text and inserting:

"Planning permission will not be granted for the redevelopment or change of use of a public house which would result in the loss of premises which provide, or could provide, a needed community facility in that locality, unless:

- i) the operation of a public house serving the local community is not viable and the premises have been effectively marketed as a public house without success; or
- ii) the development or change of use would result in the provision of alternative facilities of equivalent or greater benefit to the local community."

Chapter B3 - Policy CF.8 and Paragraph B3.79

1950/C2	St Stephens Allotments Society	B3.79/A
3116/C68	Bath & North East Somerset Allotment Association	B3.79/A
3257/C73	Somer Valley Friends of the Earth	B3.79/A
120/B100	Ms Helen Woodley	CF.8
564/B37	London Road Area Residents Association	CF.8
580/B12	Hignett Brothers	CF.8
878/B8	The Bath Society	CF.8
1269/B4	B&NES Allotments Association	CF.8
3116/B1	Bath & North East Somerset Allotment Association	CF.8
3123/B1	Ms B Honeybone	CF.8
3235/B1	Mr I Betts & Mr A Perry	CF.8
3257/B9	Somer Valley Friends of the Earth	CF.8
3299/B19	Bovis Homes (South West Region) Limited	CF.8
3533/D23	Network Rail Infrastructure Ltd	PIC/B/27 (CF.8)
686/C146	Bath Preservation Trust	CF.8/A
1950/C3	St Stephens Allotments Society	CF.8/A
3116/C66	Bath & North East Somerset Allotment Association	CF.8/A
3257/C74	Somer Valley Friends of the Earth	CF.8/A
3378/C1	Mr & Mrs Frank – reference to a particular site King George's Rd?)	CF.8/C
3565/C1	Mrs D J Parsons	CF.8/C
3568/C1	Mr F Kenny	CF.8/C
3569/C1	Mr P Evans	CF.8/C

Supporting Statements

2997/B4	London Road & Snowhill Partnership	CF.8
3116/D135	Bath & North East Somerset Allotment Association	PIC/B/27 (Inset Map 31)
3257/C75	Somer Valley Friends of the Earth	CF.8/A
3567/C1	Mr M Hill	CF.8/C
3116/C92	Bath & North East Somerset Allotment Association	CF.8/D
3116/C93	Bath & North East Somerset Allotment Association	CF.8/E

Issues

- i) Does the plan adequately protect allotments?
- ii) Should replacement allotments be provided closer than 1000 metres of potential users and should the land be suitable for "horticultural use"?
- iii) Should criterion (ii) be deleted or clarified?
- iv) Should new allotments be required in all new residential development?

- v) Should the policy apply to vacant land "last used for allotments"?
- vi) Should all the land north of King George's Road, Bath be designated as allotments and should reference be made to the particular requirements of Network Rail at this location?

Inspector's Reasoning

Issues i) - vi)

- 3.42 Allotments are highly valued by those that use them and there is public interest in ensuring that allotments are easily accessible to all who want to work them. The plan should aim to satisfy demand. The Council accepts that the text in the plan concerning the demand for allotments is somewhat out of date. A full assessment of the local demand for and local provision of allotments is underway as part of the Green Space Strategy, but I do not know whether this has now been completed. Clearly this assessment will better inform decisions about the retention of allotments and any need for additional allotments. The text should be updated in the light of this work. I support the general protective thrust of the policy, but my recommendations will need to be reassessed if there is new evidence on demand and supply.
- 3.43 Assuming that there is evidence of continuing or increasing demand, then I consider that criterion i) is reasonable. It ensures that the amount of available allotment land is not reduced, whilst allowing, where justified, the loss of an existing site. In all cases, the criterion requires alternative, equivalent provision to be made. The plan should not assume that all allotment sites represent the optimum arrangements for provision of allotments in any particular area. Although I know that many allotment holders are very protective of their plot and sites, the policy should not exclude the possibility of the loss and replacement of sites. The policy regarding replacement sites would be clearer if "accessible" was added to the criteria applicable to replacement provision within criterion (i).
- 3.44 Criterion (ii) would allow for the loss of allotments where an alternative use is proposed in the Local Plan. This is a reasonable approach since allocation in the Local Plan allows for the proper assessment of the use of land in the public interest. I note that site GDS/K2 at Keynsham which I am recommending be reinstated in the plan would involve the loss of some allotment land. The criteria for that allocation in the DDLP required replacement provision. But for added clarity, I consider that criterion (ii) should require suitable replacement allotments in all cases where an allocation in the Local Plan involves the loss of allotment land for which there is a local need.
- 3.45 The text gives guidance on a reasonable distance from users for new allotments. A distance of 1000m would accord with the DTLR guidance on the provision of replacement allotments (Allotments: a plot holder's guide. DTLR, 2001). This requires alternative sites to be provided which are not more than three-quarters of a mile from the centre of demand.

Furthermore, the setting of a lower distance could unduly constrain the opportunity to identify suitable sites. Conversely, if access to an existing allotment is poor, then I see no reason why that should not be part of the considerations of whether the importance of any proposed development outweighs the retention of that particular site.

- 3.46 I see no reason why the reference in paragraph B3.79 to replacement land being suitable for "horticultural use" implies the use of high quality agricultural land. It is a reasonable requirement that land to be used for allotments should be capable of productive use. I consider that this is met by "suitable" in criterion (i).
- 3.47 The Council highlight an error in the consolidated version of the plan. The sentence beginning: "New or replacement allotments..." should have been within the policy box and not below it. Inclusion of a policy consideration for new allotments would meet the concerns of some objectors. I consider that it is preferable for all the criteria applicable to replacement allotments to be in criterion (i). New allotments should be both accessible to the community they are intended to serve and suitable for prospective allotment use. I recommend a modification to give emphasis to these aspects.
- 3.48 Policy CF.8 would apply to all allotments, statutory or non-statutory. The Local Plan cannot alter the legal status of allotment land.
- 3.49 A developer cannot be required to make up an existing deficiency in service provision, but if the likely demand for allotments arising from new residential development exceeds existing local, accessible provision, new allotments or a contribution to new allotments could be sought. This possibility does not need to be mentioned here, but I recommend that allotment land is included among the different types of recreational open space which can be secured from developers under the new policy which I recommend replaces Policies SR.3 and SR.6.
- 3.50 The policy applies to both land in use as allotments and vacant land, last used for allotments. In my view, it would be reasonable to apply the policy of restraint to former allotment land only where the existing and foreseeable demand for allotments cannot be met by existing local provision. It is not in the public interest to prevent the development of vacant urban land if there is no need or demand for its use as allotments or other recreational needs. I have therefore reworded the policy to make this consideration clear. The conclusions of the Council's Green Space strategy will be able to inform assessments of need or lead to allocations of further land whether there is a clear local deficiency, but I do not have sufficient evidence to make any recommendations for new sites.
- 3.51 PIC/B/27 reinstates the allotment designation of the western portion of land north of King George's Road, Bath (deleted in the RDDLP). My impression is that this land is unused. In Section 8 of my report, I highlight this site (as Lansdown View) as suitable for development, provided that the Council's Green Space Strategy does not identify a need

for more allotment land in this locality. The Proposals Map will need to reflect the conclusion of the Council on these matters. The land adjoins the railway line, but I see no reason why the plan should set out Network Rail's particular concerns about safety and security. The RDDLP corrects an error in the annotation of allotments at Hodshill, South Stoke on Inset Map 31C.

Recommendations:

R3.14 Modify paragraphs B3.76-B3.79 by editing and updating the text to reflect the assessment of allotment provision in the Council's Green Space Strategy.

R3.15 Modify the plan by deleting all of Policy CF.8 and substituting the following:

"Development resulting in the loss of land used for allotments will not be permitted unless:

- (i) the importance of the development outweighs the community value of the site as allotments and suitable, equivalent and accessible alternative provision is made; or
- (ii) the site is allocated for another use in the Local Plan and suitable, equivalent and accessible alternative provision is made.

Development resulting in the loss of vacant land last used for allotments will not be permitted unless the existing and foreseeable local demand for allotments can be met by existing suitable and accessible sites.

New allotments will be permitted provided that they are accessible to the area they are intended to serve and suitable for productive use".

Chapter B3 - Policy CF.9

322/B12	Greenvale Residents Association	CF.9
578/B52	Norton Radstock Town Council	CF.9
730/B18	Timsbury Parish Council	CF.9
2430/B1	St Nicholas Bathampton with St Mary the Virgin Claverton	CF.9

Issue

- i) Should the plan allocate additional land for new cemeteries or extensions to existing cemeteries?

Inspector's Reasoning

3.52 The Council has assessed the need for new cemeteries and the allocations in Policy CF.9 are intended to meet that need. In particular, the allocation at Haycombe cemetery is intended to meet the needs of Norton-Radstock and Timsbury. I find no reason to make further allocations to serve those communities.

3.53 An objector highlights that the available space in the cemetery at St. Mary's Church, Claverton is likely to be used up in the plan period and seeks the allocation of adjoining land. The Council comments that it would be premature to do so until the church has contacted the Home Office, when the cemetery is full. I do not understand this comment, since whatever separate procedures exist for the operation of churchyards, the local plan is the appropriate means of allocating land for new uses where there is a need. I do not have the evidence to come to any firm view on this objection and, in any case, the scale of any necessary extension to the churchyard may be too small to justify an allocation in the plan. But the Council should consider more carefully any need for an extension and whether an allocation should be made.

Recommendation:

R3.16 The Council to consider whether there is likely to be a need for additional burial space at St. Mary's Church, Claverton and whether an allocation to meet this need is required.

Chapter B4 - General and Paragraph B4.1

88/B30
110/B10

William & Pauline Houghton
Sport England South West

B4
B4.1

Issues

- i) Should the plan reflect the need for a skateboard park?
- ii) Whether the importance of sport should be given greater recognition.

Inspector's Reasoning

- 3.54 Before dealing with the specific issues identified under this heading, I would draw the Council's attention to the unnecessary level of narrative included in this Chapter. The text should support the policies of the plan, there is no need for much of the background detail here. I therefore recommend some deletions to the first part of the Chapter to reduce the length of text. But the chapter would benefit from substantial editing. With the insertion of the additional paragraphs concerning the playing pitch assessment there is now considerable overlap with B4.15- B4.26. The length of text confuses rather than helps the reader to understand why the plan contains the allocations and policies that it does.
- 3.55 For reasons given earlier in this report, I recommend the deletion of QG8 in this first part of the chapter (as well as the others). QG8 refers to a 1999 strategy with a 5 year horizon. Reference to it is now clearly out of date.

Issue i)

3.56 There is no specific proposal for a skateboard park to which reference should be made in the plan. Any future proposal would be considered against Policy SR.4. It would not be appropriate to include a reference to one particular facility in preference to any other.

Issue ii)

3.57 The dedication of a whole section of the Plan to the issue of Sport and Recreation as well the protection afforded to sport and recreational facilities by the SR policies provides sufficient recognition of the importance of sport.

Recommendation:

R3.17 Modify the plan by deleting paragraphs B4.1, B4.2, B4.4, B4.6, B4.8 and QG 8.

Chapter B4 – Policy SR.1A, Paragraphs B4.9/A-B4.13/A and Diagram 6A

There are large numbers of representations to this policy; details are listed at Appendix 1.

Issues

- i) Whether the plan contains sufficient justification for Policies SR.1A and SR.1B.
- ii) Whether Policy SR.1A is too restrictive or too weak.
- iii) Whether one policy should cover all forms of open space.
- iv) Whether the SR.1 notation on the Proposals Map has been applied consistently.
- v) Site specific issues.

Inspector's Reasoning

Issue i)

3.58 The summary results of the Council's Playing Pitch Assessment are set out in Diagram 6A. The assessment can usefully inform decisions on proposals resulting in the loss of a playing pitch, but it does not provide a complete picture of the needs of the community for all the types of open space and sport and recreation facilities covered by PPG17 (and defined in its Annex). Sport England (paragraph 4.14 of Towards a Level Playing Field) advises against considering the need for playing pitches in isolation from other forms of open space.

- 3.59 The Council indicates that it is currently undertaking a comprehensive assessment of all types of open space throughout the District as part of a Green Space Strategy and that the Playing Pitch Assessment will form an integral part of this Strategy. It is this comprehensive assessment and not just the Playing Pitch Assessment that is needed to properly assess criterion (i) of Policy SR.1A and SR.1B. The information contained in paragraphs B4.12, B4.12A and B and Diagram 6A is thus an incomplete basis for the subsequent policies. Although paragraph B4.12 refers to studies of other outdoor sports, neither this paragraph nor paragraph B4.13A refers to the overall Green Space Strategy and the proposed assessment of all types of open space.
- 3.60 I do not know what progress has been made on the Green Space Strategy. The conclusions of the full assessment should inform the policy approach. Although it would provide crucial justification for the policy it does not need to be set out in full in the plan, but could form part of an SPD. In the absence of this evidence base, it would be necessary for an independent assessment to be made on a case-by-case basis of whether any particular recreational site is surplus to requirements (PPG17, paragraph 10). It is not necessary for the plan to include details of which school playing fields are available for community use, but this information should be identifiable in the playing pitch assessment. Policy SR.1A has been applied to school playing fields on the Proposals Map.

Issue ii)

- 3.61 PPG17 (paragraph 10) states that an area of open space should not be built on unless an assessment has been undertaken which has clearly shown the open space to be surplus to requirements. The Council indicate they would not be seeking to retain recreational uses in all circumstances, but the wording of the last sentence of paragraph B4.13 is misleading. It gives the impression that even in circumstances where recreational land is surplus to requirements or where alternative facilities are to be provided, the Council would still consider the use of the site for other recreational purposes. I recommend the last sentence of B4.13 be deleted. The RDDLP deleted the suggestion that *special* circumstances would be required if recreational land was to be developed. There are a variety of circumstances where this might be acceptable and reference to *special* was misleading.
- 3.62 Following the advice in PPG17, I consider that there are broadly 4 main circumstances in which development resulting in the loss of recreational land is acceptable. These are: where a rigorous assessment has demonstrated that the land is no longer needed; where the land has no recreational value; where equivalent replacement provision is made elsewhere; and where a new recreational facility is provided outweighing the value of the facility to be lost. There is no justification for a policy to oppose the loss of recreational land in all circumstances. Policy SR.1A generally follows the above approach, but some changes are needed.

- 3.63 PPG17 requires replacement facilities to be "at least as accessible" to current and potential new users (paragraph 13). The effect of criterion (iii) might be to require replacement land that was more accessible than that to be lost. This would be unreasonable. The suggestion by one objector that replacement facilities should be within walking distance of the land to be lost is too prescriptive and could have the effect of precluding the provision of a facility which could be more widely accessible, simply because it is not within walking distance of the one it is replacing.
- 3.64 The policy should have regard to future needs as well as existing demand for recreational facilities. PPG17 requires local authorities to forecast the *future needs* (my emphasis) of their communities for open space, sports and recreational facilities. But the phrase "prospect of demand" in criterion i) is rather vague. It is the evidence of a future need for the space which should be taken into account and I recommend a change to the wording.
- 3.65 I recognise that there is a separate statutory procedure for the disposal of school playing fields (under Section 77 of the School Standards and Framework Act 1998). This procedure affords protection against indiscriminate disposal of a school playing field. However, consent for sale of the land under S.77 does not replace the need for planning permission and the assessment of any applications in accordance with development plan and other material considerations. I see no justification for the policy making an exception where consent has been granted for the disposal of school playing fields. The Secretary of State has given consent for the sale of part of the playing fields of Beechen Cliff School.
- 3.66 The intention behind criterion (iv) is to enable proposals for indoor or outdoor facilities to be considered for development on sites which are used for recreational purposes. This could allow for the development of a facility such as a swimming pool on the site of a football pitch. A replacement pitch would not be required under this criterion. Under criterion (iii) a replacement pitch might be proposed in the Green Belt as one objector fears, but Green Belt policies and the tests in PPG2 would still have to be met. The suitability in all respects of the proposed replacement site would be part of the assessment of the overall proposal.
- 3.67 To justify criterion iv) the Council refers to paragraph 15(iv) of PPG17 which requires an outdoor or indoor sports facility to be of "sufficient benefit to the development of sport to outweigh the loss of the playing field". Whilst criterion (iv) in the policy comes close to this, I consider the reference to "at least equal community benefit" could be more widely construed because it does not focus on the benefit to sport. I therefore recommend some rewording to align the criterion more closely to PPG17.
- 3.68 Subject to the rewording in my recommendation I consider that Policy SR.1A is neither too strict nor too weak.

Issue iii)

3.69 Objections to the DDLP highlighted the exclusion of informal open space and children's play space from Policy SR.1A. The RDDLP contains a separate policy on these matters – SR.1B. Its 2 criteria mirror 2 of the criteria in SR1.A. I see no reason why the policy for informal open space and children's playing space should not be the same as any other type of recreational open space. The terms "formal" and "informal" are not used in PPG17, by Sport England or the National Playing Fields Association, and I see no good reason for introducing them into this chapter of the plan. I consider that the main objective of both of the policies, which is to protect playing fields and recreational open space, could be achieved through the implementation of one policy that combines Policies SR.1A and SR.1B. I recommend accordingly.

Issue iv)

3.70 The Council acknowledge inconsistencies in the application of the SR.1 notation on the PM and has sought to amend it in accordance with the Sport England definition of playing fields. I agree that ancillary facilities such as pavilions, changing rooms and associated car parking can be covered by the notation and the policy. However, not all recreational open spaces which would be covered by Policy SR.1A are included on the Proposals Map. This could be misleading since sites without the SR.1A notation are not afforded any less protection under Policy SR.1A than recreational land with the notation. It may not be feasible to identify every area of recreational open space on the Proposals Map. Therefore either the notation should be deleted entirely, or the sites which have been identified should be given a different notation such as "Sites used as playing fields subject to Policy SR.1A". I leave this as a matter for the Council to decide.

3.71 The Council have deleted the SR.1 notation at Bath Recreation Ground to accord with the National Playing Fields Association definition (The Six Acre Standard, paragraph 3.18). I see no reason to take a different view.

3.72 The policy (as recommended to be modified) would apply to playing pitches and other open space whether or not it was subject to the SR.1A notation on the Proposals Map. Accordingly, I have not considered those site specific objections which seek the extension of the SR.1A notation to other sites.

Issue v)

3.73 A number of objectors refer to specific sites or proposals in the plan as part of their objections to Policy SR1.A. I deal with the allocations of land at Somerdale and Newbridge and the deleted allocation at Keynsham in Sections 5 and 7 of my report. Where allocations were, or are, made affecting existing playing fields the policy requirements for each allocation include replacement provision. I refer to Beechen Cliff playing fields in Sections 5 and 8 of my report. In my view, the plan should not anticipate

the sale and possible redevelopment of the Bath City Football Ground. The redevelopment of St Martin's Hospital is at an advanced stage. Planning permission has been approved subject to a S106 agreement requiring, among other matters, a replacement cricket pitch. PIC/B/28 removes the SR1.A designation from the site. I need not comment further.

- 3.74 Norton-Radstock is an area where the Council has found a high overall deficiency in the supply of sports pitches and therefore the land at Withies Lane should continue to be protected as playing fields. The Council's Green Space Strategy would provide the evidence to weigh the competing needs of any alternative recreational use, such as for allotments. I am not minded to specifically remove the SR1.A designation from this site.

Recommendations:

R3.18 Modify the plan by deleting paragraphs B4.12, B4.12A and B4.12B and Diagram 6A and inserting a summary of the conclusions of the Green Space Strategy.

R3.19 Modify paragraph B4.13 by deleting "formal" and "land" from the first sentence, inserting "open space" after "recreational" in the second line and by deleting the last sentence.

R3.20 Modify Policy SR.1A by:

deleting "formal" and "land" and inserting "open space" after "recreational";

deleting "prospect of demand" and inserting "evidence of future need";

deleting "community" in criterion iv) and inserting after "benefit" "to the development of sport".

R3.21 Council to reconsider the SR.1A designation on the Proposals Map: either the notation should be deleted entirely, or the sites which have been identified should be given a different notation such as "Sites used as playing fields subject to Policy SR.1A".

Chapter B4 - Policy SR.1B and Paragraph B4.13A

There are large numbers of representations to this policy; details are listed at Appendix 1

Issues

- i) Whether the policy should address the loss of a facility to a particular community.

- ii) Whether the policy should be supported by evidence and allow development when land is shown to be surplus to requirements.
- iii) Should developers be required to demonstrate that there is no longer a demand or prospect of demand *and/or* that a deficiency would not be created?

Inspector's Reasoning

3.75 My recommended modifications to SR.1A would provide the necessary protection for all recreational open space, whether "formal" or "informal". I see no value in duplicating this protection through Policy SR.1B and recommend its deletion. I have assessed the reasonableness of Policy SR.1A above and in view of my recommendation to delete SR.1B, I do not address the particular issues raised in relation to this policy.

Recommendations:

R3.22 Modify the plan by deleting the heading "Protection of Land Used for Informal Recreation and Play" and move paragraph B4.13A to before new policy SR.1A.

R3.23 Modify the plan by deleting Policy SR.1B.

Chapter B4 - Policy SR.2 and Paragraphs B4.15 - B4.38

110/B4	Sport England South West	B4.15
564/B36	London Road Area Residents Association	B4.16
1427/B46	Environment Agency	B4.18
3257/C80	Somer Valley Friends of the Earth	B4.18/B
578/B53	Norton Radstock Town Council	B4.19
578/C95	Norton Radstock Town Council	B4.19/A
3219/C35	The Hon Andrew Jolliffe	B4.19/A
3219/C34	The Hon Andrew Jolliffe	B4.21/A
564/B34	London Road Area Residents Association	B4.27
878/B10	The Bath Society	B4.27
689/B19	British Horse Society	B4.28
564/B33	London Road Area Residents Association	B4.29
878/B11	The Bath Society	B4.29
2997/B5	London Road & Snowhill Partnership	B4.29
578/B78	Norton Radstock Town Council	B4.31
88/B31	William & Pauline Houghton	SR.2
110/B18	Sport England South West	SR.2
566/B11	Clutton Parish Council	SR.2
578/B54	Norton Radstock Town Council	SR.2
578/B79	Norton Radstock Town Council	SR.2
589/B3	Bath City Football Club	SR.2
697/B4	Twerton Park Properties Ltd	SR.2
2031/B2	Mr J Toplis	SR.2
2031/B3	Mr J Toplis	SR.2
2448/B4	Mr J Sewart	SR.2
2997/B9	London Road & Snowhill Partnership	SR.2
3099/B17	Barratt Bristol Limited(Mr A T P Jolliffe)	SR.2
3218/B4	Portland (Radstock) Ltd	SR.2
3257/B5	Somer Valley Friends of the Earth	SR.2

3219/C31	The Hon Andrew Jolliffe	SR.2/A
3257/C81	Somer Valley Friends of the Earth	SR.2/A

Supporting Statements

1427/C152	Environment Agency	B4.18/A
1427/C194	Environment Agency	B4.18/A
3257/C79	Somer Valley Friends of the Earth	B4.18/A
3116/C104	Bath & North East Somerset Allotment Association	SR.2/C
447/B34	Wilcon Homes	B4.38

Issues

- i) Whether paragraphs B4.15 - B4.38 are supported by an audit of sports facilities.
- ii) Whether the description of existing provision should be amplified or needs correcting.
- iii) Whether clarification is required as to how the allocations in Policy SR.2 will be delivered.
- iv) Whether additional sites should be allocated for recreational use or the needs of other recreational activities highlighted.

Inspector's Reasoning

- 3.76 Whilst no objection is registered to QG9, I recommend its deletion for the reasons given earlier in this report. Since the information in the QG is publicly available (and applied in more detail in the Schedule to Policy SR.3), I consider it unnecessary to include it within the text of the plan.
- 3.77 The text in paragraphs B4.15 - B4.38 should be edited to highlight identified needs and allocations and to avoid description of existing provision. I recommend some deletions to assist this process.
- 3.78 A number of changes were made to the RDDLP to meet objections to the DDLP including: reference to no built development in the flood plain at Keynsham (B4.18); the deletion of references to Charlton Park (since the allocation was deleted); and reference to the provision of essential ancillary facilities at the allocation at Manor Road, Writhlington. I consider that the last addition is clear and necessary and does not need to be qualified, such as in relation to possible floodlighting.
- 3.79 Promoting the maintenance of the margins of recreational land for the benefit of wildlife is too detailed a matter for a local plan and is primarily a concern with land management rather than land use. This needs to be pursued with the owners/managers of each site.
- 3.80 I see no good reason why the recreational allocation at Somerdale (SR.2 3) should be deleted and incorporated as part of the allocation of land for development nearby (GDS/K1) since these are separate proposals.

Issue i)

3.81 Clearly the Council's Playing Pitch Assessment provides information on the extent to which playing pitches are publicly available and the results of the study are reflected in this section of the RDDLP, where additional needs are identified. But as I have highlighted in relation to Policy SR.1A, this assessment is only a part of the comprehensive assessment required of all types of open space. This part of the plan should be reconsidered when the Council's Green Space Strategy is available. That assessment may justify further allocations for new recreational space.

Issue ii)

3.82 The plan should avoid descriptive detail. This section of the plan should be reduced not expanded. I make no recommendations for additional descriptive text. The Council will need to ensure that whatever text remains is up to date and accurate. It is likely to need updating in the light of the conclusions of the Green Space Strategy.

Issue iii)

3.83 The Council indicates that there is no capital programme for the Town Park at Norton Radstock and the site for outdoor sports pitches at Manor Farm, Writhlington has been allocated for some years without any progress. These examples illustrate that there is uncertainty about the delivery of at least some of the allocations made in Policy SR.2. However, given the identified deficiencies in the area, I consider that these uncertainties do not undermine these allocations to such an extent that they should be deleted. Nor do these difficulties persuade me of the merits of making additional residential allocations in Norton-Radstock to bring forward the recreational allocations. Policies SR.3 and SR.6 (which I recommend be combined) would provide a mechanism for developers to contribute to recreational open space where provision is inadequate for future residents. In my view, there is nothing useful to be added about delivery of these allocations. I deal with the merits of alternative (omission) housing sites in Section 8 of my report.

Issue iii)

3.84 A number of objectors highlight what they regard as local deficiencies in open space provision. Some suggest specific alternative sites, but others do not. In the absence of a full open space assessment (the proposed Green Space Strategy) there is little evidence available to me to form a view on the need to allocate additional land in the areas identified by the objectors. It would also be difficult to know whether the objectors' suggestions were the best sites to meet any needs and whether any such proposals had any prospect of success, especially given the uncertainties relating to the allocations already made in Policy SR.2. There is therefore no purpose in me reviewing these individual objections, but I recommend that the Council review the need for further recreational provision and the identification of sites in the light of the Green Space Strategy.

- 3.85 An objection seeks the allocation of land at Newbridge for a sports stadium as a replacement for Teverton Park Football Ground. The detailed representations are set in the context of the allocation made in the RDDLP for a Park and Ride and other development here (GDS/B1A). I consider objections to that allocation in Section 7 where I conclude that there is insufficient justification for excluding this site from the Green Belt and allocating it for Park and Ride. I am not convinced that there needs to be a football stadium at Newbridge and there is no justification for excluding land from the Green Belt here primarily for the erection of a football stadium. A stadium is likely to have a considerable impact on the openness of the Green Belt and an allocation for such a use of land on a Green Belt site would undermine that designation. I therefore do not intend to recommend any modification to Policy SR.2 to meet this objection.
- 3.86 A need for more facilities for indoor bowls has been highlighted, but I have no evidence that a specific site should be allocated for such activities. I recognise that recreational riding is an important leisure pursuit, but I see no reason why it needs to be mentioned here unless there is some specific proposal relating to the development of land. None has been suggested.

Recommendations:

R3.24 Modify the plan by deleting Quick Guide 9.

R3.25 Modify paragraphs B4.15 - B4.38 by:

deleting paragraphs B4.15, B4.23, B4.24, B4.26, B4.29, B4.33 and B4.34 and editing the remaining text in the light of the conclusions of the Green Space Strategy;

deleting the first sentence of paragraph B4.30; and start the next sentence "In Keynsham";

deleting the first sentence of paragraph B4.31 and move the second sentence to end of paragraph B4.32.

Chapter B4 - Policies SR.3 and SR.6 and Paragraphs B4.42 and B4.43

3264/B10	Landscape Estates Ltd	B4.42
2965/B6	Morley Fund Management Limited	B4.43
3098/B19	George Wimpey Strategic Land	SR.3
3257/B6	Somer Valley Friends of the Earth	SR.3
3261/B12	Bath & North East Somerset Primary Care Trust	SR.3
578/C103	Norton Radstock Town Council	SR.3/A
601/C22	House Builders Federation	SR.3/A
3299/C79	Bovis Homes (South West Region) Limited	SR.3/A
578/C104	Norton Radstock Town Council	SR.3/B
578/C105	Norton Radstock Town Council	SR.3/C
3261/C15	Bath & North East Somerset Primary Care Trust	SR.3/D
120/B85	Ms Helen Woodley	SR.6

578/B55	Norton Radstock Town Council	SR.6
3098/B20	George Wimpey Strategic Land	SR.6
3261/B4	Bath & North East Somerset Primary Care Trust	SR.6
578/C96	Norton Radstock Town Council	SR.6/A
601/C21	House Builders Federation	SR.6/A
3295/C12	G L Hearn Planning	SR.6/A
3299/C80	Bovis Homes (South West Region) Limited	SR.6/A
578/C97	Norton Radstock Town Council	SR.6/B
3295/C13	G L Hearn Planning	SR.6/B

Supporting Statements

120/B95	Ms Helen Woodley	SR.3
3257/C82	Somer Valley Friends of the Earth	SR.3/A
110/B17	Sport England South West	SR.6
110/C23	Sport England South West	SR.6/A
3257/C85	Somer Valley Friends of the Earth	SR.6/A

Issues

- i) Whether the requirements for the provision of, or contribution towards, recreational facilities accords with Government policy.
- ii) Whether contributions should include provision of allotments and for wildlife around the margins of open space.
- iii) Whether the standards and occupancy rates in the Schedules to the policies are appropriate.
- iv) Whether separate policies are necessary.

Inspector's Reasoning

Issue i)

3.87 PPG17 (paragraphs 23 & 24) states that provision should be made for new open space and local sports and recreation facilities where planning permission is granted for new developments, especially housing. Policies SR.3 and SR.6 are in accord with the advice in PPG17 in seeking to achieve this. Where developer contributions are sought these will be secured through the use of planning obligations. Clearly any use of planning obligations is subject to policy and legal constraints. Policy IMP.1, as I recommend it to be modified, would accord with national advice. That policy sets out the circumstances where a planning obligation may be sought and the provision of recreational facilities would fall within the criteria.

3.88 In my view, it is not necessary for the tests set out in national policy to be repeated in this section of the plan, but clearly they would limit the level and type of requirement for open space or recreational facilities that could reasonably be sought. The modifications I recommend to Policy IMP.1 make it consistent with these tests. Both policies begin with "Where ...development generates *a need*" (my emphasis); thus making clear that it is the needs of the prospective development and not any existing needs

that is being addressed. I therefore consider there is no need to modify the general approach set out.

- 3.89 There is concern among objectors that there is no threshold below which the policies cease to apply. Policy SR.3 applies to all new residential development; Policy SR.6 applies to all new development. The National Playing Fields Association (NPFA) minimum standard on which both policies are based is designed to apply to sites of 0.4 ha or 15 units or more, but the NPFA guidance recognises that developers of smaller developments, such as infill plots, can still make a contribution (The Six Acre Standard, 2001, paragraph 5.4). Policies SR.3 and SR.6 accord with this advice.
- 3.90 In principle, I consider that the policy should enable provision to be sought for the cumulative effect of a number of small scale developments, even though each site would not generate sufficient need to provide even a small recreational facility. I do not underestimate the procedural and practical difficulties in fairly and reasonably seeking contributions from small scale developments. Clear and detailed arrangements would need to be set out, such as in an SPD, to justify any contribution sought and demonstrate how that would be spent to meet the needs of the development. But these difficulties do not persuade me that the overall policy approach in the plan should be modified. The Council intend to produce such guidance. If this will soon be available to support the implementation of these policies it should be highlighted in the text.
- 3.91 I therefore consider that the plan should not identify any particular scale or type of development which is exempt from the policies. It is not necessary for the plan to define in detail the way the off-site contributions for indoor or other sports facilities should be calculated or used. The overall level of provision is identified in the policies and Schedule 3. Policy IMP.1 and national advice provide adequate safeguards to ensure that any contribution is based on the particular circumstances of the proposal and is a fair and reasonable requirement. Contributions could be made for new or the improvement of existing facilities. The timing of the provision would depend very much on the circumstances of each case.

Issue ii)

- 3.92 Policy SR.6 refers to provision for recreational purposes, and while this term is widely understood, I agree with the objector that there would be some benefit in defining what the Council intend the term to include. The Council indicate that it is not appropriate to refer to allotments under a recreation policy, yet PPG17 includes allotments within its definition of open space and advises local authorities to use opportunities afforded by new development to improve open space provision. It seems to me that by limiting Policy SR.3 to children's playing space and referring specifically only to outdoor and indoor sport in Policy SR.6, the Council is taking too restricted an approach to the many different forms of recreational provision. Although Policy CF.8 relates to allotments, it does not enable provision to be sought for new sites. In my view, this section of the plan

should ensure that the need arising from new development for all forms of recreational facilities and open space are met.

- 3.93 Buffer zones around recreational open space are primarily required to protect the amenity of adjoining residents. I recognise that the margins of recreational space can be of benefit to wildlife. Policy NE.12 encourages the provision of new habitats and the retention of existing landscape features. I see no justification for repeating elements of that policy in this section of the plan. The wildlife value of open space margins is essentially a function of the management of the land and needs to be pursued outside of the local plan process.

Issue iii)

- 3.94 The Council's Playing Pitch Assessment provides the basis for the standards set out in Policy SR.6. Whilst this requirement differs from the national standard put forward by the NPFA, PPG17 advises local authorities to set their own local standards based on assessments of need and audits of existing facilities. I am satisfied that this exercise has been carried out to support the figure for playing pitches given in the Local Plan. Further work is required in order to assess the requirement for other forms of recreational open space provision.
- 3.95 The NPFA advises that its standards should be based on a national average occupancy rate of 2.36 people per dwelling, or a local rate specified in an adopted development plan. The RDDLP reduces occupancy rates from those set out in the DDLP. The Council has based occupancy rates on the 2000 Housing Needs Survey and has rounded the figures up. I note that this approach was accepted by the Inspector in relation to the Wansdyke Local Plan. Whilst this approach results in slightly higher occupancy rates than might actually occur, I consider that it is preferable to ensure that slightly more rather than slightly less open space is provided and, in practice, I consider that the approach would not result in unreasonable demands being made of developers.

Issue iv)

- 3.96 The policies of the plan and the supporting text should be succinct and clear with supporting detail on the application of the policy set out in SPD.
- 3.97 It is clear from the objections and the issues raised that there is significant overlap between Policies SR.3 and SR.6. I fail to see the value of having two policies to achieve one objective, namely, securing provision/contributions from a developer for recreational facilities and open space to meet the needs of that development. I therefore recommend that Policies SR.3 and SR.6 are combined and have set out modified wording below.
- 3.98 For the reasons set out earlier in my report, QG10 should be deleted, together with any reference to it in the text. The contents of the QG would be most appropriately included in SPD.

Recommendations:

R3.26 Modify the plan by deleting Quick Guide 10.

R3.27 Replace the heading "Children's Playing Space and New Residential Development" with the heading "Provision of recreational facilities to meet the needs of new development" and move paragraphs B4.51 to B4.53 to immediately after paragraph B4.45.

R3.28 Modify by editing and updating paragraphs B4.42 – B4.45 and B4.51 to B4.53 to reflect the provision of a single policy; to take account of the conclusions of the Council's Green Space Strategy, to define all the types of recreational open space encompassed by the policy (to include allotments), to refer to further detail in forthcoming SPD (*if it remains the Council's intention to produce such a document soon after the adoption of the plan*) and consider what explanatory detail (such as buffer zones) should be incorporated in the SPD.

R3.29 Delete Policies SR.3 and SR.6 and replace with the following new Policy:

"Where new development generates a need for recreational open space and facilities which cannot be met by existing provision, the developer will be required to either provide for, or to contribute financially to, the provision of recreational open space and/or facilities to meet the need arising from the new development.

Where the need is for children's play space, provision should be made on the basis of 0.8ha per 1,000 population in accordance with the standards set out in the accompanying schedule.

Where the need is for outdoor and indoor sport facilities, provision should be made on the basis of 1.6-1.8ha for outdoor sports (of which 1.24ha is for pitch sports) and 0.77ha for indoor sports, per 1000 population, as set out in the accompanying schedule.

The requirement for any other form of recreational open space or facilities will be assessed on a case by case basis (*or based on the evidence/conclusions of the Green Space Strategy*).

Where the development site is too small to justify or accommodate the provision of a facility, contributions will be sought either:

- i) towards providing and securing new, conveniently located and safely accessible off-site provision; or
- ii) where the need is of a qualitative nature, towards the enhancement of existing facilities."

Chapter B4 - Policy SR.4 and Paragraph B4.47

110/B11	Sport England South West	B4.47
1427/B47	Environment Agency	SR.4
3257/B4	Somer Valley Friends of the Earth	SR.4

Supporting Statement

S120/B107	Ms Helen Woodley	SR.4
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Issues

- i) Whether the plan should have a policy on shared use facilities.
- ii) Is the deletion of criterion (ii) (accessibility) justified and are other criteria needed?

Inspector's Reasoning

Issue i)

3.99 I recognise that the dual use of school recreational facilities can provide an important community resource. The Council's support for dual use is referred to in paragraph B4.47 of the plan. The plan can have little influence on the use of existing facilities. In my view, it is not necessary for the plan to have a separate policy to encourage dual use. Whether dual use should be a requirement of any particular new school would depend on the circumstances of the case.

Issue ii)

3.100 Criterion ii) was deleted in the RDDLP because the Council considers that it duplicates other policies in the plan regarding accessibility. I accept that there is some duplication but this is also the case in respect of criteria iii) and iv). Either the policy should be deleted entirely or it should be comprehensive in highlighting the considerations which are of most importance. On balance, I consider that there is value in having one policy which sets out the criteria by which the location of new recreational facilities (in or adjoining settlements) will be judged. Therefore criterion ii) deleted in the DDLP should be reinstated. Consistent with the view I have expressed on other policies, Policy SR.4 does not need to repeat policies to protect the natural environment.

Recommendation:

R3.30 Modify Policy SR.4 by reinstating criterion ii) from the DDLP.

Chapter B4 - Policy SR.5

246/B11	SUSTRANS	SR.5
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Supporting Statements

120/B108	Ms Helen Woodley	SR.5
334/B11	Ms P Davis	SR.5
1427/B48	Environment Agency	SR.5
3257/C84	Somer Valley Friends of the Earth	SR.5/A
1427/C195	Environment Agency	SR.5/B

Issue

- i) Whether there should be a presumption in favour of locating facilities close to the attractions they are intended to serve.

Inspector's Reasoning

3.101 The change to the policy in the RDDLP meets this objection.

Recommendation: no change

Chapter B4 - Policy SR.7 and Paragraph B4.56

3126/E76	Bath Friends of the Earth	FPIC/B/01 (B4.56A)
3667/E2	Mr R Houghton	FPIC/B/01 (B4.56 B4.56A)
3670/E2	Action for Pensioners	FPIC/B/01 (B4.56A)
578/B56	Norton Radstock Town Council	SR.7
686/B83	Bath Preservation Trust	SR.7
686/B84	Bath Preservation Trust	SR.7
721/B22	Government Office for the South West	SR.7
2965/B7	Morley Fund Management Limited	SR.7
578/C98	Norton Radstock Town Council	SR.7/A
721/C50	Government Office for the South West	SR.7/A

Comments on Suggested Unadvertised Inquiry Change IC14

3126/G171-s	Bath Friends of the Earth	IC14 (B4.56A)
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Issues

- i) Whether the policy is too strict or too weak and consistent with national advice.
- ii) Whether the supporting text should be clarified.

Inspector's Reasoning

3.102 PPG6 referred to in paragraph B4.56 of the plan has been replaced by PPS6. This includes "leisure, entertainment facilities and the more intensive sport and recreation uses", as one of the main town centre uses to be located within town centres wherever possible. Where suitable sites are not available and a need is demonstrated, PPS6 requires a sequential approach to site selection. Policy SR.7 adopts a sequential approach indicating that the preferred locations for such uses are the main town centres. The wording in the RDDLP has overcome the anomalies in the

DDLDP and rightly refers to the town centres of Keynsham, Midsomer Norton and Radstock, as well as Bath's central shopping area.

- 3.103 The proper application of the policy would not encourage development out of centre (let alone outside the built up area), but provides some flexibility for development to be accommodated where there is a demonstrable need. The requirement for proposals out of centre to be well served by public transport and not prejudice the vitality and viability of those centres is consistent with the Government policy.
- 3.104 The 2004 City and Town Centre Study looked at the potential for such uses within Bath and concluded that there was "scope" for the range of commercial leisure uses to be improved. The Study did not consider whether there was a need for such uses. In response to the objection to the phrase "to meet this scope" in paragraph B4.56A, the Council proposes its deletion in IC14. I agree with this change which improves the flow of the text.
- 3.105 In the absence of a study of need there is little scope for the plan to provide more guidance on the level of provision or to allocate specific sites, including any for indoor bowls. In these circumstances, I consider that the approach taken by the Council to adopt a criteria based policy, is reasonable.
- 3.106 The transport issues arising from any commercial leisure proposal would need to be addressed in the context of the transport policies of the plan. They do not need to be repeated here. The promotion of town centres as the preferred location for such development ensures the maximum potential for travel by public transport and multi-purpose car journeys.
- 3.107 I therefore consider that the policy as set out in the consolidated version of the plan is clear and soundly based, and that there is no need for modification in response to the objections.

Recommendation:

R3.31 Modify paragraph B4.56A by deleting "to meet this scope" in accordance with Inquiry Change 14;

Chapter B4 - Policy SR.8 and Paragraph B4.57

2314/B1	Cllr A Melling	B4.57
3260/B1	Bath Rugby plc	B4.57
3260/D10	Bath Rugby plc	PIC/B/31b (B4.57)
3260/C8	Bath Rugby plc	B4.57/A
3394/C7	Cllr A Furse	B4.57/A
42/B6	CPRE	SR.8
88/B33	William & Pauline Houghton	SR.8
334/B10	Ms P Davis	SR.8
564/B11	London Road Area Residents Association	SR.8
686/B85	Bath Preservation Trust	SR.8
721/B23	Government Office for the South West - not in summary	SR.8

878/B12	The Bath Society	SR.8
1830/B10	Highways Agency	SR.8
2306/B6	Mr T W Evans	SR.8
3260/B6	Bath Rugby plc	SR.8
3260/C7	Bath Rugby plc	SR.8/A

Supporting Statements

120/D321	Mrs H Woodley	PIC/B/31b (B4.57)
686/D184	Bath Preservation Trust	PIC/B/31b (B4.57)

Issues

- i) Whether the text accurately reflects the current circumstances of Bath Rugby Club and Bath Football Club and their grounds.
- ii) Whether Policy SR.8 is too prescriptive or too vague.

Inspector's Reasoning

Issue i)

3.108 As the Council explain, paragraph B4.57 is intended to be descriptive, setting out the background circumstances of the 2 professional clubs in Bath. There have been several increases in the capacity of the Rugby Ground over the past few years as a result of temporary planning permission or safety reviews. The plan should seek to be accurate, but only the broad picture needs to be set out. I do not know what the capacity of either ground currently is, or is likely to be when the plan is adopted. If this paragraph remains in the plan it should be updated.

3.109 It is reasonable to flag the possibility of the clubs sharing a ground, but this does not seem to be an option being pursued by the clubs at present. I do not know how practical such an arrangement might be and any policy should not assume that this could occur. This paragraph is not intended to indicate where any new stadium might be located. The plan contains no proposal for such a development and the text should not speculate.

Issues ii)

3.110 The Council indicate that the inclusion of this policy in the plan follows Policy 44 of the JRSP which identifies a need for all-seater stadia within the structure plan area. The Council has decided that there should be only one such new stadium in B&NES, that the maximum capacity should be 15,000 and that it should be all-seater.

3.111 In my view, Policy SR.8 is unusual in that it is essentially a permissive policy for a very specific and substantial development, but which is unrelated to any site specific allocation or of the particular needs and aspirations of the only 2 organisations in the City that might want to develop or use such a facility. Given the constraints applying to Bath and its surroundings, I find it hard to envisage a site where all the criteria can

be fully met, yet the permissive nature of the policy implies that a stadium should be allowed.

3.112 A number of the criteria seem arbitrary. The Council explains that it has decided that the maximum capacity should be 15,000 in view of environmental constraints. I recognise that environmental impact is likely to be greater the larger the scheme, but without consideration of a particular proposal and location it is arbitrary to set 15,000 as the limit. But the criterion is worded such that 15,000 is a *requirement* not just a maximum. This is equally undesirable as it may be that such a stadium cannot be satisfactory accommodated, a concern of several objectors.

3.113 Criterion ii) requires the majority of sports facilities and all leisure facilities within the development to be available for community use. I accept that this is desirable, but it is unreasonable as a requirement unless necessary to offset some particular harm to recreation. Criteria iii), iv) and v) overlap with other policies in the plan. In my view, criterion iv) should not anticipate retail uses as part of the development (other than purely ancillary) since such uses should be directed towards the town centre.

3.114 As a result of the above concerns, I consider that the policy is significantly flawed. The existing policies in the plan would enable any proposal for a new stadium, whether at an existing club ground or elsewhere to be properly evaluated, taking into account the needs of those who intend to use it. Policy SR.8 is not essential to any such evaluation. I consider that it would be preferable for the policy to be deleted. I cannot envisage that this change would result in the Local Plan being out of conformity with the structure plan since Policy SR.8 does very little to meaningfully advance Policy 44 of the JRSP.

Recommendation:

R3.32 Modify the plan by deleting the heading Major Sports Stadium, paragraphs B4.57-B4.59 and Policy SR.8.

Chapter B4 - Policy SR.9 and Paragraphs B4.61-B4.65

There are large numbers of representations to this policy; details are listed at Appendix 1

Issues

- i) Whether the Proposals Map accurately shows the routes of National Cycle routes and other named recreational routes.
- ii) Whether additional routes should be added to the list in Policy SR.9 or the Proposals Map.
- iii) Whether planned or desirable improvements to recreational routes should be highlighted.

- iv) Whether the proposed Riverside Walk, Bath would be harmful to the amenity of residents and the character of the river.
- v) Should more be done to promote access in the Chew Valley?

Inspector's Reasoning

Issues i)-ii)

3.115 There is no disagreement among objectors as to the objective behind Policy SR.9 which is to safeguard the recreational and amenity value of existing recreational rights of way and I agree that such a policy is appropriate within a Local Plan. But it is not necessary for the plan to list or show on the Proposals Map these routes. Most of the named routes listed in Policy SR.9 and the national cycle routes follow existing public rights of way or other public highways. Public rights of way are identified and their routes protected under other legislation. The local plan should focus on protecting the recreational and amenity value of all these rights of way, including any harm which might arise from development adjoining the route. Whether or not a particular right of way is part of a named route for walking, cycling or riding is secondary, but would be an indication of the importance or popularity of that route for public recreation when assessing the impact of any proposed development. It is not the purpose of a local plan or its Proposals Map to provide information on recreational routes for users, since this should be available in other documents more useful to the walker, rider or cyclist.

3.116 I recognise that short sections of named routes may not follow public rights of way, but use permissive paths. Any such sections can be encompassed by the policy if it refers to "public rights of way and other publicly accessible routes for walking, cycling and riding". I recommend accordingly. Adopting the above approach means that the objections relating to the accuracy of the routes shown do not need to be addressed.

3.117 Most of the routes listed as "proposed" in the DDLP follow former railway lines and have become Sustainable Transport Corridors in the RDDLP under Policy T.9. That policy has a different and wider purpose than SR.9 and it is logical that those routes should be shown on the Proposals Map. My understanding is that many are not public rights of way. I deal with objections to these routes in Section 13 of my report. In my view, that policy does not undermine the recreational value of these routes.

Issue iii)

3.118 The Local Plan may have a role in proposing specific infrastructure improvements to the network of recreational rights of way where there are land use proposals likely to be implemented during the life of the plan. This could include safeguarding an improvement route where development is likely to occur around it. But it is not the role of the Local Plan to resolve issues of management, maintenance, promote access to private land or influence highway signing, nor to promote any other named routes

that would use existing rights of way, such as the National Bridleroute Network (Ride UK) or paths alongside the Somerset Coal Canal. How recreational routes which are not public rights of way should be used (whether by walkers, cyclists or horse riders) is primarily a management issue and a matter for negotiation with land owners and managers rather than a policy in the Local Plan.

3.119 Two specific major improvements are highlighted by objectors: a foot/cycle bridge across the Avon between Victoria Bridge and Widcombe Bridge and a new bridge Freshford. I do not have the evidence to know whether these bridges are needed, feasible or likely to be implemented in the plan period, but they are the type of major improvement project which could be safeguarded in the plan where they are justified. The Council states that it was to undertake a study to inform the local plan inquiry on whether a footbridge at Freshford would be feasible. I do not know the results of that study. In my view, if these projects are likely to be taken forward then it would be prudent to ensure that the sites for such facilities are protected and allocated for that purpose. I consider that a specific policy would be required to achieve this, since Policy SR.9 is concerned with protecting the recreational and amenity value of routes and not securing the implementation of new projects. The Council should consider such a policy in the light of the studies undertaken on new infrastructure.

3.120 I can appreciate the desire of one objector for a rolling programme to improve footpath links within the urban area, but in the absence of specific schemes and of any commitment/budget from the Council to implement them it would not be appropriate for the plan to promote the concept.

Issue iv)

3.121 The implementation of a Riverside Walk between Pulteney Bridge and Cleveland Bridge has been a longstanding aim of the Council. I understand that the Council has secured provision for sections of such a path in redevelopment projects backing onto the river. Access to this section of the river frontage would be of considerable value to local residents and visitors, but there are major obstacles in implementing a scheme, including protecting the amenity of local residents and preserving the character of the river frontage, whilst creating a safe path.

3.122 The Council indicate that a feasibility study is to be commissioned to investigate the extent to which a path can be provided between Pulteney Bridge and Cleveland Bridge and that the Council would follow the conclusions of such a study. I do not know whether this has been completed. If the Council intend to pursue this path then I consider that it should be the subject of a separate policy (or included in the policy for new infrastructure I refer to above) which requires new development to facilitate and not to compromise the *provision* of a riverside path. Such a policy should preferably be supported by a SPD, illustrating the proposed route and nature of the path so as to achieve consistent application of the

policy. Policy SR.9 would be of use only when the path is available to the public. I therefore recommend that this proposed path be deleted from Policy SR.9.

Issue iv)

3.123 It is clear from the submissions of the objector that the Chew Valley Trail has potential to provide a valuable facility for walking both as a form of recreation and to improve links between villages. As a recreational route it is safeguarded by Policy SR.9 and does not need to be individually listed or shown on the Proposals Map for the reasons already given. I consider that the Local Plan is not the best mechanism to advance negotiations with landowners over improved access or provision of new links unless proposed routes require safeguarding from the potential adverse effects of development. This does not seem to be the case in this area.

Recommendations:

R3.33 Modify Policy SR.9 by deleting all of the text and substituting:

“Development which adversely affects the recreational value and amenity of, or access to, public rights of way and other publicly accessible routes for walking, cycling and riding will not be permitted.”

R3.34 Consider the need for a new policy on the provision of new infrastructure for recreational routes and the safeguarding of sites/routes for such infrastructure in the light of the conclusions of studies being undertaken by the Council.

R3.35 Modify the Proposals Map by deleting all the recreational routes.

Chapter B4 - Policy SR.10 and Paragraphs B4.71 - B4.81

2460/B2	Phoenix Marine	B4.72
689/B24	British Horse Society	B4.79
1427/B51	Environment Agency	B4.80
564/B31	London Road Area Residents Association	SR.10
2460/B4	Phoenix Marine	SR.10
2460/B5	Phoenix Marine	SR.10
2893/B1	Avon County Rowing Club	SR.10
3068/B1	Mr M Bendel	SR.10

Supporting Statements

1427/B50	Environment Agency	B4.71
1427/B52	Environment Agency	B4.81

Issues

- i) Whether additional moorings need to be provided on the River Avon and whether a new mooring basin should be proposed at Broadmead Lane Industrial Estate, Keynsham.

- ii) Whether the Avon County Rowing Club site should be designated as a Waterside Recreational Activity Area.

Inspector's Reasoning

3.124 The management and use of the grass verges around the Chew Valley Lake and the management of existing moorings are not matters for the Local Plan.

Issue i)

3.125 The Council's policy for the River Avon is based on the careful control of development within the existing Waterside Recreational Activity Areas and the restriction of development outside those areas in order to protect landscape and nature conservation interests, and the character and amenity value of the area. The issue of residential moorings is addressed in Chapter B7 on Housing, Paragraphs B7.120 to B7.122 where the Plan states that residential moorings would be subject to the same considerations as other forms of residential development. Any proposal coming forward for residential moorings would be considered under the housing policies, for example Policies HG.4 and HG.6, (which I recommend be modified). In my view, this generally restrictive approach is justified by the sensitive nature of the waterside in the District.

3.126 The Broadmead Lane Industrial Estate is not within a designated Activity Area. The site is within the Green Belt and a mooring basin with associated development would be likely to conflict with Green Belt objectives. I have insufficient evidence to demonstrate that the need referred to by the objectors is such as to amount to the very special circumstances to justify an allocation for a new marina in this location.

Issue ii)

3.127 The designation of land at the Shallows, Saltford as a Waterside Recreational Activity Area was recommended for deletion from the Wansdyke Local Plan by the Inspector in 2000, because any intensification of existing uses or the provision of additional facilities would have considerable impact on the character of the surrounding area and the amenity of local residents and visitors. Policy SR.10 is intended to concentrate new recreational development in the designated areas. There are clearly considerable constraints in this locality and therefore I do not recommend the designation of the Avon County Rowing Club as a Waterside Recreational Activity Area.

Recommendation: no change

Chapter B4 - Policy SR.12

233/B6 Compton Dando Parish Council
233/B7 Compton Dando Parish Council

SR.12
SR.12

Supporting Statement

1427/B53 Environment Agency

SR.12

Issue

- i) Is an additional policy on non-commercial stables necessary, and should an additional criterion be added concerning vehicular access?

Inspector's Reasoning

3.128 Commercial riding establishments are most likely to raise the sort of issues covered by the criteria in Policy SR.12. In my view, it would be too onerous to apply them to private equestrian facilities which are smaller in scale and, in many cases, associated with an existing dwelling. Issues of highway access for commercial and private equestrian facilities would be assessed against Policy T.1 and there is no reason to add to the criteria listed in the policy.

Recommendation: no change

SECTION 4 - Chapters B5 and B6

Chapter B5 - Introduction, Policy S.1 and Paragraphs B5.6-B5.8 Hierarchy of Shopping Centres

721/B24	Government Office for the South West	B5
3667/E3	Mr R Houghton	FPIC/B/02 (B5.06)
2965/B8	Morley Fund Management Limited	B5.8
3006/B1	Ms N G Zuckerman	B5.8
3545/C1	Cllr D Bellotti	B5.8/A
564/B12	London Road Area Residents Association	S.1
564/B30	London Road Area Residents Association	S.1
2686/B1	Norton Radstock Regeneration Company	S.1
3208/B2	Gammon Plant Hire	S.1
3265/B5	Mr D E Packman	S.1
3521/C1	Enhance 7	S.1/H

Supporting Statements

2686/C13	Norton Radstock Regeneration Company	S.1/A
3257/C87	Somer Valley Friends of the Earth	S.1/A
2686/C14	Norton Radstock Regeneration Company	S.1/F
2962/C8	Wm Morrison Supermarkets plc	S.1/F

Issues

- i) Does Policy S1 identify an appropriate retail hierarchy for planning purposes?
- ii) Does the plan provide an adequate policy framework for Radstock?
- iii) Should Widcombe be identified as a District Centre?

Inspector's Reasoning

Issue i)

- 4.1 The policy and accompanying paragraphs attracted a number of objections concerning the classification, description and definition of certain centres within the hierarchy. However, in my view the changes made by the Council to Policy S1 and these general introductory paragraphs respond positively and to the appropriate extent to the objectors' comments.
- 4.2 Although the Sainsbury's store near Green Street Station includes some facilities of the types found in local centres I do not agree with the view of Bath Friends of the Earth that the store's overall role and character meet the criteria for its definition as a local centre. Nor do I agree with the operator's suggestion that the store should be defined as being within or forming an extension to the city centre shopping area. My reasons for this will be clear from my views on the BWR allocation as discussed under Policies S2-S4 below.

- 4.3 Gammon Plant Hire argue that the local centre at Combe Down should be deleted, however, I agree with the Council that the small selection of shops around Combe Road and The Avenue provide a reasonable range to serve the local community and therefore the designation is appropriate. Furthermore, the change of use of the Plant Hire site should not be affected by this designation which is intended to protect A1 uses.
- 4.4 I deal with the objection from Cllr Bellotti under Policies S5-6, and consider any modification to the introductory part of this Chapter in response to his concerns would not be justified.

Issue ii)

- 4.5 The Norton Radstock Regeneration Company suggests that the plan fails to take a sufficiently positive approach towards Radstock town centre; it should identify opportunities and amend town centre boundaries to define a centre that does not simply reflect its present stage of evolution. I note that the plan has been amended in certain respects in response to this objection and consider that this is about as far as things can be taken at present. However, the new PPS6 supports the concept of Local Authorities playing a more proactive role in planning town centres in partnership with stakeholders and it will be important for those charged with regenerating Radstock to consider whether further work needs to be done in the context of the future LDF.

Issue iii)

- 4.6 I accept that there is considerable variation in the scale and function of the various centres which are defined in Policy S.1 as "local". In particular their function appears to be influenced to some extent by the relationship of the centre to the main city centre, and transport routes through the urban area which might lead to the attraction of trade from a wider customer base than merely local residents. Widcombe Parade has a number of shops of a specialist character which no doubt attract customers from beyond the local area, and I accept that it has a function beyond "local". Nevertheless, it is not of the scale of the Moorland Road centre which is the only one falling within the definition of a District Centre, and does not provide the range of convenience and other shops which would make this a District Centre. I therefore find no reason to change the definition in the plan.

Recommendation: no change

Chapter B5 - Policies S2-S4, Paragraphs B5.23-B5.40 and Tables 1, 1B and IC21

There are large numbers of representations to these policies; details are listed at Appendix 1

Issues

- i) Is there a reliable evidential base for tables 1 and 1B in the FPICs?
- ii) Is it appropriate to make firm allocations for comparison goods retailing based upon tables 1 & 1B and do the selected sites reflect the search sequence outlined in PPS6 in a way likely to sustain the vitality and viability of Bath city centre?
- iii) Should the plan make any specific provision for "bulky goods" retailing?
- iv) Should the plan make any allocations for convenience goods retailing?
- v) Does the plan make appropriate provision for retail development in the District's other town centres?

Inspector's Reasoning

- 4.7 The FPICs respond to objections (including those by the GOSW) that the plan takes an excessively short-term view: extensive changes are made to Policies S2-S4 and the accompanying text and new allocations are made, based on the findings of the revised retail capacity study undertaken by Nathaniel Lichfield and Partners, dated 2004. These FPICs themselves gave rise to many objections.

Issue i)

- 4.8 Dealing with the evidential base, there was little dispute about the broad methodology followed in the Lichfield report but issues were raised about a number of the report's assumptions. Littman Robeson considered the future population in the catchment area to be higher than estimated by Lichfield but it appears to me that the report projects 2001 Census data on a reasonable basis in relation to future housing commitments.
- 4.9 A major reservation expressed by some objectors such as the Chamber of Commerce, Morley Fund Management and King Sturge's clients was the assumption that some 42% of the identified "surplus comparison goods expenditure" to 2011 (additional to that absorbed by Southgate) would arise from a reduction of overtrading (as compared with 51% from growth in available expenditure in the Bath area and 7% from increased market share by claw-back of leaked expenditure). These objectors felt that the allowance for reduced over-trading (based on the assumption that existing comparison floorspace trades on average at 25% above benchmark levels and can support a significant average reduction of 16% in existing trading levels) was unjustifiably over-optimistic. In their view this would have a severe adverse effect on the viability of existing floorspace in the City, a factor noted in the Lichfield report as requiring careful consideration.

- 4.10 I have sympathy with this view. I accept the point made by the Council in TP6.1 (para 3.21) that existing comparison floorspace in the city centre may be *"constrained by listed/period buildings which do not provide modern or spacious floor plates (restricting) customer circulation and navigation"* and have *"physical deficiencies (which) may also cause operational difficulties for retailers....which affect the ability of these shops to trade at high densities"*. I also accept (para 3.23) that Bath has a *"higher proportion of tourist visitors...(who) are likely to spend less per head than traditional customers....and exacerbate congestion levels within retail premises"*. However, the physical nature of these buildings at the heart of the city is a fundamental part of what gives it its unique character and makes it a WHS attractive to so many visitors. Consequently every effort must be made to retain a careful balance between adding modern floorspace to increase the quality of the city's retail offer and avoiding any risk of undermining the retail vitality, viability and unique character of the existing main shopping streets. As was pointed out by objectors there is nothing in the shoppers' survey to suggest that customers are aware of any disbenefits arising from "overtrading" and in any case a certain level of overtrading may be desirable in an historic City Centre where overheads are higher and unit sizes and floorspace layouts are less attractive than in other locations.
- 4.11 Turning to the report's market share assumptions some objectors felt it unrealistic to expect Bath to achieve such a significant increase in its market share within the geographical area covered by the study, given the proximity and increasing attractions of Bristol. Others considered it appropriate to strive to make Bath as self-contained as possible in expenditure terms. In my view the aim adopted in the study is not unreasonable as an aspiration although it will not be easy to counteract the pull of the nearby regional capital across these overlapping catchment areas and increasing floorspace in Bath regardless of other considerations will not of itself achieve this aim. Bearing in mind the plans for new development elsewhere such as Broadmead in Bristol, I consider that a conservative approach should be taken and it should not be too readily assumed or relied upon that increased market share will be achieved.
- 4.12 Issue was also taken with the study's assumption of a 1% increase in floorspace turnover efficiency. Some objectors suggested a potential for higher increases and referred to Experian's recommendation of a growth rate of 2.0 to 2.5% based on work undertaken in 2004. It seems to me that there will be inexorable pressure on retailers to make more efficient use of expensive floorspace but, having regard to the factors discussed in the Council's rebuttal evidence at TP6.1, I am not convinced that the suggested alternative assumptions are necessarily more reliable or that they make a material overall difference to the overall scale of the "surplus expenditure" to 2011.
- 4.13 Some objectors were also concerned about the possible impact on floorspace needs of future internet sales. While this factor may have had limited effect in the past this may not necessarily be the case in the future

and in my view this is another reason to exercise caution in acting upon the findings of the report.

- 4.14 I will neither attempt to arbitrate between all the different views put to me about the Lichfield report nor seek to derive some alternative calculation of retail capacity. My overall conclusion on the findings of the Lichfield report is that its methodology is sound and that it presents a useful but rather bullish picture of the potential quantitative retail capacity of Bath obtained at the end of a long period of steady growth and optimism in retail markets. In any case, the results of a quantitative study of this kind can only provide guidance and should not be seen as a target for the amount of floorspace which needs to be provided over a planned period. Retail expenditure is itself subject to significant fluctuations as evidenced by the well-publicised downturn in retail performance and confidence in recent months. As I have indicated above, there are many other issues to take into account in planning the future of an historic city centre of this importance. In particular, the effect on commercial confidence of promoting more than one major shopping scheme at once, the relative attractions of modern units against the costs and floorspace constraints of older shops within the historic core; and the potential harm to the historic core if there were to be a significant increase in numbers of empty or underused shops.
- 4.15 In my view the Council has compounded the bullish approach of the Lichfield report by basing the allocations in Policy S.3 on the upper end of the report's maximum and minimum floorspace need projections, leaving no room for adjustment if one or more of the assumptions in the report are too generous and the impact of new floorspace turns out to be still greater than the already considerable ones allowed for. I accept that (although the evidence varied as to amounts) retail development in Bath in recent years has been modest, that there is relatively little 'managed' floorspace for a centre of this size, that the retail vacancy rate is low, that Zone A rents are currently just above the PROMIS average for regional centres (although not greatly different from some other historic tourist towns), and that the city's position in some retail rankings has fallen in comparison with centres that have been able to incorporate more expansion. In combination these factors indicate a centre under some pressure. However, the Southgate scheme will substantially address some of the local lack of opportunities for traders of the type identified as seeking larger units in the city. Thus overall, as I discuss in more detail below, I consider that present circumstances call for a more modest short-term response to the Lichfield projections of need in terms of firm additional commitments.

Issue ii)

- 4.16 This is concerned with whether it is appropriate to make firm retail allocations based on tables 1 & 1B and the extent to which the sites in Policy S.3 reflect the search sequence outlined in PPS6 in a way likely to either (a) sustain the vitality and viability of Bath city centre or (b) prejudice the Southgate scheme or the achievement of development on

other possible retail sites identified by objectors as better candidates than the S.3 allocations.

- 4.17 In my view great caution needs to be exercised in translating the conclusions of the Lichfield study into retail allocations in Bath. As I have pointed out, the quantitative assessment of future capacity represents only one of the factors which need to be taken into account when planning for further retail allocations. If the total comparison and convenience floorspace potential identified for Bath in table 1B is added to that in the Southgate scheme the plan is seen to be built upon the suggestion that total commitments of about 58,000sq.m can be absorbed in little more than a decade. Yet this very large scale of efficient modern retail floorspace would represent an increase of about 61% in the total existing (and often much less efficient) retail floorspace of about 93,500sq.m within the defined city centre and the adjoining or nearby local centres such as Walcot Street and Monmouth Street. Even allowing for the relatively modest amount of new retail development built in recent years I consider that it would lead to dangerous commercial and physical pressures and strains on the WHS if the city were to commit to increasing the quantity of modern, more efficient retail floorspace on this very large scale over such a comparatively short timescale.
- 4.18 Now that the First Secretary of State has confirmed the CPO for Southgate, Bath's pre-eminent retail priority during the remaining timescale of the plan must be to secure the successful implementation of that scheme and the absorption of the new floorspace into the trading patterns of the City. This presently unattractive environment (comprising a dated retail area and an unpleasant bus station and multi-storey car park) occupies a strategic location providing the link between the railway and bus stations to the south and the core of the historic city centre and retail area to the north. The current approved plans would transform the appearance and functioning of Southgate by significantly extending and enhancing the quality and quantity of Bath's retail offer, introducing a richer development mix, remodelling and greatly upgrading the transport interchange and much improving the sense of arrival at the city centre's primary gateway. In view of the importance of this scheme to the future of the city centre and the work undertaken to get this scheme to the starting blocks, including the progressing of the CPO, I regard it as fundamentally important to ensure that commitments are not made within the plan that could undermine commercial confidence in funding and executing the scheme, and securing its full occupation.
- 4.19 The importance of Southgate is emphasised by its higher-order sequential preference as compared with all the other possible retail options including those identified in Policy S.3 and the others suggested during the inquiry process. The site at The Podium/Cattlemarket (allocated in Policy S.3) is effectively another town-centre site, albeit that the car park is just outside the central area as now defined in the plan. This area is certainly capable of providing an increased amount of retail floorspace although its centrality and strategic importance are less crucial to the city centre than the need to transform Southgate and its vital connections with the public

transport network. I recognise the difficulties in redeveloping this site due to factors such as the current variety of retail occupiers and the presence of a library, an important hotel, a well-used car park and certain archaeological constraints. However, redevelopment could bring substantial benefits to the city centre and there appears to be commercial interest in the redevelopment. Therefore at the present stage of progress indicated by the Council I find no reason to conclude that development cannot be achieved by about 2009 or that it is unrealistic to identify the site as a firm allocation in the plan.

- 4.20 The allocated site at Avon Street Car Park can be considered edge-of-centre in PPS6 terms. As discussed in the Retail Opportunities Appraisal (ROA), appropriate mixed use development of this under-used area, together with some of the nearby vacant and under-used buildings to the west and in Ambury and other roads, would be highly advantageous to the city provided care were taken to alter and reduce traffic routes and improve pedestrian interconnections with the existing central area including the redeveloped Southgate area. However, in my view it would be premature to commit this area to a major retailing future at this stage by making a definite allocation in the plan. In any case the intention is that Avon Street will accept the main burden of car parking displaced from Southgate and the new car park there will not open before 2009. There is therefore little prospect of any retail trading commencing at Avon Street much before the end of the plan timeframe in 2011.
- 4.21 Turning to Bath Western Riverside (BWR), I broadly agree with the general conclusions of the analysis presented by IMA. In my view this area is largely out-of-centre in PPS6 terms. The entrance to Green Park Station may be within 300m of the nearest part of the defined city centre shopping zone but most parts of the BWR site where significant new or relocated retail development would occur are further away. Green Park Station is also on the "wrong" side of the busy A367 Charles Street, requiring walkers to wait for what is said to be an average of 30 seconds for the programmed pedestrian phase. East of the crossing a walk along James Street West to the city centre shopping area takes potential shoppers along a route not featuring many buildings of visual or retail-related interest and requiring them to cross both Avon Street and James Street West. Even on arrival at the edge of the defined city centre shopping area at the corner of James Street West/Avon Street pedestrians are presented with few visual clues about the presence of any significant nearby shopping frontages.
- 4.22 From my visits to this area of the city I reached the strong conclusion that the location of BWR and its relationship with the core shopping area would not encourage a significant proportion of linked shopping trips between the two areas. In this connection I note that the BWR area is completely excluded from the Bath City Centre inset section of the Proposals Map. In my view this is an interesting indication of how far the site is removed from a "mental map" of the city centre: the exclusion cannot have arisen simply from lack of space available on the inset map because the city centre could simply have been offset to the east to omit other areas

clearly not within it. Furthermore, the introduction of the proposed rapid transit to BWR would in my view do little to reduce the separateness of BWR. Rather, if retail development is provided at the scale proposed in the FPICS, the presence of the rapid transit would reinforce the attraction of BWR as an alternative shopping destination and provide it with a competitive advantage to shops in the historic core of the city. Thus it would add to the potential for harmful impact not only on the success of Southgate but on the future health of older city centre shopping.

- 4.23 The 60-unit Southgate scheme will not be fully completed until about 2010. At about that time there will be a period of significant rebalancing as some retailers re-locate into Southgate, especially into some of the larger or modern units that will be available there and others move into the space thus vacated within the wider city centre core area. I therefore find the promoters of Southgate justified in their concern that firm allocation of BWR at this time could undermine the objective of securing full completion and successful occupation of the Southgate scheme, especially bearing in mind its high development costs. In addition, BWR would be an attractive alternative to vacant units in the core area, with the consequent risk of long-term vacant or underused units in the city centre. In order to address this point the Council suggested a number of impact criteria for addition to Policy GDS1/B1 with the aim of counteracting the potential for BWR to become a retail destination competing directly with the city centre or prejudicing the development of sequentially preferable alternatives. However, in my view some of these criteria are imprecise and their practical robustness, efficacy and/or enforceability would be highly questionable both at the outset and increasingly so with time. The allocation of BWR would create a substantial presumption that its release through the grant of planning permission is just a matter of timing and that it will occur at some time within the next 5-6 years or so, ie by 2011. In my view this would bring real danger of commercial pressure building to reinforce the attraction and viability of the BWR development by making it a strong retailing destination in its own right (assisted both by cheaper development costs and rents and by "better" access and car parking) rather than a complementary and fully integrated part of the city centre. I am concerned that such pressures could be hard for the Council to resist once allocation was in place.
- 4.24 As objectors pointed out, Policy S.3 makes no distinction between the allocated sites, so the potential threat to city centre vitality posed by BWR would be exacerbated if new floorspace became available here before or at much the same time as at the other sequentially preferable retail allocations. In my view this could well turn out to be so because it is unclear how fast progress can be made at The Podium/Cattlemarket and development of the Avon Street Car Park area is unlikely to start much before completion of Southgate. In that case not only could there be a risk to delivery and full occupation of Southgate (and the older city centre shops) but the longer-term commercial potential for securing better use of these and other potentially preferable sites would be reduced and their opportunities perhaps lost for the foreseeable future.

- 4.25 In addition to these risks I agree with objectors that formal retail allocations at any of the above sites at this time would undermine the opportunity to further investigate and exploit the potential for retail development on other city centre or edge-of-centre sites. Objectors referred to a number of sites discussed in general terms in the B&NES ROA such as the Milsom Street/Broad Street backlands, Sawclose/Westgate Street, Manvers Street, two areas on opposite sides of James St West and Bath College. Further evidence on some of these sites was somewhat limited. I accept that some may not prove realistic options for one reason or another, including some of those suggested by the Council, but it seemed to me that the potential of these sites should not be totally discounted in the way that the ROA does so. I consider that a positive and constructive approach to them could well produce some candidates with a genuine prospect of successful integration with the main shopping area towards the end of the plan period. Overall, my visits to the city centre shopping area and its fringes led me to the conclusion that there is a real possibility that a more concerted and determined search for areas for organic consolidation and/or natural expansion of the city centre shopping area would identify some better candidates than BWR especially if a creative, proactive and commercially engaged approach were to be taken. In view of all this I consider that the particular current circumstances of Bath require a precautionary approach to be taken to the proposed formal retail allocations over the short remaining time-scale of this plan during which the enormous process of transition and change that will result from Southgate is under way.
- 4.26 I support the identification of The Podium/Cattlemarket as an allocation in the plan but, that aside, I consider it necessary for the Council to prepare a long-term strategy for the growth of the city centre founded much more clearly on the sequential test and providing for commitments to be made in a series of well-defined steps, subject to (and preceded by) regular monitoring and review. The principal aim would be to thoroughly explore opportunities for securing the best use of under-used central sites which have the most to offer both to the city's retail offer and to the image, repair and conservation of the urban fabric at the heart of the WHS. At an appropriate stage it should also aim to make the most of any retail potential of edge-of-centre sites such as Avon Street Car Park, ensuring that they are truly knitted into the historic city. As PPS6 indicates, such a strategy could be devised by preparing an Area Action Plan backed by concerted and clearly identified measures to drive through and secure implementation, including the use of compulsory purchase powers to assemble sites if necessary.
- 4.27 Based on the figures in the ROA (B5.1.3) at table 1 on p85, the already-identified city centre sites (mainly at The Podium/Cattlemarket) could add an additional 5,000sq.m of comparison goods floorspace to what is planned at Southgate. In view of my conclusions on the over-optimistic nature of the Lichfield projections and the current primary importance of completing and occupying Southgate I consider it unsafe in the present circumstances to make firm allocations in this plan without undermining the potential for orderly future expansion of the city centre's retailing

pattern. This approach would broadly satisfy the requirement of PPS6 to make allocations for at least the first 5 years from adoption while also providing a firmer foundation for work to develop a longer-term, more sequentially compliant strategy.

Issue iii)

- 4.28 There is a range of views on the topic of “bulky goods” retailing. Some objectors consider that the allocation of floorspace specifically for “bulky goods” is contrary to PPS6 which advocates a cautious approach in which consideration should be given to the degree to which proposed constituent units of developments in non-central locations could be accommodated on more centrally located sites. For instance Morley Fund Management considers there to be no reason to identify a separate bulky goods element and argues that on that basis the total comparison goods potential should be no more than just over 29,000sq.m.
- 4.29 The C&TCS study suggests separate identification of retail warehouses/large format stores (not “bulky goods” stores) on the basis that since spending on DIY, hardware, furniture, floor coverings, carpets and electrical goods accounts for 35-40% of total national comparison goods expenditure (and about half of the national spending in those categories occurs in retail warehouses) up to 20% of total surplus comparison goods expenditure in B&NES could be accommodated in large format stores. However, it is not clear that this is necessarily an appropriate assumption in the light of PPS6. This is a matter that needs to be further explored as part of the retail strategy discussed below.
- 4.30 In any case it is difficult to identify suitable edge-of-centre or out-of-centre sites for retail warehouses in Bath as this form of development is generally incompatible with the image, character and appearance of the WHS. While BWR represents a major brownfield opportunity, I agree with those objectors who consider that a large area of retail warehouse sheds surrounded by open car parking would not be an appropriate use for a site which should form an exemplary high-density, high-quality urban development area enhancing the unique character and status of the WHS. There is already some retail warehouse development in the Lower Bristol Road area at the Weston Lock Retail Park and if further development of this kind is justified in terms of the sequential approach and the impact test it may be more appropriate to consolidate provision there.
- 4.31 This appears to be an outcome which would be welcomed by one objector (Castlemore Securities) since in their view there is inadequate justification for Policy GDS1/B1 which directs much the greater part of the allocated “bulky goods” floorspace to BWR, leaving only a much smaller part to the Lower Bristol Road area. In my view there is insufficient evidential basis for making firm allocations for large format stores at this time since it is unclear whether the requirements of para 3.17 of PPS6 would be met and how or where they would be accommodated without damaging the potential of BWR for major enhancement of the townscape of the WHS. However, I consider that the availability of some suitable sites for large

format stores should be examined in the course of future master-planning for the Lower Bristol Road area. I reflect this in my recommendation.

- 4.32 Bath Chamber of Commerce suggests that the types of "class of goods" restrictions envisaged in paragraph B5.40 (now B5.32X) are inappropriate. I do not agree with that view. PPS6 reinforces the need to ensure that formats capable of being accommodated in sequentially preferable locations should be so. This would make it entirely appropriate to impose conditions restricting many classes of goods. My recommendations reflect this conclusion.

Issue iv)

- 4.33 Having regard to the nature and pattern of spending on convenience goods there was generally more agreement or acceptance about the extent to which allocations should be made to meet the potential for additional floorspace in Bath. Littman Robeson consider that the Lichfield report underestimates the quantitative need for convenience floorspace and that it could be in the region of 4500-5500sq.m in Bath. However, from the Council's response I find no reason to believe that the C&TCS assumptions are too modest.
- 4.34 The plan responds to the Lichfield report by allowing for enlargement of the Waitrose store at The Podium/Cattlemarket and the replacement of Sainsbury's at Green Park by a much larger unit at BWR. The Council does not see these allocations as meeting the full quantitative capacity but makes no other allocations because in its view it is unclear whether there would be sufficient residual capacity to support a further medium to large food store. In any case, in its view no other suitable city centre or edge-of-centre site has been identified.
- 4.35 Sainsbury's Ltd seeks more definite recognition in the text of the plan for the proposals for the relocation and expansion of its store to 9500sq.m gross (as emerging in the master-planning exercise for BWR). In their estimation the present store generates "42% of main city shopping trips" and trades well above the company average. It is therefore too small to stock a range of goods compatible with its role or to provide for the expectations of customers. However, I do not support the allocation of BWR for retailing and without this there is no clear context for Sainsbury's proposal.
- 4.36 Nevertheless, I consider that the need for additional floorspace for convenience shopping is one that the plan should seek to meet. Expenditure on non-food items is discretionary and shopping trips will vary in their regularity, often with a wide range of destinations. Food shopping on the other hand is an essential activity for all households, often undertaken on a weekly basis to the nearest convenient retailer. The capacity for additional convenience floorspace identified by the Lichfield report is supported by the evidence of overtrading at Sainsbury's. I therefore consider that there is scope for the identification of a site for a new foodstore to serve Bath. In the particular circumstances of the City,

and in the absence of a sequentially preferable location, consideration should be given to any benefits which may arise from an out of centre location.

- 4.37 The Council has accepted that South Bath is an area where qualitative needs may need to be addressed as a priority if an additional out-of-centre store is shown to be required. Indeed I find merit in the allocation of a site to serve this part of the City. A new foodstore in this area would relieve pressure on the Sainsbury's store while also reducing the need for the residents in a densely developed part of the city to travel into town for convenience shopping. Hayesfield School suggest that their site at Odd Down could be an appropriate location for allocating land for development for further convenience floorspace. In my view early development at Odd Down has the potential to provide a number of benefits and the potential of this site should be considered in detail by the Council. An important consideration will be any need to retain the playing fields in the light of the overall conclusions of the Council's Green Space Strategy (not available to the Inquiry). If they are not required, or if adequate alternative provisions can be made, then a positive allocation for retail use should be made in the plan.
- 4.38 Littman Robeson consider that South Bath is not necessarily the only sector of the city suffering deficiency in provision. However, any need for additional convenience goods retail development elsewhere in Bath would require demonstration through further studies. Whilst I recommend changes to Policy S.4 it would allow for such proposals to come forward to be assessed against established criteria outside the S.1 shopping centres and allocated sites.

Issue v)

- 4.39 King Sturge's clients consider that greater provision should be made for the possibility of increasing the amount of development in Keynsham and Norton Radstock to ensure that larger centres such as Bristol and Bath are not unduly dominant. Similarly, Norton Radstock Town Council considers that more should be done to increase the attraction of Midsomer Norton and Radstock in order to encourage improved trading levels. In particular it suggests that these towns (rather than BWR) should receive a greater part of the allocation for "bulky goods" floorspace because the population of the towns can support this and it is unsatisfactory for residents to have to travel to Bath for such facilities.
- 4.40 I consider that there could be some merit in this argument as this would help to increase the self-sufficiency of these towns and retain more of the expenditure that (from the evidence of the C&TCS) currently occurs in towns some distance away such as Bath, Frome and Trowbridge. It could also reduce the need to travel. However, I am not convinced that the plan should be amended to that effect at the present stage. As indicated at paragraph 4.4 above the Council may wish to consider the future of these town centres (and the scope for any such action) in the context of the new advice in PPS6.

Recommendations

R4.1 Modify Policy S.2 by deleting the existing wording and substituting:

"Retail development within the shopping centres listed in policy S.1 and defined on the Proposals Map will be permitted where it is (i) of a scale and type consistent with the existing retail function of the centre and (ii) well integrated into the existing pattern of the centre."

R4.2 Modify Policy S.3 by deleting the existing wording and substituting:

"Land is allocated for retail development (use class A1) at the following sites:

In Bath: Southgate

The Podium/Cattlemarket

For convenience shopping only:

Hayesfield School *Subject to detailed assessment by the Council, especially of local recreational needs.*

In Keynsham: Land between St Johns Court & Charlton Rd".

R4.3 Modify Policy S.4 by deleting the existing wording and substituting:

"Subject to policy S.9, retail development (including extensions to existing retail units) outside the shopping centres identified in policy S.1 and defined on the Proposals Map will only be permitted where:

- i) there is a demonstrable quantitative and qualitative need for the development;
- ii) the scale of the development relates to and complements the role and function of the centre;
- iii) the proposal is located in accordance with the sequential approach such that:

an appropriate site cannot be made available within the city or town centre under policy S.2; or

as a first preference alternative, the site is within an edge-of centre location forming a natural, well-connected extension to the town centre; or

as a second preference alternative, the site is within an out-of-centre location, is well-connected with it and provides for a high likelihood of linked shopping trips;

- iv) in the case of proposed developments within edge-of-centre and out-of-centre locations, there would be no unacceptable impact on the vitality and viability of other centres; and
- v) in all cases, the site is or will be accessible by a choice of means of transport (especially public transport, walking and cycling) and will not unacceptably rely on private transport or add unacceptably to traffic and congestion."

R4.4 Modify paragraphs B5.23 to B5.32X by deleting the existing text and substituting:

"NEW RETAIL DEVELOPMENT

The C&TCS, as reviewed in 2004, identified a significant projected quantitative capacity for additional retail floorspace to 2011. That growth could accommodate the levels of additional retail floorspace shown in tables 1 and 1B below, in addition to the floorspace gains arising from the redevelopment of Southgate in Bath, the proposed foodstore at Charlton Road, Keynsham and the proposed extension to Tesco at Old Mills, Paulton. However, the projections were made at the end of a long period of steady growth and optimism in retail markets and expenditure on retailing is subject to significant fluctuations as evidenced by the well-publicised downturn in retail performance and confidence after the spring of 2005. Moreover, the projections represent maximum capacity figures rather than a "needs" target which the plan should necessarily aim to meet because the impact of any scheme outside the city centre shopping area will need to be carefully assessed.

The projections also separately identify "large format/retail warehouse" stores. This division of the comparison shopping element is based on the assumption made in the C&TCS that spending on DIY, hardware, furniture, floor coverings, carpets and electrical goods accounts for 35-40% of total national comparison goods expenditure. The report further assumes that as about half of the national spending in these categories takes place in retail warehouses up to 20% of total surplus comparison goods expenditure in B&NES could be accommodated in large format stores. However, it is not clear that this is necessarily an appropriate assumption as PPS6 requires consideration of whether there are constituent units on any proposed retail park on an edge-of-centre or out-of-centre site which could be accommodated on a sequentially preferable site. This is a matter that needs to be further explored in the course of the retail strategy discussed at paragraph.....below.

[Insert tables 1 and 1B as in the corrected consolidated version of the plan but alter the title of 1B so that it uses the same terms as table 1 and replace "bulky goods" with "large format/retail warehouse" stores.]

Comparison shopping: Bath

The majority of the forecast growth is focussed on Bath. However, in considering the extent to which new shopping floorspace should be allocated to meet this potential growth in expenditure to 2011 it is important to have regard to the unique characteristics of the core shopping centre, the contribution which will be made to the city centre by the Southgate redevelopment and its effect, and the timescale for the implementation of Southgate.

Located as it is within the World Heritage Site, the city centre relies to a large extent on the success of its retail function to provide economic support to its historic buildings. Many of the shops in the historic centre are far from ideal to support modern retailing and therefore to ensure that its attraction to retailers is maintained, new development outside the core which could divert shoppers and therefore reduce the attraction of the core area should be avoided. The redevelopment of Southgate will provide modern shopping units within the core shopping area and therefore support the retail function of the city centre. It will be a development of high quality and its success will depend upon the attraction of retailers confident of a secure economic return. The forecast levels of retail expenditure will help to attract retailers to the new scheme but any competing scheme which is outside the main shopping centre could dilute the attraction of Southgate to retailers and put the implementation of the scheme at risk.

Furthermore, with the completion of the Southgate scheme there will inevitably be some change within the historic core as retailers relocate into new units and older shops are left vacant. It is essential to the future health of the historic core that such units are quickly taken up by new occupants to safeguard the fabric of the buildings.

The plan therefore takes a precautionary approach to the firm allocation of additional retail floorspace in the city centre during the period to 2011. Other than Southgate only the potential redevelopment of the city centre site at The Podium/Cattlemarket is identified for retail development during the plan period. This is likely to be a mixed use scheme providing for an increase in the quantity of comparison and convenience goods floorspace and a mix of other city centre uses including a replacement library and hotel as described in more detail in policy GDS1/B16. No other sites are firmly identified at this time but any further proposals for retail consolidation within the defined city centre shopping area will be supported in principle and determined on their site-specific merits.

The precautionary approach will also apply to the development of retail warehouses/large format stores in Bath. There may be some potential outside the city centre shopping area for retail warehouse developments of certain kinds but it is not expected that planning permission will be granted for large format stores selling clothing, fashion or sports goods, or variety goods of the kind typically found in the city centre. It is difficult to identify suitable edge-of-centre or out-of-centre sites for retail

warehouses as this form of development is generally incompatible with the image, character and appearance of the WHS. While BWR represents a major brownfield opportunity, retail warehouse development surrounded by open car parking would not be appropriate for a site which should form an exemplary high-density, high-quality development area enhancing the character and status of the WHS. There is already some retail warehouse development along Lower Bristol Road and if further development of this kind is justified in terms of the sequential approach and the impact test it may be more appropriate to consolidate provision there. Suitable sites for this purpose will be examined in the course of future master-planning for the Lower Bristol Road area.

After the adoption of the local plan the Council will commence work on a retail strategy for Bath to show how it will be developed to provide new shopping floorspace for the city following the completion of Southgate and a period of consolidation for the centre as a whole. This will be in the form of a Development Plan Document (DPD). The DPD will be firmly based on the sequential approach set out in PPS6 and will thoroughly explore opportunities for securing the best use of under-used central sites with the most to contribute to the city's retail offer and to the image, repair and conservation of the urban fabric at the heart of the World Heritage Site. At an appropriate date it may also aim to make the most of the retail potential of any suitable edge-of-centre sites such as Avon Street Car Park, provided that such sites form a natural extension of the city centre shopping area, can be truly integrated into it and do not have an adverse impact on its vitality and viability. The DPD will provide for commitments to be made in a series of well-defined steps, subject to (and preceded by) regular monitoring and review. It will also be backed by concerted and clearly identified measures to drive through and secure implementation, including the use of compulsory purchase powers to assemble sites if necessary.

Comparison shopping: Keynsham, Midsomer Norton and Radstock

Table 1B, taken from the C&TCS study, assesses that it is appropriate to distribute only a limited part of the projected quantitative capacity to these second tier town centres within the District's retail hierarchy. There are several opportunities within the defined town centres where this provision could be made and such development would contribute to the self sufficiency of these towns. However, it is not considered appropriate to allocate these sites. Proposals that come forward would be determined within the context of policies S2 which is supportive of development in such locations.

Convenience shopping

The C&TCS assessments found substantial scope for the development of new convenience floorspace in Bath and this is supported by the pressure commonly agreed to be experienced by the Sainsbury's store at Green Park. Some of this pressure and scope will be absorbed by the replacement convenience store at Southgate and by extension of the

Waitrose store at The Podium. It would also be assisted by take-up of the allocation at Keynsham which would help to reduce the existing high level of convenience expenditure outflow from Keynsham to Bristol and increase the attractiveness of the town.

Despite reservations about using the C&TCS projections as a basis for firm comparison retail allocations the above developments are unlikely to absorb even the minimum figure for the potential capacity for convenience shopping development to 2011. No other suitable sites have been identified within Bath city centre or at edge-of-centre sites *subject to Council's detailed assessment*: "and although PPS6 advises against out-of-centre shopping the particular circumstances of Bath justify the provision of a food store in the southern part of the densely-developed southern sector of the city where there is very little alternative provision at present. A site is therefore allocated for that purpose at Hayesfield School. This will take pressure off Sainsbury's and the congested road network around the city centre and provide good opportunities for travel to the store by bus, by cycle or on foot as well as by car."

No firm allocations are made for further convenience floorspace in Midsomer Norton and Radstock but the projections suggest that there is scope for a small level of additional development of this kind during the plan period. Any proposals that come forward will be determined against policies S.2 and S.4 as appropriate."

R4.5 Develop retail policy beyond the plan as follows:

1. Work up a shopping strategy for Bath City Centre in the form of an Area Action Plan, including clear measures for phased implementation. Based firmly on the sequential test, this would aim to (i) make the most of any under-used central sites with potential for adding to the city's retail offer and the image and conservation of the fabric of the WHS and (ii) to the extent justified, integrate into the city any edge-of-centre sites which can be closely incorporated into the pedestrian networks of the city.
2. Consider work on DPDs for Keynsham, Midsomer Norton and Radstock town centres with the aim of securing, consolidating and strengthening their roles in retailing and other matters.

Chapter B5 - Policies S.5-S.7 and Paragraphs B5.41-B5.52 Uses Appropriate in Town and City Centres

3226/B1	Coffee Republic plc	S.5
721/B26	Government Office for the South West	S.6
3007/B6	Grant Thornton	S.6
3226/B2	Coffee Republic plc	S.6
704/C1	Mr T Hamilton	S.6/B
721/C52	Government Office for the South West	S.6/B
3295/C14	G L Hearn Planning	S.6/B

Supporting Statements

3257/C94	Somer Valley Friends of the Earth	B5.41/A
3623/C1	Cllr S Webb	B5.50/A
564/B28	London Road Area Residents Association	S.6
3257/C95	Somer Valley Friends of the Earth	S.7/A

Issue

- i) Are Policies S.5 and S.6 too restrictive?

Inspector's Reasoning

- 4.41 These policies pre-date the amendments to the Town and Country Planning (Use Classes) Order which took effect in April 2005, creating two new use classes (A4 for pubs and bars and A5 for hot food take-aways) and requiring planning permission to be obtained for changes to A4 or A5 uses but not from A4 or A5 to A1, A2 or A3. I have not made recommendations about the implications of these changes as it will be important for the Council to consider how they may affect Bath and the District's other centres, either as part of the modifications process or (as far as Bath is concerned) as part of the City Centre Area Action Plan referred to in my recommendation above.
- 4.42 There is only one outstanding objection to Policy S.5, seeking its deletion on the grounds that A3 uses can contribute towards the vibrancy of the city centre. Such uses are primarily dealt with under Policy S.6 so I consider policies S.5 and S.6 together.
- 4.43 Some objectors consider S.6 unnecessary in that it deals with issues covered by Policy BH.6 and reflects a negative approach to the contribution that can be made by the wide range of premises that can fall within the A3 use class. Others feel that it underestimates the noise and disturbance that can be caused by late-night opening licensed A3 establishments.
- 4.44 In my view there is some value in retaining Policies S.5 and S.6 and their accompanying sections of text as they draw attention to the contribution of appropriately located A3 uses to overall city centre vitality while also pointing to the issues of character and amenity that need to be considered in judging new proposals. I consider that the changes in the RDDLP generally meet some of the objections and provide a better reflection of the practical limits of planning policy. It is the application of Policy S.6 on a case-by-case basis, rather than the general terms of the policy, that will determine whether or not planning control plays an appropriate part in the regulatory system.
- 4.45 However, I agree that S.6 should be worded more positively and also consider there to be a certain amount of ambiguity about the geographical coverage of Policy S.6 as it is not completely clear whether it relates to the city centre shopping area defined on the Proposals Map. In addition, Policy S.5 is not cross-referenced to S.6, making it less clear how they operate together. It is possible that such uncertainties contributed to some aspects of the objections. My recommendation for these policies

seeks to improve their clarity and incorporate the changes made in the RDDLP.

Recommendations:

R4.6 Modify paragraph B5.43 by inserting "too many" before "non-shop uses".

R4.7 Modify Policy S.5 by inserting at the start "Subject to policy S.6....."

R4.8 Modify Policy S.6 by deleting the existing text and substituting:

"Proposals for A3 uses within and adjoining the city centre shopping area defined on the Proposals Map will be permitted, provided that (either singly or in cumulatively with other similar existing uses) they preserve or enhance the character or appearance of the relevant part of the Conservation Area and do not have an unacceptable impact on the retail viability and vitality of the centre or the amenity of local residents. This policy also covers proposals to vary existing consents."

Chapter B5 - Policy S.8 and Paragraph B5.57 - Local Convenience Shopping

88/B36	William & Pauline Houghton	S.8
120/B59	Ms Helen Woodley	S.8
322/B14	Greenvale Residents Association	S.8
687/B9	Peasedown St John Parish Council	S.8
723/B26	Bath Chamber of Commerce	S.8
730/B19	Timsbury Parish Council	S.8
3181/B2	Bath & District Consumer Group	S.8

Supporting Statements

120/C128	Ms Helen Woodley	B5.57/A
3257/C96	Somer Valley Friends of the Earth	B5.57/A
3257/C97	Somer Valley Friends of the Earth	B5.61/A
581/B12	Batheaston Society	S.8

Issue

i) Is the policy realistic?

Inspector's Reasoning

4.46 The objections to this policy are varied. Some consider it restrictive and counter-productive to try to stem the loss of unviable units in small centres and parades: others generally wish it to be stronger (or more determinedly implemented), so as to offer more protection, especially to particular types of shops, such as post offices.

4.47 Some point to other ways in which the policy could be framed but in my view the Council's approach is generally appropriate in that it centres on seeking to retain the vitality and viability of the centre as a whole. This

provides some flexibility in considering proposals for individual premises and does not prevent particular site-specific issues being examined on their merits against the overall policy aim.

Recommendation: no change

Chapter B5 - Policy S.9 and Paragraph B5.62 - Dispersed Local Shops

723/B27	Bath Chamber of Commerce	S.9
3206/B2	London & Argyll Developments Ltd	S.9

Supporting Statements

120/C129	Ms Helen Woodley	B5.62/A
3257/C98	Somer Valley Friends of the Earth	B5.62/A

Issue

- i) Is the policy unduly restrictive?

Inspector's Reasoning

4.48 This policy is aimed at existing shops at any urban, village or rural site outside the centres in the retail hierarchy identified in Policy S.1. There must be a substantial number of very varied kinds of premises to which this policy would apply and it is hard to believe that they are all physically suitable and/or viably located for sustained retail trading in modern circumstances. Former shops in such locations have commonly been adapted to a wide range of other uses including residential.

4.49 Policy S9 is more strictly worded than S8 and in my view no planning purpose would be served by seeking to impose wholesale resistance to this kind of natural evolution outside defined centres unless the physical nature of a particular building, and its location, would enable it to perform a key retail function in maintaining the sustainability credentials of a local community. Examples could be a well-located village shop or a shop serving a residential area on the edge of a town. I therefore recommend modification of the policy to that effect.

Recommendations:

R4.9 Modify the plan by deleting paragraphs B5.62 and B5.63 and inserting:

"Outside the centres identified in policy S1 and on the Proposals Map there are many small shops spread throughout the District both within the urban areas and in villages. These can often serve day to day needs and offer valuable social and community benefits but a wide range of factors has contributed to a gradual reduction in the number of such units. While most of these factors are beyond the scope of planning powers the Council will seek to encourage the provision of new small shops in suitable cases and will resist the change of use of units with the potential to provide

continuing key retail services to their local residential communities. Examples could be a well-located village shop or a unit capable of serving a large residential area on the edge of a town."

R4.10 Modify Policy S.9 by deleting the existing wording and substituting:

"Outside the shopping centres defined on the Proposals Map the Council will:

- a. grant planning permission for the development of appropriately located small-scale local shops within the settlements defined in policy SC.1 provided that there is no adverse effect on residential amenity; and
- b. refuse planning permission for the change of use of existing buildings in A1 use in cases where these have a realistic potential to perform a continuing key role in meeting the retail needs of the local area in a sustainable manner."

Chapter B6 - Policy ES.1 and Paragraphs B6.3 - B6.6A

732/B17	Swainswick Parish Council	B6.3
3126/B2	Bath Friends of the Earth	B6.4
3604/C1	Mr S Bendle	B6.6A/A
42/B11	CPRE	ES.1
120/B66	Ms Helen Woodley	ES.1
721/B27	Government Office for the South West	ES.1
1427/B54	Environment Agency	ES.1
2226/B4	ETSU	ES.1
2323/B2	Read Renewable Resource	ES.1

Supporting Statements

3257/C99	Somer Valley Friends of the Earth	B6.3/A
248/C2	Future Energy Solutions	B6.6A/A

Issues

- i) Should reference be made to reducing CO₂ emissions from vehicles, construction, and completed development?
- ii) Does the policy provide adequate criteria against which to assess both possible harm and the potential benefits of renewable energy?
- iii) Should specific sites or locations for renewable developments be identified or safeguarded?
- iv) Should the policy clarify who would be responsible for the dismantling of the development and restoration of the site?

Inspector's Reasoning

Issue i)

- 4.50 The Plan can exercise no control over CO₂ emitted from particular vehicles. However, reducing the need to travel, especially by car, is one of the main aims underlying the policies of the plan and will influence CO₂ levels. This is expressed in several objectives, e.g. OS.3, L5, L.7 and T.1.
- 4.51 The plan has a limited role in influencing the CO₂ emissions from construction activities and completed developments, but the overall strategy of the plan to focus most development within existing built up areas will contribute to limiting increases in CO₂ emissions. There is no need for an additional policy or explanation in the text on CO₂ emissions.

Issue ii)

- 4.52 Objectors are concerned that the plan does not set out clear criteria against which the different types of renewable energy proposals would be assessed. PPS22 seeks the use of criteria based policies in local plans. This is the intention in Policy ES.1, but the criteria are narrow in their application, being limited to the consideration of some harmful impacts. In view of the contribution that may be made to targets for renewable energy and for reducing greenhouse gas emissions, as well as other benefits, I consider that the policy should reflect these matters in the criteria, so that the benefits are explicitly weighed against any harm and measures taken to mitigate the harm.
- 4.53 Since the plan stands to be considered as a whole, Policy ES.1 would not be applied in isolation. For example, a windfarm proposed within an AONB would be assessed against Policy NE.2. This would ensure that the effects of the proposal on the AONB would be given adequate consideration. It would be unnecessarily repetitious to include a reference to all the various protected sites and areas. Furthermore, a wide range of policies may be applicable to a proposal for renewable energy and the policy should not pick out only one or two matters, since that might imply that only those matters are material.
- 4.54 Some renewable energy proposals may not result in any harm and can be permitted without any balancing of other material considerations. Some small scale proposals might result in only minor conflict with other policies, in part because such proposals will often involve innovative forms of development which do not directly relate to conventional policies. In order to encourage renewable energy provision, I consider that Policy ES.1 should refer only to significant harm or conflict with policy. I thus consider that the first criteria in the policy should be whether there is significant conflict with other policies in the plan. The second consideration should be ensuring that, for all projects, the design and siting minimises any harm.

- 4.55 Where there is conflict with the first criterion, the potential benefits should be a significant material consideration. Local authorities have an important role to play in the attainment of the target in RPG10 (Policy RE 6), and the RDDLP makes reference to this regional target. Although there is no requirement for district level targets, the extent to which any proposal would contribute to the regional target should be taken into account. I therefore include an appropriate criterion in my recommended new policy to cover this point. Even if the contribution to the regional target is modest or (in the future) if that regional target is met, consideration should be given to the wider social and environmental benefits of the renewable energy project.
- 4.56 I consider that the cumulative impact can be taken into account in assessing harm and does not need to be specifically highlighted. The new policy that I am recommending would reflect the positive approach to renewable energy set out in PPS22. The supporting text will need to be amended to reflect the more comprehensive policy approach.

Issue iii)

- 4.57 PPS22 advises against allocating sites for renewable energy unless a developer has already indicated an interest in the site and confirmed that the site is viable and can be brought forward during the plan period (paragraph 6). Whilst it may be the case that the most suitable sites for water power developments would be old mill sites, the suitability of a particular location would be depend on an assessment of technical and commercial feasibility. No evidence of a potential site, or for funding for such a development, is put forward and therefore I am not in a position to recommend the safeguarding of any sites with potential for water power development. Similar considerations also mean that identifying any preferred locations for different renewable energy projects in the District would be premature.

Issue iv)

- 4.58 Planning permissions for permanent buildings and structures do not normally require their dismantling and removal if they cease to be used. In my view, it would be unreasonable to require all renewable energy projects to be removed if they cease to be used. This should apply only to those projects where there is conflict with other policies and thus significant harm and only so far as is necessary to remove that harm. This should be part of the consideration of whether a project has been designed to minimise harm.
- 4.59 Where there is a need to ensure the removal of all or part of a development this could be secured by a planning condition or a planning obligation. These are applicable to the land and not to a particular developer/operator. I see no need for the plan to clarify who might be responsible for dismantling the development, but where there are particular concerns about the practicality or enforceability of such a

requirement these should be addressed when the specific proposal is under consideration.

Recommendations:

R4.11 Modify paragraph B6.6 by deleting the remainder of the first sentence from "although".

R4.12 Modify paragraph B6.6A by inserting at the end:

"Where there is the potential for adverse impacts, the significance of these will be weighed against the contribution that will be made to the regional target for renewable energy and the potential economic, social and environmental benefits of the proposed development."

R4.13 Modify Policy ES.1 by deleting the existing text and substituting:

"Developments that generate energy from renewable sources, including any ancillary infrastructure or buildings, will be assessed against the following criteria.

- i) any significant conflict with other policies in the plan;
- ii) the extent to which the design and siting of the development minimises any adverse impacts and, where there is harm and conflict with other policies, whether that harm can be removed at the end of the economic life of the development or when it ceases to be used for energy production;
- iii) the contribution that will be made to the regional target for renewable energy;
- iv) any wider environmental, social and economic benefits."

Chapter B6 - Policy ES.2 and Paragraphs B6.8 and B6.9

3257/C100	Somer Valley Friends of the Earth	B6.8/A
442/B3	Campaign for Dark Skies	ES.2
2313/B5	Bryant Homes (Taylor Woodrow)	ES.2
2965/B9	Morley Fund Management Limited	ES.2
3098/B21	George Wimpey Strategic Land	ES.2
3099/B25	Barratt Bristol Limited(Mr A T P Joliffe)	ES.2
3126/B6	Bath Friends of the Earth	ES.2
3295/B3	G L Hearn Planning	ES.2

Supporting Statements

1427/B55	Environment Agency	B6.9
120/B54	Ms Helen Woodley	ES.2
1427/B56	Environment Agency	ES.2

Issues

- i) Whether the plan adequately addresses energy minimisation in new developments.
- ii) Whether the policy lacks clarity, is it too prescriptive or too weak.

Inspector's Reasoning

Issue i)

4.60 Energy efficiency is highlighted not only in this section of the plan, but also in Chapter A5 Design. Quick Guide 4B sets out a check list of considerations for sustainable new development, including minimising energy consumption in construction. I am recommending the deletion of all the Quick Guides in the plan and in Section 1 of my report I recommend that detailed issues relating to sustainable construction be incorporated in the proposed Design Guide SPD. It would be appropriate to deal with detailed matters such as the use of low-embodied-energy materials, in this SPD. The plan should set out the objectives and key policy considerations, but not attempt to address detailed matters. Subject to my recommendations, the plan will adequately address the key matters relating to energy minimisation.

Issue ii)

4.61 Whilst the planning system has no direct control over internal lighting, the extent to which lighting is needed within a development depends, in part, on its orientation and design. These are matters included within Policy ES.2. The issue of pollution from poorly designed and installed external lighting is covered by Policy BH.22 of the plan and the Council's External Lighting Guide (paragraph C3.98 of the plan). To address this issue in Policy ES.2 would therefore be unnecessary duplication.

Issue iii)

4.62 I share the concern of many objectors that Policy ES.2 lacks clarity as to how compliance will be measured. Ideally, the plan should be able to refer to specific measures for low energy use so that there is an objective test of whether the policy is met. Whilst there are a number of standards and emerging standards for the energy efficiency of homes and buildings, I am not aware of any such standards for the overall layout of developments and none have been suggested to me.

4.63 I consider that the objective of the policy - energy conservation - is clear. I expect more detailed guidance to be provided by the Council in the proposed SPD on Design. A reference to this should be made in this section of the plan (provided that the Council intend to produce such an SPD in the near future). But the phrase "protection of environmental resources" is too generalised and is more the aim of the overall plan than of a single policy. The policy should apply solely to new buildings since

the scope to achieve energy efficiency through the planning process in changes of use/refurbishment is limited.

4.64 The reasonable and achievable level of energy conservation will depend on the type and scale of the proposed development and the existing constraints on the site. This should be recognised in the policy. There may need to be some trade-off between energy efficiency and achieving other sustainability objectives and thus the policy should avoid being overly prescriptive. In the absence of specific indicators, I consider that the policy can require only that the development has taken into account the need for energy conservation over the lifetime of the development.

4.65 My recommended policy does not overcome issues of objectivity, but provided the policy is linked to guidance in SPD, I consider that it strikes the right balance between pursuing innovation and reasonableness.

Recommendations:

R4.14 Modify paragraph B6.8 by deleting the final sentence and substituting a reference to further guidance on energy efficiency in the design and layout of buildings being set out in the Design Guide SPD.

R4.15 Modify Policy ES.2 by deleting the existing text and substituting:

“Permission for new buildings will be granted only where, within the other constraints on the development, the design, orientation, and layout of the buildings and outside areas have taken into account the need to minimise energy consumption over the lifetime of the development.”

Chapter B6 - Policy ES.3 and Paragraphs B6.14 and B6.15

3227/C3	Western Power Distribution	B6.14/B
3257/C101	Somer Valley Friends of the Earth	B6.14/B
2663/C2	Poets Corner Residents Association	ES.3/C
3257/C104	Somer Valley Friends of the Earth	ES.3/C
3227/C2	Western Power Distribution	ES.3/D
3257/C105	Somer Valley Friends of the Earth	ES.3/D

Supporting Statements

1984/C5	National Grid Transco	B6.14/B
1984/C9	National Grid Transco	B6.14/B
1984/C6	National Grid Transco	B6.15/A
1984/C10	National Grid Transco	B6.15/A
120/B55	Ms Helen Woodley	ES.3
3257/C102	Somer Valley Friends of the Earth	ES.3/A
3257/C103	Somer Valley Friends of the Earth	ES.3/B

Issues

- i) Whether health considerations should be addressed at all and if so whether the policy should be more stringent.

- ii) Is it reasonable to require the monitoring of microwave radiation?

Inspector's Reasoning

Issue i)

- 4.66 Whilst PPG8 is primarily concerned with telecommunications development, it refers to health considerations and to public concern arising from the effects on health of electromagnetic fields, including those associated with electricity power lines. PPG8 states that it is the Government's firm view that the planning system is not the place for determining health safeguards. The appendix to PPG8 addresses health considerations at some length. It refers to the role of the National Radiological Protection Board (NRPB) as the Government's statutory advisors on radiological protection matters and to other health and safety legislation. The appendix states that it is not for the local planning authority to seek to replicate through the planning system controls under the health and safety regime. The NRPB are able to advise local planning authorities and paragraph B6.14 of the plan indicates that the Council will seek such advice where necessary.
- 4.67 Paragraph B6.14 of the plan requires the submission of a Health Radiation Impact Assessment (HRIA). In my view, the Council is seeking to duplicate matters which are more appropriately considered under health and safety legislation. I recognise that health concerns may be a material consideration in particular cases, but in my view this should not be set out in the plan, other than ensuring compliance with established national guidelines (required by criterion iii). I therefore recommend the deletion from this paragraph of the reference to a HRIA. It would be equally inappropriate for any requirement for such an assessment to be included in the policy. Given this conclusion, there is no need to consider further the scope of HRIAs.
- 4.68 Criterion (iii) of the RDDLP requires development to comply with national and EU guidelines on public exposure to electromagnetic fields. There is no sound basis for the Council to seek to impose any other guidelines.
- 4.69 Criterion (i) of the policy seeks to protect the amenities of nearby residents, occupants and land users. This would enable potential interference from electromagnetic fields, such as with television reception, to be taken into consideration. Other policies of the plan seek to protect various species from the adverse effects of development; the plan must be read as a whole and there is no need for this section to refer to the effects on wildlife.

Issue ii)

- 4.70 The requirement for the monitoring of microwave radiation is inserted into a paragraph of the policy concerning the location of developments in proximity to *existing* gas and electricity infrastructure. The Council would have no control over the emissions from any existing infrastructure and

monitoring in such circumstances would serve no purpose. More generally, the attempt to require monitoring seeks to replicate controls under the health and safety regime. If there is any reason to suspect that an operator is not meeting its statutory responsibilities, it is for the Health and Safety Executive to take action. I therefore recommend that the reference to monitoring be deleted.

4.71 Concern has also been expressed about the interpretation of "close proximity" in the policy. I consider that the policy's aim can be adequately expressed without referring to close proximity, thus avoiding prejudging when considerations of safety should be taken into account.

Recommendations:

R4.16 Modify paragraph B6.14 by deleting all of the last 2 sentences.

R4.17 Modify Policy ES.3 by:

deleting the last paragraph; and

inserting: "The potential dangers from existing gas and electricity infrastructure will be taken into account in determining applications for other developments. Development will not be permitted where it would increase the number of people exposed to unacceptable risks".

Chapter B6 - Policy ES.4 and Paragraph B6.16

1427/B57	Environment Agency	B6.16
1427/B58	Environment Agency	ES.4
120/C130	Ms Helen Woodley	ES.4/B
3257/C108	Somer Valley Friends of the Earth	ES.4/B

Supporting Statements

120/C173	Ms Helen Woodley	B6.16/A
3257/C106	Somer Valley Friends of the Earth	B6.16/A
3511/C8	British Waterways	B6.16/A
3257/C107	Somer Valley Friends of the Earth	ES.4/A
1427/C196	Environment Agency	ES.4/B
2585/C10	Wessex Water	ES.4/B

Issue

- i) Whether the policy should require various water conservation measures?

Inspector's Reasoning

4.72 The policy was amended in the RDDLP to require the incorporation of water conservation measures. The aim of this requirement is clear, but the type of water conservation measures which could reasonably be required would depend on the type and scale of the proposed

development and its location. Normally these measures would be provided on the development site, but there may be circumstances where a contribution to off-site works was reasonable and necessary. The policy provides an adequate basis for negotiating necessary provision.

Recommendation: no change

Chapter B6 - Policy ES.5 and Paragraph B6.19

1427/B59	Environment Agency	B6.19
564/B27	London Road Area Residents Association	ES.5
1427/B60	Environment Agency	ES.5

Supporting Statements

120/C161	Ms Helen Woodley	B6.19/A
1427/C156	Environment Agency	B6.19/A
120/B53	Ms Helen Woodley	ES.5
2585/B3	Wessex Water	ES.5
120/C162	Ms Helen Woodley	ES.5/A
1427/C197	Environment Agency	ES.5/A
2585/C11	Wessex Water	ES.5/A
3257/C109	Somer Valley Friends of the Earth	ES.5/A
1427/C198	Environment Agency	ES.5/B
3257/C110	Somer Valley Friends of the Earth	ES.5/B

Issue

- i) Should the plan say more about Sustainable Drainage Systems (SUDs)?

Inspector's Reasoning

4.73 The addition of the word “sustainable” in Policy ES.4 and reference to SUDs in paragraph B6.19 goes someway to meet the objector’s concern. In my view, the twin benefits of SUDs in flood prevention (reducing the rate of run-off) and pollution control need to be flagged so that the aim of the policy is clear. These objectives were explained in the text suggested by the Environment Agency, but paragraph B6.19 highlights only pollution control. I recommend a revised text based on the EA’s suggestion. Further detail on the design of SUDs can be addressed in the Council’s proposed Design Guide SPD.

Recommendation:

R4.18 Modify paragraph B6.19 by deleting the 2nd sentence and substituting:

“SUDs are designed to reduce the quantity and improve the quality of surface water at or close to source, prior to discharge. This minimises pollution discharged into watercourses, and reduces the volume of water discharged to sewers or outfalls, whilst increasing water infiltration to the

ground and underlying aquifers. Such systems can thus control pollution, reduce flood risk and provide other benefits”.

Chapter B6 - Policy ES.6

120/B52	Ms Helen Woodley	ES.6
1427/B61	Environment Agency	ES.6
120/C160	Ms Helen Woodley	ES.6/A

Supporting Statements

2585/B4	Wessex Water	ES.6
3257/C111	Somer Valley Friends of the Earth	ES.6/A

Issues

- i) Whether the policy should cover other potential adverse effects.
- ii) Should developers be required to demonstrate the need for new infrastructure?
- iii) Whether the potential conflict with flooding should be highlighted.

Inspector's Reasoning

Issue i)-iii)

- 4.74 To respond to the issues raised and decide whether the policy should encompass other considerations raises the question of the purpose of the policy. The policy sets out 2 very general criteria for the assessment of new water and sewerage infrastructure – general amenities and the water environment. Such considerations are covered by other policies in the plan and the paragraph B6.20 highlights that policies in 3 other sections of the plan will also be relevant. Policy ES.6 does not introduce any considerations unique to this type of development. I see no purpose in having a separate policy; its existence would tend to lessen the attention given to other policies which are likely to be equally important.
- 4.75 For the reasons already set out in relation to electricity and gas infrastructure, the Local Plan is not the place to set out detailed health and safety considerations. Odour from new sewerage works and its effect on residential amenity is likely to be a material consideration, but this is covered by Policy ES.10.
- 4.76 Where new infrastructure causes harm and conflicts with policies in the plan, the need for the development would be one consideration to be taken into account in coming to a balanced decision. Need does not have to be highlighted in a policy to be a relevant consideration. I recognise that many existing sewage treatment works are in low-lying areas and some may be prone to flooding. Policy NE.14 seeks to prevent development that would be at risk from flooding. This policy and national

advice is sufficient to ensure that the flood risk to new infrastructure is properly taken into account.

4.77 I therefore consider that there is no need to modify the policy, but more fundamentally that there is no need for the policy. Paragraph B6.20 should also be deleted. I recommend accordingly.

Recommendation:

R4.19 Modify the plan by deleting the heading "Water and Sewerage Infrastructure", paragraph B6.20 and Policy ES.6.

Chapter B6 - Paragraphs B6.23 and B6.26, Policy ES.7 and Policy ES.8

3572/C1	Mobile Operators' Association	B6.23/D
120/C149	Ms Helen Woodley	B6.25/A
3257/C112	Somer Valley Friends of the Earth	B6.25B/A
3257/D307	Somer Valley Friends of the Earth	PIC/B/37 (B6.25B)
3257/C113	Somer Valley Friends of the Earth	B6.25C/A
3572/C5	Mobile Operators' Association	B6.25C/A
345/D43	Freshford Parish Council	PIC/B/39 (ES.7)
376/B15	Mr I Wallis	ES.7A
578/B62	Norton Radstock Town Council	ES.7A
2663/B1	Poets Corner Residents Association	ES.7A
3015/B1	Vodafone Ltd	ES.7A
3239/B1	Orange Personal Communication Services	ES.7A
3290/B1	One2One PCS Lyd	ES.7A
120/C147	Ms Helen Woodley	ES.7/B
578/C99	Norton Radstock Town Council	ES.7/B
3257/C115	Somer Valley Friends of the Earth	ES.7/B
120/C148	Ms Helen Woodley	ES.7/C
3572/C8	Mobile Operators' Association	ES.7/D
3606/C1	British Telecom plc	ES.7/D
720/B6	BT Group plc	ES.7B
3015/B2	Vodafone Ltd	ES.7B
3239/B2	Orange Personal Communication Services	ES.7B
3290/B2	One2One PCS Lyd	ES.7B
3290/B3	One2One PCS Lyd	ES.7B
3295/B2	G L Hearn Planning	ES.8

Supporting Statements

3126/D46	Bath Friends of the Earth	PIC/B/38 (B6.25)
3257/D299	Somer Valley Friends of the Earth	PIC/B/38 (B6.25)
3572/C2	Mobile Operators' Association	B6.25/A
3572/C3	Mobile Operators' Association	B6.25A/A
3572/C4	Mobile Operators' Association	B6.25B/A
120/B104	Ms Helen Woodley	ES.7A
686/B87	Bath Preservation Trust	ES.7A
686/D185	Bath Preservation Trust	PIC/B/39 (ES.7)
3126/D47	Bath Friends of the Earth	PIC/B/39 (ES.7)
3257/D280	Somer Valley Friends of the Earth	PIC/B/39 (ES.7)
3257/C114	Somer Valley Friends of the Earth	ES.7/A
3572/C6	Mobile Operators' Association	ES.7/B
3572/C7	Mobile Operators' Association	ES.7/C
120/B105	Ms Helen Woodley	ES.7B
120/B106	Ms Helen Woodley	ES.8

Issues

- i) Does the plan adequately address considerations relating to health, need, and environmental impact in respect of telecommunications development?
- ii) Is Policy ES.8 too vague?

Inspector's Reasoning

Issue i)

Health issues

- 4.78 I have already referred to the Government's views on health considerations and planning set out in PPG8. The Government takes the view that the planning system is not the place for determining health safeguards, although concerns about the effect of telecommunications development on health are capable of being a material consideration in relation to particular proposals. PPG8 indicates that provided a proposed mobile phone base station meets the International Commission on Non-Ionizing Radiation Protection (ICNIRP) guidelines for public exposure to radio waves, it should not be necessary for a local planning authority to consider further the health aspects of the proposal. In the light of this advice, paragraph B6.25B and criterion iii) in Policy ES.7 provide a reasonable and focussed basis for the consideration of health concerns about telecommunications developments. There is no justification for the Council to impose any other health guidelines and no specific alternative emissions limits have been suggested. The policy would, however, be simpler and clearer if criterion iii) specifically indicated compliance was required with the ICNIRP public exposure levels, since these are much lower than national standards. Paragraph B6.25B contains a duplication of text as a result of PIC/B/37 and needs amending. I recommend accordingly.
- 4.79 I recognise that public perceptions of health risks can be material to specific decisions. It is not necessary for the policy to explicitly refer to public perception for such a factor to be taken into account. I consider that it would be misleading for the policy to make public perception a factor in determining applications since it would be given little weight unless supported by substantial evidence and it would rarely be decisive.
- 4.80 Telecommunications systems operators have responsibilities under health and safety legislation and PPG8 states that it is not for the local planning authority to seek to replicate through the planning system controls under the health and safety regime. By requiring in paragraph B6.25C the submission of a HRIA the Council is straying into matters which are more appropriately considered under health and safety legislation. There would also be little purpose in requiring a HRIA given that the policy seeks only compliance with ICNIRP standards.

4.81 The policy requirement for regular monitoring is unnecessary and unreasonable where the operator has provided a certificate of compliance with the ICNIRP standard. In my experience, most telecommunications masts emit only a tiny fraction of the ICNIRP exposure levels. Adherence to the ICNIRP standard and the general low level of emissions have been demonstrated by base station monitoring undertaken by the NRPB. If a particular proposal raises uncertainty about its ability to comply with ICNIRP it either should not be allowed or conditions should be imposed to undertake monitoring. Dealing with such individual cases in this way does not need a blanket requirement for monitoring. I therefore recommend the deletion of paragraph B6.25C and the last sentence of Policy ES.7.

Need for the development

4.82 It is Government policy to facilitate the growth of new and existing telecommunications systems, whilst keeping the environmental impact to a minimum. In considering proposals for telecommunications development, planning authorities should have regard to the need for a development to be sited in a particular location. This may be due to technical constraints, including those affecting alternative locations and the relationship to the operator's national network. The changes set out in the consolidated version of the RDDLP to paragraph B6.25 and to criterion i) of Policy ES.7 require the applicants to demonstrate the need for the installation. I consider that assessing need in relation to the individual proposal is necessary and consistent with national advice. But to widen the scope of the assessment of need would be unreasonable.

Environmental impact

4.83 PPG8 makes clear that the environmental impact of telecommunications development should be minimised. If operators are to complete their national networks as required by their licence conditions it is inevitable that some developments will cause some harm. It would be unreasonable and unrealistic for the policy to require such developments not to have any adverse impact upon the natural or built environment. I thus support the change made to criterion i) in the RDDLP, subject to my further comments below.

4.84 As the Council has often stated, the plan must be read as a whole and other policies in the plan will be relevant to a particular development even where there is a specific policy concerned with that type of proposal. Thus the last sentence of paragraph B6.23 is unnecessary; but including such a sentence here weakens the general principle that the plan should be read as a whole. It should thus be deleted. Policy ES.7 clearly sets out the special considerations which apply to telecommunications development. It would be misleading to imply that the existence of such a policy weakens the relevance of other policies. Some objectors are particularly concerned about the protection of the AONBs and the Green Belt. These designations are protected by Policy NE.2 and Policies GB.1 and GB.2 respectively and such protection does not need to be reaffirmed in Policy ES.7. It would be unreasonable to rule out the location of

telecommunications development in such areas. The range of policies that might apply to telecommunications development will ensure that need is properly balanced against any environmental impact.

- 4.85 To avoid the harmful proliferation of telecommunications development, operators should fully explore alternatives, such as mast sharing or the use of existing buildings. This is now a requirement of criterion i), but “fully exploring” alternatives is only the process, the criterion does not indicate how alternatives will be compared. In my view, the policy should refer to there being no alternative means of meeting the identified need which would have materially less environmental impact and which is available to the operator. A reference to sites being available is necessary since there may be genuine reasons why the operator is not able to acquire its use, such that alternatives which would be less environmentally damaging have no prospect of being realised.
- 4.86 Criterion ii) of the policy requires that the development is sited and designed to minimise its impact. This enables a wide range of matters to be taken into account, including that the size and height of the mast is no more than is necessary to meet the identified need. But it would be unreasonable to impose a maximum height on masts, since the height required is determined by technical considerations such as topography and the area to be served. Limiting the height of all masts would result in a greater number of masts being required to create a network.
- 4.87 My understanding is that telecommunications systems operators are required by a condition on their operating licence to remove equipment that becomes obsolete. Accordingly, the general requirement in Policy ES.7 to remove equipment no longer in use is unnecessary duplication. The absence of a policy criterion on this matter would not preclude the imposition of a condition requiring removal where there was a site specific planning justification.
- 4.88 The Local Plan cannot change matters set out in statutory regulations, such as when a planning application or a prior approval notification is required or when an Environmental Impact Assessment should be made. I thus do not comment further on objections seeking such changes.

Issue ii)

- 4.89 Whilst I accept that PPG8 (paragraph 32) requires consideration to be given to the telecommunication needs of the occupiers of proposed development, Policy ES.8 fails the tests of PPG12 (paragraph 3.1) in terms of clarity. I share the objector's concern that it fails to provide any certainty on how “adequate provision” is to be determined and over what period of time. I therefore recommend Policy ES.8 be deleted.

Recommendation

- R4.20 Modify paragraph B6.23 by deleting the last sentence.

R4.21 Modify paragraph 6.25B by deleting the sentence beginning "The only material consideration. "

R4.22 Modify the plan by deleting the whole of paragraph B6.25C.

R4.23 Modify Policy ES.7 by deleting the existing text and inserting:

"Telecommunications development which requires planning permission or prior approval will be permitted provided that:

- i) the applicant has demonstrated a need for the development;
- ii) the installation has been sited and designed to minimise its environmental impact;
- iii) the application is accompanied by a certificate confirming that the proposed installation meets the emission guidelines of the International Commission on Non-Ionizing Radiation Protection;
- iv) where the development would result in harm or conflict with other policies, the applicant has demonstrated that there are no available alternatives which would be materially less harmful (to include consideration of mast or site sharing, the use of existing buildings or structures and streetworks installations).

R4.24 Modify the plan by deleting Policy ES.8.

Chapter B6 – Policy ES.9

Supporting Statement

1427/B62	Environment Agency	ES.9
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Chapter B6 - Policy ES.10 and Paragraph B6.31

878/B16	The Bath Society	ES.10
2997/B7	London Road & Snowhill Partnership	ES.10

Supporting Statements

120/C145	Ms Helen Woodley	B6.31A/A
120/C146	Ms Helen Woodley	B6.31B/A

Issues

- i) Whether noise and vibration should be highlighted.
- ii) Should specific reference be made to reducing air pollution on London Road?

Inspector's Reasoning

Issue i)

4.90 This issue is covered by Policy ES.12 and duplication should be avoided.

Issue ii)

4.91 To refer to one particular location within the Local Plan would introduce a greater level of detail than is necessary or appropriate. The Bath and North East Somerset Air Quality Strategy addresses specific areas within the District suffering from the effects of poor air quality, including London Road, which has been declared an Air Quality Management Area. The Strategy rather than the Local Plan is the appropriate tool to set out measures to tackle existing air pollution in a particular locality.

Recommendation: no change

Chapter B6 - Policy ES.11

120/B56	Ms Helen Woodley	ES.11
2891/B2	Mr R L McDougall	ES.11
3278/B7	Persimmon Homes (Wessex) Ltd	ES.11

Supporting Statement

2585/B5	Wessex Water	ES.11
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Issues

- i) Whether the policy should afford protection to watercress beds.
- ii) Are the "Sewage Treatment Works Development Restraint Areas" appropriate and necessary?

Inspector's Reasoning

Issue i)

4.92 The aim of Policy ES.11 is to avoid developments which are sensitive to noise and odour, such as housing, being sited too close to existing sewage treatment works. It is not a policy concerned with the location of such developments. It is therefore not the place to seek to impose criteria protecting features of the water environment. Watercourses are protected by other policies in the plan, albeit none refer specifically to watercress beds.

Issue ii)

4.93 The aim of the policy is to ensure that new development such as housing is not sited too close to sewage works which may (but not all do) generate

noise and odours. Such an aim has two benefits, it minimises the likelihood of harm to the living conditions of potential future residents from existing plants and ensures that there are no additional constraints imposed on further development at existing sewage treatment plants as a result of new incompatible development nearby. Maximising the use of existing plant and infrastructure is normally a more sustainable option than building new plants. The aim of the policy is consistent with national advice on reducing conflict between potentially polluting activities and other land uses.

4.94 In my view, Policy ES.11 does not materially add to the policy framework provided by Policies ES.9, ES.10 and ES.12 which all seek to avoid sensitive development being sited close to existing sources of pollution, including odour and noise. Policy ES.11 refers to the "development restraint areas" around sewage treatment plants shown on the Proposals Map, but it rightly does not seek to preclude development within such areas unless that development would suffer unacceptable nuisance. This is the same test as set out in the other generally applicable policies. Thus Policy ES.11 adds nothing unique.

4.95 The restraint areas shown on the Proposals Map do not appear to take into account the environmental factors identified by an objector which might affect the area at risk from pollution such as topography and the prevailing wind direction. Some sewage treatment works may not generate any harmful noise or odour. Clearly site specific assessments will need to be made as to whether new development would be likely to be adversely affected by existing sewage treatment plants. I consider that these restraint areas are more suited to triggering consultation with plant operators where development is proposed nearby rather than being the basis of a particular policy. Since there may well be other types of plant around which sensitive development should not be allowed I see no reason for the Plan to highlight one particular type of facility. I thus consider that Policy ES.11 is unnecessary. The "restraint areas" do not need to be shown on the plan to trigger necessary consultation, which is a procedural matter which the Council needs to ensure is in place irrespective of what is shown on the Proposals Map. I recommend that Policy ES.11 and the "Development Restraint Areas" on the Proposals Map be deleted.

Recommendation:

R4.25 Modify the plan by deleting the heading "Sewage Treatment Works"; paragraph B6.32; Policy ES.11; and the "Development Restraint Areas" on the Proposals Map.

Chapter B6 - Policy ES.12 and Paragraphs B6.33 and B6.34

120/B57
3126/B4

Ms Helen Woodley
Bath Friends of the Earth

ES.12
ES.12

Supporting Statements

120/C144	Ms Helen Woodley	B6.33/A
3257/C116	Somer Valley Friends of the Earth	B6.33/A
3257/C117	Somer Valley Friends of the Earth	B6.34A/A

Issues

- i) Should the Policy wording be strengthened?
- ii) Should the policy acknowledge that noise may be from "one or more" existing sources?

Inspector's Reasoning

Issue i)

4.96 The objector is concerned that the policy might encourage businesses to propose noisy uses to protect their potential future business interests, and that the policy wording should be strengthened to protect against this. However, the first paragraph of the policy would afford protection from proposals which would be potential sources of noise. The requirement to protect noise-sensitive development from existing or potential sources of noise is in accordance with PPG24 (paragraph 12).

Issue ii)

4.97 I agree with the Council that the policy as worded can take account of noise generated from more than one source.

Recommendation: no change

Chapter B6 - Policy ES.13 and Paragraph B6.37

3126/B5	Bath Friends of the Earth	ES.13
3227/B1	Western Power Distribution	ES.13
1464/C4	Health & Safety Executive	ES.13/A

Supporting Statements

1984/C8	National Grid Transco	B6.37/A
1984/C11	National Grid Transco	B6.37/A
120/B58	Ms Helen Woodley	ES.13
2695/B6	The Springs Foundation	ES.13
120/C140	Ms Helen Woodley	ES.13/A
120/C141	Ms Helen Woodley	ES.13/B
1464/C5	Health & Safety Executive	ES.13/B
1984/C7	National Grid Transco	ES.13/B
1984/C12	National Grid Transco	ES.13/B
120/C142	Ms Helen Woodley	ES.13/C
1464/C6	Health & Safety Executive	ES.13/C
120/C143	Ms Helen Woodley	ES.13/D
1464/C7	Health & Safety Executive	ES.13/D

Issue

- i) Whether high pressure gas pipelines and major hazard sites should be marked on the Proposals Map?

Inspector's Reasoning

4.98 There were several objections to references to electromagnetic fields in paragraph B6.37 which have been met by the deletion of this paragraph in the RDDLP.

4.99 I appreciate the importance of being aware of the locations of hazardous installations, including high pressures pipelines, but to include such information on the Proposals Map would result in an even more confusing level of detail. There is also the risk of the Proposals Map becoming out of date during the life of the Plan. Information on hazardous installations should be held on the constraints database of the Council to ensure appropriate consultations are triggered when applications near such installations are submitted.

Recommendation: no change

Chapter B6 - Policy ES.14

687/B8

Peasedown St John Parish Council

ES.14

Issue

- i) Whether the Policy should require proposals to take into account the proximity of high pressure gas mains?

Inspector's Reasoning

4.100 This issue would be covered by the last paragraph of Policy ES.13 and by Policy ES.3, and would be addressed at the development control stage through consultation with the Health and Safety Executive. The proximity of high pressure gas mains does not need to be referred to in Policy ES.14.

Recommendation: no change

Chapter B6 - Policy ES.15 and Paragraph B6.43

Supporting Statements

1427/B63	Environment Agency – these were listed as objections but are in support	B6.43
1427/B64	Environment Agency	ES.15
2585/B6	Wessex Water	ES.15
120/C150	Ms Helen Woodley	ES.15/A

1427/C199	Environment Agency	ES.15/A
3257/C118	Somer Valley Friends of the Earth	ES.15/A
3511/C9	British Waterways	ES.15/A

SECTION 5 - CHAPTER B7

Chapter B7 - General and Paragraphs B7.1-B7.2

696/B16	South West RSL Planning Consortium	B7
721/B28	Government Office for the South West	B7
740/B8	Saltford Parish Council	B7

Supporting Statements

696/B13	South West RSL Planning Consortium	B7.1
3251/B33	Prospect Land Ltd	B7.1
3251/B32	Prospect Land Ltd	B7.2
696/B14	South West RSL Planning Consortium	B7.5

Comments on Suggested Unadvertised Inquiry Change IC22

696/H92-s	South West RSL Planning Consortium	IC22 (Chapter B7-various refs)
2634/H4	Mr J Hodges & Others	IC22 (Chapter B7-various refs)
3126/H172	Bath Friends of the Earth	IC22 (Chapter B7-various refs)

Issues

- i) Is a policy required to encourage the provision of housing to meet special needs, with a proportion of new units to be capable of adaptation as "Lifetime Homes?"
- ii) Is the distribution of housing development too dispersed with an over reliance on Norton-Radstock and rural settlements where employment and services are limited and more residential development would lead to increased car borne commuting?
- iii) Should there be separate policies for householder developments in general and for backland development?
- iv) Whether the text of the plan should be changed to reflect the findings of the West of England Housing Need and Affordability Model (WEHNAM) 2005 (IC22).

Inspector's Reasoning

Issue i)

5.1 The internal layout of dwellings is outside the remit of matters dealt with under the Town and Country Planning Acts, but it is subject to the control of Building Regulations. Policy HG.2 seeks a mix of dwellings within residential developments to meet the needs of specific groups referred to in the Plan, but I conclude in relation to that policy that it provides no clear measure against which provision can be assessed, and in the absence of any clear assessment of need for different types of housing, the plan has no basis on which to be prescriptive about the mix of different house types which should be built. Nevertheless, I recommend an addition to Policy HG.1 which recognises the desirability of providing a

mix of development. I therefore consider that no further change would be appropriate to meet this objection.

Issue ii)

5.2 This objection relates to the strategy set out in the DDLP. To meet the objection, the RDDLP proposes a revised approach to the distribution of residential development, with the majority to be provided within the Principal Urban Area (PUA) of Bath. However, in looking at the sites proposed within Bath, I conclude that they are unlikely to provide sufficient housing during the plan period to meet housing requirements. I therefore recommend a return to a number of sites identified in the DDLP, together with the investigation of a number of employment sites in the Norton-Radstock area which may be redundant. Whilst I recognise the high level of car borne commuting from settlements such as Norton-Radstock, it is essential that sufficient housing land is identified to meet requirements during the current plan period, and the sites which I identify for consideration are likely to provide the most sustainable options in terms of the sequential approach. Furthermore, the addition of new housing to the other urban areas and larger settlements within the District would add to the potential to maintain and improve existing services, in particular public transport provision, thus adding to the sustainability of those settlements.

5.3 As the Western Riverside site in Bath is progressed, I have no doubt that it will make a substantial contribution to housing land supply towards the end of the current plan period and beyond. Together with a review of the Green Belt around Bath, I have no doubt that there will be a good prospect of concentrating housing land supply within the principle urban area of Bath. However, in this plan period I see no alternative to the release of land at other settlements in order to meet the very real need for a satisfactory supply of land which is genuinely available for development before 2011.

Issue iii)

5.4 It is clear that the policies listed in the Council's response to this objection (D.1, D.2, D.4, T.20 and T.24) would provide adequate control over householder and backland development.

Issue iv)

5.5 I deal with the findings of the WEHNAM study in relation to Policies HG.2 and HG.8 where I recommend changes to the Plan. The wording of paragraphs 7.14-7.16 is covered under Policy HG.8., where I also recommend the deletion of Quick Guide 12.

Recommendation: no change

Chapter B7 - Policy HG.1 and Paragraph B7.10

3233/B6	Mr & Mrs M Williams	B7.10
447/B33	Wilcon Homes	HG.1
485/B15	Prowting Projects Ltd	HG.1
580/B7	Hignett Brothers	HG.1
2310/B6	Beechcroft Developments	HG.1
2313/B1	Bryant Homes (Taylor Woodrow)	HG.1
2707/B1	Crest Strategic Projects Limited	HG.1
3265/B3	Mr D E Packman	HG.1
3271/B3	Bellwish Limited	HG.1

Supporting Statement

3251/B31	Prospect Land Ltd	HG.1
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Issues

- i) Whether the Local Plan should provide for a supply of housing to comply with the requirement of the Structure Plan, or whether the provision should be based on the housing figures set out in RPG10.
- ii) Whether the Local Plan should provide for a ten year supply of housing from the date of adoption.
- iii) Should there be a table of allocated housing and mixed use sites which include housing to illustrate which sites are relied upon to deliver the housing land supply?

Inspector's Reasoning

Issue i)

- 5.6 Although the JRSP is the most recently adopted development plan, its adoption was delayed by Direction from the Secretary of State in March 2000, and its preparation preceded that of RPG10. The Secretary of State's Direction required a substantial increase in the housing figures for 1996-2011 to 54,300 in accordance with the recommendation of the EIP Panel. The Panel's figures were closer to those set out in RPG10 which was published in September 2001. RPG10 set an annual provision for the former Avon area of 3,700 dwellings per year from 1996-2016, which would represent a total of 55,500 from 1996-2011.
- 5.7 Work carried out by the four authorities comprising the former Avon area led to a proposal to amend the JRSP figure in Policy 33 to 50,200 dwellings, and a process and timetable for the review of the Structure Plan was also initiated. The Direction was subsequently withdrawn, and the JRSP was adopted in September 2002.
- 5.8 The Council argues that by application of s.38(5) of the Planning and Compulsory Purchase Act 2004 and in accord with advice in PPS11 and PPS12, precedence should be given to the policies of the JRSP since this was adopted more recently than RPG10. This applies in particular to Policy 33, since the other policies of the plan were agreed for adoption in

2001, before the issue of RPG10. I shall return to the issues arising in respect of the other policies of the JRSP later in my report.

- 5.9 In considering the matter of precedence for RPG and the JRSP, s.38(6) of the 2004 Act provides an exception to the position where material circumstances indicate otherwise. Although the Council argues that there are no such material circumstances in relation to Policy 33, I do not agree.
- 5.10 RPG10 postdates the preparation of the JRSP and its housing supply figures are based on more up to date data. It was only the delay caused by the Secretary of State's Direction which prevented the adoption of the JRSP before the issue of RPG10, and it was only the requirement figures which were in dispute, not the policy framework and strategy. The housing figures as adopted in the JRSP were higher than those proposed in the Deposit Draft, but they did not reflect the more up to date population and household projections used in the preparation of RPG10 and consequently fell short of the RPG figures. The Secretary of State considered the modified JRSP figures would "go a long way" to meeting the concerns set out in the original Direction, and he noted the commitment of the four authorities to monitor the supply of and demand for housing in the area and keep under review the need for policy modification or supplementary strategic guidance. It was on this basis that he withdrew his objection; the direction was not withdrawn as a result of the Secretary of State's approval of the new figure.
- 5.11 The promised review of the Structure Plan has not taken place and the Council argues that without the apportionment of the 55,500 dwellings in RPG10, there is no basis for the Local Plan to derive its housing land supply figures from the RPG. However, it is clear that the housing figures in RPG10 are more up-to-date and thus in accord with national policy guidance than those in the JRSP, and as a result I consider that they cannot be ignored in setting the appropriate level of housing land provision for the Local Plan. The level of provision for the Local Plan period as set out in RPG10 is a matter which should be given significant weight as a material consideration in the Local Plan.
- 5.12 National policy has evolved since 2002 with the statement of the Housing Minister of 17 July 2003 which emphasises the importance of removing barriers to the provision of sufficient new homes in the right place at the right time. The 2003 Budget and the Barker Report added further weight to the over-riding objective to deliver the required housing provision. That provision should be as set out in up-to-date regional planning guidance, and normally it would be cascaded down through the structure plan, which would apportion it to individual districts, on to local plans to identify specific allocations to meet that share of the provision.
- 5.13 Although the four authorities had produced a programme for the review of the Structure Plan, for a number of reasons no such review has taken place. The preparation of a new sub-regional strategy to apportion either the RPG10 requirement for Avon or a revised RSS requirement and to guide the preparation of new local development frameworks is at an early

stage. It could therefore be some years before either the existing RPG10 housing requirements or a revised requirement is apportioned between the four former Avon authorities, and further time would then be required to identify and allocate housing sites within new LDFs.

- 5.14 In view of the priority placed by Government on the delivery of new housing I consider that the Council's approach, which is to wait for these processes to take their course, is ill conceived. By the time the new system of development plans has set a new requirement for the district and identified suitable sites, a significant part of the remaining period of this local plan will have passed. With provision in this local plan based on the JRSP, development rates will increasingly fall behind the rate implied by RPG10. To achieve the RPG rate of provision for the period 1996 to 2016 a very substantial increase in building rates would be required post 2011. As my colleague calculated in his report on the South Gloucestershire Local Plan Inquiry, that increase would be in the region of 40%. This would require a substantial leap in the rate of delivery by house builders, which may not easily be achieved.
- 5.15 Even if there was a downward revision of the RPG10 figures, or B&NES was not required to meet the same proportion of RPG10 provision as established in the JRSP, it would be preferable (and more easily achieved) to slow down the release of housing land than to risk the need for such a significant increase post 2011.
- 5.16 I therefore consider the level of housing provision set out in RPG10 to be a material consideration to which much weight should be attached in the interests of securing an adequate supply of housing in the period to 2011, and a smooth transition to meeting the requirements of a future RSS or sub-regional strategy. The housing requirement in Policy HG.1 should be revised to take the RPG10 provision into account.
- 5.17 The RPG10 figure has not been apportioned between the four local authorities, and having regard to the environmental constraints to which B&NES is subject, I consider it would be unrealistic to increase the share of 12.3% given by the JRSP. On this basis, and taking into account demolitions, the figure in HG.1 should be revised to 6855 dwellings in the period 1996-2011, an annual rate of 457 dwellings. This represents an increase of about 10%, and I acknowledge the concerns expressed by the Council and other parties about the constraints to development within B&NES. However, I assess elsewhere the sites dropped from the DDLP and other sites put forward by objectors and my conclusions demonstrate that this level of development can be achieved in a sustainable manner without incurring unacceptable difficulties. Although new housing development would be more dispersed through the District, it would still be concentrated within the main urban areas and R1 settlements which would accord with the strategy of the JRSP.

Issue ii)

- 5.18 I consider that the work carried out for the preparation of and Inquiry into this Local Plan would have been substantially increased in value if the plan covered a period of ten years from the likely date of adoption. Although the JRSP only covers the period to 2011, the Council had RPG10 to guide provision to 2016 and this should not have been ignored. With adoption unlikely before mid 2006, the plan period will have less than five years to run. However, rather than put more resources into modifications which would increase the lifetime of this plan, I consider that every effort should be made to produce an early replacement through the introduction of the new LDF process. Subject to the priorities identified in the Council's Local Development Scheme, I recommend that the Council give priority to the production of a site allocations Development Plan Document which provides for a 10 year supply based on the annualised figure derived from RPG10.
- 5.19 In the absence of a ten year supply of housing land, I consider it is even more important that the housing land supply for the plan period reflects the longer term rates set out in RPG10. The plan should seek to achieve a steady rate of housing land supply over its remaining period at a rate which reflects the longer term context as set out in the approved RPG rather than take the risk of seeking to increase rates of housebuilding sharply in the next plan period.

Issue iii)

- 5.20 Although Policy GDS.1 identifies all development sites and sets out broad development principles, the schedule includes all major development sites. I agree that the inclusion of a schedule of allocated housing sites, which also identifies the housing element of mixed use sites, would make the housing chapter more easy to follow, and would enable sections of the text which refer to specific sites to be deleted.
- 5.21 A table of allocated sites has been produced as Appendix 3 to the Council's Topic Paper 2.3 which goes some way to meeting this requirement, but the table would be of more value if it included further information, including the location of the site; whether previously developed or greenfield; and the likely timetable for delivery.
- 5.22 Following my recommendations as to future housing allocations which I set out later in this Section, the table should list the allocations which will make up the overall housing provision, as set out in an amended Policy GDS.1, and which will include sites from the DDLP and some of the omission sites in order to provide a readily available supply of housing land. I consider that the table would be most appropriately located after the text at paragraph B7.43, although with a table of allocations in place, the text within paras B7.28 to B7.43 should be edited to take out detailed reference to sites which are covered within the table of allocations and subject to Policy GDS.1.

Recommendations:

R5.1 Modify Policy HG.1 by deleting "6,200" and inserting "6,855".

R5.2 Subject to the priorities identified in the Local Development Scheme, the Council give priority to the preparation of a Development Plan Document to provide a ten year supply of housing land based on an annualised figure derived from RPG10.

R5.3 A **table of allocated sites** be prepared as in Appendix 3 to Topic Paper 2.3 with the addition of the location of the site, whether previously developed or greenfield, and the likely timetable for delivery. The new table to be inserted following the text in para B7.43, subject to the editing of that text to take into account changes in the sites to be allocated under Policy GDS.1.

Chapter B7 - Policy HG.2 and Paragraphs B7.11-B1.17

601/B13	House Builders Federation	B7.11
3299/B14	Bovis Homes (South West Region) Limited	B7.14
2641/C10	David Wilson Homes	B7.17C/A
3257/C123	Somer Valley Friends of the Earth	B7.17C/A
696/C56	South West RSL Planning Consortium	B7.17D/A
2641/C11	David Wilson Homes	B7.17D/A
2310/B7	Beechcroft Developments	HG.2
2965/B10	Morley Fund Management Limited	HG.2
3097/B5	Mr M Swinton	HG.2
3098/B22	George Wimpey Strategic Land	HG.2

Supporting Statements

S3257/C119	Somer Valley Friends of the Earth	B7.17/A
S3257/C120	Somer Valley Friends of the Earth	B7.17/B
S3257/C121	Somer Valley Friends of the Earth	B7.17A/A
S3257/C122	Somer Valley Friends of the Earth	B7.17B/A
S696/B15	South West RSL Planning Consortium	HG.2
S3251/B30	Prospect Land Ltd	HG.2

Issues

- i) Whether the assessment of housing needs through the Housing Needs Survey 2000 is unclear and whether the need for affordable housing is inflated.
- ii) Whether the targets in Quick Guide 12 are unclear.
- iii) Whether the figure of 1,732 affordable homes in para B7.14 can be justified and whether an up to date survey is required.
- iv) Whether paragraphs B7.17C and B7.17D are correct in relation to homelessness and provision of affordable housing.
- v) In Policy HG.2 2 should the term "large" be clarified?

- vi) Is Policy HG.2 too general to be of use and should criterion 1 be deleted.
- vii) Should reference be made to the needs of the elderly?
- viii) Is there a need for more control over extensions to secure smaller units?

Inspector's Reasoning

Issues i) ii) & iii)

- 5.23 In addressing the issue of affordable housing the Council drew on the final report of the West of England Housing Need and Affordability Model (WEHNAM) as subsequently amended at the Inquiry. This study was undertaken in 2004/5 by Prof Glen Bramley, and was subject to considerable detailed debate. I deal with the issue of affordable housing, including paragraphs B7.14-16 under Policy HG.8, and also recommend the deletion of Quick Guide 12.
- 5.24 The Council stated that the 2000 Survey was still relied on to provide the information in Tables 2 and 3 on the mix and size of dwellings so as to inform Policy HG.2, but it seems to me to be entirely inconsistent to rely on different studies for parts of the plan which are connected through their concern with housing needs. In any event, Table 2 is an expression of what exists (at 2000), and in itself makes no particular contribution to the Plan. Table 3 provides an assessment of housing requirements to 2005. By the time the Local Plan is adopted, Table 3 will be out dated and it would therefore serve no useful purpose for it to be retained. As a result I consider that both tables should be deleted.

Issues iv) & vii)

- 5.25 Paragraph B7.17C records matters concerned with the management of housing which have no relationship with plan policies and should therefore be deleted.
- 5.26 Paragraph B7.17D targets specific policies of the plan, but in my view adds little to its substance. I also agree with David Wilson Estates that it is the overall provision of all types of housing which will contribute to the relief of homelessness. I therefore recommend this paragraph be amended in accordance with my recommendation below.
- 5.27 Policy HG.2 makes no specific reference to housing for the elderly, and paragraphs B7.17A and B have been inserted to meet the objection. Paragraph B7.17A is very general in its content, and gives no indication of the numbers of elderly in the District for whom provision may need to be made. As such, it makes no contribution to the policies of the plan or its future implementation and should be deleted. Paragraph B7.17B refers to policies without any specific references and it is unclear whether these can be found in the plan or whether they are to be produced in the future. I

recommend changes to this paragraph to ensure that provision for the elderly is included in the consideration of an appropriate mix of housing.

Issues v) & vi)

- 5.28 Policy HG.2 is worded for use as a tool in development control, but criterion 1 is a statement rather than a clear measure against which a proposal may be assessed. The criterion refers to the identified needs set out in the plan, but it is not clear where these can be found. The only numerical indication of requirements is in Table 3 which will soon be out of date, and which I recommend be deleted. There is also a reference to the 2000 Housing Survey but in view of the approach taken to this survey by the Council in relation to affordable housing, I consider that reference should be dropped in the interests of consistency.
- 5.29 Without a proper assessment of need for different types of housing to the end of the plan period, the plan cannot be prescriptive about the mix of housing to be built. As a result I consider that Policy HG.2 should not be retained in its current form which is too general and imprecise for development control. However, I agree that the intention of seeking a mix of development is one which it is appropriate to include within the plan, and consider that it should be added to Policy HG.1.
- 5.30 In criterion 2 the word large reflects the wording of paragraph 10 of PPG3. However, the criterion goes farther than the PPG in referring to "the consolidation" of large areas. PPG3 is concerned with avoiding the creation of large areas of housing of similar type. I suggest an addition to be made to HG.1 which would reflect PPG3, and therefore recommend the deletion of HG.2.

Issue viii)

- 5.31 Where there is a need to retain small units as one or two bedroom dwellings, there are powers to remove permitted development rights such that any extension to the property would need planning permission. Whilst these powers need to be used with caution to avoid any undue limitation on property rights, it would be inappropriate to seek any additional level of control through a policy in the plan.

Recommendations:

R5.4 Modify the plan by deleting Paragraph B7.17A.

R5.5 Modify paragraph B7.17B by deleting the existing text and inserting:

"There are significant numbers of elderly people within the District, especially those over 80 years of age. These numbers are projected to grow during the plan period. The mix of dwellings to be provided under Policy HG.1 should include accommodation to meet the needs of the elderly including sheltered housing, flats and bungalows."

R5.6 Modify the plan by deleting paragraph B7.17C.

R5.7 Modify paragraph B7.17D by deleting the existing text and inserting:

“The increasing incidence of homelessness within the District will be addressed through the provision of a supply of housing in accordance with regional requirements. This will include a proportion of affordable housing through policies HG.8 and 9, together with residential accommodation over retail units through Policy HG.12. Proposals for temporary accommodation will be assessed against a range of policies in the Plan.”

R5.8 Modify the plan by deleting the words in paragraph B7.18 from “Policy HG.2 acknowledges”.

R5.9 Modify the plan by deleting paragraph B7.18A.

R5.10 Modify Policy HG.1 (as recommended to be amended) by adding:

“The provision will incorporate a mix of dwelling size, type, tenure and affordability to meet the needs of specific groups such as the elderly or first time buyers. New housing developments should avoid the creation of large areas of housing of similar characteristics.”

R5.11 Modify the plan by deleting Policy HG.2.

Chapter B7 - Housing Need -General Approach Paragraphs B7.19-B7.27

There are large numbers of representations to this policy; details are listed at Appendix 1

Issues

- i) Does the Local Plan correctly follow the PPG3 sequential search process?
- ii) Whether adequate provision is made for housing in settlements outside the main urban areas.
- iii) Should reference be made in B7.21 to major existing development sites?
- iv) Was the Urban Housing Capacity Study (UHCS) carried out in accordance with Government advice, and should the Study have considered the potential of previously developed land within settlements other than Bath, Keynsham, and Norton-Radstock?
- v) Are the allowances for small and large brownfield windfall sites appropriate?
- vi) Whether the target for 60% additional homes in B7.23 on brownfield sites and through conversions is realistic?

- vii) Is adequate weight given to the biodiversity contribution and wildlife importance of brownfield sites, and should the release of greenfield sites at Keynsham be reconsidered to ensure that brownfield sites of biodiversity and wildlife importance are not lost to development?
- viii) Is it necessary to have a 10% allowance for non-implementation of sites with planning permissions and allocated sites, having regard to the reliance on brownfield allocations, or would a 25% flexibility allowance on previously developed land be appropriate?
- ix) Is the empty property figure appropriate and should it be added to the overall housing need figure?
- x) Would less greenfield land be required for housing if more residential development was accommodated on brownfield sites instead of business development?
- xi) Does the plan provide for a five year supply of housing in accordance with para 34 of PPG3?

Inspector's Reasoning

Issues i) & ii)

- 5.32 PPG3 para 32 sets out the order of priority for the identification of sites for housing in Local Plans. The presumption is that previously developed sites (or buildings for re-use or conversion) should be developed before greenfield sites, unless previously developed sites perform less well on the sustainability criteria listed in para 31 than a particular greenfield site. The RDDLP follows this approach in so far as it seeks to concentrate development on previously developed sites within the main urban area of Bath. Those greenfield sites which form a part of the housing land supply generally reflect commitments in earlier plans or sites with an existing planning permission. I therefore consider that there is no conflict in terms of para 32 of PPG3.
- 5.33 However, Government policy is also clear that sites allocated for residential development in a Local Plan must be genuinely available for development. Although B&NES proposes to meet a large proportion of its housing land requirement to 2011 on brownfield sites, the strategy will not work where sites are constrained and unlikely to provide the level of housing in the timescale anticipated in the plan. I consider the deliverability of the sites allocated in the RDDLP and find that they are unlikely to deliver the scale of development anticipated by the Council. I then consider other sites either proposed in the DDLP or by objectors. In my view the housing land requirements which I have identified could be met on sites identified in accordance with the sequential approach set out in PPG3.
- 5.34 In terms of the location of residential development, the plan provides for very limited allocations within the rural areas, and opportunities for

windfall developments are limited by the proposed wording of Policies HG.4, .5, and .6, which I consider later in this Chapter. The Council cites the locational strategy of the JRSP in support of the approach adopted. Furthermore, GOSW raised an objection to the DDLP on the basis that residential development was too dispersed. Policy 2 of the JRSP requires development to be concentrated at the main urban areas which include Bath, and otherwise to be located at settlements with good access to jobs and local services which are well served by public transport. This Policy largely accords with the locational strategy of RPG10, which requires major development to be concentrated in the principal urban areas, with towns identified to accommodate smaller scale development to serve local needs and to make services available to the wider rural areas of the region.

- 5.35 It is clear that any major development at settlements outside the main urban areas would be contrary to strategic policy. However JRSP Policy 2h) allows for limited development at rural settlements appropriate to their character, setting and accessibility to local facilities and employment. This accords with para 3.14 of RPG10 which states that at the local level, development plans should include the appropriate level of development at smaller market towns and key villages.
- 5.36 It is through some limited development in rural settlements that the economic and social vitality of rural areas will be maintained, and this is recognised in para 2.98 of the JRSP. This approach accords with PPG3 which recognises that infill development or peripheral expansion may be appropriate in suitable locations. Provided the development is small in scale, it would not create the concerns which would arise with large scale dispersal of growth. Whilst I endorse the overall strategy proposed in the plan, I consider that the policies of the plan should provide more opportunities for appropriate small scale development within the rural settlements. To a limited extent the amendments to Policies HG.4, .5, and .6 which I recommend later in this Chapter, would increase opportunities within the rural settlements. However, this is an issue to which further consideration will need to be given in the preparation of the new housing DPD.

Issue iii)

- 5.37 I agree with the Council that B7.21 is cast in general terms and that reference to a particular category of site would be inappropriate here.

Issues iv), v) & vi)

- 5.38 The table under paragraph B7.25 sets out how the requirement for housing land will be met during the plan period, with April 2003 as the base date. This table has been updated to April 2004 as Table 1 in Topic Paper 2, and it is the figures in the updated Table to which I refer.
- 5.39 The UHCS has contributed to the calculation of the future level of large and small windfall housing sites as part of the housing land supply during

the plan period. A total of 800 dwellings are expected to come forward from these sources. A number of criticisms are made of the methodology adopted for the UHCS, but I propose only to address the most significant of these.

- 5.40 The Council argues that it has followed advice in Tapping the Potential, and that this is only a best practice guide. Be that as it may, where the government has considered it sufficiently important to issue such advice, I consider that it is incumbent on Local Planning Authorities to follow it unless there are very good reasons for not doing so.
- 5.41 Taking first the choice of urban areas selected for the study. B&NES has focused on the three urban areas of Bath, Keynsham and Norton-Radstock on the basis that these are the locations in which the policies of the RPG and the JRSP require most development to be concentrated. Whilst I endorse the strategy of seeking to concentrate development in these areas, I consider that this is not a good reason to undertake such a limited study. Tapping the Potential makes it clear that a wide range of settlement types can contribute to sustainable development, and that the study should identify as many sources of capacity as possible within the area of search.
- 5.42 I do not accept that a simple statistical approach to the selection of settlements would in itself be appropriate as suggested on behalf of David Wilson Estates, but B&NES has carried out a classification of settlements generally based on sustainability criteria. Tapping the Potential states that a wide range of settlements can contribute to sustainable development and that a previously developed site in a village could provide the opportunity for essential new homes, which could in turn help to sustain local shops and services and public transport. To include those identified as R1 settlements within the UHCS would therefore be entirely in accord with Government advice, and opportunities for small scale development which would accord with the approach established in the JRSP and RPG could be identified. Furthermore, a wider selection of settlements to be included within the UHCS would also have provided a more comprehensive indication of the potential for windfall development across the District.
- 5.43 The other main area of criticism relates to the lack of involvement of the private sector in relation to discounting capacity. B&NES accepts that the private sector has not been involved as consultants in the process, but economic and market advice has been sought by the Council from DTZ¹. In my view such advice from a consultant is no substitute to the more rigorous test which would result from working in partnership with others involved in the housing market and I would encourage the Council to ensure that any future UHCS is properly tested in this way.
- 5.44 In view of the shortcomings of the UHCS, I agree with objectors that it fails to provide a credible basis for the assessment of large and small

¹ CD B7.1.20

brownfield windfall developments. However, the figures proposed in the plan exclude the potential arising from sites with planning permission and allocated sites to avoid double counting. They have also been tested against past trends and are conservative in comparison with the levels which have actually been achieved prior to 2004. Although the plan relies on some windfalls resulting from conversions, the re-use of commercial sites for housing accords with Government policy, and I recommend changes to employment policies within the plan to enable an appropriate balance to be struck.

- 5.45 One objector considers that the allowance for large brownfield sites should be increased because of potential at the 7 hectare MoD site at Warminster Road, but there is no certainty that a site of this size would come forward as a windfall. Indeed, I consider that once there is no doubt as to its availability, it would be more appropriately considered as a potential allocation in the new housing DPD.
- 5.46 Even taking into account all the other factors raised by objectors which are likely to lead to a reduction in the future contribution of windfall sites, I find no reason to disagree with the overall figures assessed by the Council.
- 5.47 However, in view of my conclusions on the shortcomings of the UHCS and my conclusions set out elsewhere in this report on the contribution which allocated brownfield sites will make to housing land supply to 2011, I find no justification for the target for new development on brownfield sites to be different from the RPG10 figure of 50%.

Issue vii)

- 5.48 Whilst the wildlife and biodiversity value of brownfield sites is an important consideration, it is a matter which will need to be addressed on a site specific basis since it is unlikely to apply to every such site. There are policies in the Natural Environment section of the plan which are concerned with maintaining biodiversity, and development schemes will fall to be tested against these.
- 5.49 It is Government policy to make the most efficient use of previously developed land, and there is a need to strike a balance between this policy priority and the interests of maintaining biodiversity. Whilst I comment later on the approach taken by the Council to the Radstock Railway Land, I consider that the policies of the plan generally enable future decision makers to make a balanced judgement on a site specific basis.

Issue viii)

- 5.50 Some 750 dwellings are identified as to be provided by sites with planning permission at April 2004. These include sites such as the redevelopment of Southgate for which I undertook the Inquiry and report into the CPO. From the evidence which I heard at that Inquiry and from objectors into

the Local Plan, it is far from certain that the scheme will be complete by 2010 as anticipated by the Council. The residential element would be built in the later phases of the scheme, therefore its contribution to housing supply before 2011 is not guaranteed. The practice of discounting from the projected provision from sites with planning permission should not be necessary where a system of plan, monitor and manage has been established. However, the short time remaining of the period of this plan does not lend itself to the effective application of plan, monitor and manage. In these circumstances I consider that it is appropriate to apply a discount in the RDDLP figures which would allow for slippage on sites such as Southgate, as well as provide some flexibility in the event that extant permissions are not renewed.

- 5.51 The April 2004 Residential Land Survey indicates that some 141 dwellings were under construction. I consider that a discount of 10% from the remaining 610 dwellings would be prudent, reducing the contribution from 750 to 690 dwellings.
- 5.52 As to a discount for the allocated sites, I consider that with a realistic and conservative assessment of the contribution which allocated sites will make to housing land supply during the plan period, it would not be necessary to incorporate a discount. I review the contribution which the allocated sites are likely to make to supply below.

Issue ix)

- 5.53 The projected rate of re-use of empty properties was calculated for the JRSP and the figures were taken away from the total housing requirement. At 80 properties for the remainder of the plan period in B&NES, the figure is conservative and the Council does have a strategy which sets out the proactive steps which it is taking to bring empty properties back into use. In these circumstances I find there is no need to add the 80 dwellings back into the housing land requirement. Paragraph B7.35 will require amendment to reflect the new figure.

Issue x)

- 5.54 This issue would be largely met by the housing land provision put forward in the RDDLP which significantly reduces the level of housing to be provided on greenfield sites. However, in my judgement it is unlikely that the brownfield sites identified in the plan will deliver the level of housing expected by the Council during the plan period, and I recommend later in this section that consideration is given to a number of sites which include greenfield sites.
- 5.55 Nevertheless, it remains appropriate for the plan to include an element of employment development on brownfield sites to ensure that the sort of mixed use scheme encouraged in Government policy is achieved. The location of housing and employment uses in close proximity can encourage more sustainable forms of transport such as walking and cycling to work. Furthermore, brownfield sites offer a more sustainable

location for employment development since they are likely to be more accessible by a range of transport modes. Whilst there are some employment sites which I recommend later for consideration as residential allocations, I would not consider such a change in use would be appropriate in all cases, and my recommendations in relation to the employment policies reflect this view.

Issue xi)

- 5.56 PPG3 para 34 requires Local Plans to show a five year supply of housing on the Proposals Map. Taking the starting point of a requirement for 6855 dwellings 1996-2011 and deducting completions as at April 2004 of 3250 (Table 1, Topic Paper 2), leaves a residual of 3605 dwellings to be provided from 2004 to 2011. Over the seven year period this amounts to 515 dwellings per annum. In the event that the advice in PPG3 was to be adopted, there would be a requirement to show sites allocated on the Proposals Map to accommodate 2575 dwellings for a five year supply. PPG3 makes it clear that windfall developments should not be taken into account to meet this provision, but I consider that it would be reasonable to take into account large sites with planning permission as part of the five year supply. Taking into account the 10% discount, this would result in a contribution of 690 dwellings, leaving a requirement for allocated sites for 1885 dwellings to be shown for the period 2004-2009.
- 5.57 However, the plan does not provide a ten year supply of land from the likely date of adoption, and I have concluded that in view of the introduction of the new system of LDFs, it would be preferable for resources to be used in the production of a new DPD rather than in seeking to provide a ten year supply in this plan. In the absence of a ten year supply, I consider that the plan should be rigorous in its provision of sites to meet the requirement over the plan period to 2011, and sufficient site allocations should be identified to meet that requirement. In identifying sites for this slightly longer period, I consider that it would be reasonable to take into account the expected windfalls of 800 dwellings. The land required in addition to sites with planning permission and expected windfalls to provide for the period 2004 to 2011 would therefore be for: $3605 - 690 - 800 = 2115$ dwellings to 2011. However, to save time and resources for the Council, rather than include the sites on the Proposals Map, sites for 2115 dwellings should be listed in a table of allocations as recommended above.
- 5.58 Changes would be required to the table under paragraph B7.25 to update it in accordance with Table 1 in Topic Paper 2, and to reflect the RPG10 figures. Furthermore, since I am recommending all allocations should be listed on a Table within the plan, the new table can be reduced in its detail.

Recommendations:

R5.12 Modify paragraph B7.23 by deleting "60%" in the penultimate line and inserting "50%".

R5.13 Modify paragraph B7.25 by deleting the table and inserting Table 1 from Topic Paper 2, subject to the following changes to Table 1:

line 2 delete "750" and insert "690";

line 3 delete "On large brownfield sites" and insert "From allocated sites listed in Table "; delete "1430" and insert "2115";

line 7 delete;

line 8 delete "6300" insert "6855";

line 10 delete "6270" insert "6825".

R5.14 Modify all references to figures in the Table in the reasoned justification in Chapter B7 to those in the modified Table set out in R5.13 and update figures where relevant

R5.15 Modify paragraphs B7.28 to B7.43 by editing the text to take out detailed references to sites which are covered within the table of allocations and subject to Policy GDS.1; delete "90" in B7.35 and insert "80".

Chapter B7 - Housing Need - Brownfield Sites, Brownfield Windfall sites etc: Paragraphs B7.28-B7.43

There are large numbers of representations to this section; details are listed at Appendix 1

Where the representations relate to issues already covered I do not repeat those issues here.

Issues

- i) Whether the capacity of the brownfield site allocations has been realistically assessed, and the extent to which they will contribute to housing land supply during the plan period.
- ii) Should the level of housing to be accommodated on the Radstock Railway land be reduced to take into account the importance of the site for wildlife and biodiversity conservation?
- iii) Whether the Paulton Printing Factory allocation is in a sustainable location.
- iv) Should greenfield housing sites deleted from the DDLP be reinstated?
- v) What reference should be made to other sites put forward as potential allocations in the plan?

Inspector's Reasoning

- 5.59 The first three issues raised in this section relate to the sites proposed by the Council to accommodate residential development under Policy GDS.1. I cover in detail the wording and content of the policies for these sites in Section 7 of my report. Issue v) relates to the omission sites proposed by objectors for housing development which are listed and dealt with in Section 8.
- 5.60 In this section I deal with the extent to which the sites allocated in GDS.1, apart from those with planning permission, will contribute to the housing land requirements, and indicate any additional sites which I consider should either be included in the list of allocations, or reconsidered by the Council for allocation. The contents of the table of allocations should be based on those sites which are adopted following my recommendations in this section, taking into account any more detailed consideration and recommendations as to Policy wording in Sections 7 and 8 of the report. Setting aside the sites with planning permission, it is essential that the sites selected for allocation are available to deliver a total provision of 2115 dwellings by 2011.
- 5.61 In my assessment of the brownfield sites proposed in the Local Plan, I take a robust view of the level of housing which each site may be expected to provide during this plan period. Where that figure is lower than the proposal in the RDDLP it is not because I disagree with the Council's strategy of giving priority to brownfield allocations, but because it is Government policy to allocate sites which are realistically available for development. In my assessment of what could be delivered from the brownfield sites, I take into account the level of constraints to which they are subject, and the importance of taking a comprehensive approach to ensure that the development value of relatively unconstrained areas will contribute to the costs of more difficult areas.
- 5.62 It was suggested at the Inquiry that to reduce the provision from brownfield sites such as Western Riverside and recommend greenfield sites to make up the numbers would send the wrong message. However, my message is not that the brownfield sites should not be developed, but that far more work needs to be done to ensure that constrained brownfield allocations are genuinely ready for implementation before any reliance is placed on them to provide for a significant part of the housing land supply. This is of particular importance for the RDDLP since the plan has a relatively short timespan and a heavy reliance on sites which are not genuinely available would result in significant shortfalls in housing land supply. It is only through the allocation of brownfield sites which are genuinely available for development that credibility can be secured in the strategy of giving priority to brownfield first; and an outcome which would fail to deliver an adequate supply of land, a key priority of Government policy, can be avoided.

Issues i) - iii)

- 5.63 The Council sets out a table of allocated sites, including sites with planning permission, as Appendix 3 to Topic Paper 2.3. I have dealt with the contribution to be assumed as made by sites with planning permission at April 2004, so I will not consider those sites again. It is the contribution to be made by brownfield sites, including B1 Western Riverside, B2 MOD Foxhill, B12 Lower Bristol Road, B13 St Martin's Hospital, B14 St Mary's School, K1 Somerdale, NR2 Radstock Railway land, V3 Paulton Printing Factory and V8 Radford Retail which I consider here.
- 5.64 **Bath Western Riverside** was the subject of much debate as to the level of housing which is likely to be provided on the site during the plan period. I fully endorse the importance of this site for regeneration. It forms a part of the urban fabric of the city and large parts of the area are currently either vacant or underused. There is no dispute that the redevelopment of the area with a large element of housing would fully accord with the priority given by Government to making the best use of brownfield sites within the urban area, and a carefully designed scheme which makes the best of opportunities presented by the setting of the site and its location adjoining the river would make a significant contribution to Bath as a WHS. Furthermore, I have no doubt that opportunities will be taken to achieve a high density of development in appropriate locations within the site.
- 5.65 However, the 35 hectare site is in a number of ownerships and much of it is in active use. Furthermore, it is subject to a variety of constraints including contamination, archaeological importance, underground thermal waters, and land liable to flood. The extent of the constraints varies across the site such that there are relatively unconstrained areas which I accept could be developed in the short term. Indeed, Landscape Estates, now owned by Crest Nicholson, is seeking a change to the wording of GDS.1/B1 which would facilitate the development of its land at an early stage. The developer also argues that more than 1000 dwellings could be delivered during the plan period.
- 5.66 I deal with the detail of the wording, and other objections relating to the boundaries of the site later in my report, but the Council is quite rightly seeking to set up a mechanism to ensure that the development value of the less constrained areas would contribute to the costs of bringing forward the more contaminated and constrained parts of the site. Whatever the mechanism used to secure those contributions, it cannot be established until the proposed Master Plan Supplementary Planning Document (SPD) has been adopted, and the cost of dealing with the constraints in order to achieve its implementation have been assessed and agreed.
- 5.67 In B&NES 12.4 submitted in May 2005 the Council sets out a timetable for the formulation of the Master Plan SPD and consequent submission of an outline planning application by the end of 2005. There is clearly a

considerable amount of work to be carried out in the preparation of the Master Plan SPD and in my view the timetable is unrealistic. Even if the strategic framework and spatial elements of the scheme can be agreed and formulated within this timeframe, to expect the costs of delivering the Master Plan to have been assessed and agreed, together with the delivery strategy and planning obligations/tariff strategy by November 2005 is wildly optimistic.

- 5.68 The timetable makes no allowance for the negotiations which will be required between landowners as to the form of development which will take place on individual sites, the likely costs of that development, and the level of contributions which will be required from the developers of the different sites. I anticipate that such agreement will not be easily achieved. Developers and landowners will seek to gain the maximum value from their own sites, whilst minimising the contribution to be made to the wider scheme. Whilst Landscape Estates indicate a willingness to contribute to infrastructure or other requirements that are genuinely necessary to enable development to proceed, at the Inquiry their representative indicated that they would expect the normal tests to be applied. It is quite likely that there will be considerable debate as to what costs are appropriate to the development of the less constrained sites, which are expected to deliver the bulk of the housing during the plan period.
- 5.69 On the other hand it would be entirely inappropriate for parts of the Western Riverside site to be released for development before there has been an assessment and costing for the delivery of the whole scheme, including the abnormal development costs of the more constrained areas. An early release of those sites without the certainty that the rest of the scheme will be delivered would be likely to prejudice the development of the sites which are subject to abnormal development costs, and for which a redevelopment is clearly desirable. The dangers of this scenario were clearly appreciated by Bath Preservation Trust whose representative indicated at the Inquiry that it would be preferable for the development of the site to be delayed rather than carried out in a piecemeal way in order to secure the early release of housing land. Indeed, in view of the importance of bringing this site forward on a comprehensive basis, I consider that the Council should not rule out the use of its CPO powers even though that would introduce its own delays. Such delay would be preferable to any risk to the development of the area as a whole.
- 5.70 Government policy emphasises the importance of deliverability. Sites allocated for housing in development plans should be both suitable and available. Whilst the Western Riverside is clearly suitable for housing, it is not available for commencement as a comprehensive development at the present time. The question is the extent to which the Council can depend on the release of early phases of the site before the end of the plan period, without compromising the delivery of a comprehensive scheme for the whole area.

- 5.71 I have referred to the importance of ensuring that there is adequate land available to meet the level of housing implied by RPG10, and the risk that otherwise arises of having to achieve a significant increase in housing land supply post 2011. In these circumstances I advise the Council not to take any risks with the supply of housing land during the period of this plan. To rely on the delivery of a significant level of housing at Western Riverside by 2011 would in my view be to take such a risk. At least a year should be allowed for the Master Plan SPD to be completed together with its assessment and apportionment of costs. A further 6 months should then be allowed for negotiations on S106 agreements and the outline planning application. Once the outline permission has been granted for the whole site, it would be open to developers such as Landscape Estates to apply for detailed permission on their sites and to deliver their contribution to overall costs. I consider that an optimistic estimate of the likely start date for construction would be spring 2008.
- 5.72 I accept that the first phases of construction could include the Westmark site for 110 units, and part of the Landscape Estates land which could accommodate 400 units. However, in view of my recommendations under Policy GDS.1/B1A in relation to the accommodation of a waste transfer facility at Newbridge, I do not accept that the availability of the Council's waste transfer site for redevelopment can be guaranteed before 2011. A later start date on that site is likely to have implications for the delivery of other parts of the Western Riverside, with completion beyond the end of the plan period.
- 5.73 There was much debate concerning the rate at which housing could be delivered at Western Riverside, but with just three years remaining of the plan period following the most likely start of residential development, I consider that it would be prudent to expect the contribution of the site to housing land supply to be no more than 450 dwellings by 2011.
- 5.74 My assessment is based on the evidence before me in May 2005. By the time this report is received by the Council, it should be clear whether the initial stages of the Council's timetable for the delivery of the site are likely to be met. However, it is essential that the development of Western Riverside is carried out in a properly planned and co-ordinated manner which ensures that the early release of some sites does not take place without securing the future development of more constrained areas. Only on that basis can there be any assurance that the overall potential of the site for residential development will be secured. I would therefore urge the Council not to take any risks in the achievement of the full potential of this site even though other sites would need to be released to make up housing land supply figures in the years to 2011.
- 5.75 However, even if the contribution for the period to 2011 is significantly lower than that put forward in the RDDLP, provided a truly comprehensive approach is achieved, the site will make a valuable contribution to housing land supply beyond the plan period. The future DPD will be able to rely on Western Riverside to make a significant contribution to housing land supply post 2011.

- 5.76 Land at **MoD Foxhill** is expected in the Council's figures to contribute 200 dwellings during the plan period. Although a Development Guide was approved for the site as early as 1998, the Council has no evidence that the site will be released by the MoD during the plan period. Indeed, evidence submitted by objectors indicates that no decisions have been taken for the release of part or all of the site, and that future uses of the site are subject to ongoing studies by Defence Estates.
- 5.77 In these circumstances I cannot accept that the site is currently available for development. Furthermore, there is no certainty as to whether it will be released for development within or even beyond the plan period. I therefore conclude that the site should be deleted from the plan.
- 5.78 Debate about the potential contribution from land at **Lower Bristol Road** related to both the level of housing which could be accommodated within the site, and the timing for its development. The site was originally a core industrial location in Bath, but following the Business Location Requirement Study in 2003, and the Urban Housing Capacity Studies of 2003 and 2004, the Council formed the view that the area had become run down with a need for regeneration through a mixed use redevelopment, with business use, some housing and other uses. I will deal with the details of the site and the wording of the Policy GDS.1/B12 later in my report, and here consider only the likely contribution which the site may make to housing within the plan period.
- 5.79 At present the site is in a number of uses with a range of ownerships. Although there are areas which are run down, the site is largely in a variety of active commercial uses, and there is evidence of contamination within a number of the sites. Urban design consultants have been commissioned by the Council to draw up a Masterplan Framework to inform more detailed planning guidance on the redevelopment of the site. It is clear to me that a comprehensive approach will be required both to establish the best locations for the different uses together with the delivery mechanisms for all of the proposed uses, and not just the higher value ones.
- 5.80 Without such an approach there is a danger that the more straight forward sites will be developed for higher value uses leaving the more constrained sites without the benefit of regeneration. Thus the position at Lower Bristol Road mirrors that of the Western Riverside site, but it is at an earlier stage and without the benefit of the environmental investigations and work on transport infrastructure which have been carried out for Western Riverside. As I have stated for Western Riverside, whilst the regeneration of Lower Bristol Road is a desirable objective, it is not one which should be hurried at the risk of prejudicing an appropriately comprehensive scheme.
- 5.81 Whilst I consider that the site is suited to high density residential development, I am not convinced that the number of units put forward by the objector would provide the quality of environment and scale of building appropriate to this location. I have no reason to question the

likely capacity identified on behalf of the council of 200 dwellings, but in view of the amount of preparatory work which will need to be carried out, together with negotiations with landowners or even the making of a Compulsory Purchase Order, I consider that it is unlikely that the site will make such a significant contribution to housing land supply within the current plan period. I have referred to the high priority placed by Government on land allocated in Local Plans being available for development. This site is not at present available, and in the relatively short period which remains of this plan, there can be no certainty that it will become available. To reflect that uncertainty, I recommend that the site be expected to contribute no more than 50 dwellings in this plan period, and that a further assessment is made of its likely contribution to housing land supply within the future housing DPD.

- 5.82 Although **St Martins Hospital** has been the subject of a resolution to grant permission subject to a S106 agreement since 2002 and development has not progressed, I have no evidence that the site is subject to any constraints and that it is not available to the housing market. I therefore recommend no change to the capacity of 128 given in the plan for this site.
- 5.83 Planning permission for residential development at **St Mary's School** has expired in spite of the strength of the housing market. However, I have no evidence that the site is subject to any abnormal constraints such that it is not available, and therefore recommend no change to the capacity of 16 dwellings given in the plan for this site.
- 5.84 The **Somerdale** site has wide ranging support as being the most sustainable location for meeting housing need in Keynsham. It is accessible to the town centre and to the railway station and is a brownfield site. As such it has a number of qualifications for allocation for residential development. However, the site is also subject to a number of constraints which include access arrangements, the location of the flood plain, remediation of potential ground instability, archaeological interest, and the provision of alternative recreation and social facilities.
- 5.85 Whilst these issues may be covered in the wording of Policy GDS.1/K1, I have no evidence that they will be resolved in time for the site to be brought forward for the level of residential development put forward by the Council during the plan period.
- 5.86 The allocation in the RDDLP is for 50 dwellings, but the Council's latest assessment indicates that it could accommodate 200 dwellings. The landowners argue that the site could accommodate an even higher figure of 500 dwellings. The site includes a substantial area of land, is subject to the resolution of its various constraints, and requires a suitable balance between housing and employment development; I have no evidence on which to choose between the various figures. More detailed work is required to demonstrate how the constraints affecting the site will be resolved and the timing for its development before an accurate assessment of its contribution to housing land supply before and after

2011 can be made. In view of the high level of uncertainty as to how the site could be brought forward for development in the plan period, I recommend that the expected contribution from this site is assumed to be no more than 50 dwellings.

- 5.87 At **Cannocks Garage, Keynsham** planning permission has been granted for 21 dwellings which are now under construction. This figure should be reflected in GDS.1/K5 which allocates the site for 25 dwellings.
- 5.88 The issues relating to the contribution to be made to housing land supply by **Radstock Railway Land** are whether the site should provide for the reinstatement of the rail track and a new station; whether the area for development should be reduced to retain larger areas for nature conservation; and the timing for its implementation.
- 5.89 The North Somerset Railway Company has clearly worked hard over the years to safeguard land to enable the rebuilding of the railway line between Frome and Norton Radstock, and the company sees the preservation of land for the track and station within this site as essential to the project. The provision of such sustainable means of transport is a cause worthy of support but in the absence of any demonstration of viability or indication of funding which would enable its implementation, it is not a scheme which can be given a high priority within the Local Plan.
- 5.90 Although there may not be an opportunity to use the Brunel shed and the railway turntable for railway uses, the retention of these structures remains of value. In any event, the wording of the policy does require provision of a sustainable transport corridor which would not entirely preclude the possibility of a rail link. I consider that this level of safeguarding is appropriate in all the circumstances and that no further land should be safeguarded for this project such as to reduce the capacity of the site for residential development.
- 5.91 However, the site clearly is of significant importance for nature conservation. A comprehensive report on the site was produced by Wessex Ecological Consultancy in response to the planning application for development of the site in 1999. This found the site to have four nationally scarce species of flora, and 21 species of nationally rare, scarce or vulnerable invertebrate fauna. Six of these species are Red Book Data species and the remaining fifteen are nationally scarce. The site was considered to be of national significance for its invertebrate communities and comes close to warranting designation as an SSSI. Although further work has been carried out since that report was prepared, that work does not in my view undermine the findings of the Wessex Ecological Consultancy.
- 5.92 The Council refers to the priority given in Government policy to the re-use of previously developed land, but having regard to the advice in Annex C to PPG3, the definition excludes land which was previously developed but where the remains of any structure or activity have blended into the landscape in the process of time and where there is a clear reason such as

its contribution to nature conservation that could outweigh the re-use of the site. Although there are some buildings which remain intact on parts of the site, the major part of it has become overgrown such that it blends into the landscape. This together with its importance as a site for nature conservation weighs against its status as previously developed land and the priority which should be given to its re-use.

- 5.93 The Master Plan for the development of the site put before me at the Inquiry takes into account the results of earlier surveys, including the 1999 report by Wessex Ecological Consultancy, and seeks a compromise between development and nature conservation interests. However, the scheme has not been the subject of consultation with Wessex Ecological Consultancy, the Council's ecologist or English Nature. Until it can be demonstrated that those areas of the site which are of significance for nature conservation can be fully safeguarded I consider that it would be inappropriate to increase its capacity for residential development above that proposed in the 1999 scheme, on which the ecological issues were unresolved.
- 5.94 I fully accept the importance of this site to the regeneration of Norton-Radstock. However, the maintenance of large parts of the site as a nature reserve can also be of value to the community. The 1999 report from Wessex Ecological Consultancy identified three areas which could be developed without significant biodiversity losses given appropriate management of the rest of the site. I am therefore confident that some development could take place within the site whilst conserving its ecological importance, but it needs to be demonstrated that the development is confined to areas which are not of significant value.
- 5.95 The NR Regeneration Company now has a developer partner ready to work on an appropriate scheme, and I see no reason why some development should not take place during this plan period. However, to avoid pressure for the achievement of high numbers of dwellings at the expense of the ecology of the site, I recommend that the site be expected to accommodate no more than 50 dwellings during the plan period. Any higher number of dwellings which may be achieved would count towards the supply of housing land beyond the plan period.
- 5.96 Although land at **Mount Pleasant Hostel, Radstock** is in an alternative use, I have no reason to consider that it will not come forward for development in the plan period and therefore endorse the allocation of the site for 10 units.
- 5.97 At **Paulton Printing Factory**, planning permission has been granted on the south east part of the site for 100 dwellings but there is a reserved matters application for this to increase to 217 dwellings. The Council object to this level of development on less than 4 hectares which would be at the top end of the range recommended in PPG3 for previously developed sites. Paulton is a R1 settlement which has a reasonable level of facilities and public transport services, and in which some residential development would be sustainable. The Council has conceded that an

increase to 150 units on the site would be an acceptable level of development, and in this location I agree. The 100 dwellings is included in the figure for sites with planning permission, therefore a further contribution of 50 should be added to the supply of brownfield sites without planning permission. I deal with changes to Policy GDS.1/V3 in Section 7 of my report. I consider the potential for a further area of residential development under issue v).

- 5.98 The **Former Radford Retail System Site at Chew Stoke** is identified in the plan as a Major Existing Developed Site in the Green Belt. Although there is some dispute that the site could deliver more than the allocated number of dwellings, a planning application has been submitted for 31 dwellings and I have no reason to doubt that the site will deliver its allocation of 30 dwellings during the plan period.
- 5.99 From my assessment of the contribution likely to be made by **brownfield sites without planning permission** by 2011, I conclude that a provision of some **855** dwellings is most likely to be achieved. This figure is significantly below that assumed in the Council's Table 1 of Topic Paper 2 (1430 dwellings) and the revised figure set out in Appendix 3 to Topic Paper 2.3 at 1760 dwellings.

Issues iv) & v)

- 5.100 I have indicated that sites allocated in Policy GDS.1 which did not have planning permission in April 2004 would need to provide for 2115 dwellings. In addition to the brownfield sites which I have considered above, three greenfield sites have been retained in the RDDLP to contribute 70 dwellings to the supply. Of these sites, **Folly Hill, Norton Radstock** now has planning permission for 50 dwellings; and planning permission has been agreed in principle at **Bannerdown Road, Batheaston** for 6 dwellings. The other greenfield site is at **Goosard Lane, High Littleton** which is expected to deliver 16 dwellings during the plan period. I consider this to be a reasonable level of development for the settlement and have no reason to doubt that it will be delivered.
- 5.101 On my calculations therefore, some **925** dwellings would be delivered from sites allocated in Policy GDS.1 by 2011. This leaves a significant shortfall (1190) on the 2115 dwellings required to meet the RPG10 housing land supply. The issue then arises as to whether the shortfall should be addressed through a reinstatement of land identified in the DDLP, or whether other sites which have been put forward by objectors would be more appropriate. The most significant of the DDLP housing sites was the 20 ha in GDS.1/K2 at South West Keynsham.
- 5.102 Before considering in detail which sites may be appropriate to allocate in order to provide an adequate supply of land during the plan period, it is necessary to be clear as to the strategic policy against which the selection of sites should be considered. The relationship between the JRSP and RPG10 is relevant in this regard, in particular in relation to the release of land from the Green Belt at Keynsham.

- 5.103 The Council argues that since the policies of the JRSP, apart from Policy 33, were agreed for adoption before the publication of RPG10, more weight should be given to the strategy of RPG10. Earlier in this section I accepted that by reason of the date at which the JRSP was formally adopted, that is the document to which S.38(5) of the Planning and Compulsory Purchase Act 2004 applies, but that RPG10 is a material consideration to which due weight should also be given. As a result I have recommended that this plan should provide for the higher level of housing implied by the figures set out in RPG10. I consider that it is of particular importance to give weight to RPG10 in this regard in order to avoid serious difficulties in meeting B&NES share of the regional housing land supply towards the end of and beyond the current plan period.
- 5.104 The approach favoured by the Council would be to follow Policy 33 of the JRSP which provides for a lower rate of housing development, but to adopt the strategy of RPG10 as set out in Policies SS2 and SS7 in so far as those policies relate to the release of land from the Green Belt at Keynsham. Policy SS2 directs new housing development to the Principal Urban Areas (PUAs), which include Bath, and where it cannot be accommodated within the PUAs, it should be in the form of planned urban extensions or other designated centres for growth beyond the direct influence of the PUAs. The policies direct new development away from small dormitory towns within easy commuting distance of the PUAs, and B&NES argues that this applies to Keynsham. Furthermore, it is the Council's case that there is no need for the release of Green Belt land at Keynsham since sufficient land can be made available for housing on mainly brownfield sites.
- 5.105 I have considered the potential of the sites proposed in the plan, and concluded that there would be a serious shortfall in housing land supply if no further sites are allocated. Although my assessment of the housing land requirements takes account of the provision of RPG10, I do not agree with the Council that the policies of RPG10 should take precedence in the identification of land to meet those requirements. Because of the delays in the adoption of the JRSP and subsequent preparation of the Local Plan, the normal process of cascading policy through the tiers from RPG to Local Plan is out of step in B&NES. That does not mean that the strategy of the JRSP can be ignored, even though under the new system it will cease to have effect in September 2007. That strategy is one of the building blocks for the long term development of B&NES. It is up to date in terms of Government policy on sustainable development, and should form the basis for the identification of housing sites during the current plan period.
- 5.106 Furthermore, although the RPG10 policies indicate that towns such as Keynsham should no longer be considered, the Panel had the emerging JRSP, with its provision for Keynsham, before it when considering the new Regional policies. Therefore the RPG10 policies relate to the strategy to be adopted subsequent to the implementation of the JRSP strategy. The current Local Plan is founded in the strategy of the JRSP, and it should seek to implement that strategy. RPG10 requires a review of the Green Belt around Bath to provide for sustainable development, but such a

review would need to be carried out as part of the preparation of the development plan. No such review has been carried out as part of the RDDLP. It is not therefore surprising that the Council had no alternative to offer in place of a release of Green Belt land at Keynsham to accord with the policies of RPG10. It is clear that an attempt at this stage to move forward with the strategy of RPG10 in this Local Plan would lead to serious delays in the delivery of housing sites.

- 5.107 Following the strategy of the JRSP, the RDDLP classifies Bath as the main urban area within B&NES, whilst Keynsham and Norton-Radstock are classified as urban areas. B&NES has quite rightly sought to concentrate residential provision within Bath, but it is clear that the allocated brownfield sites are not sufficiently advanced in their implementation to guarantee delivery before 2011. Other brownfield opportunities within the City are likely to be confined to windfall developments which are already accounted for in the calculation of housing land supply, so I place no reliance on the delivery of further housing from this source.
- 5.108 A number of objectors put forward sites for housing which are in the Green Belt, but there is no provision made in the JRSP for the release of land from the Green Belt apart from at Keynsham. In the absence of very special circumstances to justify the release of individual sites, I therefore make no recommendation to allocate any site currently within the Green Belt for housing development other than at Keynsham.
- 5.109 In the absence of any replacement RSS the Council should follow the requirements of RPG10 in the preparation of its LDF. I urge the Council not to await the issue of a new RSS but to prepare the LDF in accord with RPG10 having regard to any emerging RSS. A review of the Green Belt around Bath will need to be carried out to accord with RPG10, and I recommend elsewhere that anomalies in the existing boundary of the Green Belt should be resolved as part of that review. The review should be carried out as part of the preparation of a housing Development Plan Document to provide for the supply of housing land beyond the current Local Plan period.
- 5.110 Within the urban area of Bath, there were two greenfield sites which were identified in the DDLP. These were B7, 1.4 ha to the rear of 89-123 Englishcombe Lane to accommodate 45 dwellings; and B8, 0.4 ha to the rear of Bloomfield Drive to accommodate 13 dwellings. Although these sites are subject to a number of objections mainly from nearby residents, I recommend that the Council consider their reinstatement as residential allocations. With careful design, new development could be integrated within both sites. At Englishcombe Lane, the Environment Agency advises that strategies would be required for surface water drainage and watercourse treatment, but there is no suggestion that these could not be achieved, the site is in a sustainable location for transport, and there would remain a significant area of open space to preserve the amenities of the area. The land at Bloomfield Drive is former allotment land. There is much support for the provision of allotments in the City. I consider that any need for the reinstatement of the site to that use should be first

investigated in the light of the assessments made in the Council's Green Space Strategy. However, if the land is not needed for allotment use, I recommend that it be allocated for housing.

- 5.111 I consider in Section 8 of the report the merits of land at Beechen Cliff School, Greenway Lane. A multi-purpose sports pitch is proposed, which, in my view would be of better recreational value than the existing open space and development could be well integrated in the area without harm to strategic views of the City or to more local amenities. I therefore recommend it is allocated for 18 dwellings. Subject to the assessment of the Hayesfield School site for a new convenience store, and provided that it can be demonstrated that the Hayesfield School Playing Field is not required for recreational or educational use, consideration should also be given to the release of this site which could accommodate a significant number of dwellings. The former allotment site at Lansdown View is not in any use and subject to evidence of local need for and its potential for reinstatement as allotments, its release for housing should also be considered.
- 5.112 I have recommended that the British Waterways land at Brassmill Lane, Locksbrook could be removed from the employment designation and any proposal for its development for housing could be considered under the plan's policies without the need for a formal allocation. With the changes which I recommend to the policies relating to infill development, a number of other sites could be considered for residential development under the amended policies rather than by means of a formal designation. These include land at Hampton Row, Twerton Hill Farm, and land rear of 55-56 Forester Avenue.
- 5.113 Sites are proposed to the north and south of Bailbrook Lane adjacent to GDS.1/B6, but I recommend against the release of further land in view of the impact on the rural character of this part of the Lane. There is also the former nursery site at the rear of 64-92 London Road West. Whilst this site is not in the Green Belt, it relates visually to the open valley to the south east which is largely within the Green Belt. I therefore recommend that the future of the site should be considered as part of the review of the Green Belt boundary around Bath. I recommend against the allocation of the Twerton Football ground in the absence of an alternative location for the club which would be acceptable in policy terms.
- 5.114 Taking the sites on which there is evidence of capacity, Englishcombe Lane, Bloomfield Drive, and Beechen Cliff School could deliver some 76 dwellings. The Council would need to assess the potential for the land at Hayesfield School and at Lansdown View, but clearly the Hayesfield School site could deliver a substantial level of housing, and it is a vacant site which could be available in the plan period. I therefore recommend that priority is given by the Council to the assessment of these sites for allocation in this plan.
- 5.115 Whilst I am not in a position to calculate the likely contribution from the additional sites which I recommend the Council considers for housing in

Bath, it is unlikely that even with the addition of these sites there would be sufficient land available to meet the required housing land supply during the plan period within the main urban area of Bath. The JRSP anticipates such a shortfall in housing land supply and provides for the release of land from the Green Belt at Keynsham to meet the shortfall. Keynsham is on a strategic transport route between the main employment centres of Bristol and Bath. It is served by a mainline station and a wide choice of bus services, including a fast bus service along the A4. As a result I consider that Keynsham provides an appropriate location for additional residential development. Even if further housing development would add to the level of out-commuting, there are good public transport services available to attract future residents away from the use of the private car.

- 5.116 After Keynsham the next location to be considered for the release of housing land is the urban area of Norton-Radstock, followed by the R1 settlements. This accords with a sequential approach which looks at the most sustainable locations first, and if insufficient land can be made available for housing, the next best option must be considered. It is also in accordance with Policy 2(d) of the JRSP. Thus the Council should identify available brownfield and greenfield sites within Bath, followed by the same exercise in Keynsham and then Norton-Radstock. When considering the relative merits of brownfield and greenfield sites, regard should be had to the policies of the JRSP, but clearly the characteristics of each site and their detailed merits in terms of sustainability need to be taken into account.
- 5.117 It was argued on behalf of Taylor Woodrow that the omission of a Green Belt release at Keynsham would mean that the Local Plan does not conform with the JRSP. Be that as it may, the JRSP clearly anticipated a need to release land from the Green Belt at Keynsham to provide a supply of housing land. I find that this need remains and therefore there is no change in circumstances to justify any departure from the strategy set out in the JRSP.

Keynsham

- 5.118 Criteria for the release of land from the Green Belt at Keynsham are set out in JRSP Policies 9 and 16. In addition to the land at K2 which was deleted from the DDLP, a number of alternative sites have been proposed to meet the objectives of these policies. Policy 9 of the JRSP requires the alteration of the Green Belt boundary to provide for new residential development and associated local employment and social infrastructure in a form and of a scale which maintains the existing character of the town, safeguards against coalescence with adjoining settlements, enhances the service and employment role of its centre, ensures access to local facilities and services in accord with Policy 2, and supports the development of public transport within the Bristol – Bath corridor. Policy 16 requires the change to the Green Belt boundary to maintain the separate identity of Keynsham within the Green Belt.

- 5.119 Of the alternative sites proposed to be released from the Green Belt, I conclude that it is the land at South West Keynsham which would most readily meet the criteria of the JRSP. I have considered all the objections lodged against site K2 in the DDLP, including those withdrawn at the RDDLP stage. There is little difference in terms of distance from town centre facilities, or access to local facilities, between sites to the south west, west and east of the town, whereas the land at Uplands Farm is a more peripheral location. Furthermore, development there would intrude into the Chew Valley, an important green corridor which runs into and through the town, as would the development of sites proposed adjacent to Wellsway. As a result, the development of sites likely to affect the Chew Valley would harm the existing character of the town, and I recommend against the further consideration of these sites in view of this harm.
- 5.120 All the larger sites would provide opportunities for new employment and social infrastructure, and the increase in population would help support the service role of the town. In terms of support of public transport within the corridor from Bath to Bristol, sites close to the A4 would no doubt provide passengers for the fast bus service in the corridor, but proximity to this route could also encourage more use of the private car, which would balance out this benefit. The access to public transport from other sites varies to some extent, but there is no significant difference.
- 5.121 The most significant difference between the sites is in terms of the effect on the function of the Green Belt in maintaining the gap between Keynsham and other settlements. The development of land proposed to the east of the town would encroach on the already fragile gap between Keynsham and Saltford, and development to the west would extend the edge of Keynsham into the gap between the town and the urban area of Bristol. The site proposed by Wimpey at Hawkswell to the north west of Keynsham would also reduce the gap between Keynsham and Bristol. Development east, west or north west of the town would therefore contribute to the coalescence of Keynsham with adjoining settlements, and fail to maintain the separate identity of the town. Thus proposals at Lays Farm, Stockwood Lane, Hawkswell, Withies Farm and Manor Road would in my view conflict with the aims of Policies 9 and 16 of the JRSP.
- 5.122 The Green Belt separation of Keynsham and settlements to the south is more extensive than for other areas of Keynsham so development of K2 would not undermine the separate identity of the town. Whilst the site can be viewed from wider locations around Keynsham, and its development would be a clear extension of the urban area into the countryside, it would not have such harmful impacts as the Uplands Farm site on the sensitive Chew Valley, and the integration of development into the landscape can be achieved through landscaping which is related to the Woodlands Trust scheme. I therefore agree with the Council that the K2 site does not have the weight of issues which impact on other sites which have been proposed around the town.
- 5.123 In terms of capacity, in the DDLP, site K2 was expected to accommodate 500 dwellings. Wimpey proposes the release of the two sites which

comprised K2, together with the land between known as Abbots Wood which is controlled and has been planted by the Woodlands Trust. The objector contends that the whole area could accommodate some 1,300 dwellings, with 350 dwellings on the Abbots Wood site. However, I agree with the Council that the retention of Abbots Wood as a planted area would be of significant value to the setting of the town, and would provide an important amenity area to both the existing and proposed new housing in this part of Keynsham. As a result I consider that the original areas designated as K2 should be reinstated within the plan. The total site area would then be some 20 has. Having regard to Government advice on making the best use of development land, even with an area reserved for employment development and for community facilities, I consider that the site could provide for up to 700 houses. Since this is a green field site with no significant constraints, there is no reason why it should not be delivered during the plan period.

5.124 With the reinstatement of K2 to deliver 700 dwellings, together with the sites which I recommend to be allocated in Bath, the shortfall in the housing land supply would be reduced to some 4-500 dwellings. The shortfall would be considerably less if the Hayesfield School land is allocated for housing.

5.125 Other sites put forward by objectors which are not in the Green Belt include the former Nursery Site in the High Street and the greenfield site at Fox and Hounds Lane which is outside the HDB. However, these sites are not of a size appropriate to include as an allocation in the plan, and could be considered as potential windfall developments.

Norton-Radstock

5.126 Following the Local Plan strategy, Midsomer Norton/Norton Radstock should be the next area of search for suitable housing sites. In the DDLP, 7 ha of land south of Charlton Park was proposed to accommodate 90 dwellings with 2 ha of B1 uses and 1.5 ha for public playing fields. This site was considered for residential development by the Inspector for the Wansdyke Local Plan Inquiry. In his report dated March 2000 he recommended against its allocation, and I agree that this area of open agricultural land relates firmly to the surrounding open countryside such that its development would extend the built-up area southwards to the detriment of the rural character and appearance of the area. As a result I consider that other options for development should be assessed before this site is reconsidered for allocation.

5.127 Because of the level of residential development which has taken place in the area, and the scale of out-commuting, the plan seeks to promote additional economic development, and to retain existing employment sites in that use. However, I find that there is a good supply of employment land in Norton-Radstock, when balanced against the findings of the BLRR. As a result, I consider that redundant or under used industrial or commercial sites which may be costly to redevelop as modern employment sites are unlikely to attract new commercial occupiers.

Having regard to the advice in PPG3 paragraph 42(a), rather than protect such sites for an employment use which is unlikely to materialise, consideration should be given to their release for residential development, or in the case of the larger sites, a mixed use scheme. In a mixed use scheme, the residential development could provide a cross subsidy for the development of modern business premises, including small scale speculative development of units below 400 sq.m for which a need is identified in the BLRR.

- 5.128 St Peter's Factory, Westfield is a site where such an approach would be of benefit. It is currently identified as GDS.1/NR4 for Classes B1, 2 and 8 development. Oval Estates (Bath) Ltd seek a change to the allocation to allow for a mixed use scheme, so that residential development may cross subsidise business development. Such an approach would in my view be entirely in accord with Government policy, and could help facilitate the provision of modern employment development together with new housing on a brownfield site.
- 5.129 The objector also seeks the extension of the allocation to include land west of houses in Lincombe Road. This land has no allocation on the Proposals Map and I agree with the objector that it is different in character from the land zoned as Important Hillside to the south east, so there is no landscape constraint to its development. The land is seen by the Council as providing a buffer between the industrial and commercial uses within the site and the existing houses, but with a carefully laid out redevelopment the need for such a buffer would be avoided. The Council is also concerned that housing within the site would conflict with noise generated by B2 uses. However, the existing site is some 8 ha and together with the unallocated area I consider it to be of sufficient size to enable a mix of development to be implemented which would avoid conflict between different land uses.
- 5.130 I have insufficient evidence to give an accurate indication of the level of housing which could be provided at the site, or the timing for its provision. However, this is a substantial area of land and as part of a mixed use development it could be expected to contribute at least some 150 dwellings during the plan period. The Council will need to investigate whether this is a reasonable estimate and whether the site would provide further housing up to or beyond 2011.
- 5.131 The Welton Bag factory is another longstanding industrial site which is not in full use. The owners would like to rationalise its development with a mixed use scheme. As for the St Peter's Factory site, such an approach would be entirely in accord with Government policy, and with a scheme which uses the residential element to enable the development of modern B1/B2/B8 units, I consider that the Council's aim to provide balanced communities would be met.
- 5.132 Again this is a site on which I have no basis on which to estimate the level of housing which might be provided, or whether housing could be delivered during the plan period. However, this is a substantial brownfield

site which has the potential to make a significant contribution to the supply of housing land, and its potential should be investigated.

- 5.133 The Coomb End area of Radstock has evolved as a mix of uses, many of which are run down and unsightly. The road is a through route from the centre of Radstock to Clandown and the school. It is narrow and lacking in pavements in places, yet it serves a number of industrial and commercial premises as well as some residential uses. In recognition of the need to upgrade this area, the Council allocate it in the RDDLP as an Employment Regeneration Area under Policy ET.3A. However, the area is in a number of different ownerships and uses, and the policy fails to set out any identifiable strategy to warrant such a designation. The Council needs to consider whether any part of the area justifies safeguarding for employment purposes, in which case it should be designated as a core employment area, or whether the opportunity for a higher value residential redevelopment would be more likely to guarantee the achievement of the much needed improvement to the environment.
- 5.134 I have recommended the deletion of Policy ET.3A, and paragraph B2.41A, and consider that more specific proposals for the area designated in the RDDLP as an Employment Regeneration Area should be worked up in the form of an Area Action Plan DPD. This could include the provision of small employment units of 400 sq m or less together with housing. The Council will need to assess whether the site could contribute to the supply of housing land during the plan period, and what the level of any contribution might be.
- 5.135 The objection concerning land to the east of Coomb End relates to land which extends beyond the boundaries of the RDDLP's Regeneration Area on to land designated as Important Hillside alongside Bath New Road. In view of the contribution made to the character of Bath New Road on its approach into the town, the area for redevelopment should not be extended.
- 5.136 Clandown scrapyards are another site for which redevelopment could result in environmental improvements as sought by the Town Council. The site is in active use immediately opposite the school and is approached along narrow lanes which serve houses and the school. The use clearly has a very harmful influence on the amenities of the area and the potential for conflict is evidenced by the restrictions applied to large commercial vehicles at times when access is required to the school. In my view this is a very unsatisfactory juxtaposition of uses, and the residential development of the scrapyards could provide a resolution. I have no evidence as to the size of the site or constraints to its development and can therefore only recommend that this site be investigated for housing development either through its allocation in this Local Plan or a future DPD.
- 5.137 The Jewson's site at Westfield is in active use and whilst it adjoins residential development, it is on a busy main road and there would be no significant environmental gain from its redevelopment for housing. Similar considerations apply to Ryman's Engineering, and Charlton's World

of Wood. I therefore make no recommendation in relation to these sites, but any proposals for redevelopment would fall to be assessed under Policy HG.4 and new Policy ET.3 (3).

- 5.138 The Council takes the view that it would not be appropriate to allocate significant levels of new housing to Midsomer Norton/Norton Radstock. However, the towns provide important services and facilities, there is scope for new employment development, and there are good public transport links to the main employment centres. I therefore consider that the towns provide a sustainable location for further residential development, and the potential for residential development on the brownfield sites which I have identified should be fully assessed.
- 5.139 A number of greenfield sites are put forward by objectors for residential development but the only site which I recommend for consideration as an allocation for residential development is land at Cautletts Close. I have insufficient evidence, in particular from the Council, to consider the potential of the site in detail. However, having visited all the sites put forward by objectors together with the Charlton Park site, I consider that land at Cautletts Close merits further consideration if there is a need for the release of a greenfield site in order to meet housing land requirements by 2011. It is an open flat field of no particular landscape quality, enclosed by housing to the north west and south west, with a cricket pitch to the north east and a substantial hedgerow to the east/south east. The site is within walking distance of the town centre and local schools, and subject to investigation of access and any physical constraints, I consider that the site would be a sustainable option for residential development. It could make a substantial contribution to the shortfall in housing land supply.
- 5.140 With allocations at St Peter's Factory, Welton Bag and Cautletts Close, the shortfall in housing land supply would be considerably reduced. The Council will need to assess whether the sites would be available for development before 2011 together with the number of dwellings that could be provided during the plan period. In the event that there remains a shortfall, then sites within the R1 settlements, as defined in Policy SC.1, should be considered.

R1 Settlements

- 5.141 The Council does not favour the dispersal of housing development to rural settlements primarily because of the implications for increased travel by private car in view of high levels of commuting to work. I have considered national, regional and strategic policy and consider that limited development at rural settlements which accords with Policy 2h) of the JRSP would be appropriate. The Council has carried out a classification of settlements, and it is to the larger R1 settlements that I consider attention should be given.
- 5.142 A number of alternative sites which have been put forward by objectors are within the Green Belt. As previously stated, I do not recommend that

any land should be taken from the Green Belt apart from at Keynsham since there is no remit for such an approach in the JRSP. Here I refer only to those sites which I recommend should be considered further as a potential allocation in the plan to provide for residential development during the current plan period.

- 5.143 In the DDLP, land was proposed for residential development at Brookside Drive, Farmborough. This is a greenfield site which was removed from the Green Belt and safeguarded in the Wansdyke Local Plan, as adopted by the Council for development control purposes in September 2000, for development post 2001. There are a number of objections to the development of this site, and further work would be required to assess floodrisk and access, and impacts on the adjoining school. However, the site relates well to the developed area of the settlement, and its development would not be unduly intrusive in the wider countryside. With a site area of 1.3 ha it would provide an appropriate scale of development for Farmborough, together with an opportunity for the provision of affordable housing as part of the development. I therefore recommend that GDS.1/V9 is reinstated for 30 dwellings as an allocation in the plan.
- 5.144 Polestar Properties propose the allocation of 3.789 ha to the north east of the Paulton Printing Factory, and an increase in the scale of residential development within GDS.1/V3 to 350 dwellings. Although a further release in Paulton would result in a significant level of development for an R1 settlement, Paulton is one of the larger R1 villages with a number of local services and facilities and public transport connections. The printing factory site is well located for future residents to make use of these services, and it comprises previously developed land. To that extent, development here would be a sustainable location. However, the current permission for residential development is not part of any mixed use development of the printing factory, and future residents are likely to add to the existing high levels of out commuting for employment. I therefore consider that there should be no further increase in the scale of residential development at Paulton unless it is linked to the provision of local employment opportunities.
- 5.145 Within the Printing Factory site, permission was granted for the development of B1/B2/B8 units on the vacant land to the north west of the factory in October 2002. Any further residential development at the site could therefore be linked to the development of this site either through new buildings for the existing business, or through the provision of new small scale business units. I accordingly recommend changes to GDS.1/V3 in the relevant section of my report, and the Council should assess the potential for a further 200 dwellings to be provided at the site together with new employment development during the plan period.
- 5.146 At Peasedown St John, some 2.54 ha between the bypass and Wellow Lane is promoted by David Wilson Estates for some 90 dwellings. The site was considered by the Inspector at the Wansdyke Local Plan Inquiry who found a number of arguments in favour of releasing the site for development, with which I agree. However, he recommended against the

site primarily because of the lack of significant employment development to match the scale of residential development which has taken place in Peasedown St John. At this Inquiry it was argued that the position has changed since a start has been made on the development of employment land to the south east of the bypass, but it is just one car dealership which has been constructed, and I heard evidence for the owners of that site that that there was insufficient demand for employment development of the 11 ha site to be viable.

5.147 With the high level of new housing which has taken place at Peasedown St John I agree with the Council that there is a need for the settlement to consolidate and allow local service provision to adjust to the new level of demand. Furthermore, in the absence of more progress in the provision of employment, an increase in housing would be likely to add to the already high levels of out commuting in conflict with Government objectives to achieve more balanced communities. Nevertheless, since I make no recommendation in favour of the release of the land south east of the bypass for housing there remains the potential for the balance to be addressed, and Peasedown St John has a reasonable level of local services and good public transport links. There is no evidence that the Wellow Lane site could not be developed during the plan period, and in the event that there remains a shortfall in housing land supply following the Council's assessment of sequentially preferable sites, I recommend that this site be allocated for residential development.

5.148 The other site in Peasedown St John which may be considered for residential development is the School playing field. The site is well located within the developed area of the village, but it would need to be demonstrated that the land is no longer required for recreational use before consideration can be given to its development. In the event that there remains a need for more housing land, I recommend that the Council investigate the potential release of this site.

5.149 The other site which I recommend for further investigation within the R1 settlements is the Coal Yard and Woolhouse at Peterside in Temple Cloud. It is previously developed land at the edge of the settlement with largely unused industrial buildings and overgrown areas of hardstanding. I appreciate the Council's concern to retain areas suitable for employment uses, but I doubt a redevelopment for employment purposes would be viable on this site. As a result I consider its release for housing would accord with Government policy. The site could accommodate a modest level of housing without harm to the setting or appearance of the village. I therefore recommend this is assessed for an allocation to be included within the HDB.

5.150 For a number of the sites which I recommend for further consideration by the Council as potential housing allocations in the Local Plan, I have insufficient information on which to estimate potential capacity. The capacity of those sites on which I do have sufficient information on which to base an estimate, would be some 1,246 dwellings. It is clear from this figure that the shortfall of 1190 which I have identified could be met from

the release of sites which would accord with national and JRSP policies. The figure of 1,246 does not include the release of either of the greenfield sites at Hayesfield School or Cautletts Close, which are other options which could make a significant contribution to the shortfall. Clearly it is not necessary for all the sites which I recommend for further investigation to be allocated in the present Local Plan.

5.151 It is for the council to undertake further detailed investigation of the sites to identify which would be both available and the most suitable for release during the current plan period. As I have already stated, the Council should first have regard to the locational policies of the JRSP in their assessment of these sites, and should prioritise accordingly. However, it would be an oversimplification of government policy to suggest that brownfield must always take precedence over greenfield. Paragraph 32 of PPG3 recognises that previously developed sites may perform less well than greenfield sites in regard to the criteria listed in paragraph 31 of the PPG. Within the framework provided by JRSP policies, the performance of the sites I have identified against these criteria should guide the Council in their identification of sites to fulfill the housing land supply.

Recommendations:

R5.16 Modify the contribution to housing land supply in the period to 2011 from the following allocations:

GDS.1/B1 Bath Western Riverside: 450 dwellings

GDS.1/B2 MOD Foxhill: delete allocation

GDS.1/B13 Lower Bristol Road: 50 dwellings

GDS.1/K5 Cannocks Garage: 25 dwellings

GDS.1/NR2 Radstock Railway Land: 50 dwellings

GDS.1/V3 Paulton Printing Factory: 150 dwellings (100 included in sites with planning permission and 50 to be added to brownfield allocations).

R5.17 That the following sites identified in the DDLP should be reconsidered as allocations for housing:

GDS.1/B7 land at Englishcombe Lane, Bath: 45 dwellings

GDS.1/B8 r/o 46-64 Bloomfield Drive: subject to investigation of the need for reinstatement of allotment use: 13 dwellings

GDS.1/K2 land at South West Keynsham: 700 dwellings

GDS.1/V9 land at Brookside Drive, Farmborough: 30 dwellings.

R5.18 That the following sites be considered by the Council for residential allocation in the Local Plan:

Bath

Land at Beechen Cliff School Greenway Lane, for 18 dwellings.

Hayesfield School Playing Field: investigate requirement for continued recreational use and if not needed assess capacity for residential development.

Lansdown View: investigate requirement for reinstatement of allotment use and if not needed, assess capacity for residential development.

Radstock/Midsomer Norton

St Peter's Factory, Westfield together with land to the rear of Lincombe Road: mixed use scheme with 150 dwellings.

Welton Bag Factory, Station Road: mixed use scheme - capacity to be assessed.

Coomb End, Radstock: area designated as Regeneration Area in the RDDLP: mixed use scheme - capacity to be assessed.

Clandown Scrapyard: capacity to be assessed.

Land at Cautletts Close: capacity to be assessed.

R1 Settlements

Further land at Paulton Printing Factory: amendment to GDS.1/V3 subject to provision of employment related scheme - additional 200 dwellings.

Land between Wellow Lane and the bypass, Peasedown St John: 90 dwellings.

School Playing Field, Peasedown St John: investigate availability and need for recreational use; capacity to be assessed.

Coal Yard and Woolhouse, Peterside, Temple Cloud: capacity to be assessed.

R5.19 Following the assessment by the Council of the additional sites, a Table of Residential Allocations be prepared in accordance with the recommendation following paragraph 5.22 above. The Table to list the sites selected to make up the housing land supply for the plan period.

Chapter B7 - Housing Needs - Phasing - Policy HG.3 and Paragraphs B7.44-B7.54

3233/B11	Mr & Mrs M Williams	B7.44
601/C19	House Builders Federation	B7.45/A
3009/C13	Polestar Properties Limited	B7.45/A
3605/C9	Nicholson Estates	B7.45/A
2388/C6	J S Bloor Ltd (Sytner Properties Ltd)	B7.45A/A
3116/C60	Bath & North East Somerset Allotment Association	B7.45A/A
3605/C19	Nicholson Estates	B7.45A/A
2388/C7	J S Bloor Ltd (Sytner Properties Ltd)	B7.45B/A
3098/C64	George Wimpey Strategic Land	B7.45B/A
3116/C61	Bath & North East Somerset Allotment Association	B7.45B/A
3605/C18	Nicholson Estates	B7.45B/A
3250/B2	Lattice Property Holdings	B7.46
1427/B65	Environment Agency	B7.48
2601/C33	Linden Homes (Developments) Limited	B7.48/A
2466/B9	Keynsham Civic Society	B7.49
2601/C34	Linden Homes (Developments) Limited	B7.49/A
3278/B15	Persimmon Homes (Wessex) Ltd	B7.50
3106/B3	Mr P D Chivers	B7.52
3251/B16	Prospect Land Ltd	B7.53
2/B39	T2000/Railfutures	HG.3
485/B9	Prowting Projects Ltd	HG.3
696/B17	South West RSL Planning Consortium	HG.3
696/B31	South West RSL Planning Consortium	HG.3
700/B17	Chase Homes	HG.3
2311/B2	Somer Community Housing Trust	HG.3
2313/B3	Bryant Homes (Taylor Woodrow)	HG.3
2380/B3	Mr M McGibney	HG.3
2388/B3	J S Bloor Ltd (Sytner Properties Ltd)	HG.3
2901/B1	Mr D Pera	HG.3
3098/B24	George Wimpey Strategic Land	HG.3
3099/B18	Barratt Bristol Limited(Mr A T P Joliffe)	HG.3
3233/B12	Mr & Mrs M Williams	HG.3
3251/B29	Prospect Land Ltd	HG.3
3268/B3	Ms J Allen	HG.3
696/C58	South West RSL Planning Consortium	HG.3/A
2340/C13	Mr & Mrs S Wiseman	HG.3/A
3009/C12	Polestar Properties Limited	HG.3/A
3605/C10	Nicholson Estates	HG.3/A

Supporting Statements

S3257/C136	Somer Valley Friends of the Earth	B7.45B/A
S3299/C62	Bovis Homes (South West Region) Limited	B7.45B/A
S3299/B20	Bovis Homes (South West Region) Limited	B7.50
S3251/B15	Prospect Land Ltd	B7.54
S3299/C61	Bovis Homes (South West Region) Limited	HG.3/A

Issues

- i) Whether there is a need for a phasing policy.
- ii) Should the word "brownfield" be replaced by an alternative definition?
- iii) Should reference be made to the Bath Western Riverside (BWR) proposal in paras B7.45B, and B7.46?

- iv) Does the plan provide for contingency measures in the event of a shortfall in land supply provision?
- v) Should there be a reference to the shortage of brownfield sites in Keynsham, and should paras B7.48 and 49 of the DDLP be retained?
- vi) Whether a list of allocated sites should be included in the plan.
- vii) Whether land to the SW of Keynsham should be released for housing.

Inspector's Reasoning

Issue i)

- 5.152 The Council deleted Policy HG.3 from the DDLP because of the change in the balance from greenfield to brownfield housing land allocations. I now recommend the release of greenfield sites to make up the shortfall which I identify in the housing land supply. This shortfall arises from my recommendation that the Local Plan take into account the higher level of housing completions implied by RPG10, coupled with my conclusions on the availability of the brownfield sites allocated under Policy GDS.1 which I find are unlikely to deliver the scale of development anticipated by the RDDLP.
- 5.153 Government advice in PPG3 states that the development of previously developed land should take place before that of greenfield sites. However, it is also a priority of Government to maintain a supply of housing sites. Having regard to the particular circumstances and constraints which affect the delivery of sites such as Western Riverside, a phasing policy which held back the release of greenfield sites until development had progressed on the brownfield sites would be a major constraint to the delivery of housing within B&NES.
- 5.154 Furthermore, the main purpose of giving priority to previously developed sites is to ensure that the release of greenfield sites which are easier to develop does not prejudice the development of brownfield sites by diverting developers away from more difficult projects. Within the City itself there are few opportunities for greenfield development, and those which I have identified would not be of a scale to prejudice the development of the City's brownfield sites in this way. The larger greenfield sites are not in Bath, and I see no reason why, for example, a new development in Keynsham should detract from the unusual opportunity at Bath Western Riverside to build a large number of new dwellings within a WHS.
- 5.155 Finally, with the adoption of this plan unlikely before mid 2006, the remaining plan period is so short that there would be little if any scope for development of the allocated sites to be phased. I therefore recommend no change to the plan as regards the inclusion of a phasing policy.

Issue ii)

5.156 I agree with the Council that the term “brownfield” has become widely accepted as interchangeable with “previously developed” in terms of land use. The term is used in Government publications including the new consultation paper “Planning for Housing Provision” published in July 2005. I therefore consider that it would be inappropriate for B&NES to adopt any different terminology as suggested by the Bath & North East Somerset Allotments Association.

Issue iii)

5.157 Paragraph B7.46 was not retained in the RDDLP and I have no reason to consider that it should be reinstated. In view of my recommendation to introduce a table of allocated sites together with information as to their status and implementation, I consider that B7.45A&B make little contribution to the plan and should be deleted.

Issue iv)

5.158 With an accurate assessment of the availability of allocated housing sites, and the higher level of provision which I recommend, the need for a contingency plan is reduced. Furthermore, with the short period of the plan left following adoption, it is unlikely that there would be time to implement a contingency plan, or to monitor the progress of the plan in accordance with plan, monitor and manage. Priority should be given to identifying a selection of properly available sites for this plan, and to produce a DPD to carry the supply of housing land forward in accordance with Regional policy.

Issue v)

5.159 In view of my conclusions and recommendations in relation to Keynsham and inclusion of a phasing policy, I find no need to incorporate paragraphs B7.48 and B7.49 of the DDLP into the plan.

Issue vi)

5.160 I have recommended that a table with the sites allocated for housing be introduced into the plan.

Issue vii)

5.161 There is clearly considerable opposition to the release of land at SW Keynsham for development. However, there is a need for land to be released from the Green Belt for housing in accordance with the policies of the JRSP, and having assessed the many different options which have been put forward by objectors, I have concluded that this site performs the best against strategic criteria. I note the detailed points raised against its development, but with careful landscaping, design and implementation I have no doubt many of these would be mitigated.

Recommendation:

R5.20 Modify the plan by deleting paragraphs B7.45A & B.

Chapter B7 - Housing Needs - Windfall Development - Policy HG.4 and Paragraph B7.56

There are large numbers of representations to this policy; details are listed at Appendix 1

Issues

- i) Should windfall development in R1 settlements be limited to previously developed land within defined housing development boundaries; and does HG.4ii)(b) allow for the redevelopment of employment land for housing?
- ii) Should the built up area of settlements be defined through the use of settlement boundaries and not HDBs?
- iii) Should reference be made to opportunities for mixed use development?
- iv) Should criteria be added to the policy to require sites to be accessible by a range of transport modes and in locations which reduce the need to travel or within 800m of the centre of the settlement.
- v) Should opportunities for housing/mixed use development within the built up areas of Keynsham, Norton Radstock, Paulton and Saltford be highlighted?
- vi) Should the HDB for Batheaston be amended to include land at Poplar Nurseries and the BT Telephone Exchange?
- vii) Should the HDB for Bathampton be amended to include land between Holcombe Road and Warminster Road?
- viii) Should the HDB for Bathford be amended to include land at Bannerdown Farm and south of Box Road?
- ix) Should the HDB for Temple Cloud be amended to include land west of Molly Close and the Coal Yard and Woolhouse, Peterside?
- x) Should the HDB for Clutton be amended to include The Wharf?
- xi) Should the HDB for Farmborough be amended to include land east of Timsbury Road.

- xii) Should the HDB for Keynsham be amended to include the Lays Farm Industrial Estate; land on the eastern side of Stockwood Lane; and land at Wellsway/Gooseberry Lane?
- xiii) Should the HDB for Norton-Radstock should be amended to include the garden of 43 Bath New Road; land at Bath Old Road; Coomb End Scrapyard; land to the east of Coomb End; land to the north east of Five Acres; land at Frome Road, Writhlington; land at Greenhill; land at Haydon Hill; land at Hazel Terrace/Old Pitt Road; land north of Maple Heights; Meadow View, West Road, Midsomer Norton; land at Rosemount, Ham Hill, Midsomer Norton; land at The Grange; and land at Welton Grove, Greenhill?
- xiv) Should the HDB at Paulton be amended to include land at Abbots Farm Close; Crossways, Bath Road; land at Ham Grove; land at Paulton Printing Factory; and land at Paulton Hill?
- xv) Should the HDB at Peasedown St John be amended to include land at Bath Road (opposite Red Post); land east of Carlingcott Lane; land between Church Road and New Buildings; land rear of 47-53 Church Road; land between Greenland's Road and Hillside View; land at 15 Greenlands Road; land south east of the bypass; and land at Wellow Lane?
- xvi) Should the HDB at Saltford be amended to include land at Kelston Close?
- xvii) Should the HDB at Bishops Sutton be amended to include land to west of Cappards Farm; land between Hillside House and Truffles; land at Poole Farm; land north east of Sutton Hill Road; and land north and south of Vine Farm.
- xviii) Should the HDB at Timsbury be amended to include land east of Lippiat Lane; land east of Mill Lane; and Wheelers Yard, North Road?
- xix) Should the HDB at Whitchurch be amended to include land at south east Whitchurch?
- xx) Should Policy HG.4 allow for housing development at Coomb End, Norton-Radstock under Policy ET.3A?

Inspector's Reasoning

Issues i) – iv)

5.162 The main reason given by the Council for restricting windfall development to previously developed land is the advice in paragraph 36 of PPG3, that no allowance should be made for greenfield windfall sites in Local Plans. However, I consider this to be a misapplication of Government policy. The PPG3 advice is given in the context of calculating the amount of land which needs to be allocated to meet strategic housing requirements, and

is in my view intended to ensure there is no reliance on the release of greenfield windfall sites to meet those requirements. I do not interpret the advice as requiring that there should be no small scale infill development on sites which have not previously been developed. Indeed, para 69 of PPG3 states that most proposals for housing within villages will involve infill development or peripheral housing. There is no indication that such development should only be on previously developed land. Furthermore, "Tapping the Potential" states that "vacant land not previously developed" should be recognised as a potential source of housing land.

- 5.163 Other policies in the plan, such as for the protection of conservation areas, landscape character, nature conservation and recreational uses would ensure proper consideration of the importance of open spaces with the built-up area/housing development boundaries. I am satisfied that amending Policy HG.4 by deleting the restriction to previously developed land need not result in a loss of green spaces which would detrimental to the character or amenities of settlements.
- 5.164 The policies controlling the redevelopment of employment land for housing are linked to the approach adopted in the plan to the definition of HDBs. For the most part, the plan omits sites which are in employment use from the HDBs. A number of objectors argue that the boundary of the settlement as a whole should be identified so that such sites would be included, and I have sympathy with this view. This would not result in the unrestricted loss of sites from employment to housing use, since any proposal for the loss of land and floorspace would be assessed against new Policy ET.3 which I recommend in Section 2, together with other policies of the plan. This approach would accord with the advice given in PPG3 paragraph 42(a) to give favourable consideration to housing or mixed use developments of redundant land and buildings in industrial or commercial use.
- 5.165 For urban areas and settlements which are inset in the Green Belt, the Green Belt boundary would generally provide the boundary of the settlement unless land is being safeguarded for future development. Undeveloped land within the boundaries would be subject to the various policies of the plan which ensure that sites which it is important to retain remain undeveloped. For urban areas beyond the Green Belt, the settlement boundaries would need to be defined.
- 5.166 The use of settlement boundaries would be more flexible and easier both to administer and understand. In particular, there would be no uncertainty as to whether sites which are in, or allocated for, a mix of residential and employment development should be within or outside the boundary, and no need to revise the boundaries when a use within the settlement is changed from or to residential. However, the definition of settlement boundaries in this plan could be a time consuming modification. In view of the limited life of the plan, I consider that the Council should not expend resources in defining settlement boundaries, but should adopt an approach which uses settlement boundaries in the

preparation of the new LDF. I therefore make no recommendation to change the use of HDBs in the policies of this plan, but to enable a flexible approach in considering the redevelopment for housing of employment land and buildings, I recommend a cross reference in Policy HG.4 to Policy ET.3(3).

- 5.167 A more flexible approach to windfall development could lead to an increase in the scale of new housing in the rural settlements, which raises the issue of whether this would be sustainable, and provide the balanced communities sought by Government. Rural settlements in the plan area have been subject to an appraisal which identifies those which are best able to support limited development, in accordance with Government policy in PPGs 3, 7, and 13. However, to ensure that the scale of any new residential development is in keeping with the character, setting, and accessibility to local facilities and employment of the settlement, as well as the availability of public transport, I recommend further criteria to be added to an amended Policy HG.4.
- 5.168 The criteria which I recommend do not include a reference to the concept of a "ped-shed" since services and facilities within some settlements tend to be dispersed and it would be difficult to define the 800m limits.
- 5.169 By including criteria within HG.4 which enable an assessment of any residential development in relation to the scale of the settlement and its performance in terms of sustainability criteria, I consider that the amended Policy HG.4 could also be applied to the R2 settlements without any danger of inappropriate developments being permitted. As a result I consider that HG.4 should be amended to apply to R1 and R2 settlements and that HG.5 should be deleted.
- 5.170 Since I recommend no change to the approach of using HDBs in this plan, I make recommendations to change the HDB where appropriate on a site specific basis. Unless an employment site is to be allocated to housing, it would be inappropriate to include it within an HDB, although different considerations would apply when the change is made to settlement boundaries. The adoption of settlement boundaries instead of HDBs would allow all developed areas of a settlement to be included, therefore where I make no recommendation to change the HDB to include an employment site, this does not imply that the site should not in the future be included within a settlement boundary. Furthermore, it does not preclude the consideration of an employment site for residential redevelopment under the new Policy ET.3.
- 5.171 Paragraph B7.56 refers to the development of infill sites without restricting such development to previously developed land. However, I recommend changes to paragraphs B7.56 – B7.57 and B.7.59 to reflect the changes recommended to HG.4.

Issue v)

5.172 I have recommended that sites which are to be allocated for residential development should be listed in a new Table. Any other proposals for housing/mixed use development fall to be considered against all the other policies of the plan, and this includes proposals which come forward in Keynsham, Norton Radstock, Paulton and Saltford. I find no reason to identify these settlements in the way suggested by the objector.

Issue vi)

5.173 The land at Poplar Nurseries and at the Telephone Exchange in Batheaston are located within the Green Belt. Although Policy SS9 of RPG10 states that the Green Belt around Bath should be reviewed, this Local Plan has been prepared to accord with the JRSP which makes no such provision. Whilst I accept that the regional policies are a material consideration, it would require considerable resources and cause significant delay in the adoption of this plan if I were to recommend a review of the Bath Green Belt to inform this plan. As I have stated earlier, it would be appropriate to review the Green Belt around Bath as part of the preparation of the new LDF.

5.174 I have considered the arguments put forward by the objectors for taking these sites out of the Green Belt but do not consider that they amount to the very special circumstances required by Government policy to justify such a change. Whilst the sites remain a part of the Green Belt, it would not be appropriate for them to be included within the HDB.

Issue vii)

5.175 Land east of Holcombe Close is largely undeveloped. It forms part of the rural surroundings of Bathampton and is within the Green Belt. As a result it should remain outside the HDB.

Issue viii)

5.176 Land at Bannerdown View Farm is within the Green Belt and is different in character from the more built up area of Bathford village. As a result I make no recommendation to include the land within the HDB.

5.177 The objection site at Box Road is a small stretch of land between the road and the railway embankment. Although the land is in poor condition with the remains of a fire damaged house, I consider that the road provides a defensible Green Belt boundary and that the circumstances of this site are not so special as to justify its alteration. I therefore recommend no change to the HDB.

Issue ix)

5.178 The Coal Yard and Woolhouse, Peterside is on the edge of the HDB for Temple Cloud, but it is a brownfield site with mainly disused industrial buildings, areas of overgrown hardstanding and some residential use. The

Council is concerned that its inclusion within the HDB would lead to the loss of an employment site.

5.179 With a change to settlement boundaries it would be most appropriate to include this site within the boundary since it relates more closely to the built up area than to the countryside beyond. I have recommended that the site be considered for housing, and in the event of an allocation in the plan, it should be included within the HDB. Should the site be considered too small for an allocation, proposals for redevelopment would fall to be considered under amended Policy HG.4 and new Policy ET.3(3).

Issue x)

5.180 The Wharf at Clutton is in use as a haulage depot. It is centrally located within the village and clearly generates heavy goods traffic. The objectors argue that there could be environmental improvements if the site was redeveloped, but that a redevelopment for employment uses only would not be viable. In view of the current active use of the site, I do not recommend its inclusion in the HDB or its allocation for residential development. However, the site should be included within a future settlement boundary, and in the meantime the potential for redevelopment would fall to be considered within the context of amended Policy HG.4 and new Policy ET.3(3).

Issue xi)

5.181 Land east of Timsbury Road includes a ribbon of housing and an area of open land before the junction with Priston Road. The whole of the area is within the Green Belt, and as I have stated elsewhere there is no remit for a revision of Green Belt boundaries around any settlement other than Keynsham, and in the absence of very special circumstances to support the removal of the land from the Green Belt, it should remain outside the HDB.

Issue xii)

5.182 Lays Farm Industrial Estate projects into the rural area to the south west of Lays Drive and is based on the former agricultural buildings of Lays Farm. The intensive use of the buildings for employment purposes distinguishes the site from its former farm use, and the Council proposes the removal of the site from the Green Belt, but not its inclusion within the HDB. However, the site was in use for employment purposes at the time of the Inquiry into the Keynsham and Chew Valley Local Plan, when the Council took the view that the retention of the site within the Green Belt would control rebuilding or other new construction of the site which is prominent and visible from longer views. My colleague at that Inquiry agreed with the Council in his report, and recommended that the site should remain in the Green Belt.

5.183 It is Government policy that an established Green Belt boundary should only be modified in exceptional circumstances. Whilst the JRSP allows for

alteration of the Green Belt boundary at Keynsham to meet strategic housing land requirements, I do not interpret this as extending to the release of other land from the Green Belt. There has clearly been no change in circumstances relating to the site since the last Inspector's report in November 1990 and as a result I consider that there are no very special circumstances to support the change in the Green Belt boundary as proposed in the plan. I recommend that the site should remain in the Green Belt. Furthermore, since the site is in active employment use, it would be inappropriate to include it within the HDB.

5.184 Land on the eastern side of Stockwood Lane has some development but it is of a lower density than the estate development to the west of Stockwood Lane. I agree with the Council that it is not unusual to find such lower density development at the edge of a major settlement, but the Lane forms a defensible boundary to the Green Belt around Bristol and therefore there are no special circumstances to justify its amendment. As a site within the Green Belt, it would be inappropriate to include the land within the HDB.

5.185 Land at Wellsway/Gooseberry Lane is also within the Green Belt. Although it is characterised by loose knit development, it forms a part of the green finger along the banks of the River Chew which breaks up the developed area of Keynsham. A release of the site from the Green Belt would be likely to lead to the consolidation of the existing development with consequent harm to the openness of the green finger. As a result I recommend no change to the boundaries of the Green Belt and that no change is made to the HDB.

Issue xiii)

5.186 The centre of Norton Radstock lies at the confluence of several deep valleys, and the town has developed up the sides and on to the top of some of the adjoining hills in a radial pattern of development which has left open areas on hilltops and the sides and bottoms of valleys. These form green wedges or fingers penetrating into the heart of the built up area and are a key element in the character of the town.

5.187 No 43 Bath New Road is the last in a ribbon of residential development fronting Bath New Road to the north west as it climbs out of Norton Radstock. The garden forms a triangle of land between the road and the Fosseway which is a narrow track unsuitable for vehicles. The garden clearly relates visually to the residential development rather than the open countryside to the east and north, and as a result I consider that it should more logically be included with the housing in the HDB. Whether or not the development of this small area of garden would be acceptable in amenity terms is a matter to be determined through development control in relation to the policies of the plan and is too precise a level of detail for the Local Plan.

5.188 Although I have no objection to consider in relation to the dwellings north west of the garden at 43 Bath New Road, these relate more clearly to the

adjoining houses within the HDB than they do to the open countryside to the north. As a result I consider that it would be appropriate to extend the HDB to include these dwellings.

- 5.189 Land at Bath Old Road and land north of Five Acres are adjacent sites at the top of the valley side on the northern outskirts of Norton Radstock. The land north of Five Acres forms the northern part of the grounds of the dwelling. Planning permission has been granted for residential development in the southern part of the garden, but the remaining area is in my judgement more clearly related to the surrounding open countryside from which it can be seen in wider views. I therefore consider that it would be inappropriate to include this site within the HDB.
- 5.190 Although there is an outstanding application for a Lawful Development Certificate (LDC) for Use Class B8 on the site, and parts are in use for storage, land at Bath Old Road remains largely open. The southern boundary of the site adjoins the developed area of Radstock, but as for the land north of Five Acres, the site relates more closely to the surrounding countryside and is open to wide views. As a result I consider that it would be inappropriate to include the land within the HDB.
- 5.191 In view of my conclusions set out earlier in this Section relating to Coomb End and the need for environmental improvement of this area of Radstock, I consider that Coomb End scrapyards should be included within the area to be considered as an allocation for residential redevelopment. However, the undeveloped area to the west of Coomb End scrapyards is a greenfield site on the slopes of Welton Hill and should not be considered for housing or for inclusion in the HDB. As stated earlier, land allocated for residential development should be included in the HDB. In relation to land to the east of Coomb End, the undeveloped part of the site adjoining Bath New Road should remain outside the HDB with the land fronting Coomb End considered as part of any residential allocation and for inclusion within the HDB.
- 5.192 Land at Frome Road, Writhlington has residential development to the east, west and south, but it slopes steeply down to the north and relates visually to land which forms the visual break between development on either side of the Wellow Brook. As a result I consider that this site should not be included within the HDB.
- 5.193 Although land north of Maple Heights is closer to the town centre with access to services and public transport, it is an attractive hillside of an undeveloped character with many trees and shrubs. The land forms part of the gap between development in Frome Road and Mill Lane and it is part of an important green finger reaching into the centre. As a result the land makes an important contribution to the character of the town and in my opinion should remain outside the HDB.
- 5.194 Land at Greenhill is an open undeveloped site on rising land to the north of Midsomer Norton, and forms part of the gap between the town and Paulton to the north. Although there is residential development to the

south of the site, with roads to the north and east and a number of public footpaths in the area, the land forms part of the undeveloped countryside and as such I consider that it would be inappropriate to include it within the HDB.

- 5.195 Land at Welton Grove, Greenhill is also north of Midsomer Norton. Although residents of any development here would have good views, located as it is on a hillside the development would be conspicuous from a number of locations. The housing to the south forms a well defined edge to the built up area whereas development of this site would extend the settlement into an attractive rural area. I find no justification for the extension of the HDB to include this site.
- 5.196 Land at Haydon Hill lies to the south west of Meadow View which adjoins the edge of the Radstock Railway Land site allocated for development in the plan as NR2. The objectors state that the site is of no nature conservation value, and should be developed to complement the town centre scheme. However, it is a greenfield site which relates visually to the attractive hillside and open countryside to the south of the town, and development here would narrow the gap with Haydon. As a result I consider that the site should remain outside the HDB.
- 5.197 There are two objection sites at Hazel Terrace/Old Pitt Road. The RDDLP includes land which formed the former Pratten's joinery works within the HDB and planning permission has been granted for the residential development of that site, and that objection has been met. The remaining objection site is a small area to the west of the new housing site, and currently forms part of the Lawson Marden packaging site.
- 5.198 It would make sense to amend the HDB boundary to include any area which is released from the Lawson Mardon site for housing and the area referred to in this objection would appear a good candidate in view of its location between housing to the west and the new residential development to the east. However, Lawson Mardon refer to a potential rationalisation of the uses within their site, and the future of the objection site would most appropriately be dealt with as part of that rationalisation. I therefore make no recommendation to amend the HDB in relation to this site. However, as a developed part of the settlement it would be appropriate to include it within a future settlement boundary. In the meantime any proposals for the redevelopment of the site should be considered under amended Policy HG.4 and the new Policy ET.3(3).
- 5.199 Meadow View, West Road, Midsomer Norton was incorporated into the HDB in the RDDLP and the objection has therefore been met.
- 5.200 Land at Rosemount, Ham Hill, Norton Radstock forms part of the area designated as Important Hillside on the Proposals Map. Although planning permission has been granted for a house on land to the south, I do not find this sufficient justification to extend the HDB to incorporate this land which relates well to the rural setting of the built up area. My

recommended deletion of the Important Hillside designation from the plan does not weaken this assessment.

5.201 The Grange, Silver Street, Midsomer Norton is a substantial dwelling set back from the road in large grounds. It lies at the end of a frontage west of Silver Street which is of low density development and separated from the more urban frontage to the north by school playing fields. To the south lies mainly open countryside. In view of the semi rural character and appearance of this frontage, I consider that the site should not be included within the HDB.

Issue xiv)

5.202 Abbots Farm Close lies on the edge of Paulton and the objection site is part of the open countryside to the south east. Whilst landscaping around the site would help screen it from views from the open countryside, there are no features which would justify any extension of the HDB to include the site.

5.203 At Crossways, Bath Road the dwelling and residential curtilage form a low density site with a semi rural character in a prominent position on the edge of the built up area. In this position I find it relates more closely to the open countryside and therefore it should not be included in the HDB.

5.204 Land at Ham Grove adjoins the HDB on two sides but is a greenfield site which relates clearly to land to the east which is more rural in character. I therefore consider that it would be inappropriate to include the site within the HDB.

5.205 I accept the logic of including that part of the Paulton Printing Factory site which has planning permission for residential development within the HDB. However, I have recommended that other parts of the site be assessed for the potential to accommodate further housing as part of a mixed use development which would also provide for employment. It would serve no useful purpose to include part of the Printing Factory site within the HDB when the distribution of uses on the rest of the site is uncertain, and therefore I recommend no change to the HDB in this plan. With a change to a settlement boundary approach it would be appropriate to include the whole of the Printing Factory site within its confines.

5.206 Land to the east of Spring House at Paulton Hill forms part of the undeveloped gap between the edge of the built up area and Paulton House. This gap is rural in character and therefore an extension of the HDB to include the land would be inappropriate.

Issue xv)

5.207 Land at Bath Road (opposite Red Post) was used for quarrying and tipping but this was some years ago and the site has now largely blended in with the rural area with trees and other vegetation. The site forms part of the open area north west of Bath Road where it is contiguous with the HDB. I find no reason to amend the HDB in this location.

- 5.208 Land east of Carlingcott Lane also lies to the north west of Bath Road and is part of the open countryside. I therefore make no recommendation to change the HDB.
- 5.209 Land between Church Road and New Buildings may be largely scrub land but it separates New Buildings from the edge of the main built up area of Peasedown St John. As a result it performs an important function in maintaining the separation of New Buildings as an independent group of houses rather than an extension of the larger built up area into the countryside. I therefore find that the HDB should remain unchanged.
- 5.210 Land rear of 47-53 Church Road also forms part of the gap which separates New Buildings from the main built up area and for the reasons set out above I recommend no change to the HDB.
- 5.211 Land between Greenland's Road and Hillside View is visually contained but is a substantial area of undeveloped land which brings rural character to the centre of Peasedown, and provides a gap between the older terraced housing at Hillside View and the modern development to the south. As a result I recommend no change to the HDB.
- 5.212 Land at 15 Greenlands Road forms part of a residential curtilage but it is currently undeveloped and forms part of the gap between dwellings fronting Bath Road and the relatively self contained group of terraced properties at Hillside View. As a result I consider that it should remain outside the HDB.
- 5.213 Land south east of the bypass is a large area of open land with permission for Class B1, B2 and B8 development. The site was allocated for employment development to complement the large scale residential development which has taken place at Peasedown St John and to help reduce the need for residents to travel out of the settlement to work. There has been a permission on 5 hectares since 1988 with the whole site allocated since 1995, but little progress has been made on its development for employment purposes apart from a new car dealership at the entrance to the site which has now been constructed. The objectors argue that the demand locally is for small scale employment units and it is at an insufficient level to develop 11 hectares or to be viable to build. They are seeking the release of part of the site for 150-200 houses to secure the viability of the remaining 5 hectares of the site for business uses.
- 5.214 However, this is a large greenfield site in a prominent location on the opposite side of the bypass from the residential development with its schools and other services. Peasedown St John has experienced large scale residential development and in my view the only justification for the release of this greenfield site is if it provides the employment development for which it was originally intended. With the completion of the new car dealership there must be some potential for other business/industrial users to be attracted to the site, and even if the whole 11 hectares of the site is not developed I consider it would be preferable

to leave it undeveloped than to allocate it for further residential development. As a result I recommend that it is not included within the HDB. Furthermore, when the Council consider the definition of a settlement boundary for Peasedown St John, I consider that only the area of the site developed or likely to be developed should be included within the boundary, and that the principle of employment development for the rest of the site should be reconsidered when the current planning permission expires.

5.215 Although I recommend against further housing on land east of the bypass, I have recommended that land at Wellow Lane be considered for allocation in the event that sequentially preferable sites are not able to provide a sufficient supply of housing land during the plan period. The Wellow Lane site is not divided from the rest of the settlement by the bypass and is not conspicuous within the wider countryside. Furthermore it is smaller than the bypass site so that the scale of development would be more appropriate to the settlement. In the event that the site is allocated for housing, I recommend that it be included within the HDB.

Issue xvi)

5.216 Land at Kelston Close forms a gap between bungalows fronting the Close and a garage block to the east. However, it is open land which relates more to the rural surroundings of Saltford and with no very special circumstances put forward to justify its removal from the Green Belt, I have no reason to include it within the HDB.

Issue xvii)

5.217 Although the centre of the land at Cappards Farm is within easy walking distance of a number of the facilities in Bishops Sutton which is an R1 settlement, this greenfield site is some 2.2 hectares in area and its development would comprise a substantial extension of the village into the countryside. I consider that the HDB should not be changed to include the site.

5.218 The development south of Church Lane between Hillside House and Truffles relates well in character and appearance to housing north of the road rather than to the greenfields beyond. I therefore recommend no change to the inclusion of the area within the HDB.

5.219 Land at Poole Farm is part of the rural area south of Bishop Sutton and as such I consider that it would be inappropriate to include it within the HDB.

5.220 Although there are dwellings on land north and south of Vine Farm, the majority of the land is undeveloped and relates more closely to the rural setting of Bishops Sutton. As a result I consider that the sites are properly excluded from the HDB.

Issue xviii)

5.221 Although the land east of Lippiat Lane falls between two existing developments, which include the school, and there may be potential within a development to improve the access to the school, this is a substantial greenfield site which relates clearly to the open countryside setting of the village. As a result I consider that the HDB should not be extended to include the site.

5.222 Land east of Mill Lane forms part of the open countryside setting of Timsbury with residential development to the west of Mill Lane. Mill Lane is contiguous with the HDB where it adjoins the site and I find no reason to change it.

5.223 Wheelers Yard, North Road is currently in use as a concrete works. Whilst there may be support for its redevelopment for housing to provide environmental benefits to the village, the site is in active use and remains a source of local employment. The site should be included in any future settlement boundary, but there is no justification for its inclusion in the HDB within this plan. In the interim any proposals for redevelopment would fall to be considered against the amended Policy HG.4 and new Policy ET.3(3).

Issue xix)

5.224 Although the residential development at south east Whitchurch is generally of a lower density than that to the west, the area is not within the Green Belt, and I consider that it is well related to the built up area of the village. The route for the Whitchurch bypass runs through the area, but in my view this is not a good reason to exclude it from the HDB which should logically follow the Green Belt boundary in this location. I therefore recommend that the HDB is amended to incorporate land south east of Whitchurch.

Issue xx)

5.225 With the recommendations which I make for the deletion of Policy ET.3A and the amendment of HG.4, this objection is largely met. However, I do recommend that the potential for the redevelopment of Coomb End is investigated further by the Council and if appropriate that it be included within a table of allocated housing sites.

Recommendations:

R5.21 Modify Policy HG.4 by deleting the existing text and inserting:

“Residential development in Bath, Keynsham, Norton Radstock and those villages defined in Policy SC.1 as R.1 and R.2 settlements will be permitted if:

- i) it is within the built up area of Bath or within the defined housing development boundary; or

- ii) it forms an element of
 - a) a comprehensive scheme for a major mixed use site defined in Policy GDS.1; or
 - b) a scheme coming forward under Policy ET.3(3);
- iii) and it is appropriate to the scale of the settlement in terms of the availability of facilities and employment opportunities and accessibility to public transport."

R5.22 Modify the plan by deleting the heading and paras B7.56 – B75.7 and substituting:

"Urban areas and R.1 and R.2 Settlements

The allowance for windfall development to meet the strategic housing requirement is based on the redevelopment of previously developed land in accordance with Government advice. However, windfalls may also occur on sites which were not previously developed, subject to the other policies of the plan which seek to protect greenfield sites which are, for example, needed for recreational uses, or which are of townscape or nature conservation importance. Large site opportunities are most likely to emerge in Bath but some may also arise in Keynsham and Norton Radstock and the 13 R.1 villages identified in policy SC.1. Opportunities are likely to be more limited in the 8 villages identified as R.2 settlements.

Windfall developments in the R.1 and R.2 villages may help to maintain the social and economic vitality of the rural areas and contribute towards meeting affordable housing needs. However, the scale and location of such schemes is critical to ensure that they can be satisfactorily integrated into the pattern of the settlement, taking account of local character and distinctiveness. To ensure that any windfall development is in keeping with the character of the settlement, and to prevent unsustainable patterns of development, a scheme will not be permitted unless it is appropriate to the scale of the settlement in terms of the availability of facilities and employment opportunities, and accessibility to public transport."

R5.23 Modify para B7.59 by inserting "and R.2" after "R.1".

R5.24 Housing Development Boundaries should be retained in this plan but the Council should consider the use of settlement boundaries in the LDF.

R5.25 The Proposals Map be modified to include the following sites in the HDBs:

Norton Radstock - the garden of 43 Bath Road, Clandown together with the dwellings and their curtilages to the north west; and any land allocated for residential development at Coomb End or at Clandown scrapyards.

Peasedown St John - any land allocated for residential development at Wellow Lane.

Whitchurch - to follow the boundary of the Green Belt and to include land to the south east.

R5.26 The Proposals Map be modified to include Lays Farm, Keynsham within the Green Belt (the boundary to follow the HDB).

Chapter B7 - R2 Settlements - Policy HG.5

81/B4	Rosewell Nursing Home	HG.5
709/B5	Lordswood Farms Limited	HG.5
1567/B2	Mr S Scott	HG.5
2199/B1	Mr M Fone	HG.5
2233/B1	Mr Andrew Wyatt	HG.5
2264/B1	Mr D Warren	HG.5
2326/B3	Mr C B Bentley	HG.5
2454/B1	J A Pitt (Hallatrow) Ltd	HG.5
2891/B1	Mr R L McDougall	HG.5
3097/B8	Mr M Swinton	HG.5
3177/B5	Mr Whitehead	HG.5
3179/B1	NSY Limited	HG.5
3212/B1	Mr & Mrs C B Brown	HG.5
3255/B1	Mr C Blanning	HG.5

Supporting Statement

700/B14	Chase Homes	HG.5
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Issues

- i) Should HDBs be replaced by settlement boundaries?
- ii) Should the policy wording highlight existing opportunities to meet strategic housing requirements in the R2 settlements?
- iii) Should the HDB for East Harptree be amended to follow the rear boundary of Amberley, Combe Lane; to include land west of Joneth, and the former Agricultural Contractors Yard at Pinkers Farm?
- iv) Should the HDB for Farrington Gurney be amended to include the Manor House and its grounds?
- v) Should the HDB for Hallatrow be amended to include land south of Fairwinds; land at Hart's Lane; land at Highbury Road; land at Tudor Lodge, Paulton Road; and land at the rear of properties fronting Wells Road?
- vi) Should the HDB for Hinton Blewett be amended to include land at Combe Hill Farm, Lower Road?

- vii) Should the HDB for Shoscombe be amended to include land opposite Stoney Bank?

Inspector's Reasoning

Issues i) & ii)

5.226 With the amendments which I recommend to Policy HG.4, in particular the introduction of sustainability criteria, there is no longer a need to have separate policies to deal with R1 and R2 settlements. I therefore recommend that Policy HG.5 is deleted. Whilst I agree with objectors that there would be benefits in a change from HDBs to settlement boundaries, in the interests of enabling the Council to adopt this plan and to bring forward the new LDF more quickly, I recommend no change in the use of HDBs in this plan.

5.227 With the deletion of Policy HG.5, there is no need to retain Paragraph B7.61.

Issue iii)

5.228 I agree with the Council that land to the rear of Amberley reads as part of the rural area and therefore it would be inappropriate to include it within the HDB.

5.229 Land west of Joneth is undeveloped land which forms part of the rural area and should not therefore be included within the HDB.

5.230 Although the former contractor's yard and dairy unit at Pinker's Farm is largely redundant, it abuts the residential area only partly and otherwise projects into the open countryside. As a result it would be inappropriate to include the site within the HDB. Subject to clarification as to whether the site is currently in employment or agricultural use, a proposal for the residential redevelopment of the site would fall to be assessed against Policies HG.4 and ET.3(3).

Issue iv)

5.231 The Manor House and its grounds abut the main built up area of Farrington Gurney, but the adjoining development is at a higher density and quite different in character. The Manor House and its grounds have the appearance of a large country residence and as such I consider they relate more strongly to the open countryside which surrounds the village. As a result I consider that the site should remain outside the HDB.

Issue v)

5.232 Land south of Fairwinds is at the edge of the settlement and is largely overgrown. As a result it relates to the surrounding rural area rather than to the built up area of Hallatrow. I therefore consider that it should remain outside the HDB.

- 5.233 Although there are some buildings on the land at Hart's Lane, it is largely open and undeveloped and relates clearly to the rural setting of the village. I therefore consider that it should not be included within the HDB.
- 5.234 The row of semi detached houses fronting Highbury Road and the two houses either side of the main road are separated from the main part of Hallatrow by a wedge of open countryside which includes the line of the former railway which is being reclaimed in parts, but is otherwise overgrown and rural in character. As a result it would be inappropriate to include it within the HDB.
- 5.235 Tudor Lodge, Paulton Road and the neighbouring houses are separated from the main built up area of Hallatrow by open fields to the west and south. The extensive grounds of Tudor Lodge extend west to be opposite the limits of the HDB south west of Paulton Road, but in my view this does not justify the extension of the HDB to include this group of dwellings which relate more directly to the rural surroundings of the village.
- 5.236 Land at the rear of properties fronting Wells Road lies to the east of a site the subject of a new housing scheme and the access to serve this scheme could also serve the additional land. Furthermore, the objectors state that a scheme could provide a better setting for the listed building to the east which is not in good repair. However, this area of undeveloped land is clearly not part of the built up area of the village and therefore it would be inappropriate to include it within the HDB.

Issue vi)

- 5.237 The erection of a garage and the formation of a duck pond at Combe Hill Farm is not sufficient reason to include additional land within the HDB. The land has the appearance of a largely undeveloped site and relates more closely to the rural setting of the village than to the built up area. I therefore consider that it should remain outside the HDB.

Issue vii)

- 5.238 Although land opposite Stoney Bank may have been used in connection with the former railway and some remains of a concrete base are still on site, it has not been used as such for many years and has largely returned to a natural condition. As a result it forms part of the countryside around this part of Shoscombe and should remain outside the HDB.

Recommendation:

- R5.27 Modify the plan by deleting Policy HG.5 and paragraph B7.61.

Chapter B7 - R3 Settlements - Policy HG.6

309/B4 Mr & Mrs H V Broomfield
345/B22 Freshford Parish Council

HG.6
HG.6

2083/B1	Mr K Fear	HG.6
2145/B1	Mr D C Poole	HG.6
2227/B1	Mr & Mrs T Crowden	HG.6
2236/B4	Mr M Young	HG.6
2262/B2	Wellow Parish Council	HG.6
2265/B1	Mr & Mrs J B Hudson	HG.6
2351/B2	Mr D Sully	HG.6
2363/B1	Mr M J Taylor	HG.6
2367/B1	Priston Parish Council	HG.6
2375/B1	Dr A Bowyer	HG.6
2400/B1	Mr B Clarke	HG.6
2448/B3	Mr J Sewart	HG.6
2452/B1	Mr R Thompson	HG.6
2648/B5	Persimmon Homes (Wessex) Ltd	HG.6
2952/B1	Mr J W Brooks	HG.6
2977/B2	The Bear Organisation Limited	HG.6
2995/B1	Mr & Mrs R Horler	HG.6
3097/B9	Mr M Swinton	HG.6
3117/B1	Mr T D Hamilton	HG.6
3178/B1	MCS Limited	HG.6
3194/B2	Mr N T Harris	HG.6
3254/B1	Mr K A Jarvis	HG.6
3267/B1	C S J Planning Consultants Ltd	HG.6
3267/B6	C S J Planning Consultants Ltd	HG.6
3310/B1	Ms A Harding	HG.6
3311/B1	Mr A Cox	HG.6
3295/C9	G L Hearn Planning	HG.6/A

Issues

- i) Should the limits of development be defined by settlement boundaries rather than HDBs?
- ii) Should residential development within the HDBs be confined to previously developed land?
- iii) Should the HDB for Chew Magna include part of the area designated under Policy NE.9?
- iv) Should land north of the Bowling Club and the Radfords Retail site be included within the HDB for Chew Stoke, or should an additional category of redevelopment site be added to HG.6?
- v) Should the Walled Garden at the Old Rectory be included in the HDB for Claverton?
- vi) Should dwellings at Dunkerton be included within an HDB?
- vii) Should land r/o Wellow Road be included in the HDB for Hinton Charterhouse?
- viii) Should opportunities for housing/mixed use development be identified in Monkton Combe?
- ix) Should land east of Willow Rise be taken out of the HDB at Priston?

- x) Should land at Pensford Old Road, and at Station Approach, Pensford be included in the HDB?
- xi) Should land to the rear of Stanton Wick Lane be included in the HDB for Upper Stanton Drew?
- xii) Should the HDB at Wellow be amended to follow the landscape character area boundary and include the farm buildings?

Inspector's Reasoning

5.239 Objection 2648 relates to land at Holcombe Close, east of Bathampton, objection 2351 relates to Bannerview Farm, Bathford, and objection 3194 relates to land east of Timsbury Road, Farmborough. These relate to R.1 settlements. I therefore deal with these objections under Policy HG.4.

5.240 In the RDDLP wording is added to paragraph B7.62 to make it clear that conversion of non-residential buildings and sub-division or replacement of existing buildings would be generally acceptable within the HDBs, so objection 345/B22 is met. In the RDDLP the HDB for Wellow is amended at Weavers Farm to take into account existing planning permissions so objection 2262/B2 is met.

Issues i) & ii)

5.241 The R3 settlements are villages which are washed over by the Green Belt. In such villages, PPG2 allows for infill development which does not have an adverse effect on the character of the village concerned. PPG2 advises that a local plan may need to define infill boundaries to avoid dispute over whether particular sites are included.

5.242 There is nothing within PPG2 to indicate that such infill development should be restricted to previously developed land, and for the reasons given in respect of Policies HG.4 and HG.5, I do not accept the interpretation placed by the Council on paragraph 36 of PPG3. In my view paragraph 69 of PPG3 supports this view, since there is no reference in that paragraph to a limit to infilling on previously developed land.

5.243 I therefore recommend a change to Policy HG.6 to delete the reference to previously developed land.

5.244 With regard to the use of HDBs for Green Belt villages, it seems to me that a more restrictive approach to the definition of the area in which infill development would be acceptable is appropriate, but the use of HDBs prevents the inclusion of small sites which are in other uses such as employment, but which may be within the confines of the village. I therefore consider that the use of settlement boundaries is of more value. A settlement boundary would include the whole of the area of the village in which infill or the conversion of buildings to residential use could be acceptable, subject to the other policies of the plan. Clearly sites which are in employment use would need to satisfy the criteria in Policy ET.3(3)

before such redevelopment could take place, and there are other policies to protect sites in uses such as recreation.

5.245 However, for the reasons given in respect of Policies HG.4 and 5, I do not recommend a change from HDBs to settlement boundaries in this plan. The exercise of redefining boundaries to replace the HDBs should be carried out as part of the preparation of the new LDF to avoid further delay in the adoption of this plan.

5.246 Since I am recommending no change to the use of HDBs in this plan, I now consider the objections which seek a change in the HDBs for specific settlements.

Issue iii)

5.247 Although the HDB to the north of the River Chew at Chew Magna encroaches on the area designated as a Site of Nature Conservation Importance bordering the river, Policy NE.9 safeguards such sites from harmful development. Therefore I find no need to exclude the area from the HDB.

Issue iv)

5.248 Land north of the Bowling Club is a greenfield site in the Green Belt outside the main built up area of the village. As a result I consider that it would be inappropriate to include it within the HDB.

5.249 The Radfords Retail site abuts the main developed area of the village in part, but is also separated by undeveloped land to the west. The site is proposed for redevelopment as a MEDS which I deal with in the Green Belt section of my report. With an HDB around the settlement rather than a settlement boundary, there is no scope to include the site which is allocated for mixed use development within the boundary. Furthermore, I consider that the future of the site must be determined in terms of its status as a redevelopment site within the Green Belt whether or not it is accepted as a MEDS, and therefore the additional wording suggested by the objector is not appropriate.

Issue v)

5.250 Although the Walled Garden is largely concealed behind a high stone wall, and was the site of the Manor some years ago, it now forms part of the undeveloped frontage in this part of the village. As a result it would not be an infill site within the terms of PPG2 and has therefore correctly been excluded from within the HDB for Claverton.

Issue vi)

5.251 Dwellings at Dunkerton are few in number and quite loosely grouped. As a result they do not form a settlement of sufficient size or composition to merit the definition of an HDB.

Issue vii)

5.252 Although land at Wellow Road has the benefit of services, it is undeveloped Green Belt land outside the built up part of the village. As a result I consider that it should not be included within the HDB.

Issue viii)

5.253 I have recommended that sites to be allocated for housing should be identified in a new table, and Policy HG.6 is concerned with sites which have not been allocated. It is both unnecessary and inappropriate to refer to specific sites in named settlements in the Policy.

Issue ix)

5.254 Land between Willow Rise and Edgehill in Priston is a gap in an otherwise developed frontage for which planning permission has been granted for a detached dwelling. As a result it is quite appropriately included within the HDB.

Issue x)

5.255 The three areas suggested for inclusion within the HDB at Pensford Old Road are open greenfield sites within the Green Belt which relate to the rural setting of the village. They do not relate to or form a part of the built confines of the settlement and therefore it would be inappropriate for them to be included within the HDB.

5.256 Land at Station Approach is part of an undeveloped area which would be too large to form small scale infilling between existing buildings. As a result it is appropriate that it be excluded from the HDB in this settlement which is subject to Green Belt policies.

Issue xi)

5.257 Land to the rear of Stanton Wick Lane includes an undeveloped frontage to the lane which relates to the open rural setting of this Green Belt village. As a result I consider that the land should remain outside the HDB.

Issue xii)

5.258 Wellow is a village in the Green Belt and the identification of the boundary of the landscape character area has no bearing on the correct location for the HDB. The boundary of the HDB has been amended in the RDDLP to include the land for which planning permission has been granted for residential development, but the remainder of the farm buildings are effectively part of the rural setting of the village and as such should remain outside the HDB.

Recommendation:

R5.28 Modify Policy HG.6 by deleting criterion i).

Chapter B7 - Housing Density - Policy HG.7 and Quick Guide 13

241/B10	High Littleton and Hallatrow Village Design Team and High Littleton Parish Council	HG.7
686/B88	Bath Preservation Trust	HG.7
696/B18	South West RSL Planning Consortium	HG.7
2638/B4	High Littleton & Hallatrow Village Design Team	HG.7
3097/B10	Mr M Swinton	HG.7
3098/B25	George Wimpey Strategic Land	HG.7
3099/B19	Barratt Bristol Limited(Mr A T P Joliffe)	HG.7
S3238/B8	Cadbury Limited	HG.7
S3241/B6	Edward Ware Homes Ltd	HG.7
S3242/B8	Davies Street (Bathampton) Ltd	HG.7
S3251/B13	Prospect Land Ltd	HG.7
686/B89	Bath Preservation Trust	HG.7A
696/B19	South West RSL Planning Consortium	HG.7A
721/B31	Government Office for the South West	HG.7A
3099/B20	Barratt Bristol Limited(Mr A T P Joliffe)	HG.7A
S3238/B9	Cadbury Limited	HG.7A
3312/B6	Cllr G Dawson	Quick Guide 13

Issues

- i) Is it necessary to have two separate policies (HG.7 and HG.7A)?
- ii) Should there should be more flexibility in the policies and are densities of 30 - 50 dwellings per hectare appropriate?
- iii) Whether reference should be made to car parking provision.
- iv) Should Quick Guide 13 refer to communal garden space?

Inspector's Reasoning

Issues i & ii)

5.259 In the interests of having a precise and succinct Local Plan I consider that it would be desirable to limit the number of policies in the Plan and it seems to me that only one policy on residential densities should be sufficient. That policy should not be overly prescriptive, but at the same time it must reflect Government policy which is to raise the overall levels of density in new housing developments in order to reduce the amount of land required for new housing.

5.260 Clearly the policy requires some flexibility such that the density achieved for each site may depend upon its particular characteristics and setting, but the aims of Government policy will not be achieved if new development simply reflects the density of what is already there. The policy does therefore need to be explicit in its requirement for the highest

density to be achieved which is appropriate to each scheme and its setting.

5.261 As worded, Policy HG.7 requires a minimum density of 30 dwellings, but provides criteria which may be used in order to allow for lower densities. In my view this approach risks allowing established densities to be perpetuated rather than encouraging higher densities through innovative design. The Policy would be improved through an expectation that the minimum density will be 30 dwellings to the hectare.

5.262 The approach taken in Policy HG.7A requires a development of 50 dwellings to the hectare or greater to meet certain criteria which would have the effect of restricting such development to certain locations. No such limitations are implied by government policy which requires higher densities of between 30 to 50 dwellings per hectare in order to make more efficient use of land. Indeed, in the locations which would meet the criteria of Policy HG.7A densities in excess of 50 dwellings per hectare should be sought. I therefore put forward a new density policy which would provide flexibility whilst ensuring that the highest possible density is secured at all times.

5.263 My recommended rewording does not limit the application of the policy to within the settlements listed in Policy SC.1. Clearly the majority of residential development is likely to take place within settlements but there are sites which are outside the HDBs of those settlements such as employment sites which may be suitable for residential development. There should be no doubt that the density policy applies to any proposal for residential development.

Issue iii)

5.264 The appropriate level of parking for individual developments is dealt with in other policies within the plan, and there is no need for them to be set out in the density policy.

Issue iv)

5.265 I accept the Council's explanation that the reference to private garden space in Quick Guide 13 would include communal gardens within a housing scheme. Furthermore, I agree that it would be inappropriate for the Local Plan to include examples of other developments. However, I question the use of this device which is neither policy nor explanatory text. In the case of Quick Guide 13, I consider that the contents should be incorporated into a new paragraph in the text before the policy.

Recommendations:

R5.29 Modify the plan by deleting Policies HG.7 and HG.7A and inserting a new policy as follows:

"Residential development will only be permitted where the maximum density compatible with the site, its location, its accessibility and its

surroundings is achieved. Densities in excess of 30 dwellings per hectare will be expected in order to maximise the use of housing sites.

Densities in excess of 50 dwellings per hectare will be expected in and around existing town centres and in locations well served by public transport."

R5.30 Modify the plan by deleting Quick Guide 13 and by incorporating its contents in a new paragraph in the explanatory text before the policy.

Chapter B7 - Affordable Homes - Policy HG.8 and Paragraphs B7.73-B7.82

There are large numbers of representations to this policy; details are listed at Appendix 1

Issues

- i) Is the needs assessment relied on by the Council sufficiently rigorous and convincing?
- ii) Should the policy material on affordable housing be differently distributed between the local plan and the SPG?
- iii) Is policy HG.8 compatible with national advice on planning and affordable housing?
- iv) Other issues

Inspector's reasoning

Issue i)

5.266 At a late stage during the Inquiry the Council withdrew their earlier reliance on the Housing Survey 2000, conducted by David Coultie & Partners, and sought to base the plan instead on more recent material set out in the final report of the West of England Housing Need and Affordability Model (WEHNAM) as subsequently amended at the Inquiry. This study was undertaken in 2004/5 by Prof Glen Bramley and covers the combined areas of four local authorities (Bath & North East Somerset, Bristol, North Somerset, and South Gloucestershire).

5.267 The main challenge to WEHNAM came from Fordham Research (FR). The company characterised it as a "quick and dirty" study drawing entirely on published national data modified by many unexplained assumptions. In FR's view WEHNAM provides a "useful interim basis" but its methodology does not meet the requirement of Circular 6/98 para 6 for a "rigorous" assessment "making clear the assumptions and definitions used (which can) withstand detailed scrutiny". They consider that the report lacks transparency and that a number of individual steps within the study are

based on defective data and/or assumptions, compounding the probable margins of error in the report's findings. In the company's view the reliability of the study's outputs compares poorly with the detailed local information that would be gained from a household survey of the kind commonly undertaken for local authorities by FR themselves.

- 5.268 I make some comments below on the general issues raised by FR but preface these by stating my firm view that fundamental methodological "quality control" disputes of this kind are not best investigated or resolved through an individual local plan inquiry. Affordable housing is a nationally and locally important issue. Local authorities and others need access to unambiguous and up-to-date advice about the methods and information sources that are nationally acceptable as able to provide a properly rigorous assessment in line with the requirements of the circular.
- 5.269 The current best practice guide [Local Housing Needs Assessment: A Guide to Good Practice, DETR, 2000] provides a step-by-step basic needs assessment model at table 2.1. This includes some indications of the likely basic data sources for each step of the model. As the Council pointed out, the guide does not state that collection of primary household data through a local housing needs survey is essential to provide the data for the steps in table 2.1. However, it seems to envisage that information derived from 'Housing needs household survey' data will play a substantial role, albeit that Chapter 2 acknowledges there may be more than one potential source for many elements of information and that different sources may provide valuable cross-checks. The general message seems to be that housing needs assessments will employ a mixture of primary and secondary data, derived from a variety of local and national sources, but normally including "bottom-up" data.
- 5.270 I am aware that, contrary to what appears to be the general thrust of the guide, a number of studies undertaken recently at national, regional and local levels have relied mainly upon data that has not been derived from local household and other surveys. If, contrary to what seems to be the thrust of the present guide, this more "top-down" approach is accepted by Government as appropriate for identifying affordable housing needs at the more local levels this needs to be made plain in any advice that replaces the current guide. Confirmed clear guidance on the best balance of top-down and bottom-up approaches would help to provide local authorities with the sure basis that they need for making well-informed decisions about reliably rigorous methods of assessment before making investments in housing needs studies. It would also reduce the potential for repetitive and wasteful methodological debate at inquiries and examinations.
- 5.271 Turning to the more detailed points raised by FR, the WEHNAM report's estimate of the backlog of existing households in need was amended twice as a direct result of FR's challenges to its likely validity/accuracy, in both cases resulting in substantial downwards adjustments of the total annual unmet need from 891 to 741 to 685. There is still little transparency about the way in which "backlog" information was derived from the notoriously unreliable source of the housing register and the discount

factor applied to the register is very considerably lower than FR say that they have usually found to be appropriate. WEHNAM considers that over 60% of the register represents backlog need whereas FR say that their past household surveys have commonly calculated backlog need at some 15-40% of the number on the register. However, the effect of any overestimation by WEHNAM would be mitigated by the selection of a modest 10% quota reduction rate.

- 5.272 There were many broad and detailed points of difference between FR and the Council on matters such as the methods, data sources and "reasonable assumptions" to be used to estimate numbers arising from different sources of need. A particular matter was the issue of whether any allowance should be made for private renting as a means of meeting affordable housing needs. There were conflicting views as to whether this is a reliable, long-term and satisfactory way of doing so.
- 5.273 I do not consider it profitable for the purposes of this report to record or comment upon these detailed matters as this would not bring closer any prospect of resolving the differences in the B&NES case. However, in general terms the transparency of the process would have gained from the addition of more locally based survey material, as indicated on the right hand side of table 2.1 in the good practice guide.
- 5.274 Finally, as a result of FR's criticisms of the Council's data sources it was accepted that the supply of affordable housing arising from social relets should be increased from 415 (as shown in WEHNAM) to 565.
- 5.275 No matter how reliable and detailed the data and refined the method, no study can provide more than the best possible estimate of need for affordable housing in the District. Furthermore, heavy reliance on the types of data used for WEHNAM, unleavened by specific primary local data, may reduce the likely degree of reliability of District level findings. This reservation applies with particular force to the series of tables setting out aspects of need at the level of the 4 District sub-areas, culminating in table 7.9. Moreover, as suggested by FR, the findings of table 7.9 seem to produce very unusually high requirements for 3+bed dwellings when considered in the context of the information at p61 of the good practice guide.
- 5.276 Notwithstanding the possible fragility of aspects of WEHNAM its final corrected estimate of an unmet need of about 685 units pa compares with possible new provision of about 125 units pa based upon 30% of the balance of about 2,915 units still to be provided through allocations and windfalls from 2004-2011. Whilst the Council's policies do not seek this percentage in every circumstance this is a reasonable assumption for comparative purposes, and actual new provision would then be more than 5 times less than the study's estimate of unmet needs.
- 5.277 FR decline to approach the matter in this pragmatic way, arguing that if the evidence on need for affordable housing is not acceptably rigorous there cannot be a justified policy. Need could be significantly under- or

over-estimated. Nonetheless, since it is not argued that there is no level of need for affordable housing in the District, just an inadequately measured one, I find it safe to conclude that provision at around 30% of the residual requirement would not run any risk of over-providing affordable housing.

5.278 As a further reflection on required rigour in relation to the provision sought, I also observe that the general affordability of housing has greatly declined since the publication of Circular 06/98, at which time it was common in many areas for there to be dispute about the existence of any need at all. This is no longer the case in areas such as the West of England. For instance, I note that B&NES was at around 45th place in the national table of house price to income ratios for working households aged 20-39 compiled by the Joseph Rowntree Foundation in 2003.

5.279 I conclude from all this that there is no sufficient need to require (as FR sought) that a new needs study be provided to underpin the affordable housing policies of the plan or the modifications that I recommend below. However, I recommend that paragraph 7.75 and table 3A of the inquiry change version of the plan, concerning sub-District needs for dwellings of various sizes, be replaced with more generally worded text.

Issue ii)

5.280 In the consolidated version of the plan Policy HG.8 contains neither an overall percentage target nor specific site size thresholds. Instead, the former is delegated to supplementary planning guidance with HG.8 referring only to seeking a "significant proportion" of affordable dwellings. The site size thresholds are covered in the reasoned justification to the plan. There was considerable objection to this distribution, particularly delegation of the target to the SPG. This was justified by the Council on the ground that the plan needs to retain flexibility so that appropriate responses can be made to rapidly changing conditions in the housing market and to any variations in needs indicated by successive housing needs surveys. In presenting policy in this way the Council placed weight on the Court of Appeal decision in the case of *J A Pye (Oxford) Ltd & others v Oxford City Council*.

5.281 However, in my view the circumstances in this case are somewhat different. In the Oxford case the relevant policy in the adopted Local Plan (1997) sought a "significant element" of affordable dwellings but there was also text referring to a "minimum of 20%". The findings of a needs study in 1998 then led the Council to increase the scale of provision and SPG was adopted in 2001 seeking 30%. The Courts supported the use of this figure as a material consideration.

5.282 In this case the results of WEHNAM are available before the adoption of the plan and I find no reason why an appropriate percentage target should not be included in the relevant policy of the plan itself. This will give it full statutory weight rather than having to be relied upon only as a material consideration as part of SPG. The 2004 Act will provide the

opportunity for much quicker statutory review of Policy HG.8, including public testing, if the Council gains evidence from future housing needs surveys demonstrating a justification for doing so. This is preferable to a system of informal review via revisions to SPG. I recommend accordingly.

Issue iii)

Definition of affordable housing

5.283 There were some differing views about whether the definition adopted at paragraph B7.74 is generally consistent with national advice but it seems to me that it is and that the definition is adequate for the purposes of the plan. I do not agree that it needs to be developed to provide more reference to local circumstances such as ODPM rent guidelines or the ratio of house prices to local incomes: that is one instance in which the SPG could develop the matter further if necessary. However, I consider that changing 'houses' to 'homes' would comply better with national policy as not everyone will need or wish to occupy a house.

The target provision

5.284 There is no particular relationship between the need identified in WEHNAM and the "significant proportion" of the residual residential requirement sought to be provided in the form of affordable homes in Policy HG.8, quantified at 30% by the Council in the SPG. This lack of relationship is not uncommon. Although the assessed need would support seeking a much higher percentage the Council considers that 30% is the most that may be realistically achievable.

5.285 Objectors have various views about the level of provision sought through HG.8. Fordham Research suggests that (pending the adoption of a satisfactory report) the policy should seek "an appropriate element of affordable housing where a need for such housing is shown to exist". House-builders tend to be concerned about the use of the term "significant", fearing this to be too imprecise, or being unconvinced that 30% is justified by the needs assessment. On the other hand social housing providers such as the SW RSL Planning Consortium and some others suggest that a higher proportion is justified on the basis that a target at the lower end of the regional affordable housing indicator in RPG10 (equating to 30-50% of all new housing across the region) would not suffice. Specific suggestions for higher percentages were 35% by the SW RSL Consortium and 50% by Bath FoE.

5.286 It is recognised in the Good Practice Guide (p20 and table 8.1) that policy judgements will be involved in deciding what provision to make for affordable housing and that the provision sought in the plan may well differ from the assessed need for various reasons. I have already indicated my conclusion that need is likely to be well in excess of the residual housing requirement so the relatively straightforward type of worked example set out in table 8.1 of the guide is not particularly helpful here. However, in my view circumstances in the District are such as to

justify the suggestion that the plan should seek to achieve provision at least a little closer to what seems to me to be the probable level of need. The Council were concerned that seeking a greater level of provision could be counter-productive if it discouraged development, but on balance I support the Consortium's suggestion for raising the percentage of affordable housing to be sought from new planning permissions to an average of 35%. This would bring a modest increase in the annual number of units achieved.

5.287 Referring briefly to one objector's view that the plan would give rise to unrealistic public expectations about how far needs for affordable housing would be met, my recommended wording for the reasoned justification makes it plainer that the policies will not satisfy the likely level of need but attempt to contribute to doing so as far as possible within the overall constraints. I agree with the Council's commentary on the non-applicability to the planning process of two summarised court judgements submitted at the RTS.

5.288 While some consider that allocated sites should have individually calculated target provisions, rather than relying on a standard percentage approach, I am not convinced that there is yet enough information about the individual circumstances of each site to make this a practicable way of proceeding. Treating the percentage as an average of all housing provision and stating the types of considerations that will be taken into account in negotiations in particular cases seems the pragmatic way forward.

5.289 Clearer specific sub-area targets would be desirable in the plan. However, in view of my reservations about the reliability of the sub-District needs assessment and the limited scope for meeting the assessed needs, especially in areas outside the main centres, I am not convinced that particularly meaningful or achievable sub-area targets could be included.

Thresholds

5.290 A number of objectors, particularly house-builders, suggest that there is insufficient evidence to support the adoption of higher thresholds than the norm outside Inner London of 25 dwellings/1ha referred to in Circular 6/98. In their view needs in the District are not unusual by the standards of the south and south-west of England. In contrast, others believe that lower thresholds are justified. In my view the thresholds applied in the plan to the larger settlements are not unreasonable in the circumstances of available evidence on District-wide need or the thrust of emerging advice in Planning for Mixed Communities.

5.291 Some objectors seek lower thresholds in settlements with populations below 3000 where the circular provides for "appropriate" thresholds based on local circumstances without defining any specific minimum limits. Suggestions for these settlements include reducing the threshold from 10 dwellings, as sought in paragraph B7.81 of the consolidated version of the plan, to 4 or 5, and/or setting it at 0.2ha, both on the basis that there will

be few developments of 10 or more in these smaller settlements. Reference is also made to the Rural White Paper and its encouragement for making greater use of planning policies to seek more affordable housing in smaller settlements. However, in my view there is a need for some caution in further reducing the threshold in the smaller settlements as I am not convinced that there is specific evidence to show that the individual needs of all the many villages in the "rural areas" sub-area would justify such a reduction. There may well be some (possibly many) where it would, but in cases of clear need in "policy SC1" villages the rural exceptions approach would also offer a way to increase provision.

5.292 Although it may be considered appropriate to adopt the national approach of directing affordable housing to villages acting as rural service centres in dealing with provision under Policy HG.8, I agree with the Council that in those few cases where developments of 10 or more dwellings are approved in the non R1 settlements the opportunity should not be lost to achieve a proportion of affordable dwellings.

5.293 As I have already indicated under issue 2 above, I agree with objectors that the thresholds should be set out within Policy HG.8 itself and recommend accordingly.

Tenure and occupancy

5.294 Some objectors consider that the plan is too specific as to tenure, contrary to Circular 6/98. However, it seems to me that the definition of affordable housing adopted by the Council cannot be accused of this while the content of the policy itself provides for the possibility of all forms of tenure while at the same time recognising the realities of the assessed needs. In my view this approach is also reasonably in line with the emerging aims set out in the Government consultation paper Planning for Mixed Communities.

5.295 Others, including national health bodies, seek express inclusion of provision for key workers. In my view this can and should be simply accommodated by including an additional brief reference to local employment in the occupancy criteria.

5.296 The CLA are concerned that people wishing to move into the area from outside in order to take up work within it would be excluded from benefiting from housing provided under this policy. It seems to me that the policy as recommended for modification would not exclude meeting such needs although I recognise that a combination of continuing substantial need and limited increase in supply will not remove strains on the management and allocation of affordable accommodation.

5.297 Other objectors are concerned that the required local connection with the 'District' is too imprecise and that policy should require connection with a more local area. I have some sympathy with that viewpoint. However, since much of the need will occur in the larger towns where most of the provision will also be concentrated and the provision itself is likely to fall

well short of need it is highly improbable that individual developments of affordable housing will not find sufficient occupiers with strong local connections, requiring to live in that particular area.

Issue iv)

5.298 A number of objectors consider that further land releases should be made to ensure that overall provision of affordable housing is increased particularly in areas where, although there is considerable need, the plan has allowed housing land supply to be constrained by Green Belt and other factors. These objectors tend to feel that Policy HG.8 risks being a token gesture unless the land supply is increased through further specific allocations or more "creative ways" of looking at proposals for residential development outside defined built-up areas, particularly where this is proposed in the form of small-scale evolutionary housing development suited to local or family needs and especially where this would be sited on previously used land.

5.299 However, it seems to me that implementing these suggestions would usually involve departing from other fundamental factors such as the strategic housing provisions, sustainability aims and policies such as the Green Belt. I therefore do not support them. In general I consider that carefully targeted community-based selection of additional sites under Policy HG.9 offers the most positive way of increasing provision in rural areas under most pressure.

5.300 Other developers considered that the particular costs of certain sites should be recognised in the plan as justifying a lower percentage. As I have stated above, I am not convinced that there is enough information to reach this conclusion about individual sites at this stage but my recommended modification to Policy HG.8 provides a framework for such matters to be taken into account at application stage.

5.301 I consider that the Council's amendments to the plan respond appropriately to objections considering the contribution of self-build housing

Recommendations:

R5.31 Modify paragraphs B7.14 to B7.16, as set out in the inquiry changes version in Topic Paper 3.5, by rigorously editing them to make them consistent with the corrected WEHNAM assessed annual need and delete Quick Guide 12.

R5.32 Modify paragraphs B7.68 to B7.75 as set out in the inquiry changes version in Topic Paper 3.5, further amended as follows:

B7.70:- substitute "685" for "721" and rigorously edit the other figures and comments in paragraphs B7.70 to B7.75 and table 3A to ensure that they reflect this later correction rather than the figures in the inquiry changes.

B7.74:- change "houses" to "homes".

R5.33 Modify paragraphs B7.76 to B7.82A as set out in the inquiry changes version in Topic Paper 3.5 as follows:

Retain paragraph B7.76, but amend the final sentence to read:

".....sought where planning permission is sought for development including the provision of dwellings on any suitable sites in settlements identified within policy SC.1."

Delete B7.77 to B7.82A and insert the follow:

"It would not be possible to provide 4795 additional affordable homes for the period 2002-2009 (the need suggested by WEHNAM) because this represents substantially more than the residual housing requirement for the remainder of the plan period. It will therefore not be possible to meet the projected needs even allowing for registered social landlord provision through conversions or purchase of existing dwellings. However, the Council will seek to negotiate to ensure that 35% of all new permitted dwellings are within the affordable category. Developers are advised to take this level of provision into account in negotiating the purchase of sites for development. It will normally be considered that provision of affordable dwellings will be about 75% social rented and 25% intermediate forms of ownership. In certain cases a limited number of low-cost market homes for purchase may be appropriate, provided that there are mechanisms for preserving their affordability in perpetuity, but this will depend on the relationship between local house prices and local incomes of those in need of affordable housing

The 35% target will be regarded as an average proportion to be achieved across all sites granted permission from now until the end of the plan period. The Council will take account of any abnormal site costs associated with the development which may justify an upwards or downwards adjustment of the average. Standard development costs will not generally be considered as abnormal. Account will also be taken of the proximity of local services, and facilities, access to public transport, the distribution of need for affordable housing, and whether or not the provision of affordable housing would prejudice the realisation of other planning objectives that need to be given priority in a particular case. It will normally be expected that such affordable dwellings will be provided on-site in order to help create balanced communities, but in very exceptional circumstances the Council will consider provision in lieu through a financial contribution towards affordable housing on an alternative site within the District.

In view of the overall level of need for affordable housing in the District revealed by WEHNAM the Council considers it appropriate to seek the provision of affordable dwellings on any site where planning permission is sought for a minimum of 15 dwellings (or on a site of a minimum of 0.5ha) in Bath, Keynsham, Norton-Radstock, Saltford, Peasdown St John and Paulton.

For the same reason the Council considers it appropriate to seek the provision of affordable dwellings on any site where planning permission is sought for a minimum of 10 dwellings (or on a site of a minimum of 0.5ha) in all smaller villages with populations of fewer than 3000, including those not identified in policy SC.1.

It is expected that this policy will result in delivery of about affordable homes in Bath, in Keynsham,in Norton-Radstock and around in rural villages. [figures to be inserted by the Council].

Before granting planning permission for any affordable housing the Council will require suitable arrangements to be in place to secure the occupation of the dwellings both initially and in perpetuity by people with a genuine need for such accommodation who are either already resident in the District or have strong connections with it, such as locally employed key workers. Some examples of appropriately secure arrangements are given at para.....below." [Council to insert appropriate reference from the supporting paragraphs to HG.9].

The Council will keep the need for affordable housing under review, together with the progress made towards achieving the level of provision expected under this policy. If justified by the evidence, an early review of the policy will be made with a view to introducing changes using the opportunities presented by the procedures for local development documents under the Planning and Compulsory Purchase Act 2004."

R5.34 Modify Policy HG.8 by deleting the existing wording and substituting:

"The Council will seek to secure the provision of 35% affordable housing before determining applications for planning permission in the following circumstances: -

- in Bath, Keynsham, Norton-Radstock, Saltford, Peasedown St John and Paulton where permission is sought for 15 dwellings or more or the site has an area of 0.5ha or more; and
- in settlements where the population is 3000 or below, where permission is sought for 10 dwellings or more or the site has an area of 0.5ha or more.

Higher or lower percentages may be sought in individual cases, taking account of:

[include existing criteria i) to iv)]

Before planning permission is granted under this policy secure arrangements will need to be in place to ensure that:

[include the existing second set of criteria (i) to (iii) but insert "such as local employment" at the end of (b) i)].

The Council will keep under review the need for affordable housing and the provision achieved under this policy and, if appropriate, will bring forward an early review of the matter."

Chapter B7 - Rural Exceptions - Policy HG.9 and Paragraph B7.83

2057/B3	Bath & District Self Build Association	B7.83
687/B6	Peasedown St John Parish Council	HG.9
696/B33	South West RSL Planning Consortium	HG.9
696/B21	South West RSL Planning Consortium	HG.9
2311/B8	Somer Community Housing Trust	HG.9
2599/B2	Mr G Glass and Mr R Weston	HG.9
3081/B1	Mr D Hall	HG.9

Supporting Statements

3186/B3	Chew Magna Parish Council	HG.9
3305/B2	W Reed (Builders) Ltd	HG.9

Issue

- i) Are the policy criteria consistent with national advice?

Inspector's reasoning

5.302 There was some concern that the cascade provisions of criterion (ii) (a) & (b) may be too restrictive. Bearing in mind the rationale for "exceptions sites" I am not convinced that it is necessary to make this provision more flexible as a matter of policy. Provided that the needs for exceptions schemes are properly researched I agree with the Council that it is unlikely that qualifying occupiers could not be found.

5.303 The South West RSL Planning Consortium suggest that criterion (iv) should not restrict the delivery of affordable housing in type R4 settlements as this would be contrary to PPG3 and the Rural White Paper. However, it seems to me sensible to aim to concentrate the provision of affordable housing at settlements with at least some facilities. There are some 40-50 towns and villages in the urban and R1-R3 categories well distributed throughout the District as a whole. In my view this framework offers sufficient scope to meet rural housing needs while at the same time helping to give the most effective support to local facilities and services, most of which will be concentrated into these villages rather than other smaller settlements. Few truly sustainable needs could be identified, or should normally be met, at a finer level of detail than the R3 villages although I have accepted that occasional windfall developments of 10 or more dwellings in such villages should contribute some affordable housing.

5.304 Broader objections were made to criteria (iv) and (v) on the grounds that greater numbers of affordable houses could be achieved in rural areas if a more creative approach were taken to maximising opportunities for

development in large gardens outside villages and on other areas of rural previously-developed land, perhaps on the basis of adopting lower site-size thresholds in such cases and requiring higher proportions of affordable housing. However, it is unlikely that more “creative” options involving a mix of market and affordable housing could be pursued in rural areas without causing conflict with other important national and local objectives such as concentrating development in the larger towns and villages in the interests of achieving more sustainable living patterns and protecting the countryside.

5.305 It was also suggested that criterion (vi), could act to prevent necessary development of exceptions sites in the Green Belt areas of the District. However, I consider that this potential difficulty could be overcome by relatively minor rewording.

5.306 The lack of clarity of criterion (i) to HG.9 was discussed at the inquiry. The Council later put forward a possible alternative. However, I consider the criterion unnecessary as it effectively repeats the requirement set out in the introduction to the policy for a “demonstrable and particular need” to exist. My recommendation reflects that point. It also further simplifies the over-complex structure of HG.9 while retaining the same policy elements.

5.307 I do not consider it necessary for the plan to say anything specific about earth-sheltered dwellings in this context. Any such proposals could be considered under the plan’s policies as a whole.

Recommendations:

R5.35 Modify Policy HG.9 by deleting the existing text and substituting:

“As an exception to the other housing policies of the plan, residential development of 100% affordable housing will be permitted on land outside the scope of those other policies if it will meet a particular demonstrable need for local affordable housing arising in an individual rural parish or group of parishes which cannot be met in any other way, provided that:

occupancy of the housing is restricted in perpetuity as being for the benefit of people in need of the accommodation because of their inability to complete successfully in the local housing market who are either:

as a first priority, currently living in the parish or group of parishes as long-standing residents and are in need of separate accommodation, or

as a second priority, not resident in the parish or group of parishes but have strong local connections with it/them; and

[include existing criteria iv) and v) and]

in the case of a proposed development at a Green Belt village, the site has been selected to cause the minimum possible harm to the openness and purposes of the Green Belt.”

R5.36 Modify paragraphs B7.83 to B7.91 as follows:

"Recent amended advice in PPG3 is that all local authorities that include rural areas should include a 'rural exception site policy' in the relevant development plan document. This is to enable the allocation or release of small sites which would not otherwise be released for housing to provide affordable housing to meet local needs in perpetuity on sites within and adjoining existing small rural communities.

The Council recognises that there is only limited scope to satisfy rural-based needs for affordable housing through the operation of policy HG.8, yet WEHNAM identifies a need for [Council to insert edited figure based upon the final corrected District-wide total]. It will therefore give sympathetic consideration under policy HG.9 to schemes designed to meet local needs generated within rural communities under the terms of PPG3 and demonstrated to be required through specific needs data compiled in cooperation with the Council's Housing Services.

The definition of affordable housing for rural exceptions sites will be taken to be [incorporate italicised words at B7.87].

[Retain B7.90]

However, such schemes will be limited to villages classed R1, R2 and R3 under policy SC.1. Smaller settlements will be considered unsuitable on sustainability grounds. In considering any schemes within the Green Belt the Council will require sites to be selected that have the minimum possible impact on the purposes of the Green Belt.

[Retain B7.89]

[Retain B7.91]

As the potential for positive 'allocation' of such sites was introduced into PPG3 at a very late stage in the evolution of the local plan this possible avenue of provision will not be considered until the affordable housing policies are reviewed through a local development document."

Chapter B7 - Policy HG.10

2599/B3 Mr G Glass and Mr R Weston HG.10

Supporting Statement

696/B22 South West RSL Planning Consortium HG.10

Issue

- i) Is the policy is too restrictive?

Inspector's Reasoning

5.308 The objectors seek a more permissive policy context for the provision of all forms of housing to allow for the evolution of villages to meet future needs in an eco-efficient, self supporting and interdependent way. In particular local communities should decide on future development.

5.309 However, there is no provision in national policy for such an approach to be taken, and there would be risks to the objectives of balanced communities and sustainable patterns of development if a more permissive policy approach was taken. Policy HG.10 accords with Government advice as set out in PPS7 which states that isolated new houses in the countryside require special justification for planning permission to be granted. The criteria largely reflect those set out in PPS7, and in my view are appropriate to the constraints applicable within the District. The only change which I recommend to the Policy is that reference to Policy HG.9 be added, and reference to Policy HG.5 be deleted. Policy HG.9 allows for non-agricultural/forestry related housing outside settlement boundaries to meet needs for affordable housing.

Recommendation:

R5.37 Modify Policy HG.10 by deleting "HG.4, 5 and 6" in the first line and substituting "HG.4, 6, and 9".

Chapter B7 - Policy HG.11

Supporting statement

696/B23	South West RSL Planning Consortium	HG.11
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Chapter B7 - Policy HG.12

581/B11	Batheaston Society	HG.12
3276/B6	Temra of Bath	HG.12

Supporting Statement

696/B24	South West RSL Planning Consortium	HG.12
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Issues

- i) Should the policy prevent the conversion of two or more dwellings into one?
- ii) Should the policy take account of urban design/environmental opportunities within the Western Riverside Regeneration Area?

Inspector's Reasoning

Issue i)

5.310 As the Council points out, criterion iv) of the policy deals with the loss of existing accommodation and would cover the conversion of two or more dwellings into one. Whilst it does not expressly prevent all such conversions under any circumstances, I consider that it would be unreasonable to attempt to do so. The matters to be taken into account set out in criterion iv) are appropriate.

Issue ii)

5.311 A reference to a specific site in this policy would take it to a higher level of detail than is appropriate. As worded, I consider that the policy makes adequate provision for account to be taken of the particular circumstances of Western Riverside.

Recommendation: no change

Chapter B7 - Policy HG.13 and Paragraph B7.116

3257/C152	Somer Valley Friends of the Earth	B7.116/A
723/B30	Bath Chamber of Commerce	HG.13
3257/C154	Somer Valley Friends of the Earth	HG.13/A
3257/C155	Somer Valley Friends of the Earth	HG.13/B

Supporting Statement

696/B25 South West RSL Planning Consortium HG.13

Issues

- i) Should B7.116 maintain the priority given in the DDP to restoring former residential properties to residential use?
- ii) Should a dwelling which has changed to non-residential use be allowed to change to another non-residential use given the pressure for offices local professionals?

Inspector's Reasoning

Issues i) & ii)

5.312 The objectors are opposed in their views of the way in which the supporting text and policy should be directed. The Council changed the policy and its supporting text to reflect acceptance of the view that where a building has changed from residential use, change to other non-residential uses can be acceptable. I agree with this approach. Bath is a tightly constrained urban area in which there are pressures for a range of different land uses. If priority was given to restoring buildings back to

residential use, then problems would be experienced in providing for other uses which had historically used those buildings. It is important that the City and other urban areas within the District maintain a range of uses in order to provide jobs and houses within the same settlement. I therefore recommend no change to the wording of paragraph B7.116 and Policy HG.13 as set out in the consolidated version of the plan.

Recommendation: no change

Chapter B7 - Policy HG.14 & Paragraph B7.118

3097/B12	Mr M Swinton	HG.14
3493/C2	Bath & Wells Diocesan Board of Finance	HG.14/B
3515/C1	Mr & Mrs D Layton	HG.14/B

Issues

- i) Should the replacement of dwellings be limited to those which are substandard?
- ii) Should the terms "substandard" and "openness" be defined?
- iii) Should the policy include reference to ancillary buildings?

Inspector's Reasoning

5.313 The policy as set out in the RDDLP has been changed to include reference to dwellings which are not substandard, and the supporting text at paragraph B7.118 is proposed for amendment under a pre-inquiry change to include reference to S604 of the 1985 Housing Act which defines the term substandard.

5.314 However, there is nothing in national policy which requires a dwelling which is proposed to be replaced to be substandard, and this appears to be recognised by the Council by the introduction of criterion ii) of the policy. In these circumstances, I consider that the inclusion of criterion i) is unnecessary since criterion ii) would apply to any proposal whether or not the existing dwelling is substandard.

5.315 The issues which are important are covered by criteria ii) and iii): the effect of such proposals on the character of the countryside and on the openness of the Green Belt. In this respect a limit to the scale of any replacement dwelling in the countryside is appropriate, together with a limit to the scale of any ancillary buildings for which a planning permission for replacement is sought. Clearly where planning permission is not required for ancillary buildings this policy would not come into effect and therefore the concerns of the Bath and Wells Diocesan Board of Finance are not well founded. As regards a definition of the term openness in the context of Green Belt, this is a commonly used phrase and appears in

Government policy as set out in PPG2. The use in this policy complies with that advice and I find no reason to include any detailed explanation.

Recommendation:

R5.38 Modify Policy HG.14 by deleting "5" in the first line and criterion i) and by modifying criterion ii) by deleting "other" in line 2 and by not adopting PIC/B/44.

Chapter B7 - Paragraphs B7.120 and B7.121

2460/B1	Phoenix Marine	B7.120
2460/B3	Phoenix Marine	B7.121

Supporting Statements

3257/C153	Somer Valley Friends of the Earth	B7.121/A
3511/C10	British Waterways	B7.121/A

Issue

- i) Whether residential and visitor boat moorings should be subject to Policies HG.4-6.

Inspector's Reasoning

5.316 This section of the plan is concerned with residential development, and therefore I address here the issue of residential moorings only. In my view moorings for visitors are a matter which should be considered against the policies of the plan which deal with tourism, such as policies ET.11 and 12.

5.317 The Council accepts that residential moorings can make a useful contribution towards meeting the housing requirements of the District, including the need for affordable homes, but considers they should be subject to the same controls as other residential development. Clearly the sites required for physical development of land based houses are quite different from a location on a river required for a mooring, and I agree with the objector that criteria in Policies HG.4, 5 and 6 of the RDDLP would cause problems to anyone seeking permission for such a mooring. In particular it is difficult to understand how the requirement to be located on previously developed land could be met, and the application of the concept of infilling in the context of a mooring is not clear. However, I have recommended that the three policies be amended and incorporated into two, and consider that criteria set out in my recommended HG.4 would meet many of the concerns of the objector whilst maintaining the control sought by the Council.

5.318 However, Policy HG.4 applies only to R.1 and R.2 settlements, and relates to HDBs. I recommend that HDBs be replaced by settlement boundaries when the LDF is produced, and in my view the application of settlement boundaries would also assist in the formulation of policy to control

residential moorings, since boatyards and marinas could be included within such boundaries. In the implementation of this plan however, it is the HDBs which would form the limits for residential development in the R1, 2 and 3 settlements, and the HDBs do not necessarily incorporate boatyards and marinas.

5.319 The objector refers to established boatyards, a new marina in an appropriate location and/or within proximity of suitable facilities as the most appropriate locations for new moorings. It seems to me that these are appropriate locations for new moorings, and the key to ensuring that they are in sustainable locations would be to test them against locational criteria. There are an array of other policies which protect for example the Green Belt, landscape, and nature conservation which would come into effect in any event, so I consider that the physical impact of residential moorings could be adequately controlled.

5.320 To ensure that residential moorings can be properly considered in this plan, I recommend the introduction of a new policy, which incorporates the principles of HG.4, whilst widening out the physical location of suitable sites to include boatyards and marinas which may not be within HDBs.

Recommendations:

R5.39 Modify paragraph B7.122 by deleting the existing words and substituting:

“Proposals for permanent residential moorings will be subject to Policy HG (Council to insert number), and other relevant policies of the Local Plan.”

R5.40 Modify the plan by inserting new Policy HG. (Council to insert number), below paragraph B7.122 as follows:

“Residential moorings in Bath, Keynsham, Norton Radstock and those villages defined in policy SC.1 as R.1, R.2 and R.3 settlements will be permitted if the site is:

i) within the built up area of Bath or within a defined housing development boundary; or

ii) within an established boatyard or marina; and in all cases

provided the location has good access to services and facilities including employment opportunities and accessibility to public transport.”

Chapter B7 - Paragraph B7.123

3257/C157 Somer Valley Friends of the Earth B7.123/C

Supporting Statement

3257/C156 Somer Valley Friends of the Earth B7.123/B

Issue

- i) Whether reference should be made to social benefits of development.

Inspector's Reasoning

5.321 The need for, or the social benefit of, a particular development can be a material consideration to be weighed against any harm. But I see no particular reason why this needs to be especially highlighted in the context of householder development. No change is necessary.

Recommendation: no change

Chapter B7 - Policy HG.16 and Paragraph B7.129

1427/B66	Environment Agency	B7.129
3257/C158	Somer Valley Friends of the Earth	B7.129/A
42/B2	CPRE	HG.16
233/B3	Compton Dando Parish Council	HG.16
1901/B1	The Central European Romani Gypsy Council	HG.16
2970/B1	Mrs O'Connor	HG.16
3246/B1	Avon Travellers Support Group	HG.16
3257/C162	Somer Valley Friends of the Earth	HG.16/E

Supporting Statements

1427/C200	Environment Agency	B7.129/B
3257/C159	Somer Valley Friends of the Earth	B7.129/B
878/B17	The Bath Society	HG.16
1427/B67	Environment Agency	HG.16
3257/C160	Somer Valley Friends of the Earth	HG.16/A
3257/C161	Somer Valley Friends of the Earth	HG.16/D

Issues

- i) Should "and other travelling people" be inserted after "gypsies" in paragraph B7.129 and in the Policy should "substantial and" or "unacceptable and" be inserted before "substantiated".
- ii) Should specific reference be made to the Green Belt; should the number of possible sites be limited; or should the policy be deleted?
- iii) Should the policy adopt criteria from Circulars, other Government guidance and legislation?
- iv) Whether there should be specific site provision and whether the policy conflicts with Policy 35 of the JRSP.

Inspector's Reasoning

5.322 The objection by the Environment Agency has been met through the insertion of additional wording in Paragraph B7.129.

Issue i)

5.323 The heading to this section of the plan makes it clear that it deals with gypsies and other travelling people; there is no need for additional wording to be added to "gypsies" elsewhere in the text. I comment on the wording of the policy and recommend revised criteria below.

Issue ii)

5.324 Policy HG.16 is a criteria based policy and I see no reason why its application should result in a proliferation of gypsy sites throughout the countryside. Any proposal would be subject to the other policies of the plan, which include those which protect the countryside from harmful development. In particular, any proposal in the Green Belt would be subject to Green Belt policies so there is no need to make reference to it in HG.16. There is no basis for a limit to the number of caravan pitches since the Council has made no quantitative assessment of the need which might justify such a limit.

Issue iii)

5.325 Whilst it is necessary for the policy to be in accord with Government policy and the law as expressed through Acts of Parliament and High Court decisions, it would be inappropriate for detailed reference to be made to these in the policy.

Issues iv)

5.326 Policy 35 of the JRSP relates to the provision of conventional housing which would not necessarily be suitable for gypsies and other travelling people. Policy 37 was included to deal with gypsies, but that Policy has been quashed in the Courts and therefore no longer has any status. In the absence of a strategic policy, I agree with the Council that it is the advice as set out in Circular 1/94 which should be followed, having regard to the consultation draft "Planning for Gypsy and Travellers Sites" published in December 2004. Avon Travellers Support Group criticise the advice in Circular 1/94 but until there is a replacement that is the policy to which due weight should be given.

5.327 As regards the approach taken by the Council to gypsy site provision, B&NES undertook no assessment of need for gypsy accommodation to inform the policies of the Local Plan. The advice that a quantitative assessment should be undertaken of the amount of accommodation needed for gypsies was repeated in PPG12, PPG3 and the 2004 Housing Act. PPS12 requires Local Planning Authorities to have regard to the Race Relations Act and the Homelessness Act 2002 places an obligation on Local Planning Authorities to develop housing strategies. Recent alterations to PPG3 (paragraph 18) also make it clear that provision for rural affordable housing should include the needs of gypsies.

5.328 A Housing Needs Study was carried out in 2000 which considered the special needs of some groups such as the elderly, disabled and the

homeless, but no specific assessment of the needs of gypsies and travellers. From the bi-annual gypsy caravan counts, the records of unauthorised encampments and the submission of very few planning applications, the Council concludes that there is little demand for permanent or transitory sites. However, these sources have been heavily criticised and there has been no consultation with the gypsy community or research into the records to verify the Council's conclusion. The Council now admits that an assessment should be carried out, but it is clear that the Council has failed to comply with national guidance and the needs of gypsies have not been subject to the same level of assessment as those of other groups who require accommodation.

- 5.329 A resolution was taken by B&NES in July 2004 to carry out a full assessment, with the assessment ready for presentation at the Local Plan Inquiry. However, the assessment has not been carried out, and there is no programme for the work required. The Council indicated that they were waiting for guidance before undertaking such an assessment, and clearly it is too late for an assessment to inform this Local Plan which, with the preparation of a LDF under the new system, is likely to have a limited lifespan. Nevertheless, I consider that the Council should delay no further in undertaking their assessment in order to properly inform a future housing DPD. The assessment could if necessary be modified to take into account any changes required in response to advice which has yet to be issued.
- 5.330 Examples were given to me of gypsy families in need within the District, in particular four homeless families with 20 children. Furthermore it was stated that gypsies know it is easier to find sites elsewhere so tend not to try to settle in B&NES. I do not therefore accept the Council's view that there is no need to provide permanent or transitory sites for gypsies. A proper assessment of need is urgently required to assess the scale of the need, and where it might best be met. This will be required to inform the LDF and to ensure that provision is made through a locational policy. The locations most favoured by gypsies in the District are generally highly constrained by Green Belt and AONB but in these circumstances it is even more important for the Council to provide the lead in identifying suitable sites or locations. If there is a need for a site within the area constrained by Green Belt, provision should be made through the plan making process for either a limited alteration to the defined Green Belt boundary or to inset a suitable site within the Green Belt.
- 5.331 Three sites were put forward as having potential to accommodate gypsies. The sites are Council owned and subject to a number of constraints, including Green Belt. However, having visited the sites, I consider that land to the rear of the Newbridge Park and Ride should be investigated further. The site is within the Green Belt and would therefore need to be considered for removal as part of the review of the Green Belt around Bath in the preparation of the LDF. Access would need to be through the existing Park and Ride, but I see no reason why any conflict between the two uses could not be resolved. The site is well contained within the landscape, and has good access to local shops, schools and medical

facilities. It is also well served by public transport, has good accessibility to the the A4 Ring Road, and would be easy to locate.

5.332 I do not have sufficient evidence on which to make a judgement as to whether this is the most suitable site or the scale of the site which should be allocated, but must reluctantly take the view that the adoption of this Local Plan should not be delayed by further work on this matter. I accept that this is a most unsatisfactory situation, but the work will need to be carried out as part of the preparation of the LDF. The work will need to identify the level of need in the District, and the types of provision to be made. Within the relevant DPD the Council will need to identify the general areas in which new sites will be acceptable, or allocate specific sites for permanent, temporary or transitory use.

5.333 The failure to provide a locational policy in this plan will result in delay in the identification of specific sites. Therefore it is even more important that the criteria based policy provides clear, robust and positive guidance. As drafted Policy HG.16 takes a positive approach in so far as proposals will be permitted "outside the scope of policies GDS.1 and HG.4, 5 and 6", but it is then subject to a long list of criteria which are likely to make it very difficult for any proposal to comply. In particular there is no justification for requiring a proposal to be for permanent residential use when there could be a demand for seasonal or transit accommodation; criterion ii) is not clear; iii) and iv) are concerned with infrastructure which should be capable of being provided, not necessarily already on site; v) is not well defined; and vi) is too general. Bearing in mind that any proposal would be subject to all the other policies of the plan, and having taken into account the advice in the draft Circular, I recommend a reworded policy below.

Recommendation:

R5.41 Modify Policy HG.16 as follows:

line 6 be amended to reflect the deletion of Policy HG.5;

criteria i)-vi) be deleted and replaced with

"i) the site has good access to local services, facilities and public transport;

ii) it has safe and convenient access to the road network;

iii) it is capable of being landscaped to ensure that it blends in with its surroundings;

iv) adequate services including foul and surface water drainage and waste disposal can be provided;

v) there would be no harmful impact on the amenities of local residents by reason of noise or fumes from business activities."

Chapter B7 - Policy HG.17 and Paragraphs B7.134 to B7.137

There are large numbers of representations to this policy; details are listed at Appendix 1

Issues

- i) Whether reference should be made in paragraph B7.135/A to the need to identify an alternative campus to enable relocation of the Bath Spa University College from Sion Hill/Somerset Place.
- ii) Should the plan require the maintenance of rented property?
- iii) Should the plan control the proportion of student accommodation in the City and at the universities; and should the effect on permanent residential communities be taken into account?
- iv) Does the emphasis on previously developed land lead to unacceptable loss of employment land?

Inspector's Reasoning

5.334 The issues raised in respect of the expansion of the University of Bath are covered in Section 9 of my report, which deals with the proposal to take land out of the Green Belt at the University. I recommend changes to Policy HG.17 in that context and these are set out below.

Issue i)

5.335 No assessment is submitted to support the need to relocate the Bath Spa University College campus at Sion Hill/Somerset Place. In the event that the University wishes to relocate this campus to the Newton St Loe site, I agree with the Council that a full assessment would be required of the ability of that site to accommodate the relocated uses within its present boundaries. Very special circumstances must be demonstrated to justify any change to the Green Belt boundaries of the Newton St Loe site, and a demonstration that the existing site could not accommodate the new development would be a material consideration.

5.336 In the absence of a demonstration of the exceptional circumstances required by Government policy to justify an amendment to the boundary of the Green Belt, I recommend no change to paragraph B7.135/A.

Issue ii)

5.337 As the Council correctly points out, the Local Planning Authority has no control over the maintenance of houses owned by buy to let landlords. It would be inappropriate to include any such provision in the Local Plan.

Issue iii)

5.338 There is a limit to the extent to which the conversion of family housing for student accommodation can be controlled under planning legislation. Where planning permission is required, Policy HG.12 provides criteria against which proposals would be assessed, and it is supported by Policy D.2 (as recommended to be modified). Purpose built student accommodation is controlled through Policy HG.17, and other policies such as D.2. For the University of Bath, additional land is allocated at the Claverton Down campus which should help relieve pressure on the city centre.

Issue iv)

5.339 Although a proportion of previously developed land is employment land, protection is provided for its continuation in that use where necessary by the employment policies of the plan.

Recommendation:

R5.42 Modify Policy HG.17 as follows: -

in criterion (i) delete the existing wording and substitute "it is on previously developed land or other land allocated for the purpose";

delete PIC/B/45 criterion iii)c) and insert new iii)c): "within the areas identified for development for student accommodation in the university master plan (see policy GDS.1/B11)"

Not incorporate IC9.

SECTION 6 - Chapter B8

Chapter B8 - General

2303/B14	Wellow Residents Association	B8.41
3202/B24	Pensford plc	B8.41
3202/B25	Pensford plc	B8.50
3202/B26	Pensford plc	B8.55
2303/B9	Wellow Residents Association	B8.58
2303/B12	Wellow Residents Association	WM.1
3202/B28	Pensford plc	WM.2
3202/B27	Pensford plc	WM.5
3202/B31	Pensford plc	WM.5
3202/B33	Pensford plc	B8.73
3202/B34	Pensford plc	WM.8

Issue

- i) Whether the Plan lacks an evidence based strategy for waste management and fails to identify sufficient sites for new waste management facilities.

Inspector's Reasoning

- 6.1 A number of objectors are concerned that the Plan lacks a strategy for managing waste within the District over the Plan period and as a result does not identify sites, such as Stowey Quarry, or preferred areas for the development of facilities to manage predicted waste arisings. They cast doubt on whether the plan would provide the facilities required within the District to enable targets, such as those set by the National Waste Strategy and the Landfill Directive (2001), to be met.
- 6.2 The approach proposed in the RDDLP (paragraph B8.43) is essentially criteria based, with only one allocation proposed. The Council claims that its strategy is to maintain the status quo by resisting the development of any major waste management facility which may prejudice implementation or formulation of a sub-regional policy framework (Paragraph B8.55). They state (in response to objections, e.g. 3202/B24) that "maintaining the status quo" is appropriate as a strategy if it can be demonstrated as the BPEO. However, I am not convinced that the Council's strategy is proven to be the BPEO. The Council's approach of continued reliance upon landfill sites located outside of the District (Paragraph B8.5), undermines the national strategy of moving waste up the hierarchy and reducing the amount of waste going to landfill, and in my view does not constitute a sustainable waste management strategy.
- 6.3 The fundamental aim of the waste planning authority should be to establish as part of the plan preparation process what the land use needs are, insofar as they can be predicted, and to make proper provision for those needs ideally through the identification and allocation of suitable sites (paragraph 4.13 of Waste Strategy 2000). The primary purpose of the plan-led system is to provide certainty and to ensure that

development which is needed to meet the strategy of the plan comes forward. That aim is more likely to be achieved through a site specific approach whereby the Council actively participate in the process of identifying and evaluating the suitability of alternative options and potential sites. Although the plan allocates one site for waste management facilities (K3), there is no evidence that a fair, open and objective assessment of all options was carried out as part of the plan-making process, as required by national policy.

- 6.4 Paragraph 3.32 of the JRSP refers to the need for the four unitary authorities which make up the former Avon area to bring forward their waste strategies, and Policy 29 provides the strategic context for those strategies. In the report on the South Gloucestershire Minerals and Waste Local Plan the Inspector refers to the need for a collaborative approach to waste management planning in the former Avon area, and B&NES awaits the production of a sub-regional strategy to provide a framework for each of the constituent authorities to achieve consistency between their waste management strategies.
- 6.5 I accept that the identification of sites for waste management facilities takes time and tends to be controversial. Proposing sites such as Stowey Quarry, which is put forward by one objector, at the Modifications stage of this plan would require a robust evidence base, the preparation of which would add considerable delay to the adoption of the plan. I conclude therefore that at this late stage it would be sensible to await the production of a sub-regional strategy, provided that good progress is being made towards its production. In the short term, the criteria based policies, modified as I recommend, would provide a framework for the consideration of waste-related development proposals.
- 6.6 However, whilst I accept that there should be some background information to support and justify the waste policies, I question the amount of detail at the beginning of this section in paragraphs B8.4 to B8.20. The number of figures contained in the text makes the plan appear cluttered and thus difficult to follow. I suggest that the essential information is contained within one table (as recommended below) which enables the reader to compare the situation at present (information Tables 4 and 5 of the revised deposit draft) with the amount of waste predicted to arise in the future (Table 6 and paragraphs B8.14 and B8.15). Where possible, the base date of the information should be updated to complete this table.

Recommendations:

R6.1 Modify the plan by deleting paragraphs B8.4 to B8.20 (retain heading).

R6.2 Summarise in the following table the relevant information contained in the aforementioned paragraphs:

Current situation (2005*)				Predicted situation (to 2011*)	
Waste Type	Waste arising	Re-used and recovered	Landfilled	Waste Arising	Percentage increase
Council collected					
Commercial and industrial					
Construction and demolition					
Clinical and special					
TOTAL					

Chapter B8 - Paragraph B8.4

Supporting Statements

3257/C164	Somer Valley Friends of the Earth	B8.4/A
3257/C165	Somer Valley Friends of the Earth	B8.4/B
3257/C166	Somer Valley Friends of the Earth	B8.4/C
3257/C167	Somer Valley Friends of the Earth	B8.4/D
3257/C168	Somer Valley Friends of the Earth	B8.4/E

Chapter B8 - Paragraph B8.26 and Paragraphs B8.35-B8.41

3202/B22	Pensford plc	B8.26
3202/B23	Pensford plc	B8.35
3257/C169	Somer Valley Friends of the Earth	B8.35/A
3298/C46	Cam Valley Wildlife Group	B8.35/A
566/C19	Clutton Parish Council	B8.35/B
3257/C170	Somer Valley Friends of the Earth	B8.35/B
2303/B15	Wellow Residents Association	B8.40

Changes have been made in the RDDLP in response to objections 3202/B22 & B23 so these have been met.

Issues

- i) Whether the current and potential ecological value of Stowey Quarry should be acknowledged in paragraph B8.35.
- ii) Whether a criteria based approach to the provision of recycling facilities should be adopted.

Inspector's Reasoning

Issue i)

6.7 Any proposals brought forward for the extraction of minerals or the disposal of waste at this site would fall to be considered against policies on nature conservation, such as NE.12. In addition, further consideration is afforded to Stowey Quarry and its potential nature conservation value under paragraph C4.76 of the plan. Thus I consider a change in respect of this issue to be unnecessary.

Issue i)

6.8 The provision of recycling facilities is covered by Policies WM.8 and WM.9.

Recommendation: no change

Chapter B8 - Paragraphs B8.50 and B8.52

3257/C171	Somer Valley Friends of the Earth	B8.50/B
1427/B68	Environment Agency	B8
1427/B69	Environment Agency	B8.52
3269/B7	Ms I Lerpiniere	B8.52

Supporting Statements

3116/C5	Bath & North East Somerset Allotment Association	B8.50/B
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Issues

- i) Should the concept of zero waste be defined and is it a practical option?
- ii) Is the recycling target in paragraph B8.51 appropriate?
- iii) Should the words "and re-use of" be deleted.
- iv) Would access to the site at Broadmead Lane, Keynsham be affected by flooding?
- v) Whether the Plan should clarify whether incineration is proposed at Broadmead Lane, Keynsham (site K3).

Inspector's Reasoning

Issue i)

6.9 The RDDLP defines the concept of “zero waste” production in response to this objection, and it is clear that it is a long term goal, not one which the Council expects to achieve in the lifetime of this plan. As a result I find no reason to recommend any change to this paragraph.

Issue ii)

6.10 The plan sets out the targets of the Waste Management and Recycling Plan in paragraph B8.51 which the EA considers to be aspirational, and likely to result in an upsurge in applications for licenses which the Agency may not be able to respond to. However, those targets are now clearly out of date and should be either revised or deleted from the plan.

Issue iii)

6.11 This objection is met by PIC/B/47 which deletes the words “and re-use of waste”. However, in order for the sentence to be grammatically correct the word “waste” should be re-instated.

Issue iv)

6.12 I note that the Council have acknowledged advice by the Environment Agency concerning the potential for flooding at the access to the Broadmead Lane site. As the representation does not appear to be an objection but offers a possible modification to improve the position, I make no further comment.

Issue v)

6.13 The Council confirms in B&NES 87 (paragraph 2.6) that the treatment options under consideration in order to achieve the vision of zero waste do not include mass burn incineration. In any event, any such facility would be subject to the Integrated Pollution Prevention Control regime administered by the EA and all releases to air would have to meet the limits specified by the EA. It would not therefore be appropriate to seek to control such a use through the Local Plan.

Recommendation:

R6.3 Incorporate PIC/B/47 but reinstate the word “waste”.

Chapter B8 - Policy WM.1 and Paragraphs B8.55-B8.58

3257/B7	Somer Valley Friends of the Earth	WM.1
3124/B1	Environmental Sevices Association	B8.55
3124/B2	Environmental Sevices Association	B8.58

Supporting Statements

2303/B13	Wellow Residents Association	B8.55
3257/C172	Somer Valley Friends of the Earth	B8.57/A
3116/C6	Bath & North East Somerset Allotment Association	B8.57/B
3257/C173	Somer Valley Friends of the Earth	B8.57/B
3116/C7	Bath & North East Somerset Allotment Association	B8.57/C
3257/C174	Somer Valley Friends of the Earth	B8.57/C
1427/B70	Environment Agency	WM.1
120/C133	Ms Helen Woodley	WM.1/A
3257/C175	Somer Valley Friends of the Earth	WM.1/A

Issues

- i) Whether the plan should place onus on the applicant to demonstrate best practicable environmental option (BPEO).
- ii) Should the term “unacceptable impact” be defined?
- iii) Whether the Policy should adopt the precautionary principle in terms of incineration due to uncertainty surrounding its impacts.
- iv) Whether the second sentence of paragraph B8.55 contradicts Policy WM.1.

Inspector's Reasoning

Issue i)

6.14 The former DTLR Guidance referred to by the Council in its response to this objection (Guidance on Policies for Waste Management Planning, 2002) advises that BPEO should be carried out for each waste stream. However, BPEO assessments should inform the overall strategy of the plan rather than affect individual development control decisions. National guidance in the form of the (now superseded) PPG10 (Paragraph 8) did not require or suggest that each location should have its own individual BPEO assessment. Furthermore, the 2002 Guidance states at paragraph 4.6 that it is difficult to demonstrate BPEO on a case by case basis because of, amongst other things, uncertainties about the source of waste; and paragraph 4.7 goes on to state that it is difficult to implement a policy which includes the consideration of BPEO. In these circumstances I consider it would be appropriate for the Plan to delete references to BPEO in Policy WM.1 together with the requirement for developers to address BPEO in the reasoned justification.

6.15 Since the close of the Inquiry, the role of BPEO no longer appears in Government policy on waste management (PPS10), and therefore my recommendation accords with the changes taking place in national policy.

Issue ii)

6.16 It would be impractical to give a definition of the term “unacceptable”, since this will depend on individual circumstances.

Issue iii)

6.17 Any proposal coming forward for a waste management facility, which would include an incinerator, would be subject to Policy WM.1. In the RDDLP Policy WM.1 makes reference to the precautionary principle, and I have continued with this in my recommended change to the policy.

Issue iv)

6.18 In the absence of a sub-regional strategy, the plan relies on a criteria based approach to the provision of waste management facilities, as set out in Policy WM.1. I agree with the objector that the second paragraph of B8.55 suggests that major proposals should be resisted, and this contradicts the criteria based approach represented in Policy WM.1. What is relevant is that the proposed facility should not prejudice movement up the waste hierarchy, and this is sought by my recommended criteria (ii). I therefore recommend that the second sentence of paragraph B8.55 be deleted.

Recommendations:

R6.4 Modify Policy WM.1 by deleting all the existing text and substituting:

“Development of waste management facilities will only be permitted where they:

- (i) have regard for regional self-sufficiency, the proximity principle and the precautionary principle, and do not prejudice the management of waste via more sustainable methods;
- (ii) and do not have an unacceptable adverse impact on the environment or local amenities.”

R6.5 Modify paragraph B8.58 by deleting the last sentence.

R6.6 Modify paragraph B8.55 by deleting the second sentence.

Chapter B8 - Policy WM.2

1427/B71	Environment Agency	WM.2
3124/B3	Environmental Services Association	WM.2

This policy is deleted from the RDDLP, so there are no issues to address.

Recommendation: no change

Chapter B8 - Paragraph B8.59A/A, Policy WM.3 and Paragraph B8.63

3202/B29	Pensford plc	B8.63
601/B14	House Builders Federation	WM.3
1427/B72	Environment Agency	WM.3
3098/B27	George Wimpey Strategic Land	WM.3
3099/B26	Barratt Bristol Limited(Mr A T P Joliffe)	WM.3
3257/C178	Somer Valley Friends of the Earth	WM.3/C

Supporting Statements

120/C132	Ms Helen Woodley	B8.59A/A
3116/C77	Bath & North East Somerset Allotment Association	WM.3/A
3257/C176	Somer Valley Friends of the Earth	WM.3/A
3116/C78	Bath & North East Somerset Allotment Association	WM.3/B
3257/C177	Somer Valley Friends of the Earth	WM.3/B
3116/C79	Bath & North East Somerset Allotment Association	WM.3/C

Issues

- i) Whether the retention of waste within a site represents the best practicable environmental option.
- ii) Whether the threshold of ten dwellings is too low and inflexible.
- iii) Should proposals be linked with the Waste Management Licensing regime?

Inspector's Reasoning

Issue i)

6.19 The objector argues that the retention of waste arising on a construction site on the site itself may not be the best practicable environmental option. Clearly the process of using the same lorry that has delivered aggregate to a construction site to return construction waste to the quarry where part of it is used as a landfill site can reduce vehicle trips, but where wastes can be used on the construction site this would save on the space used in landfill. However, paragraph B8.63 is sufficiently flexible to allow for waste to be removed from the site, where that is the most appropriate method of disposal. Thus, I consider a change in respect of this issue to be unnecessary.

Issue ii)

6.20 Whilst the principle of minimising waste from new development is generally supported, some objectors argue that the thresholds for application of this policy are too low and unjustified whereas others argue that the policy should apply to all development. The Council refers to the support given in the 2002 Guidance on Policies for Waste Management Planning for the principle of a waste audit. However, that is concerned with development which is expected to generate significant volumes of waste. The policy example (12.5) given in the Guidance does not set a threshold at which an audit would be required, and I agree with a number

of housebuilders that the setting of a threshold as in Policy WM.3 is too prescriptive and potentially inflexible. The Council provide little justification for the thresholds set in Policy WM.3 other than that they consider them to be “reasonable”. However, there could be situations in which development falling just below the threshold could produce more waste than one slightly over the threshold, but the Policy would not apply. Whilst I consider it helpful for the reasoned justification to give a guide as to the types and scale of development to which this Policy may apply, I have insufficient evidence before me to be able to recommend such guidelines. The Council may therefore wish to consider providing a guide as to when developers may be required to submit a waste audit, but the policy itself should be sufficiently flexible to enable decisions regarding its application to be determined on a case by case basis. My recommended modification is therefore based on the example given in the 2002 Guidance.

Issue iii)

6.21 The Council has noted this comment. I need not respond further.

Recommendations:

R6.7 Modify paragraph B8.62 by deleting second sentence and inserting:

“Where a development is expected to generate significant volumes of waste through the development process by reason of (*examples, eg demolition, site clearance etc to be filled in by the council*), applicants for planning permission will be required to submit a waste audit with their planning applications.”

R6.8 Modify Policy WM.3 by deleting the existing wording and substituting:

“Development proposals which are expected to generate significant volumes of waste through the development process itself will be required to submit, as part of the application detail, a waste audit to include the following:

1. the type and volume of waste that the development will generate; and
2. the steps to be taken to ensure the maximum amount of waste arising from the development process is incorporated within the new development; and
3. the steps to be taken to manage the waste that cannot be incorporated within the new development and, if disposed of elsewhere, the distance the waste will be transported.

The way in which the waste arisings identified in the waste audit are to be dealt with will be considered in the context of regional self-sufficiency, the proximity principle and the precautionary principle, and any prejudice to the management of waste via more sustainable methods.”

Chapter B8 - Policy WM.4 and Paragraph B8.65

3202/B30	Pensford plc	B8.65
3097/B14	Mr M Swinton	WM.4
3098/B28	George Wimpey Strategic Land	WM.4
3099/B27	Barratt Bristol Limited(Mr A T P Joliffe)	WM.4
3126/B30	Bath Friends of the Earth	WM.4

Supporting Statements

3116/C73	Bath & North East Somerset Allotment Association	WM.4/A
3116/C74	Bath & North East Somerset Allotment Association	WM.4/B
3116/C75	Bath & North East Somerset Allotment Association	WM.4/C
3116/C76	Bath & North East Somerset Allotment Association	WM.4/D

Issues

- i) Should paragraph B8.65 define the term “recovery” and state how the Council will encourage the recovery of waste materials and at what sites?
- ii) Whether the requirement for communal facilities for the separation and storage of waste is practical.
- iii) Is it appropriate to specify the sizes of development to which this Policy would apply.

Inspector's Reasoning

Issue i)

6.22 Paragraph B8.65 sets out the three categories of recovery and therefore I consider that the term is adequately defined. It is through the implementation of the plan policies that the Council seeks to encourage the recovery of waste. No further clarification is required in this paragraph.

Issue ii)

6.23 Whilst I appreciate that the provision of communal facilities could give rise to noise and disturbance, such issues can be resolved at the application stage through appropriate design and layout. No change in respect of this objection is necessary.

Issue iii)

6.24 Whilst the principle of making provision for recycling facilities is widely supported, some objectors are concerned that the thresholds are unjustified whilst others support the application of this policy to all development which may give rise to waste. However, the principles of self sufficiency and proximity indicate a need to ensure that waste is treated closer to its source, such that waste management facilities are provided at a local scale. Such facilities may take the form of neighbourhood recycling centres in housing developments or provision for

separation and storage of waste for collection or composting within individual or groups of properties. In view of the small scale at which waste management facilities could usefully be provided, I support the Council's approach of setting thresholds in Policy WM.4. Furthermore, I consider that the scale of the thresholds is appropriate since a requirement attached to smaller schemes could be impractical.

Recommendation: no change

Chapter B8 - Policy WM.5

3124/B4

Environmental Sevices Association

WM.5

Issue

- i) Is it a reasonable requirement for facilities to be located close to the source of waste and reprocesses (criterion iii)?

Inspector's Reasoning

6.25 It accords with the proximity principle for waste to be treated as close to its place of production as possible. However, it may not be practicable for a facility to be close to the market to be served. By including the words "wherever possible" in criterion iii) in the RDDLP, this situation is acknowledged.

Recommendation: no change

Chapter B8 - Policy WM.6

3202/B32

Pensford plc

WM.6

Issue

- i) Whether giving priority to the completion of landfill sites over the recycling and recovery of waste is contrary to Government policy.

Inspector's Reasoning

6.26 Whilst I understand the reasons given by the Council for Policy WM.6 and the associated paragraph B8.72, I agree with the objector that it does not reflect the waste hierarchy which is central to the Government's approach to planning for waste management. The re-use and recovery of waste is given a priority over its disposal to landfill. A policy which could have the effect of sending waste capable of being recovered to landfill in order to achieve the reclamation of a site removes the priority accorded in Government policy to re-use and recovery. Clearly there are environmental issues involved in a reclamation operation, but a balance

would need to be sought for each site such that reclamation can be achieved without increasing the proportion of waste which is used for landfill. It seems to me that such a balance can only be achieved on a case by case basis having regard to the submitted environmental assessment. I therefore recommend that the policy and its associated paragraph be modified to avoid any potential for conflict with the priorities accorded by Government policy.

Recommendations:

R6.9 Modify paragraph B8.72 by deleting the final sentence.

R6.10 Modify Policy WM.6 as follows:

Delete after “permitted” and insert

“where:

- i) the development will not conflict with or unreasonably delay reclamation and restoration of the site;
- ii) the site is close to the markets to be supplied with the recovered material.”

Chapter B8 - Policy WM.7 and Paragraph B8.73

1427/B73 Environment Agency WM.7

Issue

- i) Whether the Plan should note that the Environment Agency will object to facilities proposed within Zone 1 of Groundwater Protection Zone.

Inspector's Reasoning

6.27 The importance of the Groundwater Protection Zones is acknowledged in the plan at Policy NE.13 for example, and I see no reason to make an additional reference to it in this section.

Recommendation: no change

Chapter B8 - Policy WM.8 and Paragraph B8.77

1427/B74 Environment Agency B8.77
2698/B2 Avon Friends of the Earth WM.8

Supporting Statements

3116/C72	Bath & North East Somerset Allotment Association	WM.8/A
3116/C71	Bath & North East Somerset Allotment Association	WM.8/B
3116/C70	Bath & North East Somerset Allotment Association	WM.8/C

Objection 2698/B2 is met though an amendment to Policy WM.8 in the RDDLP.

Issue

- i) Whether composting facilities should be restricted from being developed within 250m of housing.

Inspector's Reasoning

6.28 Paragraph B8.77 acknowledges that composting facilities have the potential to cause nuisance to adjacent land users by way of odour and vermin if not properly managed. However, there are policies within the Plan, e.g. Policy ES.10, which afford protection against such nuisance, and schemes can be considered on a case by case basis. To place a 250m exclusion zone around housing would be unnecessarily restrictive.

Recommendation: no change

Chapter B8 - Policy WM.9

2303/B11	Wellow Residents Association	WM.9
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Issue

- i) Whether the Policy should incorporate transparent criteria taking into account environmental objectives.

Inspector's Reasoning

6.29 There are numerous policies, for example in the Natural Environment section, which contain criteria to meet the environmental objectives of the plan. Any proposals coming forward for community composting facilities will fall to be assessed against these other policies where appropriate and I see no need for Policy WM.9 to contain any more detail.

Recommendation: no change

Chapter B8 - Policy WM.10 and Paragraphs B8.82-B8.84

3257/C179	Somer Valley Friends of the Earth	B8.83/A
721/B33	Government Office for the South West	B8.84
3257/C180	Somer Valley Friends of the Earth	B8.84/A
600/B2	Mr & Mrs A Jones	WM.10
3126/B29	Bath Friends of the Earth	WM.10
3257/B2	Somer Valley Friends of the Earth	WM.10

Supporting Statements

3126/D48
2226/B5

Bath Friends of the Earth
ETSU

PIC/B/52 (B8.82)
WM.10

Issues

- i) Whether the plan requires any further policy or text relating to development of a waste incineration facility.
- ii) Should the policy contain additional criteria relating to potential for effects from air pollution.

Inspector's Reasoning

Issue i)

- 6.30 A policy which prevented any development of a waste incineration facility would be contrary to national policy which does not completely rule out the option of incineration facilities, particularly that which would result in energy recovery. National policy does, however, place the option of “energy recovery” towards the bottom of the waste hierarchy, and any development proposal coming forward for such a facility would, amongst other things, be required to demonstrate that it would not prejudice the management of waste via more sustainable methods which is covered by Policy WM.1.
- 6.31 With regard to how proposals for mass-burn incineration may be assessed, I do not agree that Policy WM.10 would cover only processes such as gasification and pyrolysis, energy can also be recovered from incineration in the form of heat which can generate electricity. Whilst I appreciate that there is no firm evidence to rule out completely the possibility of a facility for the mass disposal of waste with no energy recovery, I am satisfied that the criteria in Policy WM.10 can be justified by national guidance which places incineration with energy recovery above that without energy recovery. Although applications should be assessed against policies in the plan, if a proposal came forward and material considerations provided justification for mass-disposal over energy recovery the proposal could be determined through normal development control policies, including Policy WM.1. Any proposal would have to demonstrate that it would not prejudice more sustainable waste management methods further up the waste hierarchy. It would also be subject to other legislative regimes, notably pollution control.
- 6.32 Whilst I consider there to be no need for a material change to Policy WM.10, in the interests of clarity and to reduce any confusion with regard to the application of this policy I recommend that the reference to “energy provision” be included in the criteria rather than in the first sentence of the policy.

- 6.33 The rewording to Policy WM.10 that I recommend below would cover all applications for thermal treatment, thereby rendering Policy WM.11 unnecessary. I recommend deletion of Policy WM.11.
- 6.34 I state in my recommendations under the sub-heading “General” that this section of the Plan would benefit from some editing. The reasoned justification should contain only an explanation of the policies and proposals in the plan (PPG12 Paragraph 24), for example how the policies will be applied in decision-making. The Waste Chapter contains excessive background detail which is unnecessary and renders the plan difficult to follow and unclear. Whilst it is important for the public to be involved in decision-making and information should be provided to aid their involvement, it is more appropriate for information of this kind to be made available to the public through other media, for example during the preparation stages of the local plan or the municipal waste strategy. The information on mass-burn incineration falls within this category and should not be re-instated.

Issue ii)

- 6.35 Policies in Chapter B6 of the Plan provide protection against a range of pollutants, and the issue of exhaust gases would also be subject to pollution control. There is no need to add further criteria to Policy WM.10

Recommendations:

R6.11 Modify Policy WM.10 as follows:

Delete “with energy recovery” from first sentence.

Insert new criterion:

“i. provision is made for energy recovery;”

R6.12 Modify the plan by deleting Policy WM.11.

Chapter B8 - Policy WM.12 and Paragraphs B8.89 and B8.90

3202/B35	Pensford plc	B8.90
1427/B75	Environment Agency	WM.12
1427/B218	Environment Agency	B8.89
2698/B1	Avon Friends of the Earth	WM.12
3291/B3	Waste Recycling Group (WRG)	WM.12

Objection 3202/B35 is met in the RDDLP.

Issues

- i) In Policy WM.12, how will the planning authority assess compliance with criterion (vii); should reference be made to the Environment

Agency's draft landfill location policy; and should there be an additional criterion to safeguard the environment?

- ii) Whether bio-mechanical waste treatment should be more preferable than options for energy recovery from waste.

Inspector's Reasoning

Issue i)

- 6.36 The availability of fill material is a matter that may be addressed as part of the environmental assessment of a planning application, and is clearly relevant to the length of time required for a planning permission to be granted.
- 6.37 With regard to the EA's draft landfill location policy, it is a matter of best practice not to refer to draft guidance that may change.
- 6.38 There are a number of policies in the plan which would apply in the course of development control and which would serve to protect the environment. There is no need to add to the extensive criteria in Policy WM.12.

Issue ii)

- 6.39 Biomechanical waste treatment is defined in Waste Strategy 2000 (Part 2, Paragraph 5.82) as a generic term for a range of processes designed to recover valuable components from unsorted municipal solid waste. This would include standard waste separation operations, composting and other processes such as anaerobic digestion. These processes are higher up the waste hierarchy and therefore should be considered as a more preferable option than energy recovery. This is explicitly stated in Policy WM.1 against which any proposal for waste management facilities would fall to be addressed. Thus, I see no need for a change to this policy in respect of this issue.

Recommendation: no change

Chapter B8 - Policy WM.13 and Paragraphs B8.91 and B8.92

1427/B76	Environment Agency	WM.13
1427/B79	Environment Agency	B8.92

Supporting Statement

1427/B77	Environment Agency	B8.91
1427/B78	Environment Agency	B8.91
120/C131	Ms Helen Woodley	B8.92/A
1427/C201	Environment Agency	B8.92/A
3257/C181	Somer Valley Friends of the Earth	B8.92/A

Issue

- i) Whether the policy should require safeguards to protect against flooding and pollution to ground and surface water.

Inspector's Reasoning

6.40 Whilst I accept that the raising of land levels would be likely to impact upon the drainage regime of a site and surrounding land and could result in pollution to ground and surface water, there are a number of policies in the plan which would address these issues, for example NE.13 and NE.14. I see no value in duplicating this protection in Policy WM.13.

Recommendation: no change

Chapter B8 - Paragraphs B8.96 and B8.97

3214/B1	Mrs C Watson	B8.96
1427/B80	Environment Agency	B8.97
2303/B10	Wellow Residents Association	B8.97

Issues

- i) Whether paragraph B8.96 should state that high quality planning applications may require fewer conditions.
- ii) Should the Plan make reference to the role and requirements of the Waste Management Licence?
- iii) Whether these paragraphs should support a criteria based policy to meet environmental objectives.

Inspector's Reasoning

Issue i)

6.41 Paragraph B8.96 largely repeats Government policy in relation to conditions, and in their response to this objection, the Council states that even with a high quality application, conditions would be imposed. The fifth sentence of the paragraph is therefore misleading. I consider that this paragraph adds no value to the plan and should be deleted.

Issue ii)

6.42 The Waste Management Licence is the responsibility of the pollution control authority. The Local Plan should not seek to duplicate other legislative responsibilities which are not relevant to planning considerations.

Issue iii)

6.43 Paragraphs B8.95 – B8.97 are intended to provide information on the contents of planning applications. There are a number of policies in this and other Chapters of the plan which provide the criteria against which environmental issues may be addressed.

Recommendation:

R7.13 Modify the plan by deleting paragraph B8.96.

Chapter B8 - Paragraphs B8.102-B8.106

114/B9	Mr A Wait	B8.102
1427/B81	Environment Agency	B8.102
1427/B82	Environment Agency	B8.103
114/C11	Mr A Wait	B8.106/A
2582/C3	Mr R Wait	B8.106/A
2584/C3	Mrs H A Wait	B8.106/A
3116/C69	Bath & North East Somerset Allotment Association	B8.106/B
3257/C182	Somer Valley Friends of the Earth	B8.106/B

Supporting Statement

3126/D49 Bath Friends of the Earth PIC/B/53 (B8.106)

Objection 1427/B82 is met through an amendment in the RDDLP.

Issues

- i) Whether there should be any form of waste disposal requiring combustion at the Broadmead Lane, Keynsham site (K3).
- ii) Whether the proposal at Broadmead Lane (K3) would lead to unacceptable impacts from traffic and pollution.
- iii) Should it be stated that an IPPC permit is required as well as planning permission before a scheme can operate?
- iv) Whether the paragraph should clarify that no waste will be disposed of on land used for growing food unless the Allotments Association has been consulted.

Inspector's Reasoning

Issue i)

6.44 The objectors have concerns regarding the health implications of any form of waste disposal through combustion. However, paragraph B8.106 lists the key features of any development at the site and this does not make reference to incineration. The option of energy recovery, which may include some combustion, cannot be ruled out completely as this would be

contrary to national policy. However, in view of the fact that this option is so low down in the waste hierarchy, any application would fall to be assessed against Policy WM.1 and would have to demonstrate that it would not prejudice management of waste via more sustainable means. Any application for a waste management facility on the site would be accompanied by a detailed assessment of the potential for adverse impacts from traffic and pollution. The use would also be subject to pollution control. Thus, I consider a change in response to these objections to be unnecessary.

Issue ii)

6.45 Although the text to this part of the plan sets out the proposals for a waste management facility at Broadmead Lane, planning permission would still be required and detailed assessments of potential levels of traffic and pollution would need to be carried out in support of the scheme. The extent of any pollution would depend on the types of processes and wastes to be managed on the site, but any scheme would be subject to pollution control.

6.46 The site is also between a river and railway and the Council confirms that any planning application would have to consider alternative modes of transport in accordance with Policy M9. However, this statement contradicts the second bullet point under paragraph B8.106, which I therefore recommend should be deleted.

Issue iii)

6.47 It would add further unnecessary detail to the plan to refer more fully to the need for an IPPC permit.

Issue iv)

6.48 Clearly any material that remains after processing would need to be disposed of at a suitably licensed disposal facility therefore it is unnecessary to make any changes in response to this objection.

Recommendation:

R7.14 Modify Paragraph B8.106 by deleting the second bullet point.

SECTION 7 - CHAPTER B9

Chapter B9 - Policy GDS.1

There are large numbers of representations to this policy; details are listed at Appendix 1

Issues

- i) Is the policy unnecessarily long and repetitive, confusing strategic with minor allocations?
- ii) Does the policy pay sufficient regard to sustainability issues?
- iii) Is more clarity required on phasing and the way allocated sites would contribute to housing supply?
- iv) Is the policy appropriate in relation to affordable housing?
- v) Should opportunities for meeting housing requirements on sites within the Bath area be highlighted?
- vi) Should the Green Belt around Keynsham be reviewed to identify sites to be safeguarded for future development.
- vii) Is there an appropriate level of development proposed at Norton Radstock?

Inspector's Reasoning

Issue i)

7.1 Sections A and B of GDS.1 list matters which are covered by other policies in the plan, and a number of objectors are seeking the addition of references to other matters such as the Green Belt which are also the subject of other plan policies. As I have stated elsewhere in this report, the plan, with all its policies, stands to be considered as a whole when any development proposal, including one which is the subject of a Local Plan allocation, is to be assessed. In consequence, the inclusion of GDS.1 sections A and B is unnecessary since it simply draws attention to certain policies of the plan. Indeed, to some extent these sections of the policy create confusion since it does not (and could not realistically) refer to every policy which may be relevant to a proposal, and therefore creates the implication that some policies may be more relevant (and important) than others. I recommend that Sections A and B of Policy GDS.1 be deleted, and amendments be made to the preceding text to reflect this change.

Issue ii)

7.2 The selection of development sites is founded on sustainability criteria since it is based on the adopted JRSP locational strategy which in turn

follows Government advice in PPG3. Furthermore, the Local Plan strategy seeks to identify potential mixed use and residential sites in the main towns and settlements. I therefore consider that sufficient attention has been given to sustainability issues in the selection of sites, and it is not necessary to refer to the Sustainable Development Assessment criteria.

Issue iii)

7.3 I deal with phasing in relation to Policy HG.3 of the DDLP in Section 5 of this report. To clarify the way in which sites would contribute to housing supply, I also recommend the introduction of a table of the relevant allocated sites in the housing Chapter of the plan. I consider that the table would improve the clarity of the plan in terms of the way allocated sites would contribute to housing land supply.

Issues iv)

7.4 The target for the provision of affordable housing, and the issue of tenures is dealt with in Section 5 of my report in relation to Policy HG.8. With regard to the need to secure a mix of types of housing, PPG 3 is concerned with avoiding the creation of large areas of housing of similar type, and I have recommended a change to Policy HG.1 to reflect this.

Issue v)

7.5 The importance of making the best use of opportunities for residential development within the principle urban area of Bath is recognised in the strategy of the plan and there is no need to set it out in this Chapter.

Issue vi)

7.6 The need for changes to the Green Belt around Keynsham is dealt with in Sections 5 and 9 of this report.

Issue vii)

7.7 The question of what would be an appropriate level of housing at Norton Radstock will need to be reviewed as a result of my recommendations in relation to meeting housing land supply requirements. As one of the urban areas within the District, it falls to be considered after Bath and Keynsham in the sequential approach to housing provision.

Other matters

7.8 In setting out a detailed list of requirements for all the GDS allocations in this Chapter, the Council has included a number of matters which would be dealt with through the normal process of development control, or which are in any event covered by other policies in the plan. These include such matters as access for vehicles, pedestrians and cyclists, foul or surface water drainage, archaeological investigations, flooding, pollution control, air quality and nature conservation. The plan would be greatly improved if unnecessary detail is taken out, and in relation to the

allocations the policy should focus on matters which are unique to that particular site and which are not adequately covered by policies elsewhere in the plan. Where an issue has been raised in relation to such clauses I have recommended their deletion.

Recommendations:

R7.1 Modify paragraph B9.2 by deleting the last sentence and inserting:

“As with all development proposals, planning applications for the development of the allocated sites will be assessed against all the Local Plan policies which are relevant to the scheme.”

R7.2 Modify the plan by deleting paragraphs B9.3 and B9.4.

R7.3 Modify Policy GDS.1 as follows:

Delete sections A and B.

Review the list of clauses in each allocation and delete requirements which are covered by policies elsewhere in the plan.

Chapter B9 - Policy GDS.1/B1 - Western Riverside

There are large numbers of representations to this policy; details are listed at Appendix 1

Issues

- i) Whether the scale of residential development identified in the policy and the timescale for development identified in paragraph A4.26B are appropriate.
- ii) How would delivery be monitored and what measures are in place if the site fails to produce the levels of housing expected by the Council?
- iii) Could a comprehensive development be successfully delivered by individual land owners on a site by site basis and should the wording of the policy be amended to reflect this?
- iv) Is the scale and type of retail provision proposed in the consolidated version of the plan appropriate, and should provision be made for a new and larger replacement foodstore?
- v) To what extent does the policy protect the interests of existing businesses and should the area identified in the plan for comprehensive redevelopment be amended to exclude those who wish to remain?

- vi) Is the policy over prescriptive or should the following additional elements be included:
- the Twerton on Avon footbridge which requires renovation;
 - new Council offices having regard to the high level of congestion in this area;
 - more through paths and access over the river;
 - performance arts centre;
 - major sports stadium;
 - employment, leisure and recreation uses;
 - detail of how yield assumptions have been calculated.
- vii) Is there adequate protection to existing local shops if more small shops are provided within the BWR scheme?
- viii) Does the policy provide adequate protection to the historic and natural environment?
- ix) Retail proposals, road improvements, route for integrated transport system for BWR should be shown on the Proposals Map.
- x) Is it appropriate to displace land uses at BWR to the Green Belt at Newbridge?

Inspector's Reasoning

Issue i)

7.9 Clearly this is a very substantial site within an urban location where a high density of development can be expected to be achieved. The policy makes no reference to the overall level of housing which the site could accommodate and I consider this to be appropriate. Bearing in mind that the development of the site will continue beyond the plan period, at this stage the most important information is the level of housing which can be achieved by 2011, and that figure is included within the policy. I consider it is quite appropriate for the level of provision to be made on the whole site to be resolved in the master planning process which has yet to be completed. However, the number of dwellings identified in clause 2 to be provided in the plan period needs to be amended.

7.10 I consider the scale of development likely to be delivered on this site during the plan period under the heading of Housing Need in Section 5 of my report and conclude that it would not be prudent to rely on the delivery of more than 450 dwellings at BWR by 2011. I also emphasise that this assessment is based on the evidence before me at the close of the Inquiry in May 2005. By the time the Council receive this report it will be more apparent whether sufficient progress is being made on the

production of the master plan SPD, and the timetable for delivering a comprehensive development, for the site to deliver more or less than this number of dwellings by 2011.

- 7.11 The actual density to be achieved on the site is likely to vary according to the location and type of development proposed. In this urban location it should clearly be at the higher levels, and I consider that this is adequately addressed by Policy HG.7 as I recommend it to be modified.
- 7.12 As to the timescale for the actual development of the site, the period of 10 – 15 years referred to in paragraph A4.26B seems reasonable. In Section 1 of my report I recommend that paragraphs A4.26A – C be deleted from Chapter A4 of the plan, but that the Council may wish to import some of the text into Chapter B9 where I consider it would be more appropriately located. I recommend that the text be edited to avoid any repetition of matters dealt with under B1, and inserted under the heading "BATH" and before the box for Western Riverside.

Issue ii)

- 7.13 The Council has no sites identified for release as a contingency in the event that BWR does not deliver the 800 units expected by the Council by 2011, and in these circumstances it becomes even more important to ensure that the plan accurately reflects the level of housing which is likely to be delivered. In my view this should not be an optimistic assessment, but should adopt a "worst case scenario". Subject to any modification to the numbers as a result of the progress made on the site since the close of the Inquiry, my recommendation that the site should be expected to deliver no more than 450 dwellings during the plan period should meet this requirement.

Issue iii)

- 7.14 I have indicated my view in Section 5 of this report that the Council should place a high priority on securing a properly planned and co-ordinated development of BWR. Some areas of the site are more constrained than others so the costs of development will vary across the site. If the less constrained sites were to be released before the future has been secured of those sites which are likely to be more costly to be developed, many of the benefits of a comprehensive scheme could be lost.
- 7.15 Annex 2 to B&NES 12.4 sets out all the elements of the BWR SPD and it seems to me that the agreement between all the relevant parties of the Implementation Plan is fundamental to the achievement of a comprehensive approach to the development of the site. Although the Council has agreed to the appointment of Crest Nicholson alongside Grosvenor as joint Master Development Partner, without the use of CPO powers there is no guarantee that other landowners will make their sites available to the Council's preferred developer. However, once the SPD is in place and the Implementation Plan agreed, it is difficult to see any

reason why individual developers/landowners should not bring forward their sites to be progressed in accordance with the principles of the strategic framework and spatial masterplan, having made a commitment in terms of their contribution to the overall site costs.

- 7.16 To ensure that all the relevant parties can be confident that they can progress development once the SPD is finalised, the wording of GDS.1/B1 needs to reflect these particular circumstances. Various forms of words were discussed at the Inquiry, including my own suggestion. The Council identified three preconditions which would need to be met by any individual scheme, but it seems to me that provided the SPD is in the format set out in Annex 2 to B&NES 12.4, and that the development accords with the SPD, it would meet those preconditions in any event. I therefore recommend a form of words which requires a proposal to be in accordance with the SPD in order to secure the comprehensive development of the site.

Issue iv)

- 7.17 I deal with the principle of allocating BWR for “High street” comparison retail floorspace in Section 4 of my report. In my view the development of Green Park station as proposed would introduce a separate shopping destination which would compete with shops in the existing historic centre and with the new units to be constructed in the redevelopment of Southgate. Although the Lichfield study identified overtrading within the existing city centre together with the potential for a significant level of growth in expenditure to support new floorspace, I identify other issues which need to be taken into account, not least of which is the need to secure the successful implementation of the Southgate scheme and to avoid any risk of harm to the historic city centre. I recommend the deletion of BWR as a retail allocation from Policy S.3.
- 7.18 With regard to the accommodation of bulky goods at BWR, this is also dealt with in Section 4 of the report. Whilst Sainsbury’s and Homebase are both large stores located within the BWR site, I have expressed my sympathy for the view that the addition of a large area of warehouse sheds surrounded by car parking would not be an appropriate use for a site which has the potential to be a high quality urban development area enhancing the unique character and status of the WHS. There is some retail warehouse development at the Weston Lock Retail Park in Lower Bristol Road and I consider it more appropriate to investigate the potential for bulky goods development there.
- 7.19 I note the criteria which are listed by the Council under 2A and 2B which are intended to avoid any harmful consequences from the development of large scale retailing at BWR, but agree with objectors that the criteria are vague and imprecise and would provide inadequate protection to guarantee the level of commercial confidence required for Southgate to be delivered. Conditions to restrict the range of goods sold at retail warehouse type development have been widely used and shown to be effective. However the application and enforcement of such conditions as

suggested to high street type comparison shopping at BWR to prevent it from competing with city centre shopping is not so straightforward. I therefore recommend the deletion of 2A and 2B from B1.

- 7.20 I support the provision of additional convenience floorspace in response to forecast additional expenditure and to take pressure off the Sainsbury's store. However, although reference was made to viability issues at the Inquiry, I have no evidence to indicate that there is a positive requirement for additional convenience floorspace to be located at BWR. Indeed, I acknowledge the benefits in meeting the need in South Bath and recommend the allocation of a site in that area. In these circumstances there is no basis for a requirement for additional convenience floorspace in GDS.1/B1.
- 7.21 Clearly the deletion of a major quantum of retail development from the BWR regeneration will have significant implications for the project as a whole. The Council refers to the impact on the quality and delivery of the scheme. However, it seems to me that the main effect must be in relation to its scale. If the consequence of the loss of the retail element is the retention of Sainsbury's and Homebase on their existing sites, then the overall scale of the redevelopment will be reduced and confined to a residential and business redevelopment of the remainder of the site. This would be a less ambitious scheme than envisaged in the RDDLP, but in my view that is preferable to any risk to the historic shopping centre of Bath and the success of the Southgate scheme. What is important is that the BWR scheme addresses the redevelopment of former employment sites, and the overall environmental improvement of the riverside area. I have no evidence to suggest that the retention of Sainsbury's and Homebase should prevent that from being achieved.
- 7.22 I recommend in Section 4 that the Council develop retail policy beyond the plan period by working up a shopping strategy for the city centre in the form of an Area Action Plan with measures for the planned implementation of retail development. In my view significant retail development at BWR should not be envisaged before that shopping strategy has been properly worked up and sequentially preferable sites such as Avon Street car park have been developed.

Issue v)

- 7.23 There are a number of sites within the boundary of BWR as identified on the PM which are in active occupation and use. These include Sainsbury's, Homebase, Renrod car dealerships, Bath Press, Railtrack and businesses in James Street West. These businesses seek protection of their operational interests through the wording of the policy, or removal from the boundaries of the site.
- 7.24 Although the policy refers in 4 to relocation of other uses, the examples given are all uses which the Council would prefer to see relocated away from BWR in any event. In relation to this issue, the objectors are concerned to protect their location within BWR or to be allocated an

equivalent location in the vicinity. They have thriving businesses which they seek to protect, and as stated by Renrod, sites for car dealerships are not easily identified within Bath. I have some sympathy with their concerns. The inclusion of active businesses within an area identified by the Council for redevelopment, inevitably leads to uncertainty as to the security of their future. There is no indication in the policy as to whether the intention is for existing businesses to remain where they are, to be relocated within the site, or to be moved out altogether. Furthermore, for a business wishing to develop its own site as in the case of Renrod, the plan provides no indication of whether such a scheme could be acceptable.

- 7.25 It seems to me that this situation should be improved to provide a clear indication to existing businesses what they might expect as a result of the proposals for BWR. I appreciate that the policy cannot recognise the circumstances of every business which might be affected by the redevelopment. The modifications suggested by Renrod would address the issue in regard to their sites but would be less certain for other existing businesses. I therefore agree with the Council that this is a matter for the master plan SPD. However, having regard to the sites which would come forward for development during the plan period, it is unlikely that any existing business will be affected before 2011, so this should be spelled out. Furthermore, in the interests of local employment, businesses wishing to remain within the BWR site and which are compatible with the redevelopment scheme should be accommodated within the redevelopment. I recommend a modification to the policy to reflect this.
- 7.26 For Renrod and Bath Press the preferred solution is to be excluded from the boundary of the redevelopment site, and in my view this is a matter to which the Council needs to give more thought.
- 7.27 The Bath Press site is separated from the main BWR site by the Lower Bristol Road. It is substantially taken up by the main building and evidence is submitted of the costs of equipment which would make it difficult for the company to relocate, and of the numbers of employees which make it one of the City's larger employers. I note the Council's concern that it should remain within the BWR boundaries to ensure any future redevelopment accords with the master plan principles, but in view of the physical separation of the site from the remainder of the BWR area, I consider that the other policies of the plan would provide sufficient control to ensure that any future redevelopment accords with the character of the area as it is regenerated. Bearing in mind the nature of this business and its location away from the main BWR site, and in the absence of any good reasons for including it within the redevelopment site, I recommend that it is taken out.
- 7.28 The Renrod sites lie to the north of the Lower Bristol Road facing the Bath Press site. The northern boundaries of the sites abut the Transco gasholder site. The Council's concerns are that if the site was vacated it should be included in a comprehensive scheme, but there is no evidence that its exclusion would compromise the achievement of a comprehensive

scheme. As in the case for the Bath Press site I consider that the policies of the plan should ensure any redevelopment by the site owner would accord with the character of the regenerated area. Furthermore, in the event that part of the site is affected by transport requirements in the future, it is not necessary for the site to be within the BWR boundaries for that part to be acquired. Thus I find no good reasons for including either the Bath Press or the Renrod sites within the BWR boundaries. The sites accommodate thriving businesses and could be taken out of the redevelopment area with no harm to a future comprehensive development scheme. I recommend they should be excluded from the BWR site.

- 7.29 With my recommendation to delete the Council's proposals for new retail development at BWR, an important reason for including Sainsbury's and the Homebase site within the area for redevelopment is lost. These uses take up large areas of land and their deletion from the BWR site would need to be given very careful consideration. This was not a matter for debate at the Inquiry and I have insufficient evidence to assess whether or not Sainsbury's and Homebase should continue to be included within the BWR regeneration area. I therefore make no recommendation in this regard.

Issue vi)

- 7.30 Far from being unduly prescriptive I consider that B1 is broadly drafted. For example, it does not specify the quantum of business development, and only gives the level of residential development to take place during the plan period. No change is required in response to this objection.
- 7.31 Other objectors have sought the addition of detailed matters which I list above. Taking the last in the list, in my view the plan is not the place for detailed calculations of yield to be set out. There are challenges to the level of housing which can be built on the site during the plan period which I have considered, but no other issue has been raised for which evidence on yields would be required. I fail to see the relevance of this objection.
- 7.32 With regard to the other matters listed, these are details which would need to be addressed in the master planning process. Pedestrian links remain to be assessed in detail, and the provision of community facilities such as a sports stadium and performance arts centre will depend on the availability of appropriate sites and funding. The policy should outline the broad principles for the scheme. Inclusion of these matters would require an inappropriate level of detail.

Issue vii)

- 7.33 Policy S.4 as recommended to be modified would require the effects of any new retail development to be assessed and Twerton is one of the local centres listed under Policy S.1. The provision of small shops within the development site would therefore need to have regard to any impact on existing local centres.

Issue viii)

7.34 Although B1 does not specifically include a reference to nature conservation and the protection of the historic environment, proposals for the site are subject to all the other policies of the plan and there is adequate protection for these matters in Chapters C2 and C3.

Issue ix)

7.35 I recommend against large scale retail development at BWR, but if it were to be planned, the locations for retail proposals are not yet available and would more appropriately be included within the master plan. I deal with issues concerning the rapid transport system in Section 13 of my report, but there are no firm proposals which should be shown on the Proposals Map.

Issue x)

7.36 I deal with this issue in my consideration of B1A – Newbridge where I recommend against the release of the site at Newbridge from the Green Belt.

Recommendations:

R7.4 Modify the plan by inserting edited paragraphs A4.26A – C under the heading “BATH” before policy B1.

R7.5 Modify Policy GDS.1/B1 as follows:

in 2 delete “800” and insert “450”.

delete clauses 2A and 2B.

add after 10: “There will be no requirement for existing businesses to be relocated during the plan period. Those business uses wishing to remain within the site and which are compatible with the redevelopment scheme, will either remain in their current locations or be relocated within or adjacent to the redeveloped area.”

Delete final sentence and insert: “Any planning application will need to demonstrate that it is consistent with and contributes to the comprehensive development of the whole site by reference to the Masterplan Supplementary Planning Document which accords with this policy.”

R7.6 Delete the Bath Press site and the area which includes the Renrod sites from the BWR allocation on the Proposal Map.

R7.7 Review the need to include Sainsbury’s and Homebase within the BWR allocation on the Proposals Map.

Chapter B9 - Policy GDS.1/B1A - Newbridge

42/C19	CPRE	GDS.1/B1A/A
110/C24	Sport England South West	GDS.1/B1A/A
120/C263	Ms Helen Woodley	GDS.1/B1A/A
686/C172	Bath Preservation Trust	GDS.1/B1A/A
686/C179	Bath Preservation Trust	GDS.1/B1A/A
695/C30	Society of Merchant Venturers	GDS.1/B1A/A
697/C7	Twerton Park Properties Ltd	GDS.1/B1A/A
2987/C6	Royal United Hospital Bath NHS Trust	GDS.1/B1A/A
3098/C55	George Wimpey Strategic Land	GDS.1/B1A/A
3347/C2	Mrs R le Huray	GDS.1/B1A/A
3390/C1	Mr M Stockley	GDS.1/B1A/A
3427/C1	Mr R M Ball	GDS.1/B1A/A
3438/C3	Mr R V Garroway	GDS.1/B1A/A
3463/C2	Stothert & Pitt Sports Club	GDS.1/B1A/A
3511/C12	British Waterways	GDS.1/B1A/A
3547/C2	Mr & Mrs D F Bye	GDS.1/B1A/A
3626/C6	Bath Friends of the Earth	GDS.1/B1A/A
589/C10	Bath City Football Club	GDS.1/B1A/B
686/C171	Bath Preservation Trust	GDS.1/B1A/B

Issues

- i) Whether there are exceptional circumstances to justify the release of 10.5 hectares of land from the Green Belt in this location.
- ii) Whether the site should be used for sports facilities, as well as a Park & Ride and civic amenity facility.
- iii) Whether Policy GDS.1/B1A should include:
 - A clause on flood risk and the use of SUDs to safeguard water quality.
 - Reference to the nature conservation policies of the plan.
 - Details of the implementation of the facility and its relationship to the proposals in the plan.
 - Requirement for enhancement of the riverside for the benefit of users and passing boaters.
- iv) Whether the Proposals Map should include details of the development with the location of transport interchange and WTS.

Inspector's Reasoning

Issue i)

7.37 This proposal is for the removal of 10.5 hectares of land from the Green Belt at Newbridge. The greenfield site to the north of the A36 would be used as a park and ride and rapid transit terminus, and the land south of the A36 would be developed as a civic amenity facility, cleansing depot and salt depot. The land south of the A36 is partly in use as playing fields

and the remainder was shown on the DDLP as a Visually Important Open Space.

- 7.38 The Council seeks support for the removal of the site from the Green Belt from Policy SS.4 of RPG10 which advises local authorities in preparing development plans to critically review the Green Belt to examine whether boundary alterations are needed to allow for long term sustainable development needs, and remove land from the Green Belt for development if on balance this would provide the most sustainable solution for accommodating future development requirements. However, the RPG states clearly in paragraphs 3.10 and 3.11 that the boundaries of the Green Belt should be reviewed in the next round of structure plans so that development to meet requirements for housing, employment and other uses may be accommodated in urban extensions. It is therefore as part of a comprehensive review of development requirements and of the Green Belt boundary that RPG10 allows for land to be released on the periphery of Bath. Understandably there has been no such review in this Local Plan.
- 7.39 Whilst RPG10 is a material consideration to be taken into account, this plan is founded in the policies of the JRSP, and there is no policy in the JRSP to support the release of land from the Green Belt at this location. I therefore consider there is no policy basis for the release of land at Newbridge in this Local Plan. With no strategic policy to support the release of the site, PPG2 requires there to be exceptional circumstances to justify a change in status.

Park and ride and rapid transit terminus

- 7.40 Taking first the arguments advanced in support of the park and ride and rapid transport interchange, the guidance in PPG13 recognises that there may be conflict between the delivery of appropriately located park & ride schemes and Green Belt policy. In this respect Annex E provides a five criteria test to determine whether a scheme would represent appropriate development in the Green Belt. As proposed the scheme would provide for 1500 car parking spaces, which could only be accommodated through the development of a decked car park. Such a structure would clearly affect the openness of the Green Belt and as such it would fail criterion (c) and constitute inappropriate development. The Council proposes to take the site of the park and ride out of the Green Belt in recognition that the development would be inappropriate.
- 7.41 The Council argue that the increase in park & ride capacity is a major aspect of the transport strategy and essential to achieving significant progress towards modal shift. The park & ride is part of an integrated package of improved public transport options combined with demand management measures. Furthermore, the additional park & ride capacity will play an important role in achieving the redevelopment of central areas of Bath in particular Bath Western Riverside.

- 7.42 However, there is no transport modelling work available at this stage to support a proposal of this scale. I was told that it would need to be of this scale in order to be viable and to meet demand, and to support the development of a rapid transit service, but no evidence was presented to support this proposition. Although the rapid transit scheme is to be included in the next Local Transport Plan, there are currently no firm proposals, and no evidence of funding. It was the Council's case that this scale of development was required to provide off site car parking for the redevelopment of BWR, even though it was simultaneously argued that the park and ride would not be available to residents of BWR for overnight or long term car parking. However, I have no evidence to support the Council's assertion, and there are clearly transport implications arising from my recommendations to delete the large scale retail development from the BWR scheme. Without that development there may no longer be a requirement for such a high level of off site car parking.
- 7.43 Land should only be removed from the Green Belt where there are exceptional circumstance to justify its release. If the site were to be removed from the Green Belt in this plan, and the Council did not progress the decked car park it would be difficult to protect the site from other forms of development which may not be justified. Without a firm proposal and substantial evidence to demonstrate that it is both necessary and likely to be implemented, I find insufficient evidence to support the Council's proposal to remove the site from the Green Belt for a decked car park and rapid transit terminus.
- 7.44 Without the decking I was told that the site could accommodate 900 cars, which is still a substantial increase over the capacity of the existing park and ride at Newbridge. With parking at ground level, the openness of the Green Belt could be maintained and there would be no need to remove the site from the Green Belt. Thus the retention of the site within the Green Belt would not prevent the implementation of a park and ride of this scale. In the event that there is justification for more park and ride spaces, then consideration could be given to expanding the facility at Odd Down, or of taking land south of the A36 to extend the area of ground level car parking at Newbridge.
- 7.45 It was argued that a terminus, waiting facilities and associated offices would be required for the rapid transit system which would also have implications for the openness of the Green Belt. I accept that this may be the most appropriate location for the terminus, being at the edge of the city on a main access route and adjacent to the disused railway line. However, the terminus would occupy a relatively small part of the site and without a properly worked up and funded scheme there is no certainty that it would be implemented. Again I find the arguments are not sufficient to justify the release of the site from the Green Belt. Within the site of a ground level park and ride, a terminus and any other buildings required in connection with a new rapid transit system could be considered on their merits as an exception to normal Green Belt policy.

7.46 The principle of park & ride is generally supported in PPG13. The guidance recognises the sustainability benefits that can arise from the development of well-designed and well-conceived park & ride schemes. Indeed, paragraph 59 states that schemes which accord with the advice in the guidance “should be given favourable treatment through the planning system”. Objectors argued that this was not the best location for a park and ride, and an option would be to expand the number of spaces at Odd Down. However, this would rule out the potential for linking the park and ride with a future rapid transit system which makes use of the disused railway. I also note the popularity of the existing park & ride facility at Newbridge, and conclude that this is a desirable location for the provision of further park and ride facilities. Ideally the Council should look to expand the existing site rather than develop across the road, but in the event this is not feasible, then the land north of the A36 should be considered for a ground level car park which is properly landscaped and designed to maintain the openness of the site and to minimise the effect on the rural character of the surrounding area. With this approach, there is no justification to remove the site from the Green Belt.

Civic amenity and associated facilities

7.47 On the area of land to the south of the proposed park and ride and separated by the A36 the Council proposes to locate a civic amenity facility and street cleansing depot currently located at Midland Road, together with a salt depot currently located at Braysdown and Clutton. The Midland Road Depot is located to the north of the river within the BWR regeneration site. At present it also accommodates a recycling depot, a waste transfer station and a refuse collection depot. These uses are to be relocated in Keynsham. The Council wishes to clear the site of existing uses to enable a redevelopment as part of a mixed use scheme and argues that this is consistent with RPG10 where it requires optimum use to be made of any opportunities, including the reassessment of existing sites allocated for other uses, for residential or mixed use development. Clearly this approach accords with Government policy, but neither Government policy nor RPG10 provide support for the relocation of existing uses into the Green Belt. The salt depot is not currently at BWR and the main reason for seeking a location at Newbridge is that it would be convenient. In my view the Council's convenience is not an “exceptional circumstance” of the sort required to justify the removal of land from the Green Belt.

7.48 I accept that the civic amenity facility and street cleansing depot need to be located as close as possible to the population which they serve and therefore it would not be sustainable to locate them at Keynsham. However, there is no clear link between the provision of a park and ride and these facilities. A number of alternative sites have been considered and in operational terms it is clear that the site south of the A36 is well suited to meet the Council's requirements. However, this does not justify the removal of the land from the Green Belt. In my view the Council needs to reconsider the use of a brownfield site within the confines of the City rather than move the uses onto Green Belt land in order to enable

higher value land uses at Midland Road. Bearing in mind the scale of the BWR site and its proposed use for business as well as residential development, it may even be possible to locate the facilities within the scheme. I appreciate the environmental issues which arise, but such uses are frequently located in the vicinity of residential or business development within dense urban areas and with careful management and screening there is no significant harm to residential amenity as a result. The retention of these facilities which are essential to the city within the scheme would not in my view conflict with Government policy to make the best use of brownfield land.

Conclusion

- 7.49 My conclusion on this issue is that there are not the exceptional circumstances sufficient to justify the release of Green Belt land for the development of a decked park and ride together with a rapid transit terminus, and a civic amenity facility. However, the land north of the A36 could accommodate a ground level park and ride without any need to remove its Green Belt designation, and in the event of a firm proposal for a rapid transit terminus this should be considered on its merits within the context of Green Belt policies.

Issue ii)

- 7.50 Policy GDS.1/B1A seeks the replacement of the existing sports facilities at Newbridge. In view of my recommendation not to relocate the civic amenity and associated facilities to Newbridge, a relocation would not be necessary. I deal with the issue of a new stadium at Newbridge in Section 3 of my report.

Issue iii)

- 7.51 Part of the park and ride site is in the River Avon flood plain and as a result any development would be considered against Policy NE.14. Sustainable foul and surface water drainage systems would be required under Policy ES.5. There is no need to include these requirements as criteria to Policy GDS.1/B1A.
- 7.52 Since the plan is considered as a whole in relation to any proposal, there is no need for the policy to include a reference to the nature conservation policies.
- 7.53 Whilst it would be reasonable to include details of the implementation of the site within the plan, I am content that such details should be reserved for the matter to be dealt with as part of the SPD for BWR.
- 7.54 There is no evidence to suggest that the park and ride would affect river navigation, and in any event details of the scheme will be addressed in the BWR SPD.

Issue iv)

7.55 The changes to the Proposals Map show the site allocation and it would be inappropriate to include any further detail. However, the designation will require further change to reflect my recommendations that the site be retained within the Green Belt, with the northern area allocated for a park and ride scheme of 900 spaces under policy GDS.1/B1A.

Recommendations:

R7.8 Retain the established Green Belt boundary at Newbridge as shown on the Proposals Map of the DDLP.

R7.9 Modify Policy GDS.1/B1A as follows:

amend site area to that of the land north of the A36.

delete 2.

delete 13.

Chapter B9 - Policy GDS.1/B2

42/B3	CPRE	GDS.1/B2
485/B17	Prowting Projects Ltd	GDS.1/B2
695/B11	Society of Merchant Venturers	GDS.1/B2
725/B3	Redcliffe Homes Ltd	GDS.1/B2
1427/B85	Environment Agency	GDS.1/B2
1857/B1	Mr D B Meakin	GDS.1/B2
3023/B4	Mr & Mrs D Hawkes	GDS.1/B2
3233/B21	Mr & Mrs M Williams	GDS.1/B2
3278/B17	Persimmon Homes (Wessex) Ltd	GDS.1/B2
3299/B11	Bovis Homes (South West Region) Limited	GDS.1/B2
2707/C7	Crest Strategic Projects Limited	GDS.1/B2/A

Inspector's Reasoning

7.56 The main issues relating to this allocation are the number of houses the site could accommodate, whether the site should be retained for employment uses and whether the site could genuinely deliver the number of houses allocated in the plan. I have considered the availability of this site in Section 5. As I have stated in that section, sites should only be allocated for development in this plan if they are genuinely available. The plan now covers only a short period and there will not be a readily available five year supply of land if sites which are not immediately available are included as part of the strategic supply. In view of the evidence submitted by objectors that Defence Estates has not yet taken any decision as to the future of the site, I have concluded that it should not be included as an allocation in the plan. In the event that the site should be released by MOD before 2011, it will be no different from any other large windfall site that comes forward, and the new LDF system

provides the mechanism to update the development plan in response to any major changes in circumstances.

Recommendation:

R7.10 Modify the plan by deleting policy GDS.1/B2 and from the Proposals Map.

Chapter B9 - Policy GDS.1/B3

2/B50	T2000/Railfutures	GDS.1/B3
120/B93	Ms Helen Woodley	GDS.1/B3
120/B94	Ms Helen Woodley	GDS.1/B3
696/B35	South West RSL Planning Consortium	GDS.1/B3
1427/B86	Environment Agency	GDS.1/B3
3271/B1	Bellwish Limited	GDS.1/B3
3299/D87	Bovis Homes	PIC/B/56 (GDS.1/B3)
3599/C2	Linden Homes (Western) Ltd	GDS.1/B3/A
3605/C6	Nicholson Estates	GDS.1/B3/A
3605/C16	Nicholson Estates	GDS.1/B3/A
3116/C90	Bath & North East Somerset Allotment Association	GDS.1/B3/C

Supporting Statement

696/C82	South West RSL Planning Consortium	GDS.1/B3/A
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Issues

- i) Whether the site will achieve the allocated number of dwellings in the plan period.
- ii) Whether there is an appropriate balance between residential and business and community uses proposed.
- iii) Whether there should be a requirement for the provision of allotments as part of the development.
- iv) Should the allocation include a requirement for the use of SUDs; for key worker's dwellings; and for a small retail unit?

Inspector's Reasoning

Issue i)

7.57 Outline planning permission has been granted with an indication that the site could accommodate 130 dwellings. The reserved matters application is for 135 dwellings. I have no evidence to support the contention that this level of housing cannot be provided within the plan period. In any event, the site is part of the contribution to housing land supply from sites with planning permission and I have recommended that there is a 10% discount provided to take account of any failure to implement these sites.

Issue ii)

7.58 I consider the requirement for employment land in Section 2 of my report, and Rush Hill is included as a one of the sites available in the plan period for new employment development. The policy requires at least 2 hectares of land for business development and this appears to me to represent a reasonable mix for a site of this scale. The type of community facilities to be sought are not specified in the policy which makes for uncertainty but I have no evidence on which to base a recommendation for a specific form of provision. The policy would be improved if the type of provision was specified in the policy, and in the event that this is known, I recommend the Council modify the policy accordingly.

Issue iii)

7.59 Objectors assert that the site includes some land last used as allotments but the Council do not agree and I have no basis on which to make a judgement. There is no requirement for allotments to be provided at present in the policy, but this could be included under the heading of community provision. Without evidence as to need for allotments in this particular locality together with opportunities to meet that need, I am not in a position to recommend that the provision of allotments be required as part of the policy.

Issue iv)

7.60 The requirement for sustainable foul and surface water drainage systems is covered by Policy ES.5 to which any development proposal is subject. It is not therefore necessary to include any reference in the policy.

7.61 The site is also subject to the policies of the plan on affordable housing which could be available to key workers. It would be inappropriate to require any further provision.

7.62 It is unlikely that a development of this scale would be able to maintain a viable small retail unit as a part of the scheme, although there is nothing in the policy to rule it out if the developers sought to include one. I find no justification to include such a requirement in the policy.

Recommendations:

R7.11 Modify the policy to provide an indication of the community facilities required under 3 if known.

R7.12 Review the allocation if the base date of the plan is amended.

Chapter B9 - Policy GDS.1/B4

2/B31 T2000/Railfutures
1427/B87 Environment Agency

GDS.1/B4
GDS.1/B4

2965/B11	Morley Fund Management Limited	GDS.1/B4
2965/B17	Morley Fund Management Limited	GDS.1/B4
3126/B44	Bath Friends of the Earth	GDS.1/B4
3299/B13	Bovis Homes (South West Region) Limited	GDS.1/B4

Supporting Statement

2695/B8	The Springs Foundation	GDS.1/B4
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Issues

- i) Whether the site should accommodate more housing, with a specification of 25% affordable housing.
- ii) Should the policy include an additional requirement to secure protection against flood risk?
- iii) Is further wording justified in item 1?
- iv) Does the allocation on the Proposals Map need to be modified to exclude the property known as Avonside?

Inspector's Reasoning

Issue i)

7.63 This is an important city centre site where the uses are to be predominantly retail and commercial. The provision of 90 dwellings will introduce a new residential use into the area and contribute to local vitality. I have no reason to consider that a higher level of housing would be justified in this location.

7.64 As for the element of affordable housing, planning permission has been granted on the basis of 25% affordable housing. This is less than the proportion I am recommending in HG.8 which is an overall average of 35%, and clearly any new application for planning permission would be subject to HG.8 as recommended to be modified. In these circumstances I see no reason to refer to the level of affordable housing in the text of the policy.

Issue ii)

7.65 Flood risk issues are covered by Policy NE.14 and would be dealt with through the development control process, with consultation as appropriate. I see no reason to refer to this matter in the policy.

Issue iii)

7.66 Whilst I have no doubt that the provision of comparison retail floorspace at Southgate will enhance the vitality and viability of the city centre, I find no reason to make such a statement in the policy.

Issue iv)

7.67 Whilst I appreciate the reasons why the Council seeks to retain Avonside within the Southgate redevelopment area, it is not included within the scheme for redevelopment of the site. Without any commitment from developers to refurbish this building it is uncertain how the Council's aim will be achieved. In my view the property should only be included within the Southgate allocation on the Proposals Map if there is reasonable prospect of it being refurbished as part of the redevelopment scheme.

Recommendation:

R7.13 The Council should reconsider whether the property known as Avonside should be included within the Southgate allocation on the Proposals Map.

R7.14 Review the allocation if the base date of the plan is amended

Chapter B9 - Policy GDS.1/B5

2/B51	T2000/Railfutures	GDS.1/B5
334/B7	Ms P Davis	GDS.1/B5
376/B5	Mr I Wallis	GDS.1/B5
1427/B88	Environment Agency	GDS.1/B5
1830/B3	Highways Agency	GDS.1/B5
3134/B2	Ms M Dorman	GDS.1/B5
3233/B22	Mr & Mrs M Williams	GDS.1/B5
3278/B19	Persimmon Homes (Wessex) Ltd	GDS.1/B5

Supporting Statement

2988/B2	Mr & Mrs J Richards	GDS.1/B5
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Issues

- i) The effect of the development of the two sites on the adjoining Green Belt and the landscape setting of the area.
- ii) Whether there should be a requirement for surface water run off limitation and SUDs to serve the development, or for children's play space.
- iii) Whether a combined Transport Assessment should be required.

Inspector's Reasoning

Issue i)

7.68 This allocation has been reduced from the original 90 dwellings proposed in the DDLP since planning permission has already been granted for part of the site east of the A46. That part of the site west of the A46 has also been granted permission subject to a S106 agreement. Land at the Elms and west of the bypass are surrounded by residential development so

there is unlikely to be any harmful effect on the wider landscape and Green Belt. Furthermore, the policy recognises the character of the surrounding area by restricting the number of dwellings to be built on the sites. Any development would also be subject to other policies in the plan such as BH.6 which controls development within conservation areas, and GB.1 which seeks to ensure that any impact on the adjoining Green Belt is taken into account. I am therefore satisfied that the allocation ensures that sufficient account can be taken of any impact on the adjoining Green Belt and landscape setting of the area.

Issue ii)

7.69 Policy ES.5 seeks to ensure that new development is adequately drained, and the Environment Agency is consulted on new proposals. I consider that this provides sufficient safeguarding of drainage issues without the need for an additional requirement in the policy.

7.70 The sites have been treated as one allocation and provision for children's play space is to be made on the land east of the bypass.

Issue iii)

7.71 A detailed transport assessment was submitted in support of the two planning applications and adopted by the Council as the highways authority. There was no objection from the Highways Agency to the allocations and therefore it is difficult to find any justification for requiring the production of a combined transport assessment.

Recommendation:

R7.15 Review the allocation if the base date of the plan is amended.

Chapter B9 - Policy GDS.1/B6

581/B10	Batheaston Society	GDS.1/B6
1427/B89	Environment Agency	GDS.1/B6
1830/B4	Highways Agency	GDS.1/B6
696/C59	South West RSL Planning Consortium	GDS.1/B6/A

Inspector's Reasoning

7.72 Following the grant of planning permission for 5 dwellings on appeal, the principle of residential development on this site is now established and there is little benefit in reassessing this site through the Local Plan.

Recommendation: no change

Chapter B9 - Policy GDS.1/B7

1427/B90	Environment Agency	GDS.1/B7
2079/B1	Mr D Roberts	GDS.1/B7
2202/B1	Ms J M Colebourne	GDS.1/B7
2357/B1	Mr & Mrs P Dorey	GDS.1/B7
2358/B1	Mr & Mrs P J Woodham	GDS.1/B7
2359/B1	Mr P M Witty	GDS.1/B7
2552/B1	Mr F J Henderson	GDS.1/B7
2624/B1	Mr & Mrs N Hall	GDS.1/B7
3199/B1	Mrs C J Mould	GDS.1/B7
3215/B1	Dr S E Brown	GDS.1/B7
3232/B1	Mrs & Mrs D Sartin	GDS.1/B7
3233/B23	Mr & Mrs M Williams	GDS.1/B7
3278/B20	Persimmon Homes (Wessex) Ltd	GDS.1/B7
696/C60	South West RSL Planning Consortium	GDS.1/B7/A

Supporting Statements

120/C180	Ms Helen Woodley	GDS.1/B7/A
2118/C4	Mr S C Banks	GDS.1/B7/A

Issues

- i) Would the development of the site result in an unacceptable environmental impact?
- ii) Whether adequate access and surface water drainage could be provided to the site.

Inspector's Reasoning

7.73 This site has been deleted from the RDDLP but in view of the shortfall in the housing land supply which I have identified in Section 5 of my report, I have recommended that the Council reconsider it for allocation. I appreciate the concerns raised by local residents, but the site is in a sustainable location for transport, and there would remain a substantial area of open space to preserve the amenities of the area. The Environment Agency advises that strategies would be required for surface drainage and water course treatment, but there is no suggestion that these could not be achieved. Issues related to access would need to be investigated further by the Council, and measures would be required to minimise ecological impacts.

Recommendation:

R7.16 That the Council consider the reinstatement of GDS.1/B7.

Chapter B9 - Policy GDS.1/B8

696/B36	South West RSL Planning Consortium	GDS.1/B8
1427/B91	Environment Agency	GDS.1/B8
2311/B9	Somer Community Housing Trust	GDS.1/B8

3278/B21 696/C61	Persimmon Homes (Wessex) Ltd South West RSL Planning Consortium	GDS.1/B8 GDS.1/B8/A
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Supporting Statement

3116/C89	Bath & North East Somerset Allotment Association	GDS.1/B8/A
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Issues

- i) Should the site be reserved for use as allotment?
- ii) Whether development should be at a higher density or be required to provide SUDs.
- iii) The effect on the character of the residential area and adjoining conservation area.

Inspector's Reasoning

7.74 This site was deleted from the RDDLP but in view of the shortfall in the housing land supply I have recommended in section 5 of my report that the site be reconsidered for residential development. However, I have also recommended that the need to use the site as allotments be first investigated before any decision is taken.

7.75 I am otherwise satisfied that a suitable scheme which would not cause significant harm to the character of the area could be achieved on the site. Density would need to reflect the character of the area and accord with the new policy which I recommend to replace Policies HG.7 and HG.7A, and drainage would be subject to Policy ES.5 of the plan.

Recommendation:

R7.17 That the Council reconsider the allocation of the site for housing, subject to any need for its use as allotments.

Chapter B9 - Policy GDS.1/B9

1427/B92	Environment Agency	GDS.1/B9
3278/B22	Persimmon Homes (Wessex) Ltd	GDS.1/B9

Supporting Statement

696/C83	South West RSL Planning Consortium	GDS.1/B9/A
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Inspector's Reasoning

7.76 Planning permission has been granted for this site and therefore the principle of development, including the number of dwellings identified in the policy, is established. I have recommended that a 10% discount be applied to all sites with planning permission to allow for any slippage in

implementation during the plan period. I make no further comment about the site.

Recommendation: no change

Chapter B9 - Policy GDS.1/B10

2/B30	T2000/Railfutures	GDS.1/B10
564/B35	London Road Area Residents Association	GDS.1/B10
1909/B1	Ms S Cox	GDS.1/B10
696/C62	South West RSL Planning Consortium	GDS.1/B10/A

Supporting Statement

1427/B93	Environment Agency	GDS.1/B10
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Inspector's Reasoning

7.77 Planning permission was granted to develop this site for 24 flats in April 2002, and therefore the principle of residential development is established. I have recommended that a 10% discount be applied to all sites with planning permission to allow for any slippage in implementation, and make no further comment about the site.

Recommendation: no change

Chapter B9 - Policy GDS.1/B11

There are large numbers of representations to this policy; details are listed at Appendix 1

Inspector's Reasoning

7.78 Proposals for the release of land from the Green Belt and the allocation of the land for development connected with the university were the subject of an Inquiry session and I deal with all the issues raised in Section 9 of my report.

Recommendation: see Section 9

Chapter B9 - Policy GDS.1/B12

725/C15	Redcliffe Homes Ltd	GDS.1/B12/A
2356/C9	The Hon W H M Jolliffe	GDS.1/B12/A
2641/C20	David Wilson Homes	GDS.1/B12/A
3004/C7	The Renrod Motor Group	GDS.1/B12/A
3023/C17	Mr & Mrs D Hawkes	GDS.1/B12/A
3098/C54	George Wimpey Strategic Land	GDS.1/B12/A

3219/C9	The Hon Andrew Jolliffe	GDS.1/B12/A
3276/C12	Temra of Bath	GDS.1/B12/A
3276/C13	Temra of Bath	GDS.1/B12/A
3276/C14	Temra of Bath	GDS.1/B12/A
3299/C64	Bovis Homes (South West Region) Limited	GDS.1/B12/A
3525/C1	Merlion Capital Corporation	GDS.1/B12/A
3590/C1	G Williams & Son (Sculptors) Ltd	GDS.1/B12/A
3608/C1	Mr I Cawkwell	GDS.1/B12/A
3612/C1	BLU Securites Ltd	GDS.1/B12/A
3626/C1	Bath Friends of the Earth	GDS.1/B12/A
3627/C2	Astra Circuits Ltd	GDS.1/B12/A
3628/C1	Huggett Electrical Ltd	GDS.1/B12/A
3628/C2	Huggett Electrical Ltd	GDS.1/B12/A
3627/C1	Astra Circuits Ltd	GDS.1/B12/B
717/E6	St John's Hospital Trustees	FPIC/B/25 (GDS.1/B12)
747/E1	Cllr Ms C Roberts	FPIC/B/25 (GDS.1/B12)
3116/E147	Bath & North East Somerset Allotment Association	FPIC/B/25 (GDS.1/B12)
3126/E117	Bath Friends of the Earth	FPIC/B/25 (GDS.1/B12)
3612/E17	BLU Securites Ltd	FPIC/B/25 (GDS.1/B12)
3660/E18	Ms S Bones	FPIC/B/25 (GDS.1/B12)
3662/E4	Insight Investments	FPIC/B/25 (GDS.1/B12)
3663/E4	House of Fraser	FPIC/B/25 (GDS.1/B12)
3664/E4	Standard Life	FPIC/B/25 (GDS.1/B12)
3665/E4	Willats Charity	FPIC/B/25 (GDS.1/B12)
3668/E6	Castlemore Securities Lyd	FPIC/B/25 (GDS.1/B12)
3671/E6	Mr N Stubbs	FPIC/B/25 (GDS.1/B12)

Supporting Statement

696/C74	South West RSL Planning Consortium	GDS.1/B12/A
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Issues

- i) Whether it is appropriate to seek a comprehensive approach to the development of the site, and whether the boundaries have been properly defined.
- ii) What is the scale and likely timescale for the delivery of residential development of the site?
- iii) Is the mix of uses proposed in the plan appropriate, and should the Weston Lock Retail Park be included, with new retail warehousing linked?
- iv) Does the policy need to include requirements re nature conservation, flooding, allotment provision, POS and community facilities?

Inspector's Reasoning

Issue i)

7.79 It is because the site is in fragmented ownerships and uses that I support the principle of a comprehensive approach to the redevelopment of this part of Lower Bristol Road (LBR). There are areas which may be contaminated within the site which could affect its potential for redevelopment, and a comprehensive approach would ensure that such

areas are not left out of the regeneration process whilst less constrained parts are brought forward. The site is in an important location on one of the main routes into the City and a properly laid out scheme developed in accordance with a master plan would make a positive contribution to the WHS. Although piecemeal development has been permitted in the past, I see no reason why this should continue into the future. Furthermore, a comprehensive scheme in accordance with a master plan would help secure appropriate contributions towards necessary infrastructure including public transport.

- 7.80 The boundaries of the site exclude the Weston Lock Retail Park and for the reasons given in relation to issue iii), I do not recommend that it be included. However, the site does include the Unite site which has been recently developed. I have no basis on which to recommend a new boundary for the site, but recommend that the inclusion of the Unite site be reviewed in the process of master planning.

Issue ii)

- 7.81 Although the site is allocated in the consolidated plan for 75 dwellings, objectors considered that it could accommodate a far higher number and the Council revised its assessment to a capacity of about 200 dwellings. The overall site area excluding Weston Lock Retail Park is just over 7 ha. With 3 ha retained for business use, this would leave some 4 ha for residential and retail development. Clearly the density would be in excess of 50 dwellings per ha, so the expectation of a capacity of 200 dwellings seems reasonable.
- 7.82 As to timing, as I concluded in Section 5 of this report, the promotion of a comprehensive development of this site is at an early stage. It is in a number of ownerships with a variety of active commercial operations. In my view it is unlikely that a comprehensive scheme would be achieved and progressed in sufficient time to enable 200 dwellings to be completed on the site by 2011. I have concluded that it would be prudent to expect the LBR to deliver no more 50 dwellings to the housing land supply during the plan period.

Issue iii)

- 7.83 I recommend significant modifications to the employment policies of the plan in Section 2 of my report, but the starting point is to concentrate employment development on land already used for such purposes, including development undertaken as part of mixed use schemes. LBR currently accommodates a number of employment related uses and in view of the limited opportunities for relocation within the city I consider that it would be an unacceptable loss for all business uses to be deleted from the site. Some objectors query whether there would be sufficient demand for 3 ha of business development whilst others seek more. In my view the split in the allocation between business and residential uses is appropriate for a mixed use scheme, and in this location I find it difficult

to believe that occupiers would not be forthcoming for the business development.

- 7.84 I deal with the level of retail provision appropriate in the plan in Section 4 of my report. There I conclude that a precautionary approach is required to the development of new floorspace outside the defined city centre shopping area in order to secure the implementation of the Southgate scheme and protect the historic core of the city. The C&CTS identified a specific requirement for large format retail warehouse stores and the plan proposes such development at BWR and at LBR. I recommend against such development within BWR for reasons of townscape, and indicate that LBR would be a more appropriate site, with such provision consolidated at the Weston Lock Retail Park. However, there is insufficient evidence for making a firm allocation for large format stores having regard to the requirements of paragraph 3.17 of PPS6. I recommend that the Council draw up a retail strategy for the city and if further development of this kind is justified in terms of the sequential approach and the impact test, then the availability of suitable sites for large format stores should be examined in the course of future master planning for the Lower Bristol Road area. In the interim there should be no firm proposal on this site and I recommend the deletion of 2A from Policy GDS.1/B12. Clearly this would not however preclude the consideration of proposals under my recommended Policy S.4.
- 7.85 In view of my conclusion I make no comment on the call for priority to be given to local traders, but competition between traders is not a matter to be resolved through planning policy.
- 7.86 The Weston Lock Retail Park lies between the east and west parts of the site and the Council indicates that it would have no objection if it was included in the regeneration area. That was on the assumption that the allocation for bulky goods retail would remain in the plan. With the deletion of that part of the policy, and since the Retail Park is relatively new, I make no recommendation to include the site. However, this would not prevent any future retail warehouse development from being considered in this location.

Issue iv)

- 7.87 B12 specifically refers to flood mitigation measures under 7. Nature conservation issues are subject to the NE policies of the plan, whilst an appropriate provision of allotments, POS and/or community facilities could be required under Policies SR.3 and SR.6 (as recommended to be combined and modified) and CF.3. I find no reason to add further wording to B12.

Recommendations:

R7.18 Modify B12 as follows:

correct the site area from 7.2 ha to 7.05 ha;

in 2 amend 75 to 50 and add after “dwellings” “during the plan period”;
delete 2A.

R7.19 Review the inclusion of the Unite site within the boundaries of the allocation as part of the process of master planning.

Chapter B9 - Policy GDS.1/B13

110/C25	Sport England South West	GDS.1/B13/A
686/C151	Bath Preservation Trust	GDS.1/B13/A
3116/C59	Bath & North East Somerset Allotment Association	GDS.1/B13/A
3219/C10	The Hon Andrew Jolliffe	GDS.1/B13/A
3261/D29	Bath & North East Somerset Primary Care Trust	PIC/B/57 (GDS.1/B13)
3261/C21	Bath & North East Somerset Primary Care Trust	GDS.1/B13/A
3299/D97	Bovis Homes	PIC/B/57 (GDS.1/B13)

Supporting Statements

696/C75	South West RSL Planning Consortium	GDS.1/B13/A
3261/D25	Bath & North East Somerset Primary Care Trust	PIC/B/58 (GDS.1/B13)

Issues

- i) Whether the scheme is deliverable and sustainable, and should it be for a mixed use.
- ii) Does the allocation make sufficient provision for sport and open space, allotments and flood protection, and do these reflect the planning permission as granted?
- iii) Is the density appropriate?
- iv) Is adequate protection given to nature conservation?

Inspector's Reasoning

Issues i) - iv)

7.88 Planning permission has been granted subject to a S106 agreement for 128 dwellings on the site, together with a Primary Health Care Trust headquarters and retention of the chapel. The legal agreement requires two play areas, a replacement cricket pitch and changing facilities and the provision of open space within the site. It also requires the provision and delivery of 30% affordable housing; and includes clauses which seek to ensure the adequate provision of public transport. In these circumstances I recommend no change to the policy.

Recommendation: no change

Chapter B9 - Policy GDS.1/B14

725/C17	Redcliffe Homes Ltd	GDS.1/B14/A
3023/C18	Mr & Mrs D Hawkes	GDS.1/B14/A
3107/C36	English Nature	GDS.1/B14/A
3116/C117	Bath & North East Somerset Allotment Association	GDS.1/B14/A
3299/C65	Bovis Homes (South West Region) Limited	GDS.1/B14/A

Supporting Statement

696/C76	South West RSL Planning Consortium	GDS.1/B14/A
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Issue

- i) Is adequate attention given to nature conservation issues, the presence of a tree subject to a TPO, and the need for allotments?

Inspector's Reasoning

7.89 There was a permission for 38 flats on the site which allowed for the retention of the tree. That permission has lapsed but there is no reason to consider that the site will not be developed during the plan period. Nature conservation issues would be dealt with under the NE policies of the plan, and in view of the limited size of this development I consider it would be inappropriate to include any requirement for allotments, although the policy does require provision of a community facility.

Recommendation: no change.

Chapter B9 - Policy GDS.1/B15

There are large numbers of representations to this policy; details are listed at Appendix 1.

Inspector's Reasoning

7.90 I have considered all the objections lodged in respect of this site, but outline planning permission has been granted for up to 12 dwellings and as a result I recommend no change to B15.

Recommendation:

R7.20 Review the allocation if the base date of the plan is amended.

Chapter B9 - Policy GDS.1/B16

1427/E226	Environment Agency	FPIC/B/26 (GDS.1/B16)
2388/E17	J S Bloor (Sytner Properties Ltd)	FPIC/B/26 (GDS.1/B16)
3126/E125	Bath Friends of the Earth	FPIC/B/26 (GDS.1/B16)

Supporting Statement

3658/E1

O & H Properties Ltd

FPIC/B/26 (GDS.1/B16)

Issues

- i) Whether the policy for the Podium/Cattle Market site should require provision of a flood risk assessment, and provide further protection for open space.
- ii) Whether the allocation should include the Corn Market site.

Inspector's Reasoning

Issue i)

7.91 Policy NE.14 deals with flood risk and the need for mitigation measures and therefore no specific reference is needed in B16. Similarly, the open space and recreational needs of visitors and residents are dealt with in other policies of the plan relating to Design, Sport and Recreation, Natural Environment and Built and Historic Environment. I therefore consider there is no need for any additions to B16.

Issue ii)

7.92 The Corn Market is a Grade 1 listed building in Council ownership. However, even if it is in need of restoration and re-use, the Council considers that it is unlikely to lend itself to the types of uses proposed for B16. It is also stated that the Corn Market is subject to a range of constraints which would make the delivery of an already difficult site more complex and that there are other interests in it. In my view it would not be desirable to add any elements to the B16 site which would delay its implementation which is clearly in the interests of the city centre as a whole. Furthermore, the Council appears to be actively seeking a solution to the problem of the Corn Market which would not require it to be included within this allocation.

Recommendation: no change

Chapter B9 - Policy GDS.1/B17

1427/E228

Environment Agency

FPIC/B/27 (GDS.1/B17)

3126/E122

Bath Friends of the Earth

FPIC/B/27 (GDS.1/B17)

Issue

- i) Whether provision should be made for a flood risk assessment and for an hotel.

Inspector's Reasoning

7.93 Flood risk is dealt with under Policy NE.14 and there is no need to require one under B17.

7.94 The Avon Street car park is allocated for compatible city centre uses and although no explicit reference is made to an hotel, that would fall within the definition. Furthermore, this site is very well related to the central shopping area of the City and as such the mix of development to be accommodated should form part of the retail strategy which I have recommended should be produced by the Council.

Recommendation: no change

Chapter B9 - Policy GDS.1/K1

254/B34	Keynsham Town Council	GDS.1/K1
398/B7	Mr G Hobbs	GDS.1/K1
695/B13	Society of Merchant Venturers	GDS.1/K1
725/B8	Redcliffe Homes Ltd	GDS.1/K1
1427/B94	Environment Agency	GDS.1/K1
1830/B11	Highways Agency	GDS.1/K1
2466/B11	Keynsham Civic Society	GDS.1/K1
2779/B3	Mr R J McKend	GDS.1/K1
2971/B1	Mr A Lassman	GDS.1/K1
3019/B1	Mr J Gibbons	GDS.1/K1
3233/B24	Mr & Mrs M Williams	GDS.1/K1
3270/B1	Mr L L Hutt	GDS.1/K1
3278/B25	Persimmon Homes (Wessex) Ltd	GDS.1/K1
3299/B28	Bovis Homes (South West Region) Limited	GDS.1/K1
3299/B46	Bovis Homes (South West Region) Limited	GDS.1/K1
3570/C12	Bath Spa University College	GDS.1/K1/A

Supporting Statements

1427/C204	Environment Agency	GDS.1/K1/B
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Issues

- i) What level of housing can the site accommodate during the plan period?
- ii) Would an employment area be compatible with housing, and does the policy identify the appropriate amount of employment land?
- iii) Does the policy set out appropriate requirements for the development of the site?

Inspector's Reasoning

Issue i)

7.95 I deal with this issue in Section 5 and conclude that the site should be expected to bring forward no more than 50 dwellings during the plan period. The ultimate capacity of the site will depend on the way in which the constraints on the site are managed, and on the achievement of a satisfactory mix between residential and employment development.

Issue ii)

7.96 There is no reason why a site of this size should not be able to accommodate residential and employment uses. The policy includes a requirement for a buffer zone to be incorporated in order to safeguard residential amenities. Although the site is allocated for B1, B2 and B8 uses and there is no reason why appropriate B1 uses should not be located adjacent to residential properties, I consider that the requirement in the policy is reasonable in order to secure the best possible environment for the residential development.

7.97 The overall site size is 25.3 ha and the policy requires that some 10 ha be reserved for employment development. Somerdale is a key employment development opportunity site within Keynsham, the retention and expansion of which would increase the self-sustainability of the town. The allocation of 10 ha for business uses reflects the importance of the site for employment use, and is therefore an appropriate level to include in the plan.

Issue iii)

7.98 The allocation includes a list of requirements to be met for the development of the site. The Council has carried out a traffic study to ensure that the road network can accommodate a development of this scale, and clause 16 of K1 provides guidance as to a safe and adequate means of access. This level of detail is appropriate to ensure that it is clear to potential developers and to the public. Clause 18 also refers to upgrading of access to public transport, but clearly the level of any contribution from the development of this site would need to be reasonably related to the actual scale and type of scheme proposed.

7.99 Archaeological interests would be protected by the Built and Historic Environment policies of the plan so there is no need for specific reference in K1. Part of the site falls within the flood plain and therefore it is appropriate that clause 9 is included. Any proposal would also be assessed against Policy NE.14. The site currently includes a significant area of playing fields and therefore clause 5 is appropriate. The site owner refers to clause 16 in this regard, but this is concerned with the access to the site.

7.100 In view of the location of the site on the edge of Keynsham and adjoining open countryside in the Green Belt and the River Avon, a requirement for

major landscaping in clause 11 is appropriate. However, in view of the distance of the site from any agricultural use, I agree that clause 13 is unnecessary and should be deleted.

7.101 As a site for employment and residential uses, it would not be appropriate to require provision for a higher education use in this location, although the policies of the plan would allow for any such proposals to be considered if they were to come forward for the site.

Recommendation:

R7.21 Modify Policy GDS.1/K1 by deleting clause 13.

Chapter B9 - Policy GDS.1/K2

There are large numbers of representations to this policy; details are listed at Appendix 1.

Issues

This site was not brought forward in the RDDLP, but in view of the shortfall in housing land supply which I identify in Section 5 of my report, I am recommending its reinstatement. Furthermore, I consider that the site could accommodate up to 700 dwellings.

Issues raised by objectors to the site in the DDLP include:

- i) Whether there is a need for the release of the site and whether housing would be better located at St John's Court or Somerdale.
- ii) The impact of development on the landscape and the gaps between Keynsham and Bristol and Keynsham and Queen Charlotte.
- iii) The impact on traffic through the town, and on the A4.
- iv) The distance of the site from High Street and community facilities.
- v) The potential for increased commuting.

Inspector's Reasoning

Issue i)

7.102 In section 5 I deal with the relationship between the JRSP, RPG10 and the RDDLP. I take the view that the Local Plan is founded in the policies of the JRSP. Although the policies of RPG10 are a material consideration, the normal process of cascading policy from regional guidance through the structure plan and to the local plan is out of step in B&NES. The current RPG10 strategy is not the foundation of the policies of the JRSP, but those policies were in place at the time the RPG was formulated. Although

many argue that Policies SS2 and SS7 of RPG10 militate against large scale residential development at Keynsham, those policies were drafted after the policies of the JRSP had identified Keynsham for a strategic release of land for housing from the Green Belt. Thus I find that it is strategic policy to release land from the Green Belt at Keynsham to meet the housing needs of B&NES.

7.103 The Council removed the K2 designation from the RDDLP following their assessment of the potential of brownfield sites to meet the housing land supply. However, whilst there is clearly a longer term potential for significant levels of housing on brownfield sites within Bath, there is no evidence to support the contention that this housing can be completed during the current plan period. In view of the priority placed by Government on the release of land for housing which is genuinely available for development, I am unable to support the Council's approach. I have identified a significant shortfall in the supply of housing land to meet strategic requirements to 2011 and in those circumstances there is no justification not to implement the provisions of the JRSP which are to meet the housing needs of the area through a Green Belt release at Keynsham.

7.104 Whilst the JRSP does not identify the location for the release of Green Belt land, it does set out criteria in Policies 9 and 16 to help in its identification. In my opinion the land identified in the DDLP as K2 best meets those criteria. I accept that there are brownfield opportunities in Keynsham at St John's Court and at Somerdale. However, St John's Court provides an opportunity for new retail development and with the increase in population arising from new housing development it becomes even more important for the town to become self sufficient in shopping provision. As for the Somerdale site, in view of the constraints to its development I consider it is unlikely to deliver more than 50 dwellings during the plan period. Furthermore, that site is required to make a contribution to employment development which is also important to the provision of a balanced community in Keynsham.

Issue ii)

7.105 In terms of impact on the landscape, the Council accepts that K2 is the optimum location if land is to be taken from the Green Belt for residential development. The site is contained by existing residential development to the north, by Charlton Road to the west and Parkhouse Lane to the east. I note the comments of Wimpey in relation to the split between the two parts of K2. However, the area allocated for woodland which splits the site would give relief to the built up area and the southern boundary can be reinforced by new boundary treatment where necessary in the form of an extension to the planted area. Furthermore, pedestrian links could be provided through the woodland site. Although there are limited views of the site from the south, mainly from public highways, it is seen against the backdrop of the existing urban area.

7.106 Located as it is to the south of this part of the developed area of Keynsham, residential development of the site would not intrude into the strategic gap between the town and the edge of Bristol to the west. Whilst the western area of K2 would bring the boundaries of Keynsham towards Queen Charlotte, there would remain a significant open area sufficient to prevent any harmful coalescence. By avoiding the coalescence of Keynsham with adjoining settlements, I am satisfied that the K2 site best meets the criteria set out in the JRSP for the identification of land to be released from the Green Belt at Keynsham.

Issue iii)

7.107 Whilst a large residential development in the south west of Keynsham would generate an increase in traffic using the roads to and within the town centre, I have no evidence to suggest that the impact would result in unacceptable levels of congestion. Assessments have been carried out of the impact of developing the easternmost part of K2 on traffic using the A4 with the conclusion that it would be negligible. I have no reason to consider that the development of the two K2 sites would have any significant effect on traffic conditions on the A4.

7.108 The K2 sites are within easy reach of the railway station which has regular train services to Bristol and Bath. There is also a local bus service with a 15/20 minute frequency of service to Bristol and a 30 minute frequency of service to Bath. In the Local Transport Plan this part of Keynsham is identified as one where the level of bus patronage is high and I have no doubt that with the increase in population the viability of providing bus services to the area would be reinforced. Clearly the greater use of public transport would in itself relieve the level of any impact on the roads from the use of private cars.

Issue iv)

7.109 Keynsham has a range of local services and facilities, with two secondary schools and six primary schools. The High Street provides a good mix of shops, and there are smaller local shops at Holmoak Road and Queens Road. The K2 site is within a reasonable distance of the town centre for walking or cycling, or it can be accessed by bus. As drafted in the DDLP, the policy requires enhancement of pedestrian and cycle routes to the town centre and railway station to encourage the use of alternatives to the car. The site adjoins Castle County Primary School, and an extension to the school is one of the requirements of the policy. Provision is also required of community facilities including convenience shops. I am confident that a development in this location will help support existing services and facilities whilst contributing to new provision.

Issue v)

7.110 I accept that Keynsham already experiences a high level of commuting from the town, and that any increase in residential development could add to that level. However, the policy includes a requirement for 1.5 ha of

employment uses, including the retention of existing workshops, and there is potential for further employment development at the Somerdale site which would help contribute to a more sustainable balance of housing and employment development. Furthermore, with its good public transport links to the main employment destinations of Bristol and Bath I consider that the effects of increases in commuting are unlikely to be as damaging as in a location which is less accessible by public transport.

Inspector's Conclusions

7.111 I conclude that the provision of a substantial level of residential development through the release of a Green Belt site in Keynsham accords with the policy of the JRSP, and the K2 site provides the location best able to meet the criteria for the release of Green Belt land in the JRSP.

Recommendation:

R7.22 Policy GDS.1/K2 be reinstated in the RDDLP, with clause 1 amended to "About 700 dwellings."

Chapter B9 - Policy GDS.1/K3

42/B12	CPRE	GDS.1/K3
254/B37	Keynsham Town Council	GDS.1/K3
398/B4	Mr G Hobbs	GDS.1/K3
670/B4	Keynsham Community Association	GDS.1/K3
1830/B2	Highways Agency	GDS.1/K3
1882/B2	Mr R Lainchbury	GDS.1/K3
2353/B1	Mr R E Swingler	GDS.1/K3
2389/B1	Mr A E Bone	GDS.1/K3
2567/B2	Mr J D Aldridge	GDS.1/K3
2582/B2	Mr R Wait	GDS.1/K3
2584/B1	Mrs H A Wait	GDS.1/K3
2585/B2	Wessex Water	GDS.1/K3
3019/B3	Mr J Gibbons	GDS.1/K3
3089/B2	Mrs S Kitchen	GDS.1/K3
3163/B1	The Henderson Family	GDS.1/K3
3258/B1	Mr Baker	GDS.1/K3
3272/B1	Mr & Mrs J Whittle	GDS.1/K3
3288/B1	Co-operative Group (CWS) Ltd	GDS.1/K3

Supporting Statements

1427/B96	Environment Agency	GDS.1/K3
2466/B4	Keynsham Civic Society	GDS.1/K3
2971/B2	Mr A Lassman	GDS.1/K3

Issues

- i) Whether the proposal is appropriate in this location in terms of nature conservation, access, the definition of the development restraint area, and air pollution.

- ii) Whether the site should be reserved for other uses such as extension to rail or sewage treatment facilities, or for general industrial uses.

Inspector's Reasoning

Issue i)

7.112 The Broadmead site was identified following a sub-regional study which identified strategic sites in the Avonmouth area. It is identified as suitable for use as an integrated waste management facility. Some 4.3 ha in area, it is a former municipal landfill site adjacent to a sewage works in an area of industrial development. The northern third is located in the Green Belt, and the plan proposes an amendment to the Green Belt boundary to enable the development.

7.113 The nearest housing is some 200m from the site boundary and is separated by the railway embankment. No mass burn incineration is being proposed, and any emissions would in any event be controlled by the pollution control regime. The Council states that there is an engineering solution to the access under the railway and a strategic transport assessment has been carried out which indicates the site is acceptable in principle. A detailed assessment would need to be undertaken at planning application stage, when detailed concerns about safety at the Broadmead roundabout would be addressed.

7.114 The site has no nature conservation designations, but a full ecological assessment would be required at the application stage. The "Development Restraint Area" is defined to protect new development from nuisance from odour from the sewage treatment works. In my view this should not prejudice the development of a waste facility.

Issue ii)

7.115 Suitable sites for waste management are not easily identified in B&NES and therefore it is appropriate to reserve this site for such a use rather than indicating that other uses such as rail or general industrial development would be appropriate. Wessex Water is concerned about the need for future extensions of the sewage treatment works adjoining the site, but there is no firm proposal at present and the Council confirms there is scope for co-operation with Wessex Water on the development of the site if necessary.

Recommendation: no change

Chapter B9 - Policy GDS.1/K4

254/B38 Keynsham Town Council
1427/B97 Environment Agency
2403/B2 Ms C Brimson

GDS.1/K4
GDS.1/K4
GDS.1/K4

2414/B2	Mr K Brimson	GDS.1/K4
2801/B1	Ms S L Flook	GDS.1/K4
2806/B1	Mr J D Flook	GDS.1/K4
2971/B3	Mr A Lassman	GDS.1/K4
2972/B1	Ms R Parsons	GDS.1/K4
3269/B3	Ms I Lerpiniere	GDS.1/K4
3517/C1	Deeley Freed Estates Ltd	GDS.1/K4/A
3219/C25	The Hon Andrew Jolliffe	GDS.1/K4/B
3299/C76	Bovis Homes (South West Region) Limited	GDS.1/K4/B

Issues

- i) Whether the allocation is appropriate in this location or whether it should include provision for residential development and more community facilities.
- ii) Whether there would be a harmful impact from traffic and loss of parking, and whether a surface water drainage strategy is required.

Inspector's Reasoning

Issue i)

7.116 The City and Town Centres Study 2000 identified this site as an opportunity to meet the need for new convenience retailing in Keynsham. It is in a sustainable town centre location and its development would help support the attractiveness of existing town centre shops. A resolution was passed by the Council to grant permission subject to a S106 agreement in October 2001. The scheme includes a foodstore of 1,937 sq m, a community building, car parking and civic space. There is no residential development included in the scheme, but the Council has amended the policy in the RDDLP to include an element of residential development in order to satisfy Government policy on mixed use development.

7.117 Although the Council considers that a small amount of housing could be accommodated within the site without prejudice to the retail scheme, the agents seeking an occupier for the site do not agree. In my view there may be scope for a very small amount of housing, but the requirement of the policy is not clear as to the location and amount of housing that should be provided. However, retail is an important town centre use whereas housing can be accommodated elsewhere. In view of the benefits that would arise from the provision of a convenience store on this site, I consider that any potential for prejudice to the attractiveness of the site to a future occupier should be avoided. I therefore recommend the deletion of clause 15 in the policy, although this would not preclude the incorporation of some housing in a future revision to the scheme or in connection with the redevelopment of the cinema site should it prove viable.

7.118 The scheme currently before the Council includes a community facility and having regard to the need to attract a retail occupier to the site, it would be unreasonable to require a larger community hall. As the Council

states, the proposed facility would help overcome some of the current shortfall in community hall provision.

Issue ii)

7.119 The current scheme was the subject of a traffic assessment by the Council which indicates that the local highway network has the capacity to take the additional traffic which would be generated by the development. The scheme also provides for an increase in the number of pay and display parking spaces on the site. Satisfactory access provision, including pedestrian and cycle routes and public transport provision would be required through the normal process of development control and therefore clauses 4, 13 and 14 are unnecessary.

7.120 The outstanding permission includes a condition requiring provision of foul and surface water drainage, and such a condition could be imposed on any amended scheme. Any off-site foul and surface water improvements could be required through the process of development control and therefore clause 8 is unnecessary.

Recommendation:

R7.23 Modify Policy GDS.1/K4 by deleting clauses 4, 8, 13, 14 and 15.

Chapter B9 - Policy GDS.1/K5

3299/C77	Bovis Homes (South West Region) Limited	GDS.1/K5/A
3299/D104	Bovis Homes	PIC/B/60 (GDS.1/K5)

Supporting Statement

696/C78	South West RSL Planning Consortium	GDS.1/K5/A
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Issues

- i) Whether the site should be retained for employment use.

Inspector's Reasoning

7.121 This is a former car garage which the objectors claim should be retained in employment use. However, planning permission has been granted for its residential development and therefore it should remain as a housing site in the plan.

Recommendation: no change.

Chapter B9 - Policy GDS.1/NR1

There are large numbers of representations to this policy; details are listed at Appendix 1.

Inspector's Reasoning

7.122 This site was deleted from the RDDLP. In Section 5 of my report I have considered all the sites which were put forward in the DDLP and subsequently deleted in the RDDLP and their potential for reinstatement in order to make up the strategic land supply to 2011. I have concluded that this site should not be reconsidered since there are a number of sequentially preferable options.

Recommendation: no change

Chapter B9 - Policy GDS.1/NR2

There are large numbers of representations to this policy; details are listed at Appendix 1.

Issues

- i) Whether the allocation provides for an appropriate mix of development whilst protecting the nature conservation value of the site.
- ii) Should the site be required to accommodate public transport service vehicles and a public transport interchange?
- iii) How far should the potential for reinstatement of the railway and station be protected?
- iv) Is the wording of the policy appropriate?

Inspector's Reasoning

Issue i)

7.123 I considered this site in Section 5 of my report where I formed the view that more weight should be given to the nature conservation value of the site in view of the presence of four nationally scarce species of flora and 21 species of nationally rare, scarce or vulnerable invertebrate fauna. The 1999 report from Wessex Ecological Consultancy identified three areas which could be developed without significant biodiversity losses given appropriate management of the rest of the site, and it is on these areas that the NR Regeneration Company needs to look to concentrate any development. I have concluded that the site should not be expected to deliver more than 50 dwellings during the plan period.

7.124 As to the mix of development, Streetly Developments and Morrisons see the site as an opportunity to provide a large retail foodstore. However, whilst I see some merit in a development which could bolster the vitality of Norton Radstock as a shopping centre and contribute to its increased self-sufficiency, the C&CTS assessments indicate that it would be appropriate to distribute only a limited part of the projected growth in quantitative retail capacity to Midsomer Norton and Radstock during the plan period. This would not support a foodstore of the scale envisaged. Furthermore, it is far from clear whether the site would support such a development without harm to its ecological value. The allocation has been amended in the RDDLP to allow for a mix of development which includes retail uses within the Town Centre Shopping Area and I consider there is no evidential basis for that to be changed to provide for a large scale foodstore as suggested. Nevertheless, the issue should be considered as part of the preparation of a DPD for Midsomer Norton and Radstock town centres. In the meantime any such proposal would fall to be considered against Policy S2 as recommended to be modified.

7.125 Some objectors also argue for an increase in the proportion of employment and community facilities to be provided, with a consequent reduction in residential development. The Business Location Requirements Study 2003 identified a need for a modest increase in office floorspace (Class B1a & b) in Norton-Radstock during the plan period. In view of the location of the site within and adjacent to the town centre, such development would therefore be entirely appropriate within a mixed scheme. However, there is no evidence to support the allocation of the major part of the site for employment uses. The site is also clearly well located for community uses. I am satisfied that, with the modifications which I recommend below, clause 1 of the policy sets out an appropriate mix of development that would be desirable on the site. However, the extent to which this could all be achieved must depend on the actual area that can be developed without harm to the areas which are most important to nature conservation, and on the viability of any scheme having regard to the potential costs of decontamination.

Issue ii)

7.126 In view of the physical constraints to the development of this site I consider that it would not be realistic to expect the site to provide for full access to public service vehicles and a public transport interchange. I agree the suggestion for rewording put forward by the NR Regeneration Company.

Issue iii)

7.127 I have some sympathy with the views of a number of objectors who wish to see the potential for the restoration of the railway line and station protected within the site. However, as I have stated in Section 5, whilst the provision of a sustainable means of transport is a cause worthy of support, without any demonstration of viability or indication of funding which would enable its implementation it is not a matter to which priority

can be given in this plan. Nevertheless, the policy does require provision of a sustainable transport corridor, so it does not entirely preclude the possibility of a rail link.

7.128 Although the Brunel shed and railway turntable may not be available for use for railway purposes, I do see benefit in retaining it within the site and am concerned by the deletion of clause 10 as proposed in the RDDLP. Even if the structures are not kept in their existing position, their retention within the site would ensure that its historical significance is not lost.

Issue iv)

7.129 A number of objections are made to the wording of the policy in the DDLP, and the amendments put forward in the RDDLP now meet many of the issues raised. However I consider that there is a need for further modifications to ensure that the importance of the site for nature conservation is adequately reflected in the policy, and that the aspirations for development within the site are realistic.

7.130 Taking first the mix of development defined in clause 1. The site is some 4.8ha in area. Parts of the site are subject to contamination, and there are areas of high nature conservation interest which English Nature confirmed in 1999 to be of county importance. Bearing in mind these constraints, and having regard to the irregular shape of the site, it seems to me that the list of uses set out in clause 1 are over ambitious. Clearly it is an important opportunity for development close to the town centre and as such some retail and office uses within or adjoining the town centre shopping area would be appropriate. In addition, I support a reference to community uses. However, rather than include a requirement for leisure uses it would be of more value to have a local nature reserve within the site in recognition of its nature conservation importance.

7.131 For the reasons which I set out in Section 5 of my report, Clause 2 should refer to about 50 dwellings during the plan period.

7.132 There are policies in the plan which require provision of amenity and public open space of a scale which is appropriate to a particular development. Similarly other policies deal with matters covered by clause 4. Clauses 3 and 4 should be deleted

7.133 Having regard to the constraints to development within the site, its scale and shape, I find the requirements of Clause 5 to be unduly onerous and this should be deleted. The wording suggested by NRRC would secure an adequate public transport service for the site.

7.134 It is proposed to safeguard the former railway corridor for sustainable transport incorporating the National Cycle Network. However, the ecological evidence suggests that the former rail track provides some of the most valuable parts of the site for nature conservation, and the use as

a cycle route may not be compatible with the protection of species of national significance. Therefore I consider that Clause 6 needs to be qualified by a requirement to have regard to the nature conservation value of the trackbed.

7.135 Clause 7 places emphasis on compensation and management. To give more weight to nature conservation interests I consider that this wording should be changed to ensure the identification and retention of areas of significant nature conservation value, together with a scheme for management and mitigation of the effects of development, and for compensation where the loss of areas of nature conservation value cannot be avoided.

7.136 To secure the historic significance of the site, I also recommend the reinstatement of the original clause 10, with a modification which would allow the engine shed and turntable to be relocated within the site if necessary.

7.137 I recommend no additional clause to deal with surface water drainage since this is a matter which would be subject to Policy ES.5 of the plan.

Recommendation:

R7.24 Modify GDS.1/NR2 as follows:

Delete clauses 1, 2, 3, 4 and 5

Insert new clauses:

- “1. Residential development with retail and office uses within or adjacent to the Town Centre, with community facility and local nature reserve.
2. About 50 dwellings in the period to 2011.
3. Provision for safe movement of public transport service vehicles in and around the site.”

Modify clause 6 by adding at the end:

“where this is compatible with the safeguarding of trackbed which is of significant nature conservation value.”

Add new clause:

“Identification of areas of significant nature conservation interest to be retained, with a scheme for their management and the mitigation of any effects of development; together with a programme for compensation where the loss of areas of ecological importance cannot be avoided.”

Retain clauses 8, 9 and 10.

Add new clause:

“Retention (with relocation if necessary) within the site of engine shed and nearby turntable.”

Chapter B9 - Policy GDS.1/NR3

1427/B100 Environment Agency GDS.1/NR3

Supporting Statements

644/B6 Mr D A Rastrick GDS.1/NR3
652/B4 Mrs V G Rastrick GDS.1/NR3

Issue

- i) Whether the policy should include a requirement for a flood risk assessment.

Inspector's Reasoning

7.138 Clause 5 of NR3 requires protection of the floodplain, and the mechanism for achieving such protection would be secured through the development control process.

Recommendation: no change

Chapter B9 - Policy GDS.1/NR4

578/B66 Norton Radstock Town Council GDS.1/NR4
1427/B101 Environment Agency GDS.1/NR4
3300/B9 Oval Estates (Bath) Ltd GDS.1/NR4

Supporting Statements

2360/B3 Landray Will Trust GDS.1/NR4
1427/C203 Environment Agency GDS.1/NR4/A

Issues

- i) Whether the site should be allocated for mixed uses to include residential development.
- ii) Whether the wording of the policy is appropriate.

Inspector's Reasoning

Issue i)

- 7.139 This is a substantial but underused industrial site within the urban area which is currently allocated as an employment site. It is clear from the Business Location Requirements Study 2003 that there is a declining demand for industrial type floorspace in Norton-Radstock and as a result there is little justification for the reservation of the whole of this site for such use. However, the Study does identify some need for smaller scale modern employment units in the area. In accordance with the advice in PPG3 paragraph 42(a) I have recommended in Section 5 of my report that the Council consider the potential of this site for a mixed use development such that the residential development could provide a cross subsidy for the development of modern business premises.
- 7.140 Oval Estates (Bath) also seeks the extension of the allocation to include land to the west of Lincombe Road. The Council oppose this on the basis that employment development close to the houses could be harmful to residential amenity, but with a mixed use scheme, any conflict between uses could be avoided through careful design and layout. I have recommended in Section 5 that this area be incorporated into the allocation.
- 7.141 Whilst I have no other evidence on which to make an assessment of the level of housing which could be accommodated within the enlarged site, the existing site is some 8 ha and with the additional area of land I consider there is likely to be scope for about 150 dwellings whilst providing for a significant quantum of employment floorspace.

Issue ii)

- 7.142 With a change to mixed use the wording of the policy will require amendment to include residential in clause 1, and this should include an indication of the level of housing that might be provided during the plan period.
- 7.143 Clause 2 would provide an improvement in public access to the countryside and should be retained.
- 7.144 The loss of sports facilities is covered by Policy SR.1A and therefore there is no need for clause 3, and clause 8 is unnecessary since drainage is covered by Policy ES.5.

Recommendation:

R7.25 Modify Policy GDS.1/NR4 as follows:

insert in clause 1 before "Development" "Mixed use" and after "for" "residential and";

insert new clause 2 "About xx houses can be accommodated, with xx before 2011";

delete clauses 3 and 8.

Chapter B9 - Policy GDS.1/NR5

696/B37	South West RSL Planning Consortium	GDS.1/NR5
2311/B10	Somer Community Housing Trust	GDS.1/NR5

Issue

- i) Whether the density is appropriate.

Inspector's Reasoning

7.145 This 0.3 ha site is allocated for about 10 dwellings. This is at the minimum density recommended in PPG3, and I see no reason why more than 10 dwellings should not be accommodated, subject to careful design. I therefore recommend clause 1 be amended to require at least 10 dwellings.

Recommendation:

R7.26 Modify Policy GDS.1/NR5 by deleting "About" in clause 1 and insert "at least".

Chapter B9 - Policy GDS.1/NR6

696/C65	South West RSL Planning Consortium	GDS.1/NR6/A
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Inspector's Reasoning

7.146 This site has been deleted from the RDDLP as an allocation since planning permission has been granted and the development is complete.

Recommendation: no change

Chapter B9 - Policy GDS.1/NR7

1427/B102	Environment Agency	GDS.1/NR7
721/C60	Government Office for the South West	GDS.1/NR7-REG24(9)

Inspector's Reasoning

7.147 This site now has planning permission subject to a legal agreement and has been retained as an allocation because of the base date of the

housing figures in the plan. Clearly if the base date is amended to April 2004 its inclusion should be reviewed.

Recommendation:

R7.27 Review the allocation if the base date of the plan is amended.

Chapter B9 - Policy GDS.1/NR8

1427/B103	Environment Agency	GDS.1/NR8
696/C66	South West RSL Planning Consortium	GDS.1/NR8/A

Inspector's Reasoning

7.148 Planning permission has been granted on this site and it is deleted as an allocation in the RDDLP.

Recommendation: no change

Chapter B9 - Policy GDS.1/NR9

1427/B104	Environment Agency	GDS.1/NR9
721/C61	Government Office for the South West	GDS.1/NR9-REG24(9)

Inspector's Reasoning

7.149 This site now has planning permission subject to a legal agreement and has been retained as an allocation because of the base date of the housing figures in the plan. Clearly if the base date is amended to April 2004 its inclusion should be reviewed.

Recommendation:

R7.28 Review the allocation if the base date of the plan is amended.

Chapter B9 - Policy GDS.1/NR10

696/C67	South West RSL Planning Consortium	GDS.1/NR10/A
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Inspector's Reasoning

7.150 This allocation is deleted from the RDDLP since planning permission has been granted and the development is complete.

Recommendation: no change

Chapter B9 - Policy GDS.1/NR11

2356/C8	The Hon W H M Jolliffe	GDS.1/NR11/A
3219/C18	The Hon Andrew Jolliffe	GDS.1/NR11/A
3299/C78	Bovis Homes (South West Region) Limited	GDS.1/NR11/A

Supporting Statements

S696/C79	South West RSL Planning Consortium	GDS.1/NR11/A
3079/C8	Flower & Hayes (Developments) Ltd	GDS.1/NR11/B

Inspector's Reasoning

7.151 The site has been given full planning permission and is only included as an allocation because of the base date of the plan. The position should be reviewed if the base date is amended.

Recommendation:

R7.29 Review the allocation if the base date of the plan is amended.

Chapter B9 - Policy GDS.1/NR12

508/C1	Cllr J Lewis	GDS.1/NR12/A
696/C80	South West RSL Planning Consortium	GDS.1/NR12/A
2429/C2	Mr & Mrs D Chalk	GDS.1/NR12/A
2432/C3	Mr D Benson	GDS.1/NR12/A
2456/C2	Mrs I Benson	GDS.1/NR12/A
3630/C1	Welton Vale Protection Group	GDS.1/NR12/A
3084/C2	Richard Wood Engineering	GDS.1/NR12/B

Issues

- i) Whether the site should be allocated for employment purposes.
- ii) Is reference required to drainage and nature conservation?

Inspector's Reasoning

Issue i)

7.152 This site comprises 0.84 ha of undeveloped land south of Wellow Brook and west of the existing industrial area. Although it is a greenfield site, it relates closely to the existing industrial area and makes little contribution to the surrounding rural area. Access can be from the road which serves the existing units.

7.153 The site is appropriately located to provide new employment development to meet the demand for small scale units in this area and hence to provide local jobs without significant harm to residential or rural amenity.

Issue ii)

7.154 Drainage provision is covered by Policy ES.5 and nature conservation is dealt with under a number of NE policies. I find no reason to add these as matters to be covered within the policy.

Recommendation: no change

Chapter B9 - Policy GDS.1/V1

298/B4	Mr Ian Cannock	GDS.1/V1
365/B5	Ms Trudi Cannock	GDS.1/V1
578/B77	Norton Radstock Town Council	GDS.1/V1
1427/B105	Environment Agency	GDS.1/V1
2262/B1	Wellow Parish Council	GDS.1/V1
2303/B1	Wellow Residents Association	GDS.1/V1
2388/B4	J S Bloor Ltd (Sytner Properties Ltd)	GDS.1/V1
578/C102	Norton Radstock Town Council	GDS.1/V1/A
696/C68	South West RSL Planning Consortium	GDS.1/V1/A
721/C66	Government Office for the South West	GDS.1/V1/A
2388/C8	J S Bloor Ltd (Sytner Properties Ltd)	GDS.1/V1/A

Inspector's Reasoning

7.155 Planning permission has been granted for employment development on this 11 ha greenfield site, and the allocation has been deleted from the RDDLP. J S Bloor, the owners of the site, are seeking an allocation for a mixed use development of housing and employment uses, and the inclusion of the site within the HDB. I set out the reasons why the site should not be included within the HDB and developed for housing in Section 5. In the event that there is insufficient demand for the employment development of the site, I consider that it would be preferable to leave the site undeveloped.

Recommendation: no change

Chapter B9 - Policy GDS.1/V2

1427/B106	Environment Agency	GDS.1/V2
3023/B13	Mr & Mrs D Hawkes	GDS.1/V2
696/C69	South West RSL Planning Consortium	GDS.1/V2/A
721/C65	Government Office for the South West	GDS.1/V2/A

Inspector's Reasoning

7.156 The allocation is deleted from the RDDLP since planning permission has been granted and construction is underway.

Recommendation: no change

Chapter B9 - Policy GDS.1/V3

2/B47	T2000/Railfutures	GDS.1/V3
725/B12	Redcliffe Homes Ltd	GDS.1/V3
1427/B107	Environment Agency	GDS.1/V3
2416/B1	Mr & Mrs E C Milton	GDS.1/V3
3009/B2	Polestar Properties Limited	GDS.1/V3
3023/B14	Mr & Mrs D Hawkes	GDS.1/V3
3278/B30	Persimmon Homes (Wessex) Ltd	GDS.1/V3
3299/B33	Bovis Homes (South West Region) Limited	GDS.1/V3

Issues

- i) Whether the site should be allocated for housing beyond the area with planning permission for residential development.

Inspector's Reasoning

7.157 Paulton is one of the larger R1 settlements with a good level of facilities and access by public transport. The factory site is closely integrated with the village, and has large areas which are currently little used. The site is some 17.8 ha in total, and planning permission has been granted for housing on the south eastern part of the site. There is some debate as to whether this part of the site could accommodate a higher level of housing and I have agreed a capacity of 150 dwellings for this part of the site in Section 5. Polestar Properties are seeking further residential development to the north of the existing housing area. In section 5 I conclude that it would be appropriate to allocate the site for further housing, but only if that housing was linked to further employment development within the site, either for the existing printing company or for other occupiers. There is scope for such development in the north west part of the site.

7.158 There is concern about the additional traffic which might be generated as a result of further development at the site, and of the pressure on existing services from further residential development. However, the site has the benefit of a number of planning permissions. Whilst it will be necessary to carry out detailed traffic impact assessments, traffic generation from a mixed use scheme is unlikely to have significantly more impact on the surrounding roads than traffic from the site if it was used to its full potential under existing permissions. As regards the pressure on existing services, the increase in residential development would bring more custom to local shops and general support for local services. I have no evidence to suggest that such pressure would be harmful.

Recommendation:

R7.30 Modify GDS.1/V3 as follows:

delete clause 1 and insert:

“Development for residential and business use. Residential development beyond the south eastern part of the site to take place only as part of a mixed use scheme which includes employment development.”

delete clause 11 and insert:

“Some 350 dwellings to be accommodated within the factory site, with no more than 150 to be constructed unless linked to a scheme for the development of employment floorspace.”

The Council to review the detail of the remaining clauses in the policy and amend where necessary to reflect the change in the allocation.

Chapter B9 - Policy GDS.1/V4

2/B52	T2000/Railfutures	GDS.1/V4
715/B4	Lord Rees-Mogg	GDS.1/V4
1427/B108	Environment Agency	GDS.1/V4
1986/B1	Ms D Barton	GDS.1/V4
2009/B2	Mr J Harvey	GDS.1/V4
2156/B1	Ms A G Pascoe	GDS.1/V4
2249/B1	Mrs M V Flower	GDS.1/V4
2253/B1	Mr & Mrs C A J Margary	GDS.1/V4
2317/B1	Cllr P Hogg	GDS.1/V4
2463/B1	Mr & Mrs D Parfitt	GDS.1/V4
2464/B1	Mr & Mrs M Fitzpatrick	GDS.1/V4
2614/B1	Mr B R Pullsford	GDS.1/V4
2619/B1	Mr M E Carey	GDS.1/V4
2649/B1	The Duchy of Cornwall	GDS.1/V4
2896/B1	Mr D Lane & Ms K Newberry	GDS.1/V4
2907/B1	Ms A Ottaway	GDS.1/V4
3031/B1	Ms J Deacon	GDS.1/V4
3066/B5	Mr L Knowles	GDS.1/V4
3136/B1	Miss D Somers	GDS.1/V4
3174/B1	Mr K Walker	GDS.1/V4
3192/B1	Mr A J Frost	GDS.1/V4
3319/B2	Ms S A Woodbine	GDS.1/V4

Supporting Statements

2617/B1	Mrs A E Lye	GDS.1/V4
2910/B1	Mr J Gentle	GDS.1/V4
3047/B1	Mrs E W Styles	GDS.1/V4
1427/C181	Environment Agency	GDS.1/V4/B
1427/C182	Environment Agency	GDS.1/V4/C

Inspector's Reasoning

7.159 In Section 2 of my report when dealing with employment policies I conclude that there is insufficient demand to justify the release of this greenfield site.

Recommendation:

R7.31 Modify the plan by deleting Policy GDS.1/V4.

Chapter B9 - Policy GDS.1/V5

334/B8	Ms P Davis	GDS.1/V5
581/B9	Batheaston Society	GDS.1/V5
1427/B109	Environment Agency	GDS.1/V5
1975/B1	Mr R Holder	GDS.1/V5
1975/B2	Mr R Holder	GDS.1/V5
1975/B3	Mr R Holder	GDS.1/V5
2913/B1	Mr J R Dickens	GDS.1/V5
2968/B2	Countryside Residential (South West) Ltd	GDS.1/V5
3020/B1	Mr & Mrs W Beese	GDS.1/V5
3020/B2	Mr & Mrs W Beese	GDS.1/V5
3109/B1	Mr M Veal	GDS.1/V5
3109/B2	Mr M Veal	GDS.1/V5
3140/B1	Ms C van de Steen	GDS.1/V5
3253/B1	Mr K Wright	GDS.1/V5
2968/C5	Countryside Residential (South West) Ltd	GDS.1/V5/B
581/C26	Batheaston Society	GDS.1/V5/F
685/C47	Batheaston Parish Council	GDS.1/V5/F
2968/C6	Countryside Residential (South West) Ltd	GDS.1/V5/F

Supporting Statements

2968/B3	Countryside Residential (South West) Ltd	GDS.1/V5
3109/B3	Mr M Veal	GDS.1/V5

Inspector's Reasoning

7.160 Objections to the DDLP relate primarily to the principle of development of the allocation, and the partial closure of Bannerdown Drive. In the RDDLP the latter has been deleted, and planning permission has now been granted for 7 dwellings on the northern part of the site. That permission is subject to a legal agreement which addresses traffic management and nature conservation issues.

7.161 The other issues of concern in relation to the RDDLP is the deletion of Victory Gardens from the allocation because the Council considers it unlikely to become available in the plan period. Objectors have mixed views as to the development of the site, but it remains within the HDB and with the changes I recommend to Policy HG.4 it could come forward for residential development without the need to be allocated in the plan. The concerns of objectors would then be considered as part of the development control process.

7.162 It would in any event be appropriate to delete this site as an allocation should the Council change the base date of the plan, but I recommend its deletion on the basis that with 6/7 dwellings it is too small to be included as an allocation.

Recommendation:

R7.32 Modify the plan by deleting Policy GDS.1/V5.

Chapter B9 - Policy GDS.1/V6

2/B53	T2000/Railfutures	GDS.1/V6
322/B15	Greenvale Residents Association	GDS.1/V6
322/B16	Greenvale Residents Association	GDS.1/V6
696/B38	South West RSL Planning Consortium	GDS.1/V6
1427/B110	Environment Agency	GDS.1/V6
2804/B3	Mr G Stewart	GDS.1/V6
696/C70	South West RSL Planning Consortium	GDS.1/V6/A
721/C67	Government Office for the South West	GDS.1/V6/A

Inspector's Reasoning

7.163 The allocation is deleted from the RDDLP since planning permission has been granted for 28 dwellings.

Recommendation: no change

Chapter B9 - Policy GDS.1/V7

721/B42	Government Office for the South West	GDS.1/V7
1427/B111	Environment Agency	GDS.1/V7
3278/B32	Persimmon Homes (Wessex) Ltd	GDS.1/V7

Supporting Statements

696/B39	South West RSL Planning Consortium	GDS.1/V7
2311/B12	Somer Community Housing Trust	GDS.1/V7

Issues

- i) Whether a development of this scale is appropriate to High Littleton.
- ii) Whether the policy should include reference to the need for a surface water drainage strategy.

Inspector's Reasoning

Issue i)

7.164 High Littleton is designated as an R1 settlement in the plan, with reasonable access to facilities and employment either within the village or by public transport to nearby centres. This is a small site well related to the village and its development would contribute to rural sustainability in particular through the provision of some affordable housing.

Issue ii)

7.165 Policy ES.5 deals with drainage issues which can effectively be covered in the development control process.

Recommendation: no change.

Chapter B9 - Policy GDS.1/V8

725/B14	Redcliffe Homes Ltd	GDS.1/V8
1427/B112	Environment Agency	GDS.1/V8
2597/B1	Dr R C Rafferty	GDS.1/V8
2977/B3	The Bear Organisation Limited	GDS.1/V8
3023/B16	Mr & Mrs D Hawkes	GDS.1/V8
3213/B1	Chew Stoke Parish Council	GDS.1/V8
3267/B4	C S J Planning Consultants Ltd	GDS.1/V8
3278/B33	Persimmon Homes (Wessex) Ltd	GDS.1/V8
3299/B43	Bovis Homes (South West Region) Limited	GDS.1/V8

Supporting Statement

1427/C205	Environment Agency	GDS.1/V8/A
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Issues

- i) Whether the site should be allocated for mixed use development and if so, the scale of housing that would be appropriate.
- ii) Whether the allocation should provide for a doctor's surgery.
- iii) Whether further land should be allocated to provide an alternative access.

Inspector's Reasoning

Issue i)

7.166 This is a site of some 3.2 ha occupied by a significant level of vacant commercial/industrial buildings and a large area of hard standing and located on the edge of the settlement of Chew Stoke. The site is within the Green Belt, and has been identified by the Council as a Major Existing Developed Site (MEDS) in accordance with Annex C of PPG2. The redevelopment of a MEDS can be appropriate in the Green Belt provided the openness of the Green Belt is maintained, and in this case the Council identifies an opportunity for the site to be redeveloped in a way which reduces impact on the Green Belt of the existing development, and benefits the community by contributing to the future social and economic vitality of the rural area. I have no reason to disagree with this view.

7.167 Although Chew Stoke is an R3 settlement in the plan, this is primarily to reflect its status as a village washed over by the Green Belt. It has a number of local facilities, including a primary school, and is adjacent to the Chew Valley Comprehensive School. Further shops and services are available in the nearby village of Chew Magna. Although the Parish Council is concerned that the schools are oversubscribed, there are other policies in the plan which seek to ensure that educational facilities are provided for. As a result I consider that further residential development adjacent to the village would be sustainable.

7.168 Westbury Homes argues that in view of the area of built development on the site, and the lack of demand for employment, the site could

accommodate 50 dwellings with some employment or community uses. Furthermore, the village has a population of 900 people housed in about 320 dwellings and with its good access to local services, the village could sustain more houses on this site. However, I agree with the Council that this is a sensitive location in a rural area within the Green Belt and a larger number of dwellings would not be appropriate.

Issue ii)

7.169 One objector states that the site is being considered by the Chew Magna doctors as a potential location for a new surgery. Clause 7 of the policy requires provision of community facilities which could include such a use. However, without firm proposals it would be inappropriate to be more specific in the policy wording.

Issue iii)

7.170 The site proposed for allocation to provide an alternative means of access is primarily green field within the Green Belt. It is therefore very different in status from the brownfield Radford's site. Any development of the Radford's site would need to provide an adequate means of access, and having regard to the previous use of the site I have no reason to consider that this could not be achieved.

Recommendation: no change.

Chapter B9 - Policy GDS.1/V9

There are large numbers of representations to this policy; details are listed at Appendix 1.

Inspector's Reasoning

7.171 This site was deleted from the RDDLP. In Section 5 I identify a shortfall in the supply of housing to meet strategic requirements and recommend that this site is reconsidered by the Council as an allocation. Further work will be required to assess floodrisk and access, and impacts on the adjoining school, but the site relates well to the developed area of the village, and it is well enclosed such that its development would not be unduly intrusive in the countryside. Farmborough is an R1 settlement with a reasonable level of local services and facilities, and a development of this scale (about 30 dwellings) which would include an element of affordable housing would contribute to the maintenance of these local facilities.

Recommendation:

R7.33 The Council consider the reinstatement of this allocation having regard to floodrisk, access, and any impact on the adjoining school.

SECTION 8 - Chapter B9 - Alternative Sites

Alternative Sites Policy - General

3275/B1 Mrs S Thomas
3275/B3 Mrs S Thomas

Issue

- i) Whether sites should be identified in the R2/R3 settlements in GDS.1 to meet Structure Plan dwelling requirements.

Inspector's Reasoning

8.1 In order to identify the most sustainable opportunities for residential development to meet strategic housing requirements, and in accordance with the strategy of the JRSP, the plan focuses on sites within Bath, Keynsham, Norton Radstock and the R1 settlements. I have recommended modifications to Policy HG.4 which would enable some development to take place in the R2 settlements, but only where it is appropriate to the scale of the settlement in terms of the availability of facilities and employment opportunities and accessibility to public transport. Policy HG.6 allows for infilling within the R3 settlements. In addition, my recommended Policy ET.3 would deal with proposals for the redevelopment of employment sites.

Recommendation: no change

Bath - Land at Wellsway

447/B32 Wilcon Homes
447/B37 Wilcon Homes
2318/B1 Elisabeth M Delany

Issue

- i) Whether the site should be allocated for residential development.

Inspector's Reasoning

8.2 This 6 acre site has been used for grazing cattle in the past and is allocated on the plan as a RIG. It is a steeply sloping site and could only accommodate housing on the lower levels. The objectors state that the site is no longer in any beneficial use and that there are problems of maintenance which cause concerns to nearby residents. However, this is a conspicuous site which forms part of the green spaces alongside Wellsway which is a main route into Bath. It could accommodate only a limited number of houses because of its steep gradients and in my view there are other sites within the city which would be more appropriate for allocation to meet strategic housing requirements.

Recommendation: no change.

Bath - Twerton Football Ground

589/B7 Bath City Football Club
697/B6 Twerton Park Properties Ltd

Issue

- i) Whether the Football Ground at Twerton should be allocated as a mixed use development site.

Inspector's Reasoning

8.3 The Football Club is seeking to relocate for physical and economic reasons and has identified land at Newton Fields, Newbridge as a suitable site. However, the site is in the Green Belt and I consider that there is insufficient justification for the Green Belt boundaries to be altered. Without an alternative site there is no guarantee that the existing site will not continue to be required for recreational use. I therefore consider that the case has not been made for the site to be released from its current use under Policy SR.1, and an allocation under Policy GDS.1 for mixed development would not be appropriate.

Recommendation: no change

Bath - Land North of Bailbrook Lane

2173/B1 Mr M Swift

Issue

- i) Whether the site should be allocated for residential development.

Inspector's Reasoning

8.4 Although the adjoining site has been allocated for housing, in my view this site relates more to the surrounding rural area and should not be designated for residential development.

Recommendation: no change

Bath - Greenway Lane, Beechen Cliff School

2310/B4 Beechcroft Developments
2310/B17 Beechcroft Developments

Issues

- i) Whether land at Beechen Cliff School, Greenway Lane should be allocated for housing.

Inspector's Reasoning

- 8.5 In Section 5 of my report I find that there is inadequate land allocated to meet strategic housing requirements during the plan period. As a result I have recommended that the Council reconsider sites deleted from the DDLP, and other sites within Bath, the other urban areas and the R1 settlements. Land at Beechen Cliff School, Greenway Lane is one of the sites which I recommend be allocated for housing in this plan.
- 8.6 This 0.4 ha site forms a strip of land between dwellings to the north and south. Although it is raised in level above Greenway Lane, the site is lower than the larger area of playing fields which form the setting for the school buildings to the north east. Whilst the development of the site would close-off views from adjoining dwellings in Devonshire Place, these dwellings have good sized gardens and in my view a new development could be located to avoid significant harm to the amenities of occupiers. The site is relatively well contained between existing development. Whilst it can be seen from wider views across and into the conservation area, it is seen in the context of the wider areas of open land south of Greenway Lane, together with the remaining Beechen Cliff Playing Fields and Alexander Park. With the retention of these significant areas of open space I consider that the visual amenity of the conservation area would be preserved. Furthermore, the area would remain well served by a range of open space provision, including the allotment gardens and recreation ground located off Bloomfield Road/Wellsway to the west of the site.
- 8.7 The Secretary of State for Education and Skills has identified the site as surplus to requirements and whilst this is not in itself justification for its development, it is clear that the site is no longer required by the school. It is not clear whether the site could be put to good use by any other recreational organisation or school, but it is not currently in use by any other organisation and therefore its development would not represent a loss. In any event, the conditions set out by the Secretary of State for the disposal of the site require the provision of new all weather sports facilities which in my view would be of greater recreational benefit to the school, and in view of the potential for shared use, the community, than the retention of this narrow and sloping area of open space. Subject to this provision being made a requirement of any development, then the loss of this recreational space would be acceptable because of the net benefit to sport.
- 8.8 Clearly the detailed scheme would need to be of a design appropriate to the position of the site within the conservation area, and provision would need to be made for the diversion or retention of any public rights of way. The objectors put forward a scheme for 14 sheltered units at a density of 35 dwellings per hectare. However, in view of the favourable position of the site in the urban area with good accessibility to public transport, services and jobs, I recommend that a higher density is sought, with up to 18 dwellings.

8.9 The Council object to the allocation of the site on the grounds of highway safety, having regard to the narrowness of the lane and the poor junctions to either end. However, in my view this number of dwellings is unlikely to add significantly to the level of traffic using the lane and its junctions and this issue would need to be discussed and resolved in relation to any future planning application. I set out below the matters which would need to be included in a new allocation under Policy GDS.1.

Recommendations:

R8.1 Modify Policy GDS.1 by adding a new site in Bath as follows:

“BEECHEN CLIFF SCHOOL, GREENWAY LANE – site area 0.4 ha.

Development requirements:

- 1 About 18 dwellings.
- 2 Safe and adequate highway access to be provided from Greenway Lane.
- 3 Any planning permission to be linked to a legal agreement for improvements to educational and sports facilities, including shared community use of the sports facilities.
- 4 Provision for the accommodation of public rights of way within the site.”

R8.2 Modify the Proposal Map to accord with new allocation.

Bath - Land Rear of 64-92 London Road West

2647/B1 Mr & Mrs Griffiths
3230/B3 Countryside Residential (South West) Ltd

Issue

- i) Whether the site should be allocated for residential development.

Inspector's Reasoning

8.10 Although the objectors state that this is former nursery land, the site has the appearance of an unused greenfield site. Located between the rear gardens of dwellings fronting London Road West, the rugby pitch to the south east and the bypass to the south west, the land forms part of the slope down into the valley and in my view relates more to the open valley than to the adjoining built up area. In these circumstances I do not recommend the site be considered for development in the current plan.

8.11 The site is not currently within the Green Belt, but in view of its relationship with the wider open area, its designation should be

considered as part of any review of the Green Belt in the next round of development plans.

Recommendation: no change

Bath - Old Fosse Road

3003/B1 London Baptist Property Board Ltd
3305/B3 W Reed (Builders) Ltd

Weston Farm Lane, Off the Weal, Weston

3087/B1 Mrs S Sparrow

Batheaston - Avondale, London Road East

2602/B1 Mr M J T Arrowsmith

Batheaston - Poplar Nurseries

2625/B2 Poplar Nurseries
3251/B1 Prospect Land Ltd
3251/B9 Prospect Land Ltd

Clutton - Maypole Close, Land North of Clutton

2684/B1 Mr M G C Tucker

Combe Hay - Land at Combe Hay Lane

2707/B2 Crest Strategic Projects Limited
2707/B4 Crest Strategic Projects Limited

Farmborough - Land Between Manor Gardens and Tilley Close

2683/B2 Diocese of Bath & Wells

Farmborough - Land South of Love's Lane

2973/B2 Mr & Mrs A W J Champion

Odd Down, Bath - Land South of Odd Down, South Stoke

485/B11 Prowting Projects Ltd

Peasedown St John - Land Adjacent to Julian's Farm, Shoscombe Vale

3284/B1 Messrs D G A, P J A & A G Weeks

Saltford - Manor Road

3023/B1 Mr & Mrs D Hawkes

South Stoke - Land Between Packhorse Lane and Midford Road

3285/B1 Countryside Properties

Whitchurch - Land Between Church Road and Maggs Lane

542/B7 Mr D R Osbourne

Issue

- i) Whether the above sites should be allocated for residential development.

Inspector's Reasoning

8.12 These sites are within the Green Belt, and are located outside any HDB so would not constitute infilling within an existing settlement. There is no provision in the JRSP for the release of sites from the Green Belt for residential development apart from land at Keynsham. RPG10 refers to the need to review the boundaries of the Green Belt to assess whether alterations are needed to allow for long term sustainable growth and it is in the next round of development plan preparation that this exercise should be carried out.

8.13 There are a number of sites put forward by objectors for exclusion from the Green Belt in order to provide for additional residential development in the plan period. However, in Section 5 I have identified those sites which I consider to accord with the policies of the JRSP and the strategy of the plan, and which would be sequentially preferable. There are a number of options for the Council to consider which could more than adequately meet the strategic housing requirement that I have identified without the need for any further release of Green Belt sites. In these circumstances I am not considering any of the Green Belt sites put forward for residential development in any further detail.

Recommendation: no change

Bath - Weirside Works, Lower Bristol Road

3007/B1 Grant Thornton

Inspector's Reasoning

8.14 The objection site lies within GDS.1/B12 Land at Lower Bristol Road which is allocated in the RDDLP for a mixed use development including the various uses proposed by the objectors. I therefore consider that the objection is met.

Recommendation: no change

Bath - Hampton Row

3103/B1 Ms D E Emery

Issue

- i) Whether the site should be allocated for residential development.

Inspector's Reasoning

8.15 In view of the limited scale of this site it is not necessary for the site to be allocated in the plan. Any application for residential development should be considered under the plan's policies as recommended to be modified.

Recommendation: no change

Bath - South of Bailbrook Lane

3195/B1 Mr J E Davis

Issue

- i) Whether the site should be allocated for residential development.

Inspector's Reasoning

8.16 The site lies to the south of the allocation B6 in the DDLP which now has planning permission. However, Bailbrook Lane is narrow and rural in character. The land to the south has a number of trees and slopes down towards the open college grounds to the south. I have little information on which to judge the impact of a development of the site, and on which I could make a recommendation for it to be allocated for development. However, residential development is likely to be harmful to the rural character of this part of the lane. I therefore recommend no change to the plan.

Recommendation: no change

Bath - Gammon Plant Hire, Rock Hall Lane, Combe Down

3208/B1 Gammon Plant Hire

Issue

- i) Whether the site should be allocated for residential development.

Inspector's Reasoning

8.17 This 0.14 ha site is too small for an allocation in the plan and any proposals for residential development would fall to be considered against the employment and retail policies of the plan.

Recommendation: no change

Bath - Lansdown View Allotments

3235/B2 Mr I Betts & Mr A Perry

Issues

- i) Whether the site should be allocated for residential development.

Inspector's Reasoning

8.18 This site is within the urban area; it is not in any beneficial use and makes no significant contribution to townscape or the character of the area. It is said to be former allotment land and therefore the Council should consider whether it is required for reinstatement to allotment use. Otherwise it could be considered for residential development.

Recommendation:

R8.3 The Council to consider any need for the reinstatement of the site to allotment use; if not required then consideration be given to development of the site for housing.

Bath - St Martins Hospital

3261/B9 Bath & North East Somerset Primary Care Trust

Inspector's Reasoning

8.19 This site has been allocated in the RDDLP in response to the objection which has therefore been met.

Recommendation: no change

Bath – Lower Bristol Road and Land Between Roseberry Road/River Avon and Unigate Land

3276/B5 Temra of Bath
3276/B7 Temra of Bath

Inspector's Reasoning

8.20 This site is within the area which has been allocated under Policy GDS.1/B12 in the RDDLP and therefore the first objection has been met. In these circumstances I see no reason to connect the site with the redevelopment of BWR.

Recommendation: no change

Batheaston - Northend Joinery

685/B18 Batheaston Parish Council

Issue

- i) Whether the site should be allocated for residential development.

Inspector's Reasoning

8.21 Although there are a number of buildings within this site, it is within the Green Belt and there is no justification for any change to the Green Belt boundary in this area. Any re-use of the existing buildings would fall to be considered against Green Belt and employment policies.

Recommendation: no change

Batheaston - Elmhurst; Catherine Way

685/B19 Batheaston Parish Council

Issue

- i) Whether the site should be allocated for residential development.

Inspector's Reasoning

8.22 This is a small site within the HDB for Batheaston and any proposal for residential development would fall to be considered under Policy HG.4 as recommended to be modified.

Recommendation: no change

Bathampton - Junction Bathampton Lane and Warminster Road

3207/B3 Cindabi (International) Ltd

Issue

- i) Whether the site should be allocated for residential development.

Inspector's Reasoning

8.23 Although the site lies within the developed area of the village, it performs an important function as an attractive open area on the approach to the historic core of the village, important to the setting of the conservation area. As a sloping site it is highly visible in longer views, including views from the footpath which links the village to the open landscape of Bathampton slopes and Down.

8.24 In view of the harm to the character of the area which would result from the development of the site, I make no recommendation for its allocation.

Recommendation: no change

Charlcombe - Sites at Lansdown

3275/B2 Mrs S Thomas

Issue

- i) Whether sites for housing and mixed used development should be identified in the Lansdown area of Bath.

Inspector's Reasoning

8.25 The objector does not identify any specific site for an allocation. Any infill sites put forward for development would be considered in the context of Policy HG.4 which I recommend to be modified.

Recommendation: no change

Chew Stoke - Land North of Bowls Club, Wallycourt Road

2977/B1 The Bear Organisation Limited

Issue

- i) Whether the site should be allocated for residential development.

Inspector's Reasoning

8.26 The Radford Retail Systems Site is identified as a MEDS in which it is Government policy to allow for development within the Green Belt. The land to the south, north of the Bowls Club, remains Green Belt and in my view the potential development of the Radford Retail Systems Site does

not provide for the very special circumstances necessary for its release from the Green Belt for development.

Recommendation: no change

East Harptree - Pinkers Farm

709/B6 Lordswood Farms Limited

Issue

- i) Whether the site should be allocated for housing.

Inspector's Reasoning

8.27 The former agricultural contractor's yard and the dairy unit at Pinker's Farm abuts the residential area of East Harptree only partly and otherwise projects into the open countryside. I recommend against the extension of the HDB to include the site which would form a substantial extension to the scale of the village. Subject to the site being in employment use, any proposals for its redevelopment would fall to be assessed against Policy HG.4, which as recommended to be modified would relate to R2 settlements, and ET.3 as recommended to be modified.

Recommendation: no change

Hinton Blewett - Weathers Field House

700/B18 Chase Homes

Issue

- i) Whether the site should be allocated for housing.

Inspector's Reasoning

8.28 Hinton Blewett is an R2 settlement with a limited level of services. This would be a quite substantial site to add to the village, and I have identified in Section 5 sufficient sites which would be sequentially preferable which could meet the strategic housing land requirement. Furthermore, I find that the site relates more readily to the rural setting of the village rather than the built up area and therefore I recommend no change.

Recommendation: no change

Keynsham –Withies Farm

- **Land east of Withies Farm**
- **Land to Rear of 237 Bath Road**
- **Manor Road**
- **Uplands Farm**
- **Lays Farm and Land to North and South**
- **Homestead Estate**
- **Hawkeswell**

3299/B38	Bovis Homes (South West Region) Limited
254/B35	Keynsham Town Council
254/B36	Keynsham Town Council
447/B36	Wilcon Homes
695/B14	Society of Merchant Venturers
2601/B5	Linden Homes (Developments) Limited
3233/B27	Mr & Mrs M Williams
2636/B3	The Jollands Trust
3098/B45	George Wimpey Strategic Land

Issue

- i) Whether the sites should be allocated for residential development.

Inspector's Reasoning

8.29 All of the above sites are within the Green Belt. In Section 5 I set out the reasons why I consider that the land to the south west of Keynsham (K2 in the DDLP) would best meet the criteria for the release of land from the Green Belt set out in JRSP policies 9 and 16. In my judgement land to the south west would not harm the sensitive gaps between Keynsham and other settlements, nor would it be intrusive into the Chew Valley, an important landscape setting for the town. As a result it would best meet the important criteria of safeguarding against the coalescence of settlements and avoiding harm to the existing character of the town.

8.30 Whilst I have found a shortfall in the supply of housing to meet strategic requirements in the plan, with the release of K2 together with other sites which I have identified for the Council to consider, I am confident that there will be no requirement for the release of further land from the Green Belt at Keynsham to provide for housing land during this plan period. As a result I give no further detailed consideration to the above sites which remain in the Green Belt.

Recommendation: no change

Keynsham - Former Nursery Site, High Street

398/B2 Mr G Hobbs

Issue

- i) Whether the site should be allocated for housing.

Inspector's Reasoning

8.31 The Council state that the site is not available for development and since it is below the threshold for an allocation, I recommend no change to the plan.

Recommendation: no change

Norton Radstock - Thicketmead Bridge

462/B26 Gleeson Homes

Issue

- i) Whether the site should be allocated for residential development.

Inspector's Reasoning

8.32 This is an overgrown area of undeveloped land on the north slope of the valley of the Wellow Brook. The objector argues that the site is surrounded on three sides by residential curtilages however, to the west are the long rear gardens of a row of cottages which are more rural in character and which act as a link to the wider undeveloped valley to the west. As a result I find the site to be part of the green finger which runs along the valley of the Wellow Brook rather than a part of the urban area.

8.33 This green wedge makes an important contribution to the character of the town, and in view of the potential of other, less damaging opportunities for residential development which I have identified in Section 5, I recommend no change in relation to this site.

Recommendation: no change

Norton Radstock - Coomb End Scrapyard (Hallmark)

- Coomb End

578/B75 Norton Radstock Town Council
3218/B2 Portland (Radstock) Ltd

Issue

- i) Whether the site should be allocated for residential development.

Inspector's Reasoning

8.34 In considering the potential of sites for residential development to meet strategic housing land requirements in Section 5, I have recommended that the area designated on the RDDLP as a Regeneration Area should be reassessed for mixed use development including housing. That includes the site of the scrapyards, but not the land to the west.

Recommendation:

R8.4 That the Council assess the potential for the residential allocation of the area designated as a Regeneration Area in the RDDLP at Coomb End, Radstock for mixed use development with its capacity for housing to be assessed.

Norton Radstock - Clandown Scrapyard (Bidwells)

578/B83 Norton Radstock Town Council

Issue

- i) Whether the site should be allocated for residential development.

Inspector's Reasoning

8.35 I have recommended in Section 5 that that the Council consider this site for residential allocation in the plan. I appreciate the Council's concern that such an allocation could result in the loss of the existing business, but the poor location of the use at present is such that an allocation is justified. Furthermore, an allocation of the site for residential development may encourage the identification of an alternative site.

Recommendation:

R8.5 The Council consider Clandown Scrapyard for residential allocation in the plan.

Norton Radstock - Whitelands and Old Tynning Pit Head

578/B80 Norton Radstock Town Council
2890/B1 Mr & Mrs D Rastrick
3106/B2 Mr P D Chivers
2057/B2 Bath & District Self Build Association
3027/B1 Salter Evans Associates
3176/B2 Mrs M Brooks

Issue

- i) Whether the land should be allocated for residential development.

Inspector's Reasoning

- 8.36 This area was considered for housing development by the Inspector at the Wansdyke Local Plan Inquiry. In his report he formed the view that there was little to distinguish the wooded and open land on the objection sites from nearby fields and woods, and they appear as part of the countryside “which encloses and penetrates into this part of the town”. Although some excavation has taken place to reveal some foundations of cottages and prefabs which were once on the site at Whitelands, I have no reason to disagree with my colleague that this site is generally open and a part of the countryside which surrounds the town.
- 8.37 In spite of the excavations which have taken place, the remains of the structures on the site have largely blended into the landscape so the status of the land as previously developed in terms of Annex C to PPG3 is questionable. However, whether or not it would fall within that definition, the site is physically separate from the edge of Norton Radstock to the west. I sympathise with the concerns expressed by some objectors regarding the uses to which this site is put and problems of maintaining the land, but agree with my colleague in his report on the Wansdyke Local Plan. Its development would constitute a substantial encroachment of building onto a prominent open part of the side of the valley and would be detrimental to the character and appearance of the surrounding area.
- 8.38 Furthermore, I have identified sufficient options for the Council to investigate to meet the strategic housing land requirement without the need for the allocation of a site in such a sensitive location.

Recommendation: no change

Norton Radstock - Land North of Tynning

3304/B1 W F Wells & Sons

Issue

- i) Whether the site should be allocated for residential development.

Inspector's Reasoning

- 8.39 The objector proposes that this site be allocated for a new school to meet the need identified in the DDLP, together with residential development. However, the site is an area of open countryside outside the limits of the existing built up area of the town. Any development of the site would therefore be an intrusion into the rural setting of the town. Furthermore, the RDDLP, paragraph B3.62 refers to the site north of Woodborough Lane (and south of the objection site) which has been identified for the new school, therefore no further allocation is required.

Recommendation: no change

Norton Radstock – land west of Maple Heights, Writhlington

1831/B2 Mr & Mrs V Williams

Issue

- i) Whether the site should be allocated for residential development.

Inspector's Reasoning

8.40 This site adjoins a recently completed housing development located at the top of the valley slope. The new development is prominent from views across the valley and in my view this is no justification to add further development in this sensitive location. I have identified sufficient options for the Council to investigate to meet the strategic housing land requirement without the need for the allocation of this greenfield site.

Recommendation: no change

Norton Radstock - Land North of Maple Heights

3278/B2 Persimmon Homes (Wessex) Ltd

Issue

- i) Whether the site should be allocated for residential development.

Inspector's Reasoning

8.41 This is a substantial area of land between development in Frome Road and Mill Lane. It is an attractive hillside with many trees and shrubs and forms part of a green finger reaching into the centre of the town. I have considered whether it should be included in the HDB in Section 5 and recommend no change. The land makes an important contribution to the character and appearance of the town, and I have identified sufficient options for the Council to investigate to meet the strategic housing land requirement without the need for the allocation of a site in such a sensitive location.

Recommendation: no change

Norton Radstock - Land to Rear of 45 Millards Hill, Welton

3300/B8 Oval Estates (Bath) Ltd

Issue

- i) Whether the site should be allocated for residential development.

Inspector's Reasoning

8.42 This site is enclosed within existing development on three and part of the fourth side. It lies outside the boundary of the HDB as defined on the plan. Although the Council states that this is a greenfield site, its use was not clear at my site visit, when I saw contractor's plant and temporary buildings on or adjoining the site. The scale of the site is too small for it to be included as a residential allocation, but in my view the Council should clarify the status of the site. In the event that it has an established employment use, any redevelopment would fall to be considered against Policy ET.3(3) as I recommend it to be modified. Otherwise, the Council should consider whether to bring the site into the HDB.

Recommendation:

R8.6 The Council review the status of the site to determine whether any development of the site for housing would fall to be assessed under recommended Policy ET.3(3), or whether it would be appropriate to modify the HDB to incorporate the site.

Norton Radstock - Wheelers Hill and Welton Vale

3084/B1	Richard Wood Engineering
2057/B1	Bath & District Self Build Association
2649/B3	The Duchy of Cornwall
3245/B1	The Guinness Trust

Issue

The Wheelers Hill site has been allocated as GDS.1/NR12 in the RDDLP so objection 3084/B1 is met.

- i) Whether the remainder of the Welton Vale site should be allocated for a mixed use development.

Inspector's Reasoning

8.43 This is a substantial area of land which forms part of the north slope of the valley of the Wellow Brook. A small part of the site south of the Brook and to the west of the Midsomer Norton Enterprise Park is allocated in the RDDLP as GDS.1/NR12 for employment purposes, to which I recommend no change.

8.44 Welton Vale is an attractive area of open land which relates fully to the open countryside to the north of the built up area. The objectors argue for a mixed use development of the site. However, I have identified sufficient options for the Council to investigate to meet the strategic housing land requirement without the need for the allocation of a site in such a sensitive location, and in view of my findings in Section 2 in

relation to the economy of the District, there is no evidence to support the release of any more of the area for employment development.

Recommendation: no change

Norton Radstock - The Grange

2315/B1 Mr J R Blatchford

Issue

- i) Whether the site should be allocated for housing.

Inspector's Reasoning

8.45 The Grange is at the end of a row of low density development fronting Silver Street as it makes the transition between the more densely built up area and the countryside. The site is too small to be included in the plan as an allocation, and the site is of different character to the more densely developed housing which is included within the HDB. Therefore I make no recommendation to amend the HDB to enable the site to be considered for residential development under Policy HG.4.

Recommendation: no change

Norton Radstock - Charlton Lane, Westfield

2355/B1 Lord Hylton

Issue

- i) Whether the site should be allocated for employment development.

Inspector's Reasoning

8.46 Whilst I accept that there is a high level of out commuting from Norton Radstock, there are other opportunities for employment related development in the town which would meet the requirements identified in Section 2 of my report. As stated by the Council, this site is an open green plateau extensively visible from the south and the north of Norton Radstock and its development would cause significant harm to the character and appearance of the area. In these circumstances I find no justification for its allocation in the plan.

Recommendation: no change.

Norton Radstock - Charlton's 'World of Wood' Site - Rymans Engineering Site

2686/B2 Norton Radstock Regeneration Company
2686/B6 Norton Radstock Regeneration Company
2686/B5 Norton Radstock Regeneration Company

Issue

- i) Whether the sites should be allocated for mixed use development.

Inspector's Reasoning

8.47 These sites are currently in an active employment use and there is no evidence of any requirement for redevelopment at the present time. The objectors state that the sites have the potential to come forward for redevelopment in the plan period, but any scheme could be considered against the policies of the plan (as recommended to be modified) and therefore I find no reason to include either of the sites as an allocation at this time.

Recommendation: no change

Norton Radstock - Somer Valley, Between Midsomer Norton Town Centre and Radstock Road

3079/B1 Flower & Hayes (Developments) Ltd

Issue

- i) Whether part of the site should be allocated for housing with the remainder as a town park.

Inspector's Reasoning

8.48 Although the site may have been allocated as open space for some years without any implementation, this in itself is no justification for its partial development for housing. The site forms part of a wider undeveloped area shown on the Proposals Map for recreational use. It does not adjoin any existing residential development and is separated from the existing HDB. Even if the partial development of the site was to enable the formation of a town park on the rest of the land, a residential development in this location would intrude into the undeveloped area which forms an important green finger alongside the old railway through the town.

Recommendation: no change

Norton Radstock - Land at Hazel Terrace/Old Pit Road

3079/B5 Flower & Hayes (Developments) Ltd

Inspector's Reasoning

8.49 The boundary of the HDB has been amended in the RDDLP to include the objection site which now has planning permission subject to a S106 agreement. Therefore the objection has been met.

Recommendation: no change

Norton Radstock - Monger Lane

3098/B32 George Wimpey Strategic Land

Issue

- i) Whether the site should be allocated for residential development.

Inspector's Reasoning

8.50 This site lies to the north of land with planning permission fronting the A362, West Road. It is a substantial area of open land, rural in character and sloping down to the south. Development would extend the built up area of the town into the countryside and would be likely to be open to longer views from the south. The objectors argue that the site is preferable to land at Charlton Park and at Folly Hill. The Charlton Park site is not proposed as an allocation in the RDDLP, and I do not recommend that it be reconsidered. The land at Folly Hill now has the benefit of planning permission and therefore the objection site could not be considered as an alternative.

8.51 In any event, in Section 5 I have identified sufficient sequentially preferable options for the Council to investigate to meet the strategic housing land requirement without the need for the allocation of a site in this location.

Recommendation: no change

Norton Radstock - Knobsbury Lane and Frome Road

3118/B1 Mr J Pilling

Issue

- i) Whether the site should be allocated for residential development.

Inspector's Reasoning

8.52 This greenfield site is separated from the HDB by roads and schools. As a result any residential development would extend the built up area into the countryside. Whether or not a scheme was to include 30% affordable housing, I have identified in Section 5 sufficient options for the Council to investigate to meet the strategic housing land requirement without the need for the allocation of a site in such a sensitive location.

Recommendation: no change

Norton Radstock - Manor Road, Writhlington

3099/B30 Barratt Bristol Limited(Mr A T P Joliffe)

Issue

- i) Whether the site should be allocated for residential and other mixed use development.

Inspector's Reasoning

8.53 This is a greenfield site located some distance from the town centre outside the built up area. Even with the siting of recreational land as suggested by the objector the development of the site would be an intrusion into the open countryside. I have identified in Section 5 sufficient sequentially preferable options for the Council to investigate to meet the strategic housing land requirement without the need for the allocation of a site in this location.

Recommendation: no change

Norton Radstock - Land South of Old Road, Writhlington

- Land West of Green Parlour Farm. Writhlington

3118/B2 Mr J Pilling
3118/B3 Mr J Pilling

Issue

- i) Whether the sites should be allocated for residential development.

Inspector's Reasoning

8.54 These are greenfield sites outside the HDB at some distance from the town centre. Any development of the sites for housing would result in the extension of the built up area into the countryside. Even if 30% affordable housing were to be provided, I have identified in section 5

sufficient sequentially preferable options for the Council to investigate to meet the strategic housing land requirement without the need for the allocation of sites in these locations.

Recommendation: no change

Norton Radstock - Writhlington School

3120/B1 Writhlington School

Issue

- i) Whether land at Writhlington School should be allocated for residential development.

Inspector's Reasoning

8.55 Writhlington School is located some distance from the town centre and outside the HDB. The open areas of the school grounds provide a transition between the built up area to the north and the open countryside to the south. Development of the land, whether or not it is required for school playing fields, would consolidate the school site so as to extend the built up area into the countryside. Furthermore, I have identified in Section 5 sufficient sequentially preferable options for the Council to investigate to meet the strategic housing land requirement without the need for the allocation of sites in these locations.

Recommendation: no change

Norton Radstock - Welton Packaging, Station Road

3247/B1 Scott & Robertson Limited

Inspector's Reasoning

8.56 Although this objector states that the site owners have no plans to rationalise the use of this site, representations submitted by Welton Bibby and Baron Ltd (3629/C4) state that the owners are currently considering the rationalisation of the use of the site and in Section 5 I have recommended that the Council consider its potential for a mixed use redevelopment of residential and employment uses.

Recommendation:

R8.7 The Council consider the potential for the residential development of the Welton Packaging site as part of a mixed use scheme.

Norton Radstock - Jewsons Site

3300/B6 Oval Estates (Bath) Ltd

Issue

- i) Whether the site should be allocated for residential development.

Inspector's Reasoning

8.57 In Section 5 have I considered the issue of employment sites within Norton-Radstock. I take the view that redundant or under used industrial or commercial sites which may be costly to redevelop as modern employment sites are unlikely to attract new commercial occupiers. This is in view of the findings of the BLRR in relation to the level and type of demand for employment sites and premises in the area. Rather than retain such sites in employment use therefore, I have recommended that consideration should be given to their release for residential or mixed use development, with the residential element providing a cross subsidy for the development of employment units.

8.58 However, I have no evidence that the Jewson site is redundant or underused. Furthermore whilst it adjoins residential development, it fronts a busy main road and there are unlikely to be any significant environmental gains as a result of its redevelopment.

8.59 I do not therefore recommend that the site be allocated for redevelopment, but clearly any future scheme would fall to be considered under Policy ET.3 as recommended to be modified.

Recommendation: no change

Paulton - Old Mill Site

1948/B1 Mr M R Carver
3079/B3 Flower & Hayes (Developments) Ltd

Issue

- i) Whether the site should be allocated for employment development.

Inspector's Reasoning

8.60 This is a substantial area of undeveloped land west of the Old Mills industrial estate. Although it is largely enclosed within high hedges, it remains part of the rural surroundings of the town, at an important entrance along the A362. Any development of the site would therefore be an intrusion into the open countryside.

8.61 I deal with the provision of employment development in Section 2 of my report. It is clear from the findings of the BLRR that there is no significant requirement for new employment development in this area, and I support

a strategy in the plan which focuses on the regeneration of existing employment sites, where appropriate through a mix of development including residential where this would provide a cross subsidy for new employment units. In these circumstances I find no need to release a greenfield site in this sensitive location.

Recommendation: no change

Paulton - Bath Road

1949/B1 Mr & Mrs Mills

Issue

- i) Whether the site should be allocated for residential development.

Inspector's Reasoning

8.62 This site was considered in detail by the Inspector in his report on the Wansdyke Local Plan where he found the land to form part of the open countryside fronting a stretch of road which is rural in character. Development of the site would therefore be an intrusion into the countryside which surrounds and contains this part of the village. I agree with his findings.

8.63 The site has never been allocated in an adopted Local Plan for development, and would not be a suitable alternative to V3 which is a brownfield site. In Section 5 of my report I have identified sufficient sequentially preferable options for the Council to investigate to meet the strategic housing land requirement without the need for the allocation of a greenfield site in a location which would be harmful to the character and appearance of the area.

Recommendation: no change

Paulton - Ham Grove

2380/B1 Mr M McGibney

Issue

- i) Whether the site should be allocated for residential development.

Inspector's Reasoning

8.64 Although this site adjoins the main built up area of Paulton to the north and west, it is a greenfield site and its development would represent the extension of the urban area into the countryside. In Section 5 of my report I have identified sufficient sequentially preferable options for the

Council to investigate to meet the strategic housing land requirement without the need for the allocation of a greenfield site in such a location.

Recommendation: no change

Paulton - Land to West of St Julian's Close

3079/B4 Flower & Hayes (Developments) Ltd

Issue

- i) Whether the site should be allocated for residential development.

Inspector's Reasoning

8.65 This site was considered in detail by the Inspector in his report on the Wansdyke Local Plan where he concluded that the allocation of the site would result in a very substantial extension of the built up area into the surrounding countryside. I agree with his findings.

8.66 In Section 5 of my report I have identified sufficient sequentially preferable options for the Council to investigate to meet the strategic housing land requirement without the need for the allocation of a greenfield site in such a location.

Recommendation: no change

Peasedown St John - Land at Wellow Lane

2641/B1 David Wilson Homes
2641/B5 David Wilson Homes

Issue

- i) Whether the site should be allocated for residential development.

Inspector's Reasoning

8.67 I deal with this site in section 5 where I recommend that the Council consider it for residential allocation in the plan.

Recommendation:

R8.8 That the Council consider land at Wellow Lane, Peasedown St John for residential allocation in the Local Plan.

Peasedown St John - Land off Church Road

2802/B1 Mr C A James

Issue

- i) Whether the site should be allocated for residential development.

Inspector's Reasoning

8.68 This is a substantial parcel of land which acts as a green gap between housing development off Church Road and the older terraced property at Hillside View. The development of this greenfield site would consolidate the built up areas to the detriment of the rural character of the area. In Section 5 of my report I have identified sufficient sequentially preferable options for the Council to investigate to meet the strategic housing land requirement without the need for the allocation of a greenfield site in such a location.

Recommendation: no change

Peasedown St John - Land Between Church Road and New Buildings

3237/B3 Octavian Development & Construction

Issues

- i) Whether the site should be allocated for residential development.

Inspector's Reasoning

8.69 I consider this site in relation to Policy HG.4 and the definition of the HDB. I find that the land separates New Buildings from the edge of the main built up area and as a result it performs an important function in maintaining the separation of New Buildings as an independent group of houses rather than an extension of the larger built up area into the countryside.

8.70 In Section 5 of my report I have identified sufficient sequentially preferable options for the Council to investigate to meet the strategic housing land requirement without the need for the allocation of a greenfield site in such a location.

Recommendation: no change

Peasedown St John - Land East of Carlingcott Lane

3237/B4 Octavian Development & Construction

Issue

- i) Whether the site should be allocated for residential development.

Inspector's Reasoning

- 8.71 In considering whether the HDB should be amended to incorporate this site, I find that it forms part of the open countryside north west of Bath Road. As a result any development would be a harmful intrusion of the built up area into the countryside.
- 8.72 In Section 5 of my report I have identified sufficient sequentially preferable options for the Council to investigate to meet the strategic housing land requirement without the need for the allocation of a greenfield site in such a location.

Recommendation: no change

Peasedown St John - Land Between Greenlands Road and Hillside View

3241/B8 Edward Ware Homes Ltd

Issue

- i) Whether the site should be allocated for residential development.

Inspector's Reasoning

- 8.73 In considering this site under Policy HG.5 in relation to the HDB, I find the site to be visually contained but that it is a substantial area of undeveloped land which brings rural character to the centre of Peasedown, and provides a gap between the older terraced housing at Hillside View and the modern development to the south. As a result I recommend no change to the HDB.
- 8.74 In Section 5 of my report I have identified sufficient sequentially preferable options for the Council to investigate to meet the strategic housing land requirement without the need for the allocation of a greenfield site in such a location.

Recommendation: no change

Stowey Sutton - Land South of Stitchings Shords Lane - Land to West of Cappards Farm

2976/B1 Mrs Marlene Maud Baker
2976/B4 Mrs Marlene Maud Baker
3241/B9 Edward Ware Homes Ltd

Issue

- i) Whether the sites should be allocated for residential development.

Inspector's Reasoning

8.75 These are substantial greenfield sites outside the boundaries of the built up area of the village. Any development of these sites would extend the village into the open countryside to the detriment of its character. In Section 5 of my report I have identified sufficient sequentially preferable options for the Council to investigate to meet the strategic housing land requirement without the need for the allocation of a greenfield site in such a location.

Recommendation: no change

Whitchurch - Haulage Yard, Staunton Lane

2959/B3 Mr L F James

Issue

- i) Whether the site should be allocated for residential development.

Inspector's Reasoning

8.76 The site is in employment use, and partly safeguarded for the Whitchurch bypass under Policy GB.4. The objector considers that it should be released from the Green Belt in this plan and allocated for residential development. However, whether or not the bypass is to be pursued, apart from land at Keynsham, there is no other provision in the JRSP for the release of land from the Green Belt for residential development in this plan. Furthermore, I have identified sufficient sequentially preferable options for the Council to investigate to meet the strategic housing land requirement without the need for the allocation of a Green Belt site at Whitchurch.

8.77 Any proposals for the redevelopment or reuse of existing buildings within the site would fall to be assessed against the Green Belt and Employment policies of the plan, as recommended to be modified.

Recommendation: no change

Outside Plan Area - Underhill Farm

715/B3 Lord Rees-Mogg

Issue

- i) Whether the site should be allocated for residential development.

Inspector's Reasoning

- 8.78 Although this site is within Mendip District, it lies immediately to the west of Midsomer Norton, and is contained within woodland to the north and west, and existing residential development to the south and east. The land is of no significant agricultural value, and the objector considers that the only reason it has not been identified for development is its location within a separate District from B&NES, and compares it with the allocation in the DDLP of land at Charlton Park.
- 8.79 However, the Council has indicated its willingness to discuss the potential release of the site with Mendip District, provided there was a need for the release of a greenfield site in the area. It is Government policy to take a sequential approach to the identification of land for housing, with the selection of brownfield site and sites within the boundaries of settlements before greenfield sites which would extend the built up area into the countryside. In Section 5 of my report I have identified sufficient sequentially preferable options for the Council to investigate to meet the strategic housing land requirement without the need for the allocation of Charlton Park or this greenfield site.

Recommendation: no change

Outside Plan Area - Land South of Fossefield Road

2360/B4 Landray Will Trust

Issue

- i) Whether the site should be allocated for residential development.

Inspector's Reasoning

- 8.80 This is a greenfield site within Mendip District but on the southern edge of Norton Radstock. The Council has agreed a joint approach with Mendip District Council to consider the appropriateness of allocating sites which lie in Mendip but which relate to Norton Radstock.
- 8.81 However, it is Government policy to take a sequential approach to the identification of land for housing, with the selection of brownfield sites and sites within the boundaries of settlements before greenfield sites which would extend the built up area into the countryside. In Section 5 of my report I have identified sufficient sequentially preferable options for the Council to investigate to meet the strategic housing land requirement without the need for the allocation of this greenfield site the development of which would extend the built up area into the countryside.

Recommendation: no change

SECTION 9 - Chapter C1 - Green Belt

Chapter C1 - General, Paragraphs C1.1-C1.8 and Diagram 9

3298/B3	Cam Valley Wildlife Group	Section C
745/B35	South Stoke Parish Council	C1.1
878/B19	The Bath Society	C1.3
3298/B34	Cam Valley Wildlife Group	C1.7
564/B25	London Road Area Residents Association	Diagram 9
3251/B8	Prospect Land Ltd	C1.8

Issue

- i) Is the wording of these paragraphs and Table 6A appropriate?

Inspector's Reasoning

- 9.1 In this introduction to the Green Belt policies of the plan reference is made to Government policy as set out in PPG2. Whilst it may be helpful to users of the plan to have an indication of where national policy may be found, there is no need to include any detailed repetition of the contents of PPG2. I therefore consider that paragraph C1.3 should be deleted.
- 9.2 Paragraph C1.8 requires modification to reflect my recommendations in relation to land at Keynsham and at Newbridge. I make no recommendation for any change in the boundary at Batheaston for the reasons which I set out in Section 5 in relation to Policy HG.4.
- 9.3 I agree with the Council that Objective 1 of Table 6A should continue to refer to Norton-Radstock since it is a large centre of population within the District whose residents should be able to access the open countryside within and outside the Green Belt.

Recommendations:

R9.1 Modify the plan by deleting paragraph C1.3.

R9.2 Modify paragraph C1.8 as follows:

reinstate sentence beginning "At Keynsham" from the DDLP;

delete from "These proposed" to "Newbridge";

insert "and at";

reinstate "at" and "in Bath --- proposed";

delete ().

Chapter C1 - Paragraph C1.10A - E

120/C271	Ms Helen Woodley	C1.10A/A
3251/C62	Prospect Land Ltd	C1.10A/A
3438/C6	Mr R V Garroway	C1.10A/A
3463/C3	Stothert & Pitt Sports Club	C1.10A/A
3547/C5	Mr & Mrs D F Bye	C1.10A/A
120/C270	Ms Helen Woodley	C1.10B/A
3251/C63	Prospect Land Ltd	C1.10B/A
3438/C1	Mr R V Garroway	C1.10B/A
3463/C4	Stothert & Pitt Sports Club	C1.10B/A
3547/C4	Mr & Mrs D F Bye	C1.10B/A
120/C269	Ms Helen Woodley	C1.10C/A
3251/C64	Prospect Land Ltd	C1.10C/A
120/C268	Ms Helen Woodley	C1.10D/A
3251/C65	Prospect Land Ltd	C1.10D/A
3421/C2	Mr & Mrs T Ebert	C1.10D/A
120/C267	Ms Helen Woodley	C1.10E/A
3251/C66	Prospect Land Ltd	C1.10E/A

Inspector's Reasoning

- 9.4 The concern of Mr and Mrs Ebert regarding a change in the Green Belt boundary at Lambridge is misdirected since no such change is proposed.
- 9.5 Paragraphs C1.10A – E are concerned with the proposal to remove land from the Green Belt at Newbridge and to develop it for a park and ride, transport interchange, and civic amenity facility. I deal with this proposal in detail in Section 7 of my report under Policy GDS.1/B1A. I recommend changes to the scheme which would enable it to be accommodated within a reduced site which would not need to be taken out of the Green Belt in this plan. As a result paragraphs C1.10A – E should be deleted.

Recommendation:

- R9.3 Modify the plan by deleting paragraphs C1.10A – E and inserting:

“Provision is made for a new park and ride facility at Newbridge which could incorporate a transport interchange for a future rapid transit system. The park and ride will be at ground level only, and with appropriate layout and landscaping it will not affect the openness of the Green Belt. Any built infrastructure necessary to support the transport interchange would be carefully designed to sit within the site to minimise its effect on openness. It will not be necessary to change the boundary of the Green Belt in order to accommodate this scheme.”

Chapter C1 - C1.10F-C1.10K - University Site

There are large numbers of representations to this policy; details are listed at Appendix 1.

Issues

- i) Which Green Belt 'purposes' are fulfilled by the land proposed to be excluded from it?
- ii) What exceptional circumstances are advanced to justify the land's exclusion?
- iii) How should the claimed exceptional circumstances be weighed against damage to Green Belt purposes?
- iv) Would development on the land at issue undermine the natural beauty of the AONB and require the deletion of Policy GDS.1/B11?
- v) Should Policy GDS.1/B11 be extended over the whole of the university site?

Inspector's Reasoning

9.6 The proposal to draw back the Green Belt boundary was inserted at Revised Deposit Draft stage and further developed in the Pre-Inquiry Changes as now set out at paragraphs C1.10F to C1.10K of the consolidated plan. The Council's explanation of the suggested exceptional circumstances was also amplified in association with the University in Topic Papers 7 and 8 and in Proof 182. I can understand the frustration expressed by some objectors that the Council's full case was revealed in a series of somewhat disjointed steps rather than in a comprehensive way at the outset but I am satisfied that all the inquiry participants had a full opportunity to state their cases within the structure of the issues that I identified for discussion at the relevant inquiry sessions.

Issue i)

9.7 I consider first the Green Belt purposes fulfilled by the land in question. The Council accepts that it fulfils two of the 5 Green Belt purposes, namely numbers 1 and 3 (contributing to checking the unrestricted sprawl of large built-up areas and assisting in safeguarding the countryside from encroachment). It considers that purpose 2 (preventing the merging of neighbouring towns) is not applicable to local circumstances and that purposes 4 and 5 (preserving the setting and character of Bath and assisting in urban regeneration) have limited application. On the other hand some objectors suggest that the land contributes to all five of the Green Belt purposes.

9.8 Since the land in question lies in two distinct sections, to the north and south of The Avenue respectively their contributions to the Green Belt can be considered separately. On its western side the Green Belt land to the north of The Avenue consists of the fairly recent buildings of the English Institute of Sport and its outlying complex of hard-surfaced pitches constructed on raised and levelled land and bounded by perforate and imperforate enclosures. On its eastern side are grass sports pitches, some at the southern end on obviously raised land and others (extending to the campus boundary) appearing to be at more natural ground level. Beyond these is the National Trust parkland field known as Bushey

Norwood. North of the Green Belt boundary is a car park and land partly developed with student accommodation.

- 9.9 The developed portions of the Green Belt land consist of the substantial sports centre and the enclosed hard-surfaced pitches, all of which have little genuine 'openness' about their appearance. These areas already effectively amount to an extension of the continuously-developed non-Green Belt area of the city stretching up Bathwick Hill to the university. In my view they make little discernible contribution to any Green Belt purposes. On the other hand the grass pitches do make some contribution to purposes 1 and 3. I do not consider that they assist with purpose 2 (preventing neighbouring towns from merging) since this is not one of those instances in which a Green Belt preserves a relatively small undeveloped and threatened area between two sizeable towns or villages.
- 9.10 Addressing purpose 4, the World Heritage Site (WHS) extends to the edge of the campus and, to the north of The Avenue, has a common boundary with the land proposed for exclusion from the Green Belt. However, I do not consider that the grass pitches contribute anything very meaningful towards 'preserving the setting and character of a historic town'. As observed by English Heritage, the site is not viewed in the context of the city to the west or the Avon Valley to the east. All that is seen of the WHS from the grass pitches (or from the footpath at Bushey Norwood) are the university's highest buildings on the skyline, the modern sports buildings, the more organic profile of the older student housing at Eastwood and the uncompromising outline of the more recent housing. The character and appearance of these disparate buildings is so different from the prevailing image of the historic city reflected in the WHS Management Plan that in my view purpose 4 would not be infringed by excluding this land from the Green Belt. As for purpose 5, I consider it unlikely that "urban regeneration" in Bath would be materially affected in a positive or negative way whether or not this land were released from the Green Belt.
- 9.11 The second section of the Green Belt land at issue lies at the entrance to the campus on both sides of Norwood Avenue. The smaller western portion consists of enclosed hard-surfaced tennis courts, heavily screened from the road by trees and abutting back gardens to houses in Beech Avenue to the west. In my view this area contributes relatively little to Green Belt purposes 1 and 3 since it has a largely urban character.
- 9.12 The much larger section of this area is St John's Field, east of Norwood Avenue, which is used as sports pitches. From my visits to the campus I concluded that St John's Field makes a more positive contribution to Green Belt purposes 1 and 3 than the areas north of The Avenue or west of Norwood Avenue. This extensive field is surrounded by trees on all sides and in that sense is more enclosed than nearby land within the "Cotswolds plateaux and valleys" landscape sub-type at Rainbow Farm on the other side of Claverton Down Road. However, this undeveloped land provides a strong sense of identity and openness at the entrance to the university and there is little sight of the university buildings to the west

and north or the Cats and Dogs Home to the east. Retraction of the Green Belt at this point would therefore permit the extension of the built-up area of the city/university onto land with a less developed character than is the case with the land north of The Avenue. I therefore conclude that purposes 1 and 3 would be compromised by the local plan proposal. As the site is closer to the city conservation area and the houses and tennis courts at the top of Bathwick Hill/Widcombe Hill there would also be more effect on purpose 4 than is the case with the land north of The Avenue. However, in my view purposes 2 and 5 would be similarly unaffected.

Issue ii)

- 9.13 The 'exceptional circumstances' claimed by the Council, assisted by the University, fall into 3 broad but closely linked categories: Government priorities for higher education; the spatial needs for increased accommodation; and the lack of alternative non Green Belt sites to accommodate these needs.

Government priorities for higher education

- 9.14 The national priorities referred to by the Council and University arise from a number of factors. Firstly, there is the commitment to make progress towards 50% participation in higher education by 18-30 year-olds by 2010 which will result in year-on-year increases in student numbers. Although some of this growth is expected to be catered for in less "traditional" ways the university wishes to take an active share in it as one way of underpinning its financial sustainability. In particular, it wishes to strengthen its role in teaching high-unit-cost disciplines of national significance, such as science and technology. National funding is being focussed on building up the stronger research-intensive centres in these fields and, as a leading institution in these subjects, Bath has secured substantial resources in the bidding process. Further investment and growth in these important areas would meet a second national priority as expressed in the Science and Innovation Investment Framework 2004-14 especially as some universities' courses in these fields are under threat or have closed.
- 9.15 A third national priority was said to be to increase international student numbers in the UK both from EU accession countries and more widely. It appears that the short term Government target for this has been met, although a recent report suggests that demand from overseas students at UK universities may treble by 2020. Although it is clear that accommodating such demand has financial attractions to universities in their drive to sustain financial health it is not clear to me that this factor should necessarily any longer be accorded great weight as an "exceptional circumstance".
- 9.16 A fourth national priority is the drive for higher education institutions to enhance their role in increasing UK international economic competitiveness through knowledge transfer and commercial exploitation

of intellectual property. Public funding for this role is increasing substantially and the Government wishes to ensure that university/business partnerships are enhanced. Staying in the top rank in this field requires the university to keep investing in order both to expand and to ensure that its research facilities are fit to compete at international level. Only in this way can it attract very high quality staff in appropriate emerging fields of activity and create the infrastructure for knowledge transfer through ventures such as business incubation and support for spin-off enterprises is in place. In recent years Bath has been active in this field, creating over 100 spin-out firms in the past 3 years.

- 9.17 Some objectors feel that these national educational priorities are in effect footloose: Bath has no stronger claims upon them than any other university and they could be satisfied at alternative institutions with potential for expansion without over-riding another national policy such as the Green Belt. This view appears to have been shared by the authors of the draft sustainable development appraisal of the plan. However, it seems to me that national educational priorities can only be successfully addressed if individual institutions respond to them in ways which best fit with their own specialities, strengths and other circumstances. As a leading university with recognised high academic standards, located in a well-known and attractive city, the university is well placed to respond positively to many of these national priorities. Moreover, it can by no means be assumed that potentials and opportunities foregone at Bath will be made up in equivalent ways elsewhere.
- 9.18 In my view the Council and University have made a generally sound case for affording weight to national educational priorities as an “exceptional circumstance” and I conclude that appropriate expansion of the university would make a significant contribution towards meeting national priorities for higher education by consolidating and building upon its strengths and realising its potentials.

Spatial needs for increased accommodation

- 9.19 In responding to the broad national priorities referred to above and addressing its other needs, the University has identified a requirement for a considerable increase in floorspace at the campus. As explained in Topic Paper 8 the total need amounts to about 83,250 sq.m of additional floorspace. About 43,250 sq.m of this would be for non residential accommodation for a wide variety of non-residential space serving the needs of research, business incubation and knowledge transfer, general teaching, IT, creative arts, health and sports, administration, catering and conference activities. In addition, and over the same period, the university aims to provide bed spaces on campus for all its first year students and for a variety of other groups including students with special needs. It also sees it as highly desirable to provide accommodation for a significant proportion of final year undergraduates, including overseas and returning placement students and a percentage of postgraduate students who might experience difficulty in locating appropriate accommodation. Taking account of existing shortfalls in accommodation and projected

increases in numbers of students an additional 2000 bedspaces are sought, amounting to some 40,000 sq.m of accommodation. This assumes that the university retains its existing 1000 bedrooms within the city but does not add to them.

- 9.20 In my view there is nothing to suggest that these quantified spatial needs unreasonably overstate the university's legitimate aspirations although as was accepted on their behalf it is likely that only 60-70% will be completed during the plan period to 2011. The remainder will be built to a 10 year timescale to 2015 if building proceeds at the rate achieved over the past 3 years.

Alternative non Green Belt sites

- 9.21 Off-campus options A common theme among the objections was that the university should consider off-site options for expansion elsewhere in Bath, adding to its current accommodation in the city, mainly comprising Carpenter House and some 1000 or so student bedrooms in dispersed halls of residence. The large number of site-specific suggestions included Bath Western Riverside, MOD sites at Foxhill and Warminster Road, land at Rush Hill, sites in Lower Bristol Road, St Martins Hospital at Odd Down, land west of Swainswick Bypass, land south-east of Peasdown St John Bypass, Somerdale at Keynsham, Radstock railway lands, Paulton Printing Factory and Fullers Earthworks. Many of these sites are discussed elsewhere in this report in the context of other objections and in my view are either better committed to meeting other local demands for land or too remote from the campus to represent realistic and sustainable alternatives. In any case it seems to me that the mainly campus nature of Bath University is one of its defining characteristics and is perceived as one of its major strengths. In my view the university is right to seek to reinforce rather than reduce this character. Consolidating further growth at the campus also brings benefits in terms of underpinning a high and sustainable level of bus service to the campus and giving some relief to the competitive pressures otherwise exerted by students in the less expensive residential areas of the city.

- 9.22 Turning to the option of absorbing the pressures for expansion at the university's proposed campus in Swindon, the Vice-Chancellor explained that the Swindon project aims to develop new areas of full-time, part-time and short-course activities in areas such as arts, media, IT and health sciences, sometimes in partnership with other regional stakeholders. It is not the intention to duplicate or split the teaching of the main courses already taking place in Bath. While the Swindon site may well be a location capable of making a major contribution to national aims for increased participation in higher education I consider that it would be unreasonable to try to break up the university's existing Bath-based infrastructure and create directly linked courses and activities in centres this far apart. Overall Bath's approach to these two sites seems to me broadly consistent with that taken at other multi-centred universities.

- 9.23 Finally, objectors referred to Emersons Green Science Park as a possible base for the new floorspace needs for incubation/knowledge transfer activities. However, this new development, in which the University is a participant, appears to be primarily aimed at accommodating emerging and growing commercial spin-off enterprises rather than the smaller-scale activities still very closely linked with continuing on-campus research which are the subject of the space requirements identified by the university.
- 9.24 On-campus options The University has examined the development capacity of non Green Belt land within the campus in association with its consultants Allies & Morrison, informed by the University of Bath Environmental Development Capacity Report 2000. In their estimation the main built area has the potential to accommodate 32,000 sq.m of non-residential space by redevelopment and infill, together with approximately 250 student bedrooms: further additions within this area would require building on land of high sensitivity to the landscape and amenity of the campus and/or risk too much impact on the sensitive Bath skyline. This leaves a shortfall of 11,250 sq.m of non-residential space and 35,000 sq.m of residential floorspace (1750 rooms) which can only be accommodated within the Green Belt land.
- 9.25 Objectors felt that the development capacity of the non Green Belt land within the campus was greater than estimated by the Council with some (eg the National Trust and the Campaign to Preserve the Green Belt at Claverton Down) suggesting a number of specific locations where further development might take place. I made a number of visits to the campus to familiarise myself with all the locations referred to by the University and the objectors. Leaving aside the 'western field' and certain other green areas mainly around the perimeter of the campus (all of which are inappropriate for development) it seems to me that the University's assessment of campus development potential identifies most of the areas with obvious potential for further building. I also agree with the University that there is a swathe of attractive landscaped land running through the centre of the campus which it is essential to retain as a green heart for the site. However, contrary to the university's assessment, I consider that some currently undeveloped land at the western end of the campus between the Chemistry Building and Quarry Road is not so essential to that green heart. It seemed to me that careful reappraisal of this area, perhaps together with the western car park, could yield further development potential without having an unacceptable effect on skyline views from higher points to the west which (as I saw) are already variously impacted by Norwood and Wessex Houses and Polton Court.
- 9.26 I also conclude that there is another general area worthy of re-consideration with a view to identifying more development potential. This comprises a series of spaces stretching southwards from the remaining undeveloped areas of land to the south of Eastwood, through the car park and the bus arrival area to the raised planted bank opposite the Sports Institute and further land to the south of that building. While the University's assessment shows that some developments are planned

within these areas I consider this series of spaces worthy of more ambitious and comprehensive consideration, perhaps including some re-arrangement of land uses. Key objectives for this crucial area seem to me to be to maximise its development potential and to present the best possible image for those arriving at and departing from the site. I am not convinced that the University's indicative plans of potential development sites would achieve either of these. At present the eastern end of the main densely-developed university spine peters out disappointingly in uninviting steps leading down to a rather bleak bus terminal, a combination which seems to me to provide a poor first/last image and sense of arrival/departure for an institution of such standing. Also, while the green bank opposite the Sports Institute is not unattractive, it also contributes to a weak and confined sense of arrival without offering any wider ground-level view into the green heart of the campus. In my view it is important that the master-planning exercise fully considers integrated options for all these areas, possibly including eastwards extension of the main spine as a more attractive entrance to the university and a worthy neighbour for the Sports Institute. To that extent I agree with objectors that this area has unexploited potential.

Issue iii)

- 9.27 Dealing first with Green Belt purposes, I have concluded above that the Green Belt area comprising the sports centre and the raised and enclosed land to the east of it have little genuine 'openness' and effectively amount to an extension of the continuously-developed non-Green Belt area of the city. They therefore make little discernible contribution to any Green Belt purposes. On the other hand, the grass pitches further to the east do make some contribution to Green Belt purposes 1 and 3. As for St John's Field, I have concluded that this makes more contribution towards Green Belt purposes 1 and 3 and some contribution to purpose 4.
- 9.28 Turning to the claimed "exceptional circumstances", I have found that there is a generally sound case for affording weight to national educational priorities as an "exceptional circumstance". I also concluded that appropriate expansion of Bath University would make a significant contribution towards meeting national priorities for higher education by consolidating and building upon its particular strengths and realising its potentials. Moreover, I found nothing to suggest that the quantified spatial needs unreasonably overstate the legitimate aspirations of the University, despite having some reservations about whether all of this considerable amount of development could be achieved within the plan period. In addition, I have not been convinced by the suggested off-campus options for accommodating this growth and have supported its concentration at the main site.
- 9.29 For the most part I accept that the Council and University have identified the main non Green Belt areas of the campus where growth should be centred, but I have agreed with objectors that some of these areas should be re-examined with a view to accommodating more development and thus minimising the need for extension into the Green Belt.

- 9.30 Without knowing the precise results that such re-examination would yield I consider that the extent of the needed floorspace is such as to make it unlikely that it could be provided without some development on Green Belt land. Therefore my overall conclusion is that circumstances here are sufficiently exceptional to justify retraction of the Green Belt north of The Avenue. Although the grass pitches here make a limited contribution to Green Belt purposes the largely raised nature of the land as seen from The Avenue prevents long views past a small group of trees into the more natural parts of the site. In addition, in my view the definite edge of the National Trust's inalienable land at Bushey Norwood presents a firmer and much more defensible permanent Green Belt boundary than the present one to the west of the sports centre or any alternative line that could be (inevitably rather artificially) defined across this part of the campus.
- 9.31 Turning to the land west of Norwood Avenue, I have concluded that the urban character and limited openness and visibility of this area also makes its contribution to Green Belt purposes 1 and 3 rather small. In my view the exceptional spatial needs of the university outweigh the maintenance of that contribution.
- 9.32 As for St John's Field, in view of my conclusions about (a) the development potential of the non Green-Belt parts of the campus and (b) the greater contribution of this part of the campus to Green Belt purposes (and to the AONB, as discussed below) I am not convinced that there are exceptional circumstances to justify drawing back the boundary here.
- 9.33 Although the University sought to retract the Green Belt to the eastern boundary of the Cats and Dogs Home this point was not greatly pressed at the Inquiry and in view of my recommendation relating to St John's Field I find no merit in this suggestion.
- 9.34 In my view this review of the Local Plan is an appropriate time to provide the University and others with certainty about the Green Belt. This will enable a properly efficient long-term approach to be taken to master-planning the overall site. It will allow identified needs to be met through implementation of individual phases of development when and where may be most appropriate within the overall strategy set out in the master plan. I do not regard it as satisfactory or in the public interest for the Green Belt boundary to be retained as it is at present with the intention of (a) directing each and every phase to present non-Green Belt sections of the campus regardless of the nature of the development and until such land has been exhausted and/or (b) requiring very special circumstances to be demonstrated through a series of individual planning applications whenever it is proposed to accommodate a particular phase within the existing Green Belt before the exhaustion of such land. In my view that is precisely the kind of situation which paragraph C16 of PPG2 seeks to avoid when urging that the expansion needs of HE establishments in or adjacent to Green Belts be taken into account when reviewing development plans.

Issue iv)

- 9.35 I now turn to issues concerning the AONB. The Cotswolds AONB was extended to include the valleys and plateaux around Bath in 1990, including the area now proposed for exclusion from the Green Belt. From my visits I saw that the wider topography and landscape of the Claverton Down/Avon Valley area is typical of the “Cotswolds plateaux and valleys” sub-type identified by the landscape character assessment for B&NES. From the evidence of those with long knowledge and experience of the area it is clear that the university campus was once an open plateau landscape firmly within this sub-type. However, with the progressive development of the university over recent decades the character of this part of the plateau has been transformed. Moreover, even since the relatively recent extension of the AONB the character and appearance of the campus north of The Avenue has been subject to further heavy modification by construction of the buildings and enclosed pitches comprising the Institute for Sport as well as by the additional student accommodation just to the north of the AONB. This severely limits its present contribution to the undoubted attractions of the wider AONB. In particular, walkers using the popular Bath Skyline Walk through the National Trust’s parkland landscape at Bushey Norwood look across this land towards the university’s tallest buildings on the skyline with older and more recent student accommodation and the Institute for Sport in the middle-ground.
- 9.36 Since the statutory purpose of AONBs is to conserve and enhance their natural beauty, paragraph 22 of PPS7 requires that major developments shall not take place within them except in exceptional circumstances and in the public interest. Matters to be assessed in each case are need, the scope for (and cost of) developing outside the designated area or meeting demand in some other way, and any detrimental effect on the environment, the landscape, and recreational opportunities.
- 9.37 In my view the above matters are very similar to those considered above in relation to Green Belt exceptional circumstances. Weighing those important matters against the present limited contribution to the “natural beauty” of the AONB of the undeveloped land north of The Avenue and the land west of Norwood Avenue I do not consider the designation a reason for the Local Plan to prevent the construction of university buildings on these areas as a matter of policy. However, it is imperative that development is appropriately designed and landscaped in order to avoid the kind of piecemeal erosion of the qualities of the AONB that seem to have happened in the recent past. Referring to the land north of the Avenue, the University must seize this important opportunity to provide a more sensitive edge to the campus than is currently presented to Bushey Norwood and ensure that its master plan adopts a “landscape-led” approach as a crucial guiding principle. This requirement needs to be adequately reflected in the Local Plan policy and followed through in subsequent development control decisions. My recommendations therefore include some strengthening of Policy GDS.1/B11 in that respect.
- 9.38 As in the case of the Green Belt issues, I consider that St John’s Field makes a greater contribution to the AONB since it has a more apparent

undeveloped nature and greater affinity with the original open plateau landscape sub-type. This conclusion adds weight to my recommendation that Policy GDS.1/B11 should not sanction development here.

Issue v)

9.39 The University sought inclusion of the whole campus within the area identified under this policy on the Proposals Map, partly as a means of confirming the significance of the institution to the town. In my view there is merit in this suggestion, especially as the University is Bath's third largest employer. It would make sense to expand the area of Policy GDS.1/B11 to cover the whole campus as there will be much development there during the plan period, most of which will not be within the area currently covered by B11. My recommendation for the policy also includes a summary of the spatial requirements identified by the University, set within a requirement for a master plan, as suggested by the National Trust. I also consider that the master plan should be required to include a precise identification of the area to be included within the green heart for the site (which could be included in a future LDD) as well as other issues concerning the AONB as discussed above.

9.40 Although there was some discussion at the Inquiry about whether or not displacement of campus sports pitches would have knock-on effects on other land within the Green Belt or AONB I have concluded that the current requirement of Policy GDS.1/B11 requires only minor modification in relation to this matter. In my view the master plan and the development control process are capable of dealing adequately with any future issues concerning this issue.

Recommendations:

R9.4 Modify paragraphs B3.54 to B3.55 of the plan by:

- i) substituting the following after "include" in the third sentence of B3.54:- "university-related non-residential development for uses including learning, research and allied business incubation and knowledge transfer, conferences, university administration and IT and sports, health, creative arts, social, recreational and catering purposes and additional student residential accommodation." and
- ii) amending the second sentence of B3.54A to read "Therefore policy GDS.1/B11 allows for further development on the campus including some development on land now to be excluded from the Green Belt.", and deleting the fourth sentence.

R9.5 Modify paragraphs B7.132 to B7 134A by replacing paragraphs B7.134 and B7.134A as follows: -

"...The university has identified a need for a further 2000 bedspaces of student accommodation to be provided on campus during the plan period. Policy GDS.1 makes an allocation to meet that need, together with the academic needs of the university."

R9.6 Modify Policy HG.17 as follows:

in criterion (i) delete the existing wording and substitute “it is on previously developed land or other land allocated for the purpose”;

delete PIC/B/45 criterion iii)c) and insert new iii)c): “within the areas identified for development for student accommodation in the university master plan (see policy GDS.1/B11)”.

R9.7 Modify paragraphs C1.10F to C1.10K by replacing them as follows:

“C1.10F Changes to the Green Belt boundary are also proposed at the campus of the University of Bath at Claverton Down. The Green Belt boundary here will be redefined to exclude two areas of land. The larger area is to the east of Convocation Avenue, consisting of the buildings and enclosed outdoor facilities of the English Institute of Sport and some grass pitches to the east of them. The grass pitches make some contribution towards Green Belt purposes 1 and 3 (contributing to checking the unrestricted sprawl of large built-up areas and assisting in safeguarding the countryside from encroachment) but are not considered to serve any meaningful role in meeting purposes 2, 4 and 5. The smaller area mainly comprises enclosed tennis courts to the west of Norwood Avenue which also make a limited contribution to Green Belt purposes 1 and 3.

C1.10G However, the Council considers that there are exceptional circumstances which warrant excluding these areas from the Green Belt. Briefly, these result from Government priorities for the development of higher education and the opportunity for Bath, as a leading research-intensive university with particular strengths in the fields of science and technology, to contribute towards the aims of increasing participation, supporting growth in science, innovation and knowledge transfer.

C1.10H The University has identified a substantial requirement for additional accommodation to meet a wide range of needs as summarised in policy GDS.1/B11. This amounts to some 43,250 sq.m for non residential floorspace and 40,000 sq.m of student accommodation. It is expected that this new development will need to be provided over a 10 year timescale to 2015, extending beyond the plan period. It is also considered highly desirable and more sustainable to concentrate and consolidate this growth at the existing campus rather than seeking to disperse it across a variety of sites in the city. In any case, the main development sites in the city outside the campus are more suited to meeting other important local needs and have been allocated accordingly.

C1.10I While a substantial amount of this development can be accommodated within the present non-Green Belt areas of the campus, not all can be met in this way without unacceptable encroachment on the important green heart of the campus or skyline views.

C1.10J Weighing the limited harm that would be caused to Green Belt purposes against the above exceptional circumstances, the Council

has concluded that the Green Belt boundary should be redrawn in two places: (a) to exclude land to the north side of The Avenue as far as the edge of the campus and then along the boundary between the campus and the adjoining land at Bushey Norwood and (b) to exclude land west of Norwood Avenue between Claverton Down Road and The Avenue.”

R9.8 Modify the Proposals Map to:

exclude the land north of The Avenue and west of Norwood Avenue from the Green Belt as well as from coverage by policies SR.1A and BH.15; and

include the whole of the university campus within the GDS.1 allocation.

R9.9 Modify Policy GDS.1/B11 by deleting the existing wording and inserting:

“B11 University of Bath Campus, Claverton Down – site area [insert entire campus area]

Development Requirements

A comprehensive scheme expressed within a university-wide master plan providing for:

- a. approx 43,250 sq.m of additional university-related non-residential development for uses including learning, research and allied business incubation & knowledge transfer; conferences; university administration and IT; and sports, health, creative arts, social, recreational and catering purposes and
- b. approx 40,000sq.m (2000 bedrooms) of additional student residential accommodation.

Precise identification of a protected green heart to the campus (also to include St John’s Field which is covered by Green Belt designation) and other visually and ecologically important planted areas and landscape screens

Adequate and suitable replacement on or off-site of any displaced existing sports pitches.

On and off-site transport infrastructure necessary to deliver an integrated transport solution.

High quality design and landscaping that responds positively and sensitively to the Cotswolds AONB designation and ensures that development on the campus has an appropriate and much-improved visual and landscape relationship with neighbouring land, particularly Bushey Norwood.”

Chapter C1 - Paragraphs C1.11 and C1.12

564/B24	London Road Area Residents Association	C1.12
3343/C36	Mr C J Beezley	C1.12/A
3443/C8	Mr N Morgan	C1.12/A

Supporting Statement

878/B20	The Bath Society	C1.11
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Inspector's Reasoning

9.41 Paragraph C1.12 has been substantially amended in the consolidated version of the RDDLP, and this meets the concerns of one objector. Other objections relate to the proposed changes at the University which I have addressed above.

Recommendation: no change

Chapter C1 - Paragraphs C1.17-C1.25

3299/B23	Bovis Homes (South West Region) Limited	C1.17
601/C28	House Builders Federation	C1.19/A
2601/C42	Linden Homes (Developments) Limited	C1.19/A
3098/C60	George Wimpey Strategic Land	C1.19/A
3098/C63	George Wimpey Strategic Land	C1.19/A
3257/C194	Somer Valley Friends of the Earth	C1.19/A
3299/C55	Bovis Homes (South West Region) Limited	C1.19/A
3446/C8	Taylor Woodrow Developments Ltd	C1.19/A
2601/C43	Linden Homes (Developments) Limited	C1.21/A

Supporting Statements

S3116/C102	Bath & North East Somerset Allotment Association	C1.19/A
S3251/B7	Prospect Land Ltd	C1.25

Inspector's Reasoning

9.42 The main issues raised by objectors relate to the definition of the Green Belt boundary around Keynsham. I have dealt with the issue of the release of land for housing at Keynsham in Section 5 and recommended the reinstatement of the land to the SW which was identified in the DDLP. I recommend that paragraphs C1.19 and C1.20 be reinstated to the DDLP version accordingly.

9.43 I have also referred in Section 5 to the proposal to remove the employment site at Lays Farm from the Green Belt, and conclude that there are no very special circumstances to justify a change to the boundary. I therefore recommend the deletion of paragraph C1.21.

Recommendations:

R9.10 Modify paragraphs C1.19 and C1.20 by reinstating the wording in the DDLP.

R9.11 Modify the plan by deleting paragraph C1.21.

Chapter C1 - Policy GB.1 and Paragraphs C1.27-C1.29A

There are large numbers of representations to this policy; details are listed at Appendix 1.

Issues

- i) Whether the wording of C1.27, C1.29 and C1.29A is appropriate.
- ii) Whether Green Belt policy should be more permissive in order to prevent the decline of rural areas.
- iii) Whether changes are required to the wording of Policy GB.1.
- iv) Whether changes should be made to the Green Belt boundary to accommodate additional housing development or to redress anomalies.

Inspector's Reasoning

Issue i)

9.44 I find the wording of paragraphs C1.27, C1.29 and C1.29A reflects that set out in Government advice in PPG2 and PPG13. The changes suggested by objectors would not be appropriate.

Issue ii)

9.45 It is Government policy to protect the Green Belt from inappropriate development. Much of the development referred to by the objectors Messrs Glass and Weston would fall within the category of inappropriate development as defined in PPG2. The amendment of Policy GB.1 to allow for such development would clearly be in conflict with Government policy and therefore I recommend no change in response to this objection.

Issue iii)

9.46 The purposes of including land within the Green Belt as defined in the plan reflect those established in PPG2. Reference to damaged or derelict land in this context relates to encouraging the re-use of such land within the urban areas, not such land which is included within the Green Belt. Any development of land within the Green Belt could only take place if it is

appropriate or if there are very special circumstances, and subject to a number of other policy considerations.

- 9.47 There is no need for the policy to include a reference to horticulture since this is included within the definition of agriculture for planning purposes. Horse riding activities would be judged in the same way as any other recreational activity in the Green Belt and I see no reason for a specific reference to be included here.
- 9.48 In relation to Policy HG.15, I see no incompatibility between “limited extensions” and extensions which are “disproportionate” as suggested by the objector. It would be a matter of judgement whether a scheme met these criteria.
- 9.49 Clause i)d) is amended in the consolidated version of the plan to include a cross reference to Policy HG.6 which in my view would meet many of the concerns of objectors. In addition, any proposals for infilling would be subject to other policies of the plan which seek to secure good design and protect neighbouring residents’ amenities.
- 9.50 Any proposal for residential development in the Green Belt under Policy HG.9 would need to be consistent with the purposes of including the land within the Green Belt. The general presumption against inappropriate development would remain. I find no reason to change the approach taken in the plan which accords with Government policy.
- 9.51 It would be inappropriate to refer to a specific site such as Freshford Mill in a general policy such as GB.1, and the reference to very special circumstances reflects Government policy. I find no reason for any change in response to this objection.
- 9.52 The reference to park and ride introduces Policy GB.1A which sets out the detailed matters which would need to be considered in the assessment of any scheme. I find no reason to add to Policy GB.1.

Issue iv)

- 9.53 The main reasons given by objectors for the removal of land from the Green Belt are either to provide for additional residential development or to correct anomalies in the way in which the Green Belt boundary has been defined.
- 9.54 Apart from land at Keynsham, there is no provision in the JRSP for the release of further land from the Green Belt for residential development. RPG10 refers to the need to review the boundaries of the Green Belt to assess whether alterations are needed to allow for long term sustainable growth and it is in the next round of development plan preparation that this exercise should be considered.
- 9.55 There are a number of sites put forward by objectors for exclusion from the Green Belt in order to provide for additional residential development in the plan period. However, in Section 5 I have identified those sites which

I consider to accord with the policies of the JRSP and the strategy of the plan, and which would be sequentially preferable. There are a number of options for the Council to consider which could more than adequately meet the strategic housing requirement that I have identified without the need for any further release of Green Belt sites. In these circumstances I am not considering any of the Green Belt sites put forward for residential development in any detail. Apart from the land south west of Keynsham, I make no recommendation to amend the Green Belt to provide for further housing sites.

- 9.56 Turning then to the objections which relate to possible anomalies in the definition of the Green Belt boundary, most of the detailed boundaries have been defined in adopted Local Plans. The Bath inner Green Belt boundary is defined in the Bath Local Plan and the Wansdyke Environs of Bath Local Plan. The inner Green Belt boundary for Bristol which falls within B&NES is defined in the Keynsham and Chew Valley Local Plan. The Wansdyke Local Plan carried forward the boundary as set out in the Wansdyke Environs of Bath Local Plan and the Keynsham and Chew Valley Local Plan. It also defines the detailed boundary between Clutton and Shoscombe. Although the Wansdyke Local Plan has not been adopted, it reached an advanced stage in its preparation having been subject to Inquiry and a detailed Inspector's report. It therefore carries considerable weight.
- 9.57 In reviewing Local Plans, PPG2 states that Green Belt boundaries should not be changed unless alterations to the structure plan have been approved, or other exceptional circumstances exist which necessitate such a revision. It is against this policy base that I assess the changes put forward by objectors and the Council.
- 9.58 Although the planning permission has expired at **Hazelton Gardens**, I agree with the Council that this does not amount to an exceptional circumstance of the sort to justify a revision to the Green Belt boundary.
- 9.59 A change was proposed to the Green Belt boundary at **Hilliers Garden Centre** in the DDLP to correct an anomaly in the boundary shown in the 1997 Local Plan, but this would include the main commercial buildings within the Green Belt. I agree the change to the DDLP put forward by the Council which would exclude the developed part of the garden centre from the Green Belt. The remainder of the garden centre is mainly open and should therefore remain in the Green Belt.
- 9.60 The Green Belt boundary at **Horsecombe Vale** and in the **Kelston Road** area of Bath was defined in 1990 and retained in the 1997 Local Plan. In both locations the boundary was subject to objections to that plan, but the Inspector recommended no change. There have been no significant changes in circumstances since the last Inspector considered the boundary which would justify its review in these locations and therefore I recommend no change.

- 9.61 There is some dispute as to the history of the Green Belt line to the rear of **140 and 146 London Road, Bath**. A number of older plans have been produced purporting to demonstrate that the boundary on the most recently adopted Local Plan was incorrect and therefore unlawful. However, the legality of the line of the boundary is a matter that only the courts can determine and is therefore outside my remit. In the absence of any ruling to the contrary, the statutory Green Belt boundary is as defined in the adopted Bath Local Plan 1997.
- 9.62 Whilst I cannot rule on the legitimacy of the existing boundary it remains open to me to correct minor anomalies in the defined boundary. PPG2 advises that the Green Belt boundary should follow recognisable features on the ground where possible, and in the case of the rear of no 140 it is amended in the RDDLP to follow the stone wall which marks the southern boundary of the garden. However, this is more difficult in relation to land at the rear of no 146. There is no long standing boundary such as a wall to be followed, and the rear garden merges visually with the more rural and undeveloped Green Belt land to the south. The objector argues that the line should follow the wire fence to the south of the property, but in my view this in itself is not an established feature and it would result in land of more rural character being taken out of the Green Belt. There are no exceptional circumstances to justify such a change in the line of the Green Belt.
- 9.63 As amended in the RDDLP the boundary lies along the northern elevation of a stone barn, heading south following the eastern elevation of the barn, and then drawn in a straight line to the western curtilage of no 148 following the northern elevation of some other buildings which lie within the land south of no 146. The objector argues that the barn and the other buildings should be excluded from the Green Belt but the buildings are rural in character and it is quite common for such buildings to be located in the Green Belt. In my view the line shown in the RDDLP provides a reasonable solution to the problem of defining a boundary in this location, and I recommend no change.
- 9.64 A number of sites within the urban area of Bath are put forward by an objector to be designated as Green Belt. These include **Stirtingale Farm, Twerton Farm, The Tumps, Twerton Round Hill, Beechen Cliff, Lyncombe Hill** and **Mount Beacon**. However, it is not the function of the Green Belt to protect open spaces within the urban area considered to have visually attractive landscapes.
- 9.65 At **South Lodge, Sion Hill** objection is raised to the Green Belt boundary as amended in the RDDLP and further amended by PIC/C/2. The objectors agree that to the north east of the property the boundary should follow the low railings immediately to the east of the driveway, but argue that to the west the boundary should follow the southern edge of the track which runs east west to the north of properties fronting Sion Hill and Summerhill Road. However, the track is surfaced in loose stone/gravel as far as the property known as Summergate and west of this it becomes grassed and increasingly merges into the vegetation and grassed parkland

to the north. As a result I prefer the boundary proposed by the Council which from the low railings north east of South Lodge follows the low stone wall and gates across the driveway, then runs south along a line of trees and shrubs before running west along the stone walls marking the rear of South Lodge and properties to the west. Although the wall is not uniform along the entire length and some small parking areas and flowerbeds would remain in the Green Belt, this represents the most clearly identifiable boundary which I therefore recommend should be adopted.

- 9.66 In respect of **Northend Joinery, Batheaston**, I agree with the Council that there has been no change in circumstances which would amount to exceptional circumstances to justify a review of the Green Belt boundary at this site.
- 9.67 Although new development has taken place to the south of **Bannerdown View Farm**, this was as the result of an allocation which has already been taken into account in the definition of the Green Belt boundary. I therefore agree with the Council that there are no exceptional circumstances to justify a review of the Green Belt in this plan.
- 9.68 Within the area of land between **Box Road, Bathford** and the railway embankment there is a scatter of development but this has not changed since the Green Belt boundary was defined and I find no exceptional circumstances to justify any change to the Green Belt boundary in this location.
- 9.69 Camerton Parish Council seeks an extension of the Green Belt from the present boundary at Timsbury to the **Cam Brook at Carlingcott and Weekesly Lane at Radford**. However, the Green Belt was last reviewed for the Wansdyke Local Plan to reflect the change set out in the Avon County Structure Plan 1994. There is no proposal in the JRSP to justify a further extension of the Green Belt.
- 9.70 At **Dean Hill Lane, Charlcombe** the Green Belt was considered in detail in the Wansdyke Environs of Bath Local Plan. There has been no significant change in circumstances which would amount to the very special circumstances which would justify any change to the boundary as proposed by the objector.
- 9.71 There is concern about development at **Batch Farm, Clutton**, but the site is within the Green Belt and subject to the relevant policy control. I find no reason for any change in response to this objection.
- 9.72 There are no very special circumstances to support the removal of the **Fullers Earthworks, Combe Hay**, from the Green Belt. I agree with the Council's reasons for retaining the site within the Green Belt.
- 9.73 There is no provision in the JRSP for the extension of the Green Belt to include land at **Greyfield Road, High Littleton**, therefore I have no justification for recommending any change.

- 9.74 The exclusion of **Keynsham** from the Green Belt is established in strategic policy and there is no basis for any change in the current Local Plan. An amendment to the Green Belt boundary around Keynsham is part of the strategy of the JRSP, and I recommend in Section 5 that the land to the **South West** of Keynsham be allocated for residential development in the plan. I find that this site best meets the criteria set out in the JRSP for the identification of a suitable site for release from the Green Belt.
- 9.75 The **Ralph Allen School at Monkton Combe** lies within the Green Belt as defined in the 1997 Bath Local Plan. The assertion of a need for the provision of extra facilities at this site does not amount to the very special circumstances required to justify the removal of the site from the Green Belt.
- 9.76 I recommend in Section 7 that land at **Newbridge** should not be removed from the Green Belt to accommodate a park and ride and civic amenity site. **Bath City Football Club** seek a new stadium and identify this as a suitable site. However in my view the desire of the Club to locate at this site does not amount to the very special circumstances required to justify the removal of the site from the Green Belt, and therefore I recommend no change to the designation of the site. Furthermore there is no policy in the JRSP to support the removal of a wider area of land including land at Oldfield School, the marina and caravan site from the Green Belt. I recommend no change to the Green Belt boundary at Newbridge from that defined in previous plans and the DDLP.
- 9.77 Although lands at **Eastfield**, and **east of Ashgrove Farm, Peasedown St John** adjoin other houses, they form part of the Green Belt which was reviewed in the Wansdyke Local Plan. There have been no significant changes in circumstances which would amount to the very special circumstances to justify the removal of land from the Green Belt in this plan.
- 9.78 Land **south east of the bypass at Peasedown St John** is a long standing commitment for employment development, with an extant planning permission. As a result there is no justification for the site to be included in the Green Belt.
- 9.79 In the vicinity of **Timsbury** the boundary of the Green Belt was reviewed as part of the Wansdyke Local Plan Inquiry. There has been no change in circumstances at Lansdown Crescent or on land to the north of Timsbury which would amount to the very special circumstances to justify a further review in this plan.
- 9.80 At **Whitchurch** the Green Belt boundary was defined in the Keynsham and Chew Valley Local Plan 1992 and there has been no change in circumstances which would amount to the very special circumstances to justify any change to the boundary in this plan at Church Road or Manor Farm.

9.81 I note the concerns of the objector in relation to changes to the Green Belt boundary at **Bailbrook Farm**. Whilst there has clearly been no change in circumstances to warrant a review of this boundary, I agree with the Council that the change would correct an anomaly arising from the line of the former administrative boundary of what was the City of Bath. A fence has been erected on the line of the Green Belt as defined in the City of Bath Local Plan, but this does not affect the visual relationship of the site to the wider undeveloped area which serves the purposes of the Green Belt. I therefore recommend no change to the boundary of the Green Belt at Bailbrook as proposed in the RDDLP.

Recommendations:

R9.12 Modify the Green Belt boundary to reinstate GDS.1/K2 as shown on the Proposals Map in the DDLP.

R9.13 Modify the Proposals Map in accordance with PIC/C/2.

Chapter C1 - Policy GB.1A

120/C264	Ms Helen Woodley	GB.1A/A
686/C154	Bath Preservation Trust	GB.1A/A
3626/C7	Bath Friends of the Earth	GB.1A/A

Supporting Statements

S1999/C15	Bristol City Council	GB.1A/A
S3257/C196	Somer Valley Friends of the Earth	GB.1A/A
S878/B24	The Bath Society	C1.31

Issue

- i) Whether there should be a policy dealing with park and ride sites in the Green Belt, and whether it is appropriately worded.

Inspector's Reasoning

9.82 Government policy in PPG13 lends support to well designed and well conceived park and ride schemes which can contribute to sustainable travel patterns and improve the accessibility and attractiveness of town centres. Where a Green Belt location is the most sustainable of the options, PPG13 advises that a park and ride scheme may be permissible. Policy GB.1A accords with that advice.

9.83 In terms of the wording of the policy, it is not Government policy at this time to take into account matters such as climate change and oil prices therefore it would be inappropriate for this plan to do so. In requiring a proposal to come forward in a LTP the travel impacts can be properly assessed to avoid encouraging the use of the car in place of public transport.

9.84 The policy is a general rather than a site specific one and therefore it would be inappropriate to include any reference to the river, and there is no basis for limiting the life of a scheme to 2010.

Recommendation: no change.

Chapter C1 - Policy GB.2

442/B2	Campaign for Dark Skies	GB.2
685/B24	Batheaston Parish Council	GB.2
3238/B11	Cadbury Ltd	GB.2
3233/B18	Mr & Mrs M Williams	GB.2

Issue

- i) Whether the policy is appropriately worded.

Inspector's Reasoning

9.85 The policy does not include a criterion relating to external lighting but this is not necessary since external lighting is controlled by Policy BH.22. There is no need to repeat the requirements of BH.22 here.

9.86 PPG2 requires the effects of development within or conspicuous from the Green Belt on the visual amenity of the Green Belt to be taken into account. This policy follows that advice.

9.87 Although the policy does not refer specifically to mitigation measures, any such measures would influence the extent to which a proposal would be visually detrimental and would therefore be taken into account in the overall assessment of impact. I do not therefore consider that additional wording as suggested by the objector is necessary.

9.88 An objector refers to schemes for a park and ride and rugby training grounds which would be visible from Bathampton, but this comment relates to the application of the policy, and no suggestion is made as to how the policy might be changed to accommodate the views expressed.

Recommendation: no change

Chapter C1 - Policy GB.3 and Paragraph C1.39

3267/B3	C S J Planning Consultants Ltd	C1.39
88/B46	William & Pauline Houghton	GB.3
167/B5	Mr & Mrs M Pickman	GB.3
564/B23	London Road Area Residents Association	GB.3
564/B41	London Road Area Residents Association	GB.3
564/B42	London Road Area Residents Association	GB.3
564/B43	London Road Area Residents Association	GB.3
564/B44	London Road Area Residents Association	GB.3

2368/B1	Surrey & Counties (Sutton) Limited	GB.3
2434/B1	Oldfield School	GB.3
2597/B2	Dr R C Rafferty	GB.3
2597/B3	Dr R C Rafferty	GB.3
2603/B1	Northern Racing Limited	GB.3
2915/B1	De La Rue plc	GB.3
2915/B2	De La Rue plc	GB.3
3085/B2	Yardbrook Estates	GB.3
3240/B4	Westbury Homes	GB.3
3242/B10	Davies Street (Bathampton) Ltd	GB.3
3267/B2	C S J Planning Consultants Ltd	GB.3
3295/B1	G L Hearn Planning	GB.3
3626/C8	Bath Friends of the Earth	GB.3/A
2915/C5	De La Rue plc	GB.3/G

Supporting Statements

345/B26	Freshford Parish Council	GB.3
581/B25	Batheaston Society	GB.3
2963/B1	Prior Park College	GB.3

Issue

- i) Whether any additional sites should be identified as major developed sites (MEDS) in the Green Belt in Policy GB.3 and whether the wording of the policy is appropriate.

Inspector's Reasoning

9.89 The former Radford Retail Systems site at Chew Stoke is allocated for development under Policy GDS.1. A change is made to the wording of GB.3(c) in the RDDLP to cross refer to GDS.1, and this largely meets the concerns expressed regarding any conflict between the two policies. Any further detail regarding the mix of development within Policy GB.3 is unnecessary since this is set out in GDS.1. I note that the site is also being considered as a possible doctor's surgery for Chew Magna and have dealt with this matter in relation to Policy GDS.1.

9.90 In his report on the Wansdyke Local Plan, the Inspector provided the Council with guidance as to the approach which should be taken in determining which sites should be included within the plan as MEDS. B&NES has followed this advice in the preparation of this plan, and the detailed assessment of potential MEDS is attached to Topic Paper 7 as Annex 2. In the absence of any detailed advice in PPG2 as to the definition of major existing sites, I fully endorse the approach taken by B&NES.

9.91 There was some dispute as to the assessment adopted by the Council, but in my view such an approach is preferable to the sort of criteria argued in relation to the Jewson site. If considerations such as the context of the site and its environmental impact were to be included, the situation could arise where a factory of modest scale next to a small village would be included whereas a large educational institution outside a town would not. By assessing the scale of relevant sites and then considering whether they would be suitable for infilling or redevelopment, a consistent approach is

established across the District. In addition the threshold adopted by the Council is in my view appropriate having regard to the proportion of sites which are included as MEDS and the significant difference in terms of (for example) building mass and footprint between the smallest of the sites selected as a MEDS and the next site on the list in Annex 2 to Topic Paper 7. Whilst any threshold must be somewhat arbitrary, there is a clear difference of scale between the MEDS and those sites which fall below the threshold.

- 9.92 The Bath Clinic, Freshford Mill, the Jewson site, Yardbrook Estate and the Fuller's Earthworks at Combe Hay were included in the assessment of MEDS, and the scale of the Jewson site has been recalculated, but they fall well below the threshold size established by the Council. As a result I agree with the Council that they should not be identified as MEDS. Any redevelopment of these sites would need to be assessed against normal Green Belt policies.
- 9.93 I note the plans for a new doctor's surgery at Chew Magna but the fact that the Sacred Heart School may be a suitable site is not sufficient to qualify the site as a MEDS since it is well below the threshold set in the plan. Any re-use of existing buildings within the Green Belt would fall to be considered against Policy GB.1 ii).
- 9.94 Kingswood School and the University of Bath are not within the Green Belt therefore designation as a MEDS is not relevant. Oldfield School has been added as a MEDS in the RDDLP.
- 9.95 In my view the criteria listed in GB.3 reflect national advice and therefore there is no justification for a change to redevelopment criterion (ii). The boundary of the Bathford Paper Mill site has been changed in the RDDLP to include the car park and western end of the site. However, I agree with the Council that it would not be appropriate to include the access road; and the land to the south is undeveloped land which does not form part of the existing site and does not therefore qualify to be included as part of the MEDS. I note the business plan for the Mill which would take in this additional land for operational purposes, but any plans to extend the site would need to be considered against normal Green Belt policy.
- 9.96 Bath Racecourse does not meet the criteria for a MEDS and is therefore properly excluded from this policy. However, I do see some merit in consideration being given to the introduction of a policy in the plan to guide the future development of the site. The objector gives an example of another plan where such an approach has been taken, but I am not familiar with the other racecourse, and do not know whether it is subject to the same Green Belt and landscape constraints as Bath. Although the objector also proposes some wording for a policy, I do not have sufficient information on which to judge whether the wording would be appropriate and must therefore leave it for the Council to consider whether there should be a separate policy to deal with the racecourse.

9.97 The complex of buildings at Clutton Hill Farm are identified as a MEDS suitable for infilling for employment purposes, but any proposals would be subject to all the relevant policies of the plan.

9.98 Student accommodation is included in criterion (a) for the Bath Spa University College, with a cross reference to Policy HG.17 which ensures consistency between the two policies. I find no reason to delete this cross reference.

Recommendation:

R9.14 The Council consider the introduction of a new policy to deal with future development of the racecourse at Bath.

Chapter C1 - Policy GB.4 and Paragraphs C1.41 and C1.44

2975/B15	Crest Nicholson Properties Limited	C1.41
2340/C2	Mr & Mrs S Wiseman	C1.44/A
3098/C59	George Wimpey Strategic Land	C1.44/A
3299/C59	Bovis Homes (South West Region) Limited	C1.44/A
3605/C24	Nicholson Estates	C1.44/A
447/B31	Wilcon Homes	GB.4
580/B8	Hignett Brothers	GB.4
2636/B1	The Jollands Trust	GB.4
2648/B3	Persimmon Homes (Wessex) Ltd	GB.4
2959/B2	Mr L F James	GB.4
2975/B16	Crest Nicholson Properties Limited	GB.4
3098/B35	George Wimpey Strategic Land	GB.4
3299/B1	Bovis Homes (South West Region) Limited	GB.4
721/C64	Government Office for the South West	GB.4/A
2340/C3	Mr & Mrs S Wiseman	GB.4/A
3098/C58	George Wimpey Strategic Land	GB.4/A
3299/C58	Bovis Homes (South West Region) Limited	GB.4/A
3493/C7	Bath & Wells Diocesan Board of Finance	GB.4/A
3605/C23	Nicholson Estates	GB.4/A

Issues

- i) Whether land at Brookside Drive, Farmborough should be safeguarded as a longer term development opportunity.
- ii) Should the safeguarded land at Whitchurch be released for housing in this plan period?
- iii) Whether additional sites should be safeguarded in the plan for longer term development.

Inspector's Reasoning

Issue i)

9.99 Land at Brookside Drive, Farmborough was allocated for residential development in the DDLP and in Section 5 of my report I recommend that

it be reinstated as an allocation in the plan. Whilst I appreciate the issues raised by objectors in relation to the sustainability of rural sites, some small scale residential development is necessary in the rural areas in order to support their economic and social vitality in accordance with the policies of the JRSP. An alternative site is also proposed at Tilley Close, but the Brookside Drive site is well contained within the landscape and in my view its development would not intrude into the wider rural area and Green Belt. In view of my recommendation to allocate the site in this plan, I recommend that reference to Farmborough be deleted from the safeguarding section of the plan.

Issue ii)

9.100 Land at Whitchurch is safeguarded pending the review of the A37 bypass. Even if that proposal has now been dropped, I have identified sufficient sites for the Council to consider which have the capacity to meet strategic housing sites without the release of this piece of land. RPG10 refers to the need for a review of the Green Belt to identify sustainable options for residential development. The future of this land should be considered as part of that review which should take place as part of the preparation of the next round of development plans.

Issue iii)

9.101 A number of Green Belt sites are proposed by objectors to be included in this plan as safeguarded for long term development. However, apart from the release of land at Keynsham, there is no requirement in the JRSP for land to be taken out of or safeguarded in the Green Belt. I acknowledge that RPG10 provides for a review of the Green Belt boundary, but as I have already stated, whilst the document is a material consideration in the formulation of policy in this plan, the plan is founded in the strategy of the JRSP, and it should seek to implement that strategy. The Green Belt review is an exercise which should take place to inform the next round of development planning.

9.102 In Section 5 I have identified more than sufficient sites to meet strategic housing land requirements to 2011. The sites are in accord with the strategy of the JRSP and are sequentially preferable to the release of further Green Belt land. In the absence of any requirement in the JRSP to safeguard further Green Belt land to meet long term requirements, or any requirement to identify further sites to meet housing needs up to 2011, I do not consider it necessary or appropriate to review in detail any of the sites put forward by objectors for safeguarding.

Recommendations:

R9.15 Modify the plan by deleting heading "Farmborough" and paragraph C1.44.

R5.16 Modify Policy GB.4 by deleting "and Farmborough".

SECTION 10 - Chapter C2 Natural Environment

Chapter C2 - General

2303/B8	Wellow Residents Association	C2
2695/B2	The Springs Foundation	C2

Issues

- i) Is clarification needed of the relationship between the natural environment policies and BPEO for waste management?
- ii) Should reference be made to the Bath Hot Springs?

Inspector's Reasoning

Issue (i)

10.1 Any proposals coming forward for waste management facilities would be assessed against all relevant policies in the Plan, including those in the Natural Environment Chapter. I consider that there is no need to make reference to BPEO in this section of the plan.

Issue (ii)

10.2 The Bath Hot Springs are the subject of Policy NE.13A and paragraphs C2.56B – D in the RDDLP, inserted in response to the original objection. I consider this to be sufficient and that no further reference is needed.

Recommendation: no change

Chapter C2 - Policy NE.1, Paragraphs C2.7 and C2.11 and Diagram 10

3278/B28	Persimmon Homes (Wessex) Ltd	C2.7
564/B22	London Road Area Residents Association	Diagram 10
462/B24	Gleeson Homes	NE.1
581/B8	Batheaston Society	NE.1
685/B21	Batheaston Parish Council	NE.1
685/B25	Batheaston Parish Council	NE.1
2303/B6	Wellow Residents Association	NE.1
2975/B17	Crest Nicholson Properties Limited	NE.1
3098/B36	George Wimpey Strategic Land	NE.1
3099/B28	Barratt Bristol Limited(Mr A T P Joliffe)	NE.1
3099/B29	Barratt Bristol Limited(Mr A T P Joliffe)	NE.1
3218/B3	Portland (Radstock) Ltd	NE.1
3230/B2	Countryside Residential (South West) Ltd	NE.1
3233/B19	Mr & Mrs M Williams	NE.1
3236/B1	Mr A Weaver & Mr L Blacker	NE.1
3249/B3	Kingswood School	NE.1
3249/B4	Kingswood School	NE.1
3249/B5	Kingswood School	NE.1
3274/B1	The Girls'Day School Trust	NE.1
3278/B1	Persimmon Homes (Wessex) Ltd	NE.1
3278/B29	Persimmon Homes (Wessex) Ltd	NE.1

3300/B4	Oval Estates (Bath) Ltd	NE.1
3300/C11	Oval Estates (Bath) Ltd	NE.1/A

Supporting Statements

120/C238	Ms Helen Woodley	C2.11/A
120/B90	Ms Helen Woodley	NE.1
376/B14	Mr I Wallis	NE.1
2695/B5	The Springs Foundation	NE.1
2988/B1	Mr & Mrs J Richards	NE.1

Issues

- i) Whether the boundaries of the landscape character areas should be altered?
- ii) Whether the policy is too restrictive, too vague, should protect the character and distinctiveness of small villages, or support the enhancement of the landscape, public access and ecological value?
- iii) Whether the policy should apply only outside the AONBs?

Inspector's Reasoning

10.3 I consider that objections relating to the absence of a Landscape Character Assessment were met by the publication of the SPG in 2003. Errors in Diagram 10 were met by changes in the RDDLP. I need not comment further on these matters.

Issue i)

- 10.4 There are a number of objections relating to the boundaries of the landscape character areas delineated on the DDLP Proposals Map. Objectors seek the realignment of the boundaries to omit or include particular areas. The landscape character areas are not included on the RDDLP Proposals Map. The areas are delineated and described in SPG which was published in 2003 and any alterations to the boundaries of the landscape character areas would require a revision of that document. That document is not a part of the Local Plan and therefore not one on which I can make recommendations.
- 10.5 I consider that the changes made in the RDDLP are appropriate as inclusion of the character area boundaries on the Proposals Map added an unnecessary level of detail. Diagram 10 should be used for illustrative purposes only, with the reader being directed towards the detailed maps in Appendix 3 of the SPG for the precise boundaries of the landscape character areas.
- 10.6 Some of the areas which objectors feel should have been included within the character areas were excluded on the basis that they were considered part of the urban areas of either Bath, Keynsham, Midsomer Norton or Radstock. The Council indicate, however, that landscape assessment is to be extended in the future to cover these areas.

- 10.7 Many objections arise from what I regard as misunderstandings of the concept of landscape character areas and how the SPG might be used. Landscape character assessment is essentially descriptive. The landscape character areas are not restricted to areas of high visual quality. There is no reason why those character areas covering parts of the AONBs should follow the designated boundary of those areas, since the selection of those boundaries included consideration of the quality of the landscape, not just its character.
- 10.8 Inclusion within any particular character area does not mean that the land should not be developed, but should assist in ensuring that any development proposals respect and enhance the character of the natural landscape and the built environment. Individual parcels of land may not reflect the predominant features of the character area, but excluding them from the character area would result in a piecemeal approach to considerations of landscape conservation. Site specific character can be taken into account when individual applications for development are considered. Accordingly, I consider that no modifications to the plan are necessary in relation to the character areas.

Issue ii)

- 10.9 I consider that the aim of Policy NE.1 is clear and not vague. Terms such as "conserve" and "enhance" are long established in policy wording. They can be applied meaningfully in the context of the descriptions of character areas in the SPG, since these indicate what is distinctive about each area. But it would be useful to make additional reference to the Landscape Character Assessment SPG in paragraph C2.11, as it is this document that should primarily be used in the application of the policy. I recommend accordingly.
- 10.10 The policy would apply to proposals coming forward for development throughout the District, including those in small villages. The descriptions of landscape character in the SPG highlight aspects of the traditional settlement pattern. I see no need for specific wording in the plan relating to villages.
- 10.11 The policy is not overly restrictive. One of the objectives of the character-based approach to landscape protection is that it should assist in accommodating appropriate development in the countryside without sacrificing local character. Thus the policy does not, of itself, preclude the development of any particular site. Where development should take place is controlled by other policies in the plan.
- 10.12 Whilst the policy is not positively worded, the implicit aim of the policy is to encourage proposals that respect and enhance the landscape. There are other policies in the plan relating to access and ecology and policy NE.1 is not the place to refer to such matters.

Issue iii)

10.13 I accept that there is a degree of overlap between Policy NE.1 which protects landscape character across the whole plan area and Policy NE.2 which protects the landscape of the AONBs. Policy NE.2 is necessary to reflect the national importance of these designated areas, but considerations of landscape character and local distinctiveness will need to inform the assessment of development within the AONBs to ensure that the quality of their landscape is conserved. I thus consider that the policies are sufficiently complementary to justify the application of Policy NE.1 within the AONBs as well as outside them.

Recommendation:

R10.1 Modify paragraph C2.11 to make clear that the Landscape Character Assessment SPG will be used to assess the effect of proposals on landscape character and local distinctiveness when applying Policy NE.1 to particular proposals.

Chapter C2 - Policy NE.2 and Paragraphs C2.13 and C2.14

120/B81	Ms Helen Woodley	NE.2
233/B5	Compton Dando Parish Council	NE.2
485/B13	Prowting Projects Ltd	NE.2
581/B6	Batheaston Society	NE.2
720/B5	BT Group plc	NE.2
2303/B7	Wellow Residents Association	NE.2
3002/B1	Mr & Mrs Marton	NE.2
3211/B3	Cllr M Hawkings	NE.2
3249/B8	Kingswood School	NE.2
3251/B4	Prospect Land Ltd	NE.2

Supporting Statements

1427/B114	Environment Agency	C2.13
3116/C10	Bath & North East Somerset Allotment Association	C2.14/A
2050/B5	Greenway - The Residents Forum from Lyncombe Vale to Beechen Cliff	NE.2
3116/C11	Bath & North East Somerset Allotment Association	NE.2/A
3116/C12	Bath & North East Somerset Allotment Association	NE.2/B
3116/C13	Bath & North East Somerset Allotment Association	NE.2/C
3249/C10	Kingswood School	NE.2/C

Issues

- i) Should the policy acknowledge the potential for developing sites in sustainable locations within the AONB?
- ii) Does the policy adequately protect the AONB from minor development?
- iii) Is the wording of the policy sufficiently clear and precise?

Inspector's Reasoning

10.14 I deal briefly with a number of matters raised by objectors not included in the main issues above. The policies in the plan apply to new proposals for development and cannot be used to assess whether there is continuing justification for existing development which has already been built, such as telecommunications masts in AONBs. A number of objectors seek alterations to the boundaries of the AONBs. AONBs are designated under separate statutory provisions. The Local Plan is not the mechanism to pursue changes to these boundaries. I have therefore not considered the merits of these objections as I would be unable to make recommendations on them. The RDDLP corrects an error in the position of the AONB boundary at Kingswood School playing fields, Lansdown.

Issue i)

10.15 PPS7 advocates that the highest level of protection be afforded to AONBs (paragraph 21) and Policy NE.2 accords with this advice. The policy would not preclude development in sustainable locations within the AONBs provided that any such development did not adversely affect the natural beauty of the landscape. Protecting the quality of the landscape is one aspect of sustainability. Other policies in the plan seek to guide development to the most sustainable locations and I see no need for Policy NE.2 to refer to the potential for sustainable development within the AONBs.

Issue ii)

10.16 Any proposals coming forward for development within the AONB, whether for minor or major development have to be assessed against the first part of the policy. This would not permit development adversely affecting the natural beauty of the landscape of the AONB and, in my view, it is sufficient to protect the AONB from possible harm from minor proposals.

Issue iii)

10.17 PPS7 (paragraph 22) sets out in some detail how major development proposals within an AONB should be assessed. Policy NE.2 includes only a brief summary of those considerations with slightly different wording. This provides scope for confusion and uncertainty. I consider that the policy should simply state that the advice in PPS7 will be applied to major developments both within the AONB and to those outside it which would adversely affect the designated area. With this change there would be no need to add additional explanation of the words used in the policy. I recommend accordingly.

Recommendation:

R10.2 Modify Policy NE.2 by:

deleting the 2nd paragraph and criteria (i)-(iii); and

substituting "Major development within an AONB or outside it which would harm the designated area will be determined on the basis of the advice in PPS7."

Chapter C2 - Policy NE.3 and Paragraph C2.19

There are a large number of representations to this policy; details are listed at Appendix 1

Issue

- i) Whether specific parcels of land should be included or excluded from the Important Hillside Policy?

Inspector's Reasoning

- 10.18 Consideration of the objections seeking either the extension of the areas designated under this policy or the exclusion of areas from the policy requires an assessment of the purpose and relevance of the policy.
- 10.19 The Important Hillside designation is one which is local to the District. PPS7 (paragraph 24) advocates the use of criteria based policies and tools such as landscape character assessment to provide protection for landscapes outside nationally designated areas, but valued locally. Local landscape designations should only be employed where the necessary protection cannot be provided through other means or policies and where they are rigorously justified.
- 10.20 The areas around the City of Bath designated as Important Hillside are within the World Heritage Site designation and, with one small exception, the Conservation Area. Many are also designated nature conservation sites. Thus any proposal coming forward for development would be assessed against Policies BH.1 and BH.6 and, where applicable, Policy NE.9. These designations and associated criteria based policies would, in my view, protect the landscape setting and character of Bath from potentially harmful development. Policy NE.3 adds nothing of value.
- 10.21 I appreciate that Norton-Radstock does not have the same World Heritage Site status as Bath, but the areas designated as Important Hillside are included in the landscape character assessment (character areas 15, 12 and 13). Any proposals for development in these areas would be assessed against Policy NE.1, which would provide protection from development adversely affecting the character and local distinctiveness of the landscape. The Radstock Conservation Area includes extensive open areas around the town and so this land would be protected by Policy BH.6, in particular criterion (v) which recognises the need to protect landscape contributing to the character or appearance of the conservation area. The designated hillside areas are also outside the defined HDBs and so new housing development would not normally be acceptable in such areas in any event.

10.22 Thus Policy NE.3 duplicates protection afforded by other policies in the Local Plan and I am not satisfied that there is adequate justification for this additional layer of policy protection, despite the many supporting representations. I recommend the deletion of the policy and of the designated areas on the Proposals Map. As a consequence, I do not consider the merits of the individual objections.

Recommendation:

R10.3 Modify the plan by deleting Policy NE.3, paragraphs C2.18 - C2.20 and the Important Hillside notation from the Proposals Map.

Chapter C2 - Policy NE.4, Quick Guide 13 and paragraphs C2.21-C2.26

686/B100	Bath Preservation Trust	C2.21
1427/B115	Environment Agency	C2.24
3257/C198	Somer Valley Friends of the Earth	C2.24/A
564/B21	London Road Area Residents Association	C2.25
1568/C9	The Woodland Trust	C2.26/B
1568/D20	Woodland Trust	PIC/C/9 (C2.26A)
441/B10	Mrs S F Hobbs	NE.4
2050/B3	Greenway - The Residents Forum from Lyncombe Vale to Beechen Cliff	NE.4
2448/B7	Mr J Sewart	NE.4
2466/B7	Keynsham Civic Society	NE.4
3298/B29	Cam Valley Wildlife Group	NE.4
239/C7	Country Land & Business Association	NE.4/B

Supporting Statements

1427/C206	Environment Agency	C2.24/A
3116/C16	Bath & North East Somerset Allotment Association	OG13A/A
3257/C199	Somer Valley Friends of the Earth	OG13A/A
1568/D11	Woodland Trust	PIC/C/8 (C2.26)
3116/C14	Bath & North East Somerset Allotment Association	C2.26/B
3257/C200	Somer Valley Friends of the Earth	C2.26/B
120/D338	Mrs H Woodley	PIC/C/9 (C2.26A)
1568/C6	The Woodland Trust	C2.26A/A
3107/C16	English Nature	C2.26A/A
3116/C15	Bath & North East Somerset Allotment Association	C2.26A/A
3257/C201	Somer Valley Friends of the Earth	C2.26A/A
120/D339	Mrs H Woodley	PIC/C/10 (NE.4)
376/B9	Mr I Wallis	NE.4
878/B26	The Bath Society	NE.4
1568/D22	Woodland Trust	PIC/C/10 (NE.4)
3126/D54	Bath Friends of the Earth	PIC/C/10 (NE.4)
3257/D281	Somer Valley Friends of the Earth	PIC/C/10 (NE.4)
3116/C17	Bath & North East Somerset Allotment Association	NE.4/A
1568/C7	The Woodland Trust	NE.4/B
3116/C18	Bath & North East Somerset Allotment Association	NE.4/B
3116/C19	Bath & North East Somerset Allotment Association	NE.4/C
3513/C1	Ms M Gibbon	NE.4/C

Issues

- i) Whether sufficient protection is afforded to ancient woodland.

- ii) Whether the policy should encourage tree and woodland planting generally in the District and/or on particular sites.
- iii) Whether the plan adequately protects veteran trees and historic parkland.
- iv) Whether the policy should allow exceptions if there is an over-riding justification.

Inspector's Reasoning

10.23 Amendments made in the RDDLP met some objections, including reference to Alder root disease and an explanation of trees in conservation areas in Quick Guide 13A. But I conclude elsewhere in this report that the Quick Guides should be deleted from the plan. Essential information within the Quick Guides should be incorporated into the main text. I consider that only a brief reference is required to the protection of trees in conservation areas; for more detailed information the reader should be directed to relevant information elsewhere, either published by the Council or by the ODPM and its predecessors. The Local Plan is not the place for lengthy descriptions of legal and procedural matters.

10.24 I address later the objection seeking amendments to the Forest of Avon boundary. An objector questions whether the development proposed in the DDLP on site K2 would be compatible with Policy NE.4, but they do not seek any amendment to the latter and I do not comment further on this objection here.

Issue i)

10.25 Ancient woodland would come within the broad remit of Policy NE.4 (i) and most ancient woodlands are also designated as SNCI. Absolute protection of ancient woodland would, however, be contrary to national advice. The deletion of the word "generally" from paragraph C2.26 (PIC/C/8) ensures a clear recognition of their importance for wildlife. Further amendments to the policy or text are unnecessary.

Issue ii)

10.26 The Council has no legislative control over the felling or planting of trees not protected by a Tree Preservation Order or outside conservation areas. It is not possible for the Council to require replacement trees wherever trees are lost and an amendment of the policy to seek such replacement would serve no purpose. Provision for new planting and replacement trees can be secured in association with new development where justified by the consequences of the development and the nature of the site. In my view, Policy NE.4 is adequate to secure such provision where it can be justified. The Landscape Character Assessment SPG refers to trees and hedgerows in the landscape and can be used to guide the design of new or replacement planting consistent with landscape character. The promotion of tree planting unrelated to development proposals should be addressed outside the Local Plan, such as in the programme for the Forest

of Avon or the management plans for the AONBs. I see no need to add further guidance in the plan.

Issue iii)

10.27 Changes were made in the RDDLP to refer to veteran trees. Policy NE.4 now has a criterion specifically affording protection to veteran trees. I recognise that the latter stages of the life of an ancient/veteran tree are the richest in terms of ecology, landscape and culture, but paragraph C2.26A, PIC/C/9 and Policy NE.4 reflect the importance attached to such trees and I consider that no further explanation is necessary.

10.28 Historic parklands are covered by Policy BH.9. I appreciate that there are often veteran trees found within such parklands, but they also exist elsewhere. Veteran trees and historic parkland are both likely to be of nature conservation value, but I consider that the policies of the plan protecting nature conservation interests afford sufficient protection to the nature conservation value of these particular features. It is important that the plan is read as a whole and it is not necessary for individual policies to cover all considerations that might be material. I see no need for a policy combining these topics.

Issue iv)

10.29 Section 38(6) of the Planning and Compulsory Purchase Act (previously s.54A of the Town and Country Planning Act), makes provision for exceptions to be made to development plan policies. Whether there are material considerations to outweigh any policy conflict is a judgment to be made on specific proposals and does not need to be highlighted in this or other policies.

Recommendations:

R10.4 Modify the plan by deleting Quick Guide 13A.

R10.5 Modify paragraph C2.25 by inserting a reference to the protection afforded to trees in conservation areas and where further information can be found.

Chapter C2 - Policy NE.5 and Paragraphs C2.28-C2.30

441/B11	Mrs S F Hobbs	NE.5
2959/B1	Mr L F James	NE.5
3085/B1	Yardbrook Estates	NE.5
3139/B1	Ms D Davis	NE.5

Supporting Statements

S574/C19	Forest of Avon	C2.28/A
S574/C20	Forest of Avon	C2.29/A
S574/C18	Forest of Avon	C2.30/A
S878/B27	The Bath Society	NE.5

Issues

- i) Whether the boundary of the Forest of Avon should be amended.
- ii) Whether the policy should be more flexibly worded.

Inspector's Reasoning

10.30 I deal briefly with matters not covered by the above main issues. An objector is concerned that Highfield House, Chew Magna has insufficient protection and seeks, in part, the reinstatement of a local landscape designation used in the Wandsdyke Local Plan. This is not an objection to Policy NE5. But in any case, I consider that the landscape protection based on Policy NE.1 and landscape character is the appropriate approach rather than local landscape designations. I understand that this particular house is within the Green Belt and outside the housing development boundary and so development is tightly controlled in this area. An objector questions whether the development proposed in the DDLP on site K2 would be compatible with Policy NE.5, but they do not seek any amendment to the latter and I do not comment further on this objection.

Issue i)

10.31 The Forest of Avon is designated not through the local plan process, but by the Forest Plan approved by Government in 1995 (as stated in Paragraph C2.29 of the Plan). I am unable to make recommendations about the boundary. Even if the boundary were to be deleted from the Proposals Map, the Forest of Avon would still encompass the objectors' sites. Nevertheless, the existence of the Forest of Avon may be a material consideration in planning decisions. Since Policy NE.5 applies specifically to the Forest of Avon, I consider that it is necessary for the boundary to be shown on the Proposals Map.

Issue ii)

10.32 Policy NE.5 requires development within the Forest of Avon to meet 2 criteria; firstly, to respect the existing and developing woodland setting and, secondly, to contribute to the implementation of the Forest Plan, particularly through tree planting. I consider that the first criterion is reasonable and fairly applies to all developments. But it is unreasonable to apply the 2nd in the inflexible way set out in the policy. For many developments, especially smaller developments, contribution to the implementation of the Forest Plan may be neither justified nor practical. I note that the Forest of Avon's own comments on this policy questioned its acceptability.

10.33 I consider that the policy should require all development not to conflict with the relevant local strategies of the Forest Plan and to take it into account in the layout of development, including landscaping. I recommend accordingly. I note from paragraph A4.29 that the Council intend to prepare SPG on "Planning and the Forest of Avon – Guide for developers". If its publication is imminent, and assuming that such SPG

would be directly related to Policy NE.5, then reference should be made to that document rather than the Forest Plan.

Recommendation

R10.6 Modify Policy NE.5 by deleting criterion ii and substituting

“ii) does not conflict with the local strategies of the Forest Plan and has regard to its aims in the layout of development, including landscaping” (or, if the Council is about to publish SPG “Planning and the Forest of Avon” - reference should be made to that document instead).

Chapter C2 - Policy NE.6, Quick Guide 14 and Paragraphs C2.32-C2.41

461/B13	Hinton Blewett Parish Council	C2.33
3298/B6	Cam Valley Wildlife Group	C2.33
1427/B116	Environment Agency	C2.34
1427/B117	Environment Agency	C2.35
3116/C112	Bath & North East Somerset Allotment Association	C2.40A/A
3116/C128	Bath & North East Somerset Allotment Association	C2.40A/A
3257/C208	Somer Valley Friends of the Earth	C2.40A/A
3257/C207	Somer Valley Friends of the Earth	C2.41/A
115/B3	Waterside Action Group	NE.6
3146/B1	Ms E O'Donnell & Mr P McKendry	NE.6

Supporting Statements

574/C17	Forest of Avon	C2.32/A
1427/C207	Environment Agency	C2.34/A
3116/C45	Bath & North East Somerset Allotment Association	C2.34/A
3257/C202	Somer Valley Friends of the Earth	C2.34/A
3116/C130	Bath & North East Somerset Allotment Association	Quick Guide 14/A
3107/C17	English Nature	C2.35/A
3116/C46	Bath & North East Somerset Allotment Association	C2.35/A
3257/C203	Somer Valley Friends of the Earth	C2.35/A
3511/C14	British Waterways	C2.35/A
3257/C204	Somer Valley Friends of the Earth	C2.40/A
3257/C205	Somer Valley Friends of the Earth	C2.40/B
3257/C206	Somer Valley Friends of the Earth	C2.40/C
3107/C18	English Nature	C2.40A/A
120/B111	Ms Helen Woodley	NE.6
3298/B37	Cam Valley Wildlife Group	NE.6
3257/C209	Somer Valley Friends of the Earth	NE.6/A

Comments on Suggested Unadvertised Inquiry Change IC12

3116/F154	Bath & North East Somerset Allotments Association	IC12 (C2.40A)
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Issues

- i) Whether additional explanation relating to biodiversity and particular species should be added to the text.
- ii) Whether protection should be afforded to additional sites under Policy NE.6.

Inspector's Reasoning

10.34 In accordance with my recommendations elsewhere in this report, QG 14 should be deleted. Rather than include a description of biodiversity, it would be sufficient to refer to the Council's Biodiversity Action Plan.

Issue i)

10.35 In considering the wide-ranging objections seeking additional references and explanation to be added to the text of the plan, I am mindful that the purpose of the supporting text is to provide a succinct reasoned justification for the plan's policies and proposals. In this context, generalised discussion of biodiversity issues should be minimised. Given the range and complexity of legislation and procedures covering the protection of species and habitats, a full explanation would introduce excessive detail. It is not necessary to refer to "no net loss of biodiversity".

10.36 Reference is made in paragraph C2.36 to the national and local Biodiversity Action Plans (BAP). The effect of a development on habitats or species listed as priorities in the UK BAP and the local BAP ("Wildthings") would be a consideration under Policy NE.11. I consider that additional references to BAPs are unnecessary.

10.37 Changes made in the RDDLP have met, or largely met, objections seeking reference to the loss of native species, Bechstein bats and to the structures and feeding grounds used by bats. I consider further the adequacy of policies for the protection of bats under Policy NE.7 below.

10.38 Incentives to manage and improve habitats are outside the scope of the plan. The Local Plan cannot require developers to enhance and maintain nature conservation areas. But such work can be negotiated and secured through planning conditions or planning agreements, providing that such arrangements meet the relevant tests in national advice.

Issue ii)

10.39 The objectors seek additional sites to be protected. But Policy NE.6 affords protection to those sites designated under European legislation. This is the highest level of protection and is afforded only to those sites which meet specific criteria. It is not the role of the local planning authority to identify and designate sites for protection under this legislation. Thus, it would not be appropriate to afford protection under Policy NE.6 to the areas identified by objectors.

10.40 Having considered the purpose of Policy NE.6, I am of the view that it is unnecessary, since there is statutory protection of European sites and species and this statutory regime has to be applied whether or not the local plan refers to it. This point was made in the consultation draft of PPS9 (September 2004). Furthermore, unless the local plan policy exactly reproduces the requirements of legalisation, it may imply some derogation from the statutory arrangements, which would not be lawful. I therefore

recommend its deletion. Nevertheless, European sites should still be shown on the Proposals Map.

Recommendations:

R10.7 Delete Policy NE.6 and amend the text of the plan to explain why a specific policy in the plan for European sites is unnecessary.

R10.8 Delete QG 14 and reference to it in paragraph C2.33. Refer to the B&NES Biodiversity Action Plan 2000 at the end of paragraph C2.33.

Chapter C2 - Policy NE.7

120/D340	Mrs H Woodley	PIC/C/13 (NE.7)
2648/B2	Persimmon Homes (Wessex) Ltd	NE.7
3107/B2	English Nature	NE.7
3107/B5	English Nature	NE.7
3107/D39	English Nature	PIC/C/13 (NE.7)
3251/B3	Prospect Land Ltd	NE.7
3257/D284	Somer Valley Friends of the Earth	PIC/C/13 (NE.7)
3298/B30	Cam Valley Wildlife Group	NE.7
3298/D88	Cam Valley Wildlife Group	PIC/C/13 (NE.7)
3107/C22	English Nature	NE.7/A
3213/C3	Chew Stoke Parish Council	NE.7/A
3257/C210	Somer Valley Friends of the Earth	NE.7/A
3298/C59	Cam Valley Wildlife Group	NE.7/A
3213/C4	Chew Stoke Parish Council	NE.7/D
120/C136	Ms Helen Woodley	NE.7/G

Supporting Statements

120/B112	Ms Helen Woodley	NE.7
455/B16	Avon Wildlife Trust	NE.7
3126/D55	Bath Friends of the Earth	PIC/C/13 (NE.7)
120/C241	Ms Helen Woodley	NE.7/D
2854/C3	Monkton Combe Parish Council	NE.7/E

Issues

- i) Whether the policy provides adequate protection for bats.
- ii) Whether the Bat Protection Zones should be retained or amended.

Inspector's Reasoning

Issue i)

10.41 Changes were made in the RDDLP in response to objections relating to bat protection, some of which have met objector's concerns. Many of the outstanding objections relate to detailed matters of wording. But I cannot properly address these without considering the wider context of the policy. As I highlight in relation to Policy NE.6, it is neither necessary nor good practice for local plans to contain policies for the protection of species and sites which have statutory protection through international

conventions and European Directives, although such sites should be identified on the Proposals Map.

- 10.42 Horseshoe Bats are protected by Schedule 5 of the Wildlife and Countryside Act (1981) and Regulation 39 of the Habitats Regulations (1994). The main areas inhabited by the bats are candidate SACs and are protected through European legislation. Thus, in my view, the protection afforded to Horseshoe Bats by Policy NE.7 duplicates the statutory regime.
- 10.43 Bechstein's Bats are listed as Species of Principal Importance under Section 74 of the Countryside and Rights of Way Act 2000. These species do not receive the same statutory protection as Horseshoe Bats and it would normally be appropriate for local plans to contain policies to protect the habitats of these species. But in B&NES the habitats of this species overlap with those of the Horseshoe Bats and thus gain the same statutory protection as a result. Provided that there are no known communities of Bechstein's Bats outside those also occupied by Horseshoe Bats, then I consider that Policy NE.7 can and should be deleted.

Issue ii)

- 10.44 I am concerned that the bat protection zones defined on the Proposals Map could be interpreted as the maximum extent of the area afforded protection, but proposals anywhere which may potentially adversely affect the structures, feeding grounds or features used by bats, should be subject to the same considerations, whether or not the proposal lies within the protection zone. I recognise that the zones have been defined on the best available evidence from English Nature, but the Council highlights that Policy NE.10 would afford protection to the feeding grounds of bats outside the protection zones and so clearly recognises that the zones are not the only areas where proposals need to take into account the effect on bats. There is duplication between Policy NE.7 and the overarching protection afforded by Policy NE.10.
- 10.45 Furthermore, whilst the publication of information on the locations of the bat communities and their feeding and roosting habits is undoubtedly essential for the proper assessment of development proposals, I consider that this information is too detailed for a local plan and adds further complexity to a Proposals Map which already has many overlapping notations. It would be better to provide such detailed information in an SPD and such a document could also usefully contain further advice on how development proposals should be assessed. In this way, the bat protection zones would be put into a proper context as an aid to the assessment of effects on bats. Therefore, I recommend that the Bat Protection Zones be deleted.
- 10.46 In the light of my fundamental concerns underlying this policy and the protection zones I do not address further the detailed objections.

Recommendations:

R10.9 Subject to the Council being satisfied that the feeding grounds and landscape features used by Bechstein's Bats overlap with those of Horseshoe Bats, delete Policy NE.7. (If not, retain the policy for Bechstein Bats only without reference to bat protection zones).

R10.10 Delete the Bat Protection Zones from the Proposals Map.

R10.11 Modify paragraph C2.40A to reflect the above changes.

R10.12 Consider including bat protection zones and further information on the assessment of development proposals on bats in SPD (such as that on habitats and species which the Council propose to prepare).

Chapter C2 - Policy NE.8 and Paragraph C2.42

3007/B5	Grant Thornton	NE.8
3298/B28	Cam Valley Wildlife Group	NE.8
3257/C213	Somer Valley Friends of the Earth	NE.8/A
3298/C65	Cam Valley Wildlife Group	NE.8/A

Supporting Statements

120/C237	Ms Helen Woodley	C2.42/A
1427/C208	Environment Agency	C2.42/A
3107/C19	English Nature	C2.42/A
3257/C211	Somer Valley Friends of the Earth	C2.42/A
3298/C64	Cam Valley Wildlife Group	C2.42/A
120/B113	Ms Helen Woodley	NE.8
120/D341	Mrs H Woodley	PIC/C/14 (NE.8)
685/D50	Batheaston Parish Council	PIC/C/14 (NE.8)
3107/D40	English Nature	PIC/C/14 (NE.8)
3126/D56	Bath Friends of the Earth	PIC/C/14 (NE.8)
3298/D89	Cam Valley Wildlife Group	PIC/C/14 (NE.8)
120/C236	Ms Helen Woodley	NE.8/A

Issues

- i) Is protection from "indirect effects" too restrictive?
- ii) Should the plan distinguish between biological and geological SSSIs?
- iii) Is the requirement for "compensatory provision" sufficiently robust?

Inspector's Reasoning

Issue i)

10.47 Development occurring outside the boundary of an SSSI can be as damaging as development occurring within its boundary. Thus it is important for such indirect adverse effects to be assessed against the

same policy criteria as development within an SSSI. In my view, the aim of the policy is clear, but for the avoidance of doubt the wording should be amended to refer to "adverse" effects, consistent with other policies in this Chapter. An assessment would have to be made on a case-by-case basis as to whether a proposed development would be likely to have an adverse effect on a nearby SSSI.

Issue ii)

10.48 SSSIs benefit from the same protection whether they are designated for their geological or biological importance and I can see no good reason to distinguish between them in the policy.

Issue iii)

10.49 Several changes have been made to the wording of criterion ii of the policy which appear largely to have met the concerns of objectors regarding any compensatory provision. In my view, the phrase "of at least equal nature conservation value" provides a robust basis to ensure that there is no net loss of biodiversity. Further elaboration is unnecessary.

10.50 Subject to the one change I recommend below, I consider that the policy provides clear protection for SSSIs consistent with national advice and that it is not necessary to refer to the statutory provisions in the Wildlife and Countryside Act.

Recommendation:

R10.13 Modify Policy NE.8 by adding "adversely" before "affect" in the first sentence.

Chapter C2 - Policy NE.9, Quick Guide 15 and Paragraph C2.43

120/D350	Mrs H Woodley	PIC/C/16 (C2.43)
1427/B118	Environment Agency	C2.43
3257/D285	Somer Valley Friends of the Earth	PIC/C/16 (C2.43)
3298/D90	Cam Valley Wildlife Group	PIC/C/16 (C2.43)
3298/D92	Cam Valley Wildlife Group	PIC/C/17 (QG15)
447/B38	Wilcon Homes	NE.9
461/B15	Hinton Blewett Parish Council	NE.9
564/B20	London Road Area Residents Association	NE.9
580/B9	Hignett Brothers	NE.9
580/B11	Hignett Brothers	NE.9
580/B13	Hignett Brothers	NE.9
580/B14	Hignett Brothers	NE.9
745/B15	South Stoke Parish Council	NE.9
878/B28	The Bath Society	NE.9
1427/B119	Environment Agency	NE.9
1871/B3	Mr M Horsford	NE.9
1983/B1	Bathwick Hill Residents' Association	NE.9
2323/B1	Read Renewable Resource	NE.9
2448/B8	Mr J Sewart	NE.9

2965/B5	Morley Fund Management Limited	NE.9
3003/B3	London Baptist Property Board Ltd	NE.9
3081/B3	Mr D Hall	NE.9
3298/B31	Cam Valley Wildlife Group	NE.9
3298/B4	Cam Valley Wildlife Group	NE.9
3305/B4	W Reed (Builders) Ltd	NE.9
3257/C212	Somer Valley Friends of the Earth	NE.9/A
3298/C66	Cam Valley Wildlife Group	NE.9/A
3116/C113	Bath & North East Somerset Allotment Association	NE.9/O

Supporting Statements

3126/D57	Bath Friends of the Earth	PIC/C/15 (C2.43)
2997/B8	London Road & Snowhill Partnership	NE.9
120/B114	Ms Helen Woodley	NE.9
120/D362	Mrs H Woodley	PIC/C/18 (NE.9)
2050/B2	Greenway - The Residents Forum from Lyncombe Vale to Beechen Cliff	NE.9
3107/D41	English Nature	PIC/C/18 (NE.9)
3126/D58	Bath Friends of the Earth	PIC/C/17 (NE.9)
3173/B3	Bloomfield Road Residents Association	NE.9
3257/D286	Somer Valley Friends of the Earth	PIC/C/18 (NE.9)
3298/B16	Cam Valley Wildlife Group	NE.9
3298/D93	Cam Valley Wildlife Group	PIC/C/18 (NE.9)
2915/C4	De La Rue plc	NE.9/G
3116/C114	Bath & North East Somerset Allotment Association	NE.9/N
120/C240	Ms Helen Woodley	NE.9/P
3305/C5	W Reed (Builders) Ltd	NE.9/Q
120/C277	Ms Helen Woodley	NE.9/S

Issues

- i) Whether the text should refer to additional types of habitat.
- ii) Whether the criteria and process for identification of SNCIs is adequate.
- iii) Whether SNCIs are correctly shown on the Proposals Map and whether sites should be added or deleted.
- iv) Whether the wording of the policy is clear.

Inspector's Reasoning

Issue i)

10.51 Objectors seek the inclusion of additional habitat types in the description of locally important sites, such as orchards, old railway lines and canals. Paragraph C2.43 lists some of the types of habitats that are present in the District, but it is clear that it is not intended as an exhaustive list of all the habitats or locations which might be of nature conservation importance. I see no reason why it needs to be definitive of all habitat types. The potential nature conservation value of other types of habitats and features is highlighted in paragraphs C2.49 and C2.50. Undue repetition needs to be avoided.

Issue ii)

10.52 SNCIs are identified by a process of site survey and assessment by local experts in accordance with established criteria and processes set out in "Natural Assets in Avon" (1995) (CD2.1.8). That work has been on-going for some time and, to a large extent, is separate from the local plan process. SNCIs can be identified by the Council without inclusion within the Local Plan. It is not for me to review or make recommendations on procedures not directly connected with the Local Plan.

10.53 But in my view, the Local Plan does not explain clearly how SNCIs have been identified and confirmed or where the descriptions of the nature conservation value and reasons for the identification of each SNCI is to be found. This lack of explanation accounts for some of the objections relating to this issue. Quick Guide 15 is a reference to only part of the process and, in isolation, is unhelpful. In any case, I have recommended elsewhere in this report that Quick Guides be deleted and any essential reasoning be incorporated into the main text.

10.54 I consider that the plan should explain clearly, but briefly, how SNCIs are identified and confirmed, indicating where the selection criteria and process is set out, but without reproducing any of those criteria. The plan should explain where the individual site records (detailed boundaries and descriptions of nature conservation value) can be found. It should also explain that further sites may be confirmed as SNCIs subsequent to the adoption of the plan.

10.55 I have not seen evidence to indicate that the process and criteria by which SNCIs have been identified and confirmed are fundamentally flawed. I therefore consider that reference to SNCIs is a reasonable basis to protect sites of local nature conservation value.

Issue iii)

10.56 As indicated above, SNCIs have been identified and confirmed largely outside the local plan process. My understanding is that existing SNCIs have been reviewed as part of the preparation of the plan and in response to site specific objections, but that this has not involved any new surveys on site. I consider that it is appropriate for the Local Plan to identify those sites which have already been identified as having local nature conservation value and that the Proposals Map should show all confirmed SNCIs.

10.57 I see no need for the Proposals Map to distinguish between sites designated for their biological interest and those designated for their geological interest (RIGS). The reasons for the designation of any particular site would be clear only from an inspection of the site designation record, which is why I consider that the plan should make clear where this information can be found.

- 10.58 Some objectors seek the inclusion of additional sites on the Proposals Map. Other objectors seek the deletion of sites either because the confirmed SNCI boundaries are not shown accurately or because the site is not considered to have the nature conservation value ascribed to it. A number of deletions and amendments to the boundaries of SNCIs were made in the RDDLP which meet some of these objections. But it is not always clear to me whether these changes were because the Council accepted that the SNCIs boundaries were incorrectly shown or that inclusion within an SNCI was unreasonable (such as the inclusion of residential curtilages) or otherwise not justified. It is also not clear whether an amendment to the boundary of an SNCI on the Proposals Map has triggered any change to the information on that SNCI held by the Bristol Regional Environmental Records Centre (BRERC) or elsewhere.
- 10.59 In general, I do not have the evidence to thoroughly review whether objection sites (deletions and additions) meet the SNCI selection criteria. In addition, I consider that it would lead to confusion and uncertainty if sites were to be deleted or added to the Proposals Map without being properly identified and confirmed (or deleted) from information held elsewhere, particularly BRERC.
- 10.60 Any site which meets the SNCI criteria, but is not shown on the Proposals Map would nonetheless be protected by Policy NE.9 ("other sites of equivalent nature conservation value") and so identification on the Proposals Map is not essential. I acknowledge that there may be errors in the designation of sites. Some sites may have been surveyed some years ago and their nature conservation value may have declined or been lost. If and when a planning application is submitted, there would be the opportunity for the developer to demonstrate that the site (or part of a site) did not have the nature conservation value ascribed to it or that a particular form of development would not harm any nature conservation value.
- 10.61 The aim of the policy is the protection of nature conservation value rather than the protection of sites as such. I consider that the wording of the policy should be amended to make this clear and that with such an amendment the policy would apply only to those sites which had nature conservation value, rather than those designated in error or where any such value had been lost.
- 10.62 For the reasons set out above, I do not recommend any changes to the notation on the Proposals Map.

Issue (iv)

- 10.63 Changes were made in the RDDLP in response to objections concerning the clarity of wording in the policy. The term "local value" has been supplemented with "biological and community/amenity value" of a site. I consider this adds clarification, except that since SNCIs include regionally important geological and geomorphological sites reference should also be

made to these since they would not be encompassed within "biological value". I recommend accordingly.

10.64 The factors to be taken into account in decision-making will vary on a case by case basis. The policy establishes the principles to be addressed by the decision maker, but it cannot set out what the material considerations will be in each case or how they should be weighed. No further explanation is required.

10.65 An objector has given no reason as to why they oppose criterion (ii) and thus I cannot give this objection further consideration.

10.66 The local plan cannot require a developer to maintain and improve habitats, but such matters can be negotiated at the development control stage and, where appropriate, secured through either conditions or planning obligations. In my view, the policy does not need to be expanded to encompass this possibility.

10.67 I consider that the term "equal value" is understandable and clear and that no suggested alternative wording is preferable.

Recommendations:

R10.14 Delete Quick Guide 15 and add to the text: an explanation of where the selection criteria and confirmation process for SNCIs is set out; where the description of each SNCI and large scale plan of their boundaries can be found; and to highlight that further SNCIs may be identified and confirmed which are not shown on the Proposals Map.

R10.15 Modify Policy NE.9 by:

inserting after "indirectly", "the nature conservation value of"; and

inserting in criterion i after "biological", "geological/geomorphological".

Chapter C2 - Policy NE.10

Supporting Statements

120/B115	Ms Helen Woodley	NE.10
3298/B38	Cam Valley Wildlife Group	NE.10

Chapter C2 - Policy NE.11 and Quick Guide 15A

3298/D94	Cam Valley Wildlife Group	PIC/C/20 (QG15A)
2448/B9	Mr J Sewart	NE.11
3298/B35	Cam Valley Wildlife Group	NE.11
3257/C215	Somer Valley Friends of the Earth	NE.11/B
3298/C67	Cam Valley Wildlife Group	NE.11/B

Supporting Statements

3257/C214	Somer Valley Friends of the Earth	QG15A/A
3298/C68	Cam Valley Wildlife Group	QG15A/A
3511/C15	British Waterways	QG15A/A
120/B116	Ms Helen Woodley	NE.11
120/D360	Mrs H Woodley	PIC/C/22 (NE.11)
120/D361	Mrs H Woodley	PIC/C/22 (NE.11)
3107/D42	English Nature	PIC/C/22 (NE.11)
3126/D60	Bath Friends of the Earth	PIC/C/22 (NE.11)
3298/D95	Cam Valley Wildlife Group	PIC/C/22 (NE.11)

Issues

- i) Whether the species covered by the policy are clearly defined.
- ii) Whether the plan adequately protects areas designated in the Wansdyke Local Plan.
- iii) Is the wording of the policy clear.

Inspector's Reasoning

Issue i)

10.68 The plan should clearly indicate on what basis/criteria "locally important species and their habitats" have or will be identified. Quick Guide 15A was inserted into the RDDLP in response to objections concerning a lack of clarity. But the Guide refers, among other matters, to European Protected Species and Habitats in the Habitats Directive, which are protected by other legislation and, currently, other policies in the plan. The list is not sufficiently focussed on the locally important species and their habitats which are the subject of Policy NE.11. Inquiry Change 18 proposes the deletion of the reference to European Protected Species, but the Council should ensure that the list avoids any overlap with other policies.

10.69 I recommend elsewhere in my report that the Quick Guides should be removed from the plan and any necessary text be integrated into the reasoned justification. The plan should explain the basis on which locally important species will be identified. I note that the Council has stated that they are to propose to prepare SPD on Priority Species and Habitats. This is the appropriate place for more detailed information, and should be referred to in the text, provided that the Council indeed to produce such SPD in the near future.

Issue ii)

10.70 An objector seeks a policy similar to LNC.8 in the Wansdyke Local Plan. The latter protects areas of local landscape and nature conservation interest. In accordance with national advice, the RDDLP does not have local landscape designations (other than Protected Hilltops which I recommend is deleted) but seeks to protect the landscape by means of a character area approach. Inevitably, sites previously identified in the

Wandsdyke Local Plan may not be highlighted on the Proposals Map of the RDDLP, but I consider that the combination of landscape and nature conservation policies would provide at least a comparable level of protection. No additional policy or notation on the Proposals Map is needed.

Issue iii)

10.71 I consider that, subject to my recommended changes, the text of the plan would provide an adequate explanation of what is meant by the term "local" importance. Further detail could be included in the forthcoming SPD. An objector seeks reassurance that the term "local importance" includes regional or nationally important sites and species. But this would include sites/species protected by statutory arrangements and/or other policies in the plan and is therefore not appropriate here.

10.72 The aim of the policy is to avoid local species being adversely affected by development. Ensuring the survival of such species is an underlying objective and there is no need for this to be expressly stated. Changes made in the RDDLP meet other objections to the wording of the policy.

Recommendations:

R10.16 Delete QG 15A.

R10.17 Modify paragraph C.248 to explain how species of local importance will be identified and to make reference to the proposed SPD on Priority Species and Habitats (if the Council intend to produce such SPD in the near future).

Chapter C2 - Policy NE.12 and Paragraphs C2.49 and C2.53

1427/B120	Environment Agency	C2.53
120/B79	Ms Helen Woodley	NE.12
1427/B121	Environment Agency	NE.12
2448/B10	Mr J Sewart	NE.12
3298/B24	Cam Valley Wildlife Group	NE.12
3257/C218	Somer Valley Friends of the Earth	NE.12/C
1568/C8	The Woodland Trust	NE.12/D

Supporting Statements

120/D364	Mrs H Woodley	PIC/C/21 (C2.49)
3126/D59	Bath Friends of the Earth	PIC/C/21 (C2.49)
376/B10	Mr I Wallis	NE.12
3107/D43	English Nature	PIC/C/23 (NE.12)
3126/D61	Bath Friends of the Earth	PIC/C/23 (NE.12)
3116/C22	Bath & North East Somerset Allotment Association	NE.12/A
3257/C216	Somer Valley Friends of the Earth	NE.12/A
3116/C23	Bath & North East Somerset Allotment Association	NE.12/B
3257/C217	Somer Valley Friends of the Earth	NE.12/B
3511/C16	British Waterways	NE.12/B
1427/C209	Environment Agency	NE.12/C
3116/C24	Bath & North East Somerset Allotment Association	NE.12/C

3116/C25

Bath & North East Somerset Allotment Association

NE.12/D

Issues

- i) Whether the policy should refer to other objectives and features.
- ii) Whether the policy should acknowledge that some habitats are irreplaceable.

Inspector's Reasoning

Issue i)

10.73 Changes have been made to the text and the policy which meet the concerns of some objectors, including reference to watercourse "corridors" and "features which contribute to a wider network of habitats".

10.74 The objective of criterion (ii) of the policy is to secure the creation of new features and habitats. This is something that must be negotiated on a case-by-case basis. The policy and the reasoned justification provide scope for negotiating measures to enhance landscape features/habitats where appropriate. I consider that no additional wording is necessary to secure such opportunities. The Council indicates that guidance on the type and nature of habitats to be created under criterion (ii) will be provided in SPD. Reference to this proposed guidance should be made in the plan provided that the Council intend to produce such SPD in the near future. I recommend accordingly.

10.75 The objective of this policy is to protect specific features of the landscape which are important in terms of amenity, wildlife and landscape value. Areas used for local food production could, depending on their nature and circumstances, come within the scope of other policies such as Policy NE.16 (the best agricultural land) or Policy CF.8 (allotments). It would be inconsistent with the main purpose of Policy NE.12 to refer to local food production.

10.76 This policy is designed to safeguard features of the landscape and would be likely to encompass some of the specific features within the local designations in the Wandsdyke Local Plan (if they are not covered by other policies in this Chapter). It is not necessary for specific sites and features to be identified on the Proposals Map in order to be subject to this policy.

10.77 The reference to "major" in criterion (iii) of the policy is in accordance with Article 10 of the Habitats Directive 92/43/EEC, and I consider that no change is required in respect of this issue.

Issue ii)

10.78 I appreciate that some habitats, such as ancient woodland, take many years to develop and are thus almost impossible to recreate. In my view, the policy does not need to explicitly refer to this matter since criterion b

provides an adequate basis on which to judge whether any proposed compensation is adequate and acceptable. Ancient woodland in the district is generally identified as an SNCI and protected by Policy NE.9, which refers to compensatory provision "of at least equal nature conservation value". If this cannot be secured, the development would conflict with the policy.

Recommendations:

R10.18 Modify paragraph C2.52 to refer to the proposed SPD on Priority Species and Habitats (if the Council intend to produce such SPD in the near future).

Chapter C2 - Policy NE.13 and Paragraphs C2.55 and C2.56A

1427/B127	Environment Agency	C2.55
3257/C219	Somer Valley Friends of the Earth	C2.56/A
3298/C71	Cam Valley Wildlife Group	C2.56/A
2695/B3	The Springs Foundation	NE.13

Supporting Statements

120/D359	Mrs H Woodley	PIC/C/24 (C2.56)
1427/C210	Environment Agency	C2.56/A
3116/C26	Bath & North East Somerset Allotment Association	C2.56/A
3257/D308	Somer Valley Friends of the Earth	PIC/C/24 (C2.56)
3298/D96	Cam Valley Wildlife Group	PIC/C/24 (C2.56)
1427/C211	Environment Agency	C2.56A/A
3116/C27	Bath & North East Somerset Allotment Association	C2.56A/A
3126/D62	Bath Friends of the Earth	PIC/C/24 (C2.56A)
3257/C220	Somer Valley Friends of the Earth	C2.56A/A
2585/B7	Wessex Water	NE.13
1427/C212	Environment Agency	NE.13/A
2585/C12	Wessex Water	NE.13/A
3257/C221	Somer Valley Friends of the Earth	NE.13/A

Inspector's Reasoning

10.79 I consider that the changes already made by the Council in the RDDLP adequately address the concerns of objectors and that no modifications are needed.

Recommendation: no change.

Chapter C2 - Policy NE.13A and Paragraphs C2.56B-C2.56D

3257/C222	Somer Valley Friends of the Earth	NE.13A/A
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Supporting Statements

120/C276	Ms Helen Woodley	C2.56B/A
120/C275	Ms Helen Woodley	C2.56C/A
120/C274	Ms Helen Woodley	C2.56D/A

1427/C213	Environment Agency	C2.56D/A
1427/D221	Environment Agency	PIC/C/26 (C2.59)
1427/C215	Environment Agency	C2.58A/A
120/C151	Ms Helen Woodley	NE.13A/A
1427/C214	Environment Agency	NE.13A/A
3116/C28	Bath & North East Somerset Allotment Association	NE.13A/A
120/C152	Ms Helen Woodley	NE.13A/B
3116/C29	Bath & North East Somerset Allotment Association	NE.13A/B
3116/C30	Bath & North East Somerset Allotment Association	NE.13A/C
3116/C31	Bath & North East Somerset Allotment Association	NE.13A/D
3116/C32	Bath & North East Somerset Allotment Association	NE.13A/E
3257/C223	Somer Valley Friends of the Earth	NE.13A/E

Inspector's Reasoning

10.80 The only objection is a comment which does not seek any immediate change to the policy. The Council have noted this comment.

Recommendation: no change.

Chapter C2 - Policy NE.14, Paragraphs C2.57 and C2.59 and Diagram 12

1427/B122	Environment Agency	C2.57
120/D343	Mrs H Woodley	PIC/C/26 (C2.59)
345/B29	Freshford Parish Council	NE.14
578/B89	Norton Radstock Town Council	NE.14
723/B32	Bath Chamber of Commerce	NE.14
1427/B123	Environment Agency	NE.14
2326/B1	Mr C B Bentley	NE.14
2368/B3	Surrey & Counties (Sutton) Limited	NE.14
3004/B1	The Renrod Motor Group	NE.14
3004/B3	The Renrod Motor Group	NE.14
3004/B5	The Renrod Motor Group	NE.14
3007/B3	Grant Thornton	NE.14
3230/B1	Countryside Residential (South West) Ltd	NE.14
345/C32	Freshford Parish Council	NE.14/B
120/D346	Mrs H Woodley	PIC/C/29 (NE.14)
1427/D219	Environment Agency	PIC/C/29 (NE.14)
3533/D25	Network Rail Infrastructure Ltd	PIC/C/29 (NE.14)
3644/D1	Henrietta Park Residents' Association	PIC/C/29 (NE.14)
3653/D7	Peter Brett Associates	PIC/C/29 (NE.14)
120/D349	Mrs H Woodley	PIC/C/30 (NE.14)
120/D345	Mrs H Woodley	PIC/C/28 (Diagram 12)

Supporting Statements

878/B29	The Bath Society	NE.14
1427/D220	Environment Agency	PIC/C/27 (NE.14)
3116/C33	Bath & North East Somerset Allotment Association	NE.14/A
3257/C224	Somer Valley Friends of the Earth	NE.14/A
3116/C34	Bath & North East Somerset Allotment Association	NE.14/B
3257/C225	Somer Valley Friends of the Earth	NE.14/B
3116/C35	Bath & North East Somerset Allotment Association	NE.14/C
3116/C36	Bath & North East Somerset Allotment Association	NE.14/D
3116/C37	Bath & North East Somerset Allotment Association	NE.14/E
3116/C38	Bath & North East Somerset Allotment Association	NE.14/F
3116/C39	Bath & North East Somerset Allotment Association	NE.14/G
3116/C40	Bath & North East Somerset Allotment Association	NE.14/H

Comments on Suggested Unadvertised Inquiry Changes IC17 and IC19

120/G371-s	Mrs H Woodley	IC17 (C2.59)
120/G372	Mrs H Woodley	IC19 (NE.14, Insets & Diagram 12)
3116/G156	Bath & North East Somerset Allotments Association	IC19 (NE.14, Insets & Diagram

Issues

- i) Whether reference should be made to Flood Risk Assessments (FRA).
- ii) Whether the plan takes account of climate change.
- iii) Whether the policy is too restrictive or too weak.
- iv) Whether floodplains should be shown on the Proposals Map and, if so, whether boundaries should be amended.

Inspector's Reasoning

Issue i)

10.81 Paragraph A4.14 of the plan includes flood risk and drainage assessments among the information that may be required to support a planning application, but there is no reference to FRAs in the section of the plan concerning flooding. FRA is the key tool to assess whether any particular site and development is at risk from flooding, of any consequences for flooding elsewhere and how any such risks may be mitigated. In my view, it is essential that Policy NE.14 requires FRAs to be submitted with all development proposals within indicative floodplains or anywhere else that evidence suggests is at risk of flooding. A brief explanation of FRAs and reference to the guidance on their preparation in PPG25 Appendix F should be made in the text. I recommend accordingly.

Issue ii)

10.82 Climate change is an important consideration in assessing flood risk and the consequences of flooding. Paragraph 2.59 highlights the uncertainty associated with climate change and the need for a precautionary approach. My understanding is that climate change is already being taken into account by the Environment Agency (EA) when preparing indicative floodplain maps. Best practice in the preparation of FRAs also takes account of climate change when estimating the frequency and consequences of particular flood events on a site. Subject to the plan requiring FRAs where development may be at risk of flooding, I consider that no further comment on climate change needs to be added.

Issue iii)

10.83 A number of changes were made in the RDDLP in response to objections. Paragraph C2.58A makes reference to PPG25 and the sequential test, and Paragraph B6.10 and Policy ES.5 addresses the issue of SUDs. The policy

now allows for development where the flood hazard can be mitigated. In my view, the changes address the concerns of many objectors that the policy was too inflexible in relation to development within existing urban areas or on previously developed land.

- 10.84 I accept that the possible flooding of access routes serving a development (including the public highway off-site) may be a material consideration. This would not directly be covered by the policy, but should be an issue identified in a FRA, which I am recommending is submitted with all applications on sites at risk from flooding. I consider that no change is needed on this point.
- 10.85 It would be contrary to national policy to place an absolute restriction on development in the indicative floodplains identified by the EA. Policy NE.14 contains criteria which would prevent development unless the flood hazard can be mitigated. I consider that this is a reasonable approach. In my view, no other concerns raised by objectors warrant changes to the policy. Some of the changes sought would overlap with matters covered by policies elsewhere in the plan and or would be repeating advice set out in PPG25. Duplication should be avoided. There is repetition between criterion i and ii. This repetition is unnecessary. I consider that criterion ii should be deleted since the main purpose of showing indicative floodplains on the Proposals Map is to trigger the preparation of a FRA to accompany any application for development, on which I comment further below. This approach is consistent with the Council's view that indicative flood plain information is a guide to be used as a basis for consultation.

Issue iv)

- 10.86 Many objections were made to the uncertainty caused by the use of 2 different notations relating to flooding on the Proposals Map in the DDLP. These have been met, at least in part, by the use of a single notation in the RDDLP. Paragraph 51 of PPG25 indicates that Proposals Maps should show areas of flood risk. The Proposals Map shows indicative floodplains as assessed by the EA. The RDDLP is thus consistent with national advice. I recognise that these indicative floodplains are being refined as more detailed modelling is undertaken in particular areas or to take account of FRAs on specific sites and that in some areas the assessments are based on relatively crude extrapolations. I also recognise the concern of some objectors that indicative floodplains are not conclusive evidence of a site being at risk from flooding and should not be interpreted as such. The process of updating is reflected in an addition to paragraph C2.59 in IC17, which is useful, and an amendment to the floodplains boundaries at Western Riverside in IC19.
- 10.87 In my view, there is a benefit in indicative floodplains being shown on the Proposals Map despite their limitations because they serve to alert both landowners/developers and the Council to the need for FRAs when considering any planning application. This is the prime reason for showing indicative floodplains and my recommended modification to Policy NE.14

would ensure that, in isolation, the location of a site within an indicative floodplain did not arbitrarily preclude development.

- 10.88 A number of objectors question the accuracy of the boundaries of the floodplains shown on the Proposals Map. In my view, the Proposals Map should show the floodplains on a consistent basis and should not be amended piecemeal other than in step with changes to the EA's indicative floodplain maps. I therefore do not intend to recommend any changes in response to these site specific objections, but prior to adoption the Proposals Map should be updated to take account of all recent revisions to the EAs maps, so as to reflect the most up to date position. For clarity and consistency the key to the Proposals Map should also be amended to refer to "Indicative Flood Plains".
- 10.89 PIC/C/30 added to the Proposals Map "Protected Overland Flood Paths" in 3 locations. These are supposedly related to Policy NE.14, but there is no mention of them in the plan and it is unclear what they are intended to represent. In my view, it is unhelpful for the Proposals Map to contain a notation which is not explained in the plan and subject to a particular policy criterion. (The only exception to this are statutorily designated European wildlife sites). This notation should either be deleted or be the subject of explanation and policy criteria in the Plan. On the evidence before me I am unable to assess whether such a notation is necessary.
- 10.90 IC20 proposes that a definition of "floodplain" be added to the glossary. This may be of assistance to the general public in understanding the plan and thus it is a worthwhile addition which I recommend in Section 13. I consider that no other explanatory additions are required.

Recommendations:

R10.19 Modify paragraph C2.58A by reference to the importance of Flood Risk Assessments being prepared and submitted with planning applications within indicative floodplains and to the advice on their preparation at Annex F of PPG25.

R10.20 Modify paragraph C2.59 by the addition of IC17.

R10.21 Modify Policy NE.14 by deleting criterion ii; and adding at the end of the policy:

"all planning applications located within an indicative floodplain shown on the Proposals Map or where there is other evidence that it is at risk from flooding should be accompanied by a Flood Risk Assessment."

R10.22 Modify the Proposals Map:

in accordance with IC19 (floodplain boundaries at Bath Western Riverside) and to take account of any other revisions to the EAs indicative floodplain maps;

by adding "indicative" before "flood plain" on the Key.

by deleting the Protected Overland Flood Paths (PIC/C/30) (unless the plan is modified to explain their purpose and what policy criteria apply to them).

Chapter C2 - Policy NE.15 and Paragraphs C2.61 and C2.63

120/B83	Ms Helen Woodley	NE.15
1427/B124	Environment Agency	C2.61

Supporting Statements

3257/C226	Somer Valley Friends of the Earth	C2.61/A
3116/C41	Bath & North East Somerset Allotment Association	C2.61/B
3257/C227	Somer Valley Friends of the Earth	C2.61/B
3298/C70	Cam Valley Wildlife Group	C2.61/B
3116/C42	Bath & North East Somerset Allotment Association	C2.63/A
3257/C228	Somer Valley Friends of the Earth	C2.63/A
1427/C216	Environment Agency	NE.15/A
3116/C43	Bath & North East Somerset Allotment Association	NE.15/A
3257/C229	Somer Valley Friends of the Earth	NE.15/A
3298/C69	Cam Valley Wildlife Group	NE.15/A
3511/C17	British Waterways	NE.15/A

Issue

- i) Whether the policy should protect watercourses that have value for food production.

Inspector's Reasoning

10.91 There are several policies in the plan which directly or indirectly afford protection to watercourses. I accept that none of these refer to their food production value, such as from existing or former watercress beds, but these would be likely to come within one of the other categories set out in the various policies. The plan cannot address every possible eventuality and I consider that a change in response to this issue is unnecessary.

10.92 Policy NE.15 was amended in the RDDLP to refer to watercourses "and their corridors" and this meets objector's concerns for such wording.

Recommendation: no change.

Chapter C2 - Policy NE.16

120/B73	Ms Helen Woodley	NE.16
721/B36	Government Office for the South West	NE.16
2975/B18	Crest Nicholson Properties Limited	NE.16
3299/B3	Bovis Homes (South West Region) Limited	NE.16

Supporting Statements

3298/B17	Cam Valley Wildlife Group	NE.16
3257/C230	Somer Valley Friends of the Earth	NE.16/A

Issue

- i) Whether the Policy is consistent with national advice and is clearly worded.

Inspector's Reasoning

10.93 An objector highlights the comment in the Rural White Paper (Paragraph 9.3.4) that "it would be wrong to protect an area simply because of its agricultural quality at the expense of another that offers much greater countryside character". In my view, the plan is not inconsistent with that advice since there are a wide range of policies that also seek to protect the countryside for its landscape and nature conservation qualities. The protection afforded to the best and most versatile agricultural land must not be seen in isolation. Furthermore, national policy advocates the use of poorer quality land in preference to that of a higher quality (see PPS7 Paragraph 28) and states that planning authorities may wish to include policies to protect this land from speculative development (Paragraph 29, PPS7).

10.94 Policy NE.16 does not impose an embargo on the development of the best and most versatile land, but indicates that the protection afforded by the policy can be outweighed by the need for the development or sustainability considerations affecting lower grade land. But "need" is not defined in the plan and paragraph C2.66 explains sustainability considerations solely in relation to the potential countryside qualities of lower grade land which might weigh against its use. This ignores an equally important sustainability consideration, namely, which land is in the most accessible/sustainable location.

10.95 I consider that whilst the broad aim of the policy is appropriate, it is too long and complicated. I recommend a revised wording so that the policy, along with the others in the plan, should ensure that development takes place in the most sustainable manner. Sustainability includes giving due weight to the productive value of land. The Town and Country Planning Act 1990 defines agriculture as including horticulture and no separate reference to horticulture is necessary.

Recommendations:

R10.23 Delete the existing wording of Policy NE.16 and substitute:

"Development which would result in the loss of the best and most versatile agricultural land will not be permitted unless sustainability considerations are sufficient to override the protection afforded to the agricultural value of the land. Development should be directed towards

the lowest grade agricultural land except where sustainability considerations indicate otherwise."

R10.24 Modify paragraph 2.66 to refer to the comparative accessibility/sustainability of land of different agricultural value as one of the factors to be taken into account in determining where necessary development on agricultural land should take place.

SECTION 11 - Chapter C3 The Built and Historic Environment

Chapter C3 - Policy BH.1 and Paragraphs C3.6-C3.12

686/C156	Bath Preservation Trust	C3.6/B
686/B103	Bath Preservation Trust	C3.7
686/C155	Bath Preservation Trust	C3.8/A
3295/B4	G L Hearn Planning	C3.10
686/B104	Bath Preservation Trust	C3.11
878/B30	The Bath Society	C3.12
564/B19	London Road Area Residents Association	BH.1
3205/B1	Edward Nash Partnership	BH.1

Supporting Statements

120/C247	Ms Helen Woodley	C3.6/A
120/C248	Ms Helen Woodley	C3.6/B
120/C249	Ms Helen Woodley	C3.7/A
120/C250	Ms Helen Woodley	C3.8/A
2050/C15	Greenway - The Residents Forum from Lyncombe Vale to Beechen Cliff	C3.8/A
120/C251	Ms Helen Woodley	C3.9/A
120/C252	Ms Helen Woodley	C3.10/A
120/C245	Ms Helen Woodley	C3.11/A
120/C246	Ms Helen Woodley	C3.11/B
3173/B1	Bloomfield Road Residents Association	BH.1

Issues

- i) Whether the World Heritage Site (WHS) and boundary is adequately explained and correctly described.
- ii) Whether the reference to EIA is reasonable.
- iii) Whether it is clear how Policy BH.1 will be applied to development proposals.

Inspector's Reasoning

Issue i)

- 11.1 Paragraphs 3.5 to 3.12 set out the reasons for Bath's status as a WHS and its consequences. There is much detail in the text, but I accept that it is necessary to set a clear context for the built and historic environment chapter and to take account of the City's special status as a WHS. In general, I consider that further description here or elsewhere in the plan should be avoided so as not to make a lengthy document even longer. But some further clarification would be useful.
- 11.2 The reference to the three inscription criteria which Bath satisfies are important in explaining the reasons for its status, but I consider that these should be separated from the 2 criteria that all sites have to meet of authenticity and legislative protection. I see no need for these to be set out in full since they are common to all WHS. After the 3 inscription criteria it would be helpful to have a cross reference to section 2 of the

Management Plan which describes which particular qualities of Bath meet the different criteria.

- 11.3 I do not consider that paragraph 3.11 widens the reasons for the designation of Bath as a WHS. The Council is setting out what it sees as necessary to maintain the qualities which make Bath a WHS. The text logically makes a connection between the social, economic and cultural life of the City and sustaining its future.
- 11.4 I have some sympathy with the view that the boundary of the WHS on Inset Map 31 is unclear and difficult to follow. This is primarily the result of the multiplicity of overlapping boundaries and notations on that map. This confusion will be reduced when the Proposals Map for the adopted plan is printed taking into account the changes made between the DDLP and the RDDLP and the consequences of my recommendations elsewhere in this report. A written description of the boundary would serve little purpose, but the plan does not explain why the boundary is where it is.
- 11.5 The Council has explained that the boundary of the WHS is the administrative area of the former Council of the City of Bath. I understand from section 2.2 of the Management Plan that no formal boundary was agreed when Bath was designated a WHS. The Local Plan thus has an important function in defining a boundary. A short explanation of the position and status of the boundary should be added to paragraph 3.12.

Issue ii)

- 11.6 Paragraph 3.10 states that significant development proposals which may adversely affect the WHS or its setting are likely to require an environmental assessment, which I take to mean an Environmental Impact Assessment (EIA). Whether or not a planning application is an EIA application requiring an Environmental Statement (ES) is set out in regulations. In some cases, determining whether an ES is required involves a judgment as to whether a proposal would have significant environmental effects. In my view, the WHS would be material in making that judgement. PPG15 indicates that significant development proposals affecting a WHS will generally require formal environmental assessment. I therefore consider that paragraph C3.10 reasonably highlights the need for an ES. Unfortunately, the paragraph refers to an out of date circular. It should refer to Circular 02/99 Environmental Impact Assessment.

Issue iii)

- 11.7 Policy BH.1 does not contain any factors or criteria to be taken into account in determining whether a development would have an adverse impact on the WHS of Bath or its setting. Whilst intended as an overarching policy, which is supported by detailed policies, such as those relating to the conservation area, I consider that given the size and complexity of the WHS some focus in the policy is needed if it is to serve any practical purpose. If the policy were to refer to "harm to the qualities

which justified its designation as a WHS" there would be a clear link to the 3 inscription criteria and the qualities described under those criteria in the Management Plan. I recommend accordingly.

Recommendations:

R11.1 Modify paragraph 3.6 by:

deleting the phrase added in the RDDLP "plus a further two criteria that all sites have to fulfil";

deleting the 2 mandatory criteria;

adding at the end: "The City also meets the two further criteria required of all WHS, namely, authenticity and legislative protection."

R11.2 Modify paragraph C3.10 by deleting the reference to DOE Circular 7/94 and substituting "Circular 02/99 Environmental Impact Assessment".

R11.3 Modify paragraph 3.12 by explaining the position of the boundary and the importance of the Local Plan in defining a boundary for the WHS.

R11.4 Modify Policy BH.1 by deleting the text and substituting: "Development which would harm the qualities which justified the designation of Bath as a WHS will not be permitted."

Chapter C3 - Policy BH.2 and Paragraphs C3.14-C3.18

686/C157	Bath Preservation Trust	C3.17/A
2127/B3	Bath Pride	C3.18
2334/B2	Mr M Robertson	C3.18
686/B106	Bath Preservation Trust	BH.2

Supporting Statements

120/C231	Ms Helen Woodley	C3.17/A
120/C232	Ms Helen Woodley	C3.17/B

Issues

- i) Does the plan adequately describe the features of a listed building which are important?
- ii) Should the policy make more reference to the "setting" of the building?

Inspector's Reasoning

Issue i)

11.8 Objection is made to the phrases in the text which refer to the presumption in favour of retaining *all original and later* features and to the

importance of original plan forms. For some listed buildings, their special character is derived from gradual change over time, for others it may be the integrity of the original architectural composition. The brief text in the plan cannot explain the appropriate approach in all cases. The key test, which is made clear in the plan, is whether proposed works would preserve the building's special architectural or historic interest. Paragraph C3.17 is helpful in listing some of the features which might need to be retained, but the phrase *all original and later* adds nothing of value and should be deleted.

11.9 PPG15, Annex C, paragraph 58 states that the original plan form of a listed building should be left unaltered "as far as possible". I consider the reference to the importance of the original plan form in C3.18 is clearly expressed. If the original form has already been lost, it would be less likely to be compromised by new additions.

11.10 Objections are recorded against this policy relating to the exercise of greater control over the design of shopfronts and street furniture. These are not objections to Policy BH.2. I do not consider them further.

Issue ii)

11.11 Policy BH.2 applies to development affecting a listed building or its setting and the following criteria apply to both. Additional references to setting would add nothing to the meaning or scope of the policy.

Recommendation:

R11.5 Modify paragraph C3.17 by deleting "all original and later".

Chapter C3 - Policy BH.3

686/D193	Bath Preservation Trust	PIC/C/33 (BH.3)
686/D194	Bath Preservation Trust	PIC/C/33 (BH.3)
721/B37	Government Office for the South West	BH.3
721/C68	Government Office for the South West	BH.3-REG24(9)

Supporting Statements

120/D357	Mrs H Woodley	PIC/C/33 (BH.3)
120/D358	Mrs H Woodley	PIC/C/33 (BH.3)
120/C233	Ms Helen Woodley	BH.3/A

Issue

- i) Whether the policy should be retained and whether the policy criteria are reasonable and clear.

Inspector's Reasoning

11.12 Given the large number of listed buildings in the District and the pressures for new development, especially in Bath, it is inevitable that the question of the demolition of a listed building, in whole or in part, will arise during the lifetime of the plan. The policy does not suggest a lenient approach to demolition, especially given the change in the RDDLP which makes clear that such demolitions will be allowed only in exceptional circumstances.

11.13 The criteria in the policy follow closely the advice in PPG15, paragraphs 3.17 and 3.18. These include reference to "substantial benefits to the community" which forms the 3rd criterion in the policy. Inevitably, the weighing of any such benefits will involve considerable judgement and cannot be wholly objective, but that is the case with the application of many planning policies. I consider that the policy sets out 3 stringent tests which have to be met before consent is given for the demolition of a listed building which would ensure that this was done only in exceptional circumstances. No modification is required.

Recommendation: no change.

Chapter C3 - Policy BH.4 and Paragraph C3.25

334/B5	Ms P Davis	BH.4
686/D195	Bath Preservation Trust	PIC/C/34 (BH.4)
723/B25	Bath Chamber of Commerce	BH.4

Supporting Statements

S120/C230	Ms Helen Woodley	C3.25/A
S120/C234	Ms Helen Woodley	BH.4/A

Issues

- i) Whether the policy will operate to the disadvantage of continued commercial use.
- ii) Whether criterion (ii) should refer to both fabric and character.

Inspector's Reasoning

Issue i)

11.14 The policy wording and the supporting text reflect guidance in PPG15 which states in paragraph 3.10 that the best use for a building will often be the use for which it was designed. The policy does not, explicitly, favour any particular use over another. But I recognise the objectors' concerns that within what is now the established commercial/office part of the city centre, where the original use of listed buildings was predominantly residential, the policy would favour residential use and lead to loss of city centre commercial accommodation. This process is

something which Policy ET.1A was introduced into the RDDLP to specifically resist "because residential values continue to create pressures for the change of use of the existing stock of offices". The Council does not appear to have recognised this policy conflict within the plan and I do not understand the Council's view that the policy can operate flexibly. There may be several ways to address this problem, but I consider that if the wording of Policy BH.4 is retained then criterion i) should not apply where Policy ET.2(2) (the recommended modification for the protection of office uses in Bath City Centre) is also applicable. I recommend accordingly.

Issue ii)

11.15 Assessing the effect upon the character of the building and its architectural or historic interest would include consideration of the impact on the fabric of the building. There is no need to specifically highlight fabric in the policy.

Recommendation:

R11.6 Modify Policy BH.4 by inserting after "originally designed" "(except where policy ET.2(2) – as recommended in this report - also applies)".

Chapter C3 - Policy BH.5, Quick Guide 17 and Paragraphs C3.29-C3.30

686/C158	Bath Preservation Trust	C3.30/A
878/B31	The Bath Society	C3.29
120/B48	Ms Helen Woodley	BH.5
564/B18	London Road Area Residents Association	BH.5
3206/B1	London & Argyll Developments Ltd	BH.5
120/C235	Ms Helen Woodley	C3.29/B

Supporting Statements

3257/C231	Somer Valley Friends of the Earth	C3.29/A
3257/C232	Somer Valley Friends of the Earth	C3.29/B
120/C194	Ms Helen Woodley	C3.30/A
120/C195	Ms Helen Woodley	Quick Guide 17/A
3257/C233	Somer Valley Friends of the Earth	Quick Guide 17/A
376/B11	Mr I Wallis	BH.5
581/B24	Batheaston Society	BH.5
120/C191	Ms Helen Woodley	BH.5/A
3257/C234	Somer Valley Friends of the Earth	BH.5/A
3257/C235	Somer Valley Friends of the Earth	BH.5/B
120/C193	Ms Helen Woodley	BH.5/C

Issues

- i) Whether the criteria for the identification of locally important buildings are suitably worded.

- ii) Whether the policy should allow demolition in exceptional circumstances.

Inspector's Reasoning

Issue i)

- 11.16 I consider that "historic associations" in paragraph 3.30 encompasses the matters referred to in the objector's suggested text. I see no merit in substituting alternative text.
- 11.17 Some objectors highlight the merits of particular types of building for inclusion in the local list. This is a matter for the Council, but I consider that the selection criteria would not exclude consideration of the merits of any of the suggested building types.
- 11.18 Elsewhere in this report I have recommended against the use of Quick Guides which disrupt the flow of the plan and do not have a clear status. In the case of QG17 I recommend that the criteria are set out in the text after paragraph C3.30.

Issue ii)

- 11.19 The wording of the policy contains a contradiction which I presume is a drafting error. The policy indicates that development which *adversely* affects a building on the local list *will* be permitted subject to 2 criteria which prevent any development to the building which would adversely affect it. I presume that the first part of the policy should not include "adversely".
- 11.20 The policy does not refer to demolition. Inclusion on the list of locally listed buildings does not confer any special protection from demolition. Any reference to demolition in the policy would imply a degree of control which the Council would often be unable to exercise. Demolition within conservation areas is covered by Policy BH.7. Accordingly, I consider that no reference needs to be made to demolition in exceptional circumstances.
- 11.21 Objectors seek reference to Grant Aid, VAT relief and a graffiti removal service, but these are not suitable matters for inclusion in a local plan. The promotion of buildings as potential tourist attractions or for employment use is dealt with elsewhere in the plan.

Recommendations:

R11.7 Modify policy BH.5 by deleting "adversely" in the first line.

R11.8 Delete QG17 and insert the selection criteria under paragraph C3.30.

Chapter C3 - Policy BH.6 and Paragraphs C3.34 and C3.39

88/B47	William & Pauline Houghton	C3.34
686/B108	Bath Preservation Trust	C3.39
233/B4	Compton Dando Parish Council	BH.6
421/B4	Mrs E Bagshaw	BH.6
564/B17	London Road Area Residents Association	BH.6
878/B32	The Bath Society	BH.6
2310/B2	Beechcroft Developments	BH.6
2310/B14	Beechcroft Developments	BH.6
3007/B2	Grant Thornton	BH.6
3207/B4	Cindabi (International) Ltd	BH.6
3278/B12	Persimmon Homes (Wessex) Ltd	BH.6

Supporting Statements

376/B12	Mr I Wallis	BH.6
3173/B4	Bloomfield Road Residents Association	BH.6
3251/B2	Prospect Land Ltd	BH.6
120/C176	Ms Helen Woodley	BH.6/A
3257/C236	Somer Valley Friends of the Earth	BH.6/A
120/C177	Ms Helen Woodley	BH.6/B
3257/C237	Somer Valley Friends of the Earth	BH.6/B

Issues

- i) Whether full applications in conservation areas should always be required.
- ii) Whether the policy is too prescriptive and restrictive.
- iii) Whether the policy should highlight particular eyesores in conservation areas.
- iv) Whether additional conservation areas should be designated or adjustments made to existing boundaries.

Inspector's Reasoning

11.22 An objector highlights the opportunities for improvements to the streetscape of Twerton High Street, but these comments do not amount to an objection to the policy and no change to the plan is proposed.

Issue i)

11.23 PPG15, paragraph 4.18 states that local planning authorities will "often need to ask for full details." The plan reflects this advice. Whilst I consider that a full application will normally be required for new development in a conservation area, there may be circumstances where this is not necessary and it would be inappropriate to rule out this option.

Issue ii)

11.24 The aim of the policy is clearly stated in the first sentence, namely to allow development only where it preserves or enhances the character or

appearance of the conservation area. This formulation is consistent with national advice and statutory requirements. The matters listed in the policy are matters to which particular attention will be given. This means that they do not all have to met.

11.25 Text is added to criterion i) of the policy in the RDDLP to make clear that it applies only to buildings and features of the conservation area which contribute to the character or appearance of the area. This gives that criterion a positive focus and ensures that there is no policy objection to the redevelopment of unattractive buildings or spaces. The removal of unsightly features is a specific consideration highlighted in vi). In my view, the list of matters to be given attention are those necessary to inform good design within an historic environment and should not discourage new development. The policy is thus not too prescriptive or onerous.

11.26 I accept that the matters are described in a broad-brush way and provide only a context rather than detailed advice. This is appropriate given the scale and variety of conservation areas within the District. The streets, building, layout and materials which make a conservation area special and the features which detract from a conservation area should be matters addressed in conservation area appraisals. Conservation area appraisals are referred to in paragraph C3.53, but this text is not related to any particular policy. I consider that conservation area appraisals should be referred to in the supporting text to Policy BH.6 as providing further information on what is special about particular conservation areas and what features are unattractive. It would also be helpful to have a cross reference to where existing and proposed appraisals are listed.

Issue iii)

11.27 Criterion iv) of Policy BH.6 states that particular attention will be paid to the removal of unsightly and inappropriate features in conservation areas when considering applications. Matters such as overhead lines, street furniture, and utility works highlighted by the objector are too detailed for inclusion in the policy. Where such features significantly detract from a particular conservation area they should be highlighted in the conservation area appraisal and the Council should consider what action to take to enhance the area, but this process is outside the scope of the plan.

Issue iv)

11.28 The designation of new conservation areas and amendments to the boundaries of existing conservation areas are subject to separate statutory procedures and cannot be achieved by changes to the Local Plan. The Proposals Map should show only those conservation areas that already exist. I have therefore not considered the merits of the locations highlighted by objectors.

Recommendation:

R11.9 Modify paragraph C3.40 by highlighting that conservation area appraisals will assist in the application of the policy because they identify what makes an area special and what detracts from it. Insert a cross reference to where existing and proposed appraisals are listed in the plan.

Chapter C3 - Policy BH.7 and Paragraph C3.41

2334/B5	Mr M Robertson	BH.7
2965/B12	Morley Fund Management Limited	BH.7

Supporting Statements

3257/C238	Somer Valley Friends of the Earth	C3.41/A
120/C174	Ms Helen Woodley	BH.7/A
3257/C239	Somer Valley Friends of the Earth	BH.7/A

Issue

- i) Whether the policy should refer to economic viability or the achievement of other planning objectives.

Inspector's Reasoning

11.29 Paragraph C3.41 makes clear that the Council will consider whether the building is structurally and "economically" beyond restoration. In my view this is also the combined effect of criteria i) and ii) in the policy. Accordingly, I consider that it is unnecessary for the phrase "not capable of economic retention or repair" to appear in the policy.

11.30 The policy requires all 3 criteria to be met. In my view, the policy should allow consideration of the benefits to the conservation area to be taken into account even if the non listed building to be demolished is in economic repair/use. This would allow buildings which make only a slight contribution to the conservation area to be replaced by high quality new development. This could be achieved by inserting an additional stand-alone criterion. But the policy should not try and encompass consideration of other planning objectives. These could be material, and might well accord with other policies of the plan, but such considerations would then need to be weighed against any conflict with this policy.

Recommendation:

R11.10 Modify Policy BH.7 by inserting at the end: "or iv) the proposed development would make a significantly greater contribution to the conservation area than the building to be lost."

Chapter C3 - Policy BH.8 and Paragraph C3.45 and C3.46

686/B109	Bath Preservation Trust	C3.45
708/B29	The Widcombe Association	BH.8

Supporting Statement

S686/B110	Bath Preservation Trust	C3.46
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Issue

- i) Should reference be made to specific improvement proposals?

Inspector's Reasoning

11.31 An objector seeks reference to improvement works in particular streets, but these suggestions are too detailed for this Local Plan. Only policies and proposals in the plan which will be implemented during the lifetime of the plan and which will form the basis for making planning decisions should be included. The other objections relate to comments or questions for the Council which do not require consideration in this report.

11.32 In accordance with recommendations made elsewhere in this report, Quick Guide 18 should be deleted. The text of paragraphs C3.45 and C3.46 could be simplified. It should be sufficient to say that within conservation areas some permitted development rights are restricted, and that Article 4 Directions may also be issued by the Council to achieve additional control. I recommend accordingly.

Recommendations:

R11.11 Delete Quick Guide 18.

R11.12 Modify paragraph C3.45 by deleting the last 2 sentences.

R11.13 Modify paragraph C3.46 by deleting the last sentence.

Chapter C3 - Policies BH.9 and BH.10 and Paragraphs C3.50-C3.56

878/B33	The Bath Society	BH.9
246/B12	SUSTRANS	BH.10
1897/B1	Mr & Mrs R A Parker	BH.10
2199/B3	Mr M Fone	BH.10
2448/B2	Mr J Sewart	BH.10

Supporting Statement

686/B112	Bath Preservation Trust	C3.50
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Issues

- i) Whether sites should be deleted or added to the Parks and Gardens of Local Historic Interest Shown on the Proposals Map.
- ii) Should Policies BH.9 and BH.10 be merged into one policy.

Inspector's Reasoning

Issue i)

- 11.33 The Proposals Map shows (as PG) parks and gardens which are included on the Gazetteer of Parks and Gardens approved by the former Avon County Council in 1992. These are parks and garden of local historic interest and are separate from those on English Heritage's Register, which are separately annotated on the Proposals Map.
- 11.34 Objectors question the validity of their particular properties being included on the Proposals Map. In response, the Council confirms that they are sites included in the 1992 Gazetteer. I accept that sites should be shown on a consistent basis and that it would be inappropriate to delete 1 or 2 sites from the Proposals Map unless they were also deleted from the Gazetteer. But there is no mechanism for the inclusion of sites in the Gazetteer to be reviewed. More fundamentally, I am concerned that a Gazetteer approved in 1992 (with apparently much of the work being undertaken in the 1980s) may be out of date or may primarily be an inventory of information on historic gardens and not necessarily only include those which are substantially intact.
- 11.35 I am therefore concerned that there may not be an adequate evidence base on which to show parks and garden of local interest or on which to judge the effect of any development proposals, as required by Policy BH.10. I contrast these circumstances with those relating to the designation of SNCIs. Such designations are also made outside the local plan process, but there are published criteria for selection, the clear identification of the nature conservation interest justifying their selection, expert review and confirmation by the Council. These arrangements also enable SNCIs sites to be amended in the light of new information.
- 11.36 On the information available to me, I am not satisfied that the identification of parks and gardens of local interest on the Proposals Map can be justified. Unless the Council is able to validate the accuracy and usefulness of the information contained in the Gazetteer recorded for each site in the District and introduce a mechanism whereby sites can be deleted or information amended, then I recommend their deletion from the Proposals Map. Objectors concerns about unauthorised public access have not weighed in this assessment, since those who are thoughtless enough to trespass on private gardens are unlikely to have been influenced by a relatively obscure designation in a local plan.

11.37 If the sites are not to be shown on the Proposals Map then there would be a lack of clarity in the application of Policy BH.10 which should also be deleted. Whilst I support the principle of protecting parks and gardens of local historic interest this can only be done on the basis of adequate and verifiable evidence to support the policy.

11.38 To avoid any uncertainty following the deletion of Policy BH.10, Policy BH.9 needs to be amended to make clear that it applies only to sites on English Heritage's Register. Given the recommendations I intend to make, it is not necessary to consider the other objections to Policy BH.10.

Recommendations:

R11.14 Modify the Proposals Map by deleting all Parks and Gardens of Local Historic Interest.

R11.15 Modify the plan by deleting Policy BH.10.

R11.16 Modify Policy BH.9 by deleting the text and substituting: "Development which adversely affects sites on English Heritage's Register of Historic Parks and Gardens or their settings will not be permitted".

R11.17 Modify paragraphs C3.54-C3.56 to reflect the above modifications.

Chapter C3 - Policy BH.12 and Paragraph C3.62

88/B48	William & Pauline Houghton	C3.62
2965/B13	Morley Fund Management Limited	BH.12
3189/B3	Somerset Coal Canal Society	BH.12

Supporting Statements

120/C175	Ms Helen Woodley	BH.12/A
3257/C240	Somer Valley Friends of the Earth	BH.12/A

Issues

- i) Whether the policy accords with national guidance.
- ii) Whether the Somerset Coal Canal should be designated under this policy on the Proposals Map.

Inspector's Reasoning

Issue i)

11.39 The Council made a number of amendments to the policy in the RDDLP in response to objections to the DDLP. In my view, it now more fully reflects guidance in PPG16 and no further changes are needed.

Issue ii)

11.40 The Proposals Map shows only sites which are Scheduled Ancient Monuments to which Policy BH.11 applies. Scheduling is the responsibility of the Government, not the Council.

11.41 In so far as the Coal Canal represents important archaeological remains it would be covered by Policy BH.12 and does not need to be shown on the Proposals Map to come within the remit of the policy. It would be inconsistent to identify on the Proposals Map only the Coal Canal as subject to Policy BH.12 and impractical to show all sites subject to this policy, especially as the importance of archaeological remains is not always clear until initial site evaluation.

Recommendation: no change

Chapter C3 - Policy BH.15 and Paragraphs C3.71A and C3.72

There are large numbers of representations to this policy; details are listed at Appendix 1.

Issues

- i) Whether the policy should be made more flexible.
- ii) Whether sites shown on the Proposals Map have been identified on the basis of a thorough and systematic assessment.
- iii) Whether all visually important sites to which the policy applies should be shown on the Proposals Map or in a schedule.
- iv) Whether sites should be added to or deleted from the designation.

Inspector's Reasoning

11.42 I intend to deal with the issues raised in the objections together. It is not possible to determine whether sites should be added to or deleted from the designation or to decide whether the wording of the policy is appropriate without a clear understanding of the purpose of the policy and the basis on which sites have been identified.

11.43 The qualifying criterion for designation is set out in the supporting text in paragraph C3.71A, namely an open space that contributes to the character of the settlement in terms of its visual importance and that the policy applies only to open spaces "within" the District's settlements and villages. But, in contrast, the policy refers to "development which harms the openness and character" of VIOS, which places the emphasis on the character of the space and not its contribution to the character of the settlement. The openness of a space is likely to be adversely affected by almost any built development, whereas its contribution to the character of

a settlement might not be. The reference to openness in the policy introduces a demanding test for development to meet, which is likely to preclude any change, and which curtails the opportunity to consider the merits of any proposal. Site specific designations subject to such a strict policy require clear justification.

- 11.44 It is not clear how sites have been identified for designation under the policy. There is no evidence of any systematic survey and evaluation to identify what is special about the contribution each designated site makes to the character of the area. From the Proposals Map it appears that virtually all the undeveloped green spaces within Bath are subject to this designation, as well as many in the other settlements. In Bath, the designated spaces range from the open space at the centre of the Circus and in front of the Royal Crescent to relatively small parcels of amenity land in suburban streets. The significance of designated spaces to the character of the settlement thus seems to range from the vital to the inconsequential. This apparently blanket approach undermines the credibility of the policy.
- 11.45 The policy not only applies to the spaces designated VIOS on the Proposals Map, but would also be applied to other spaces, not yet identified. The Council indicates that the policy would apply on a case-by-case basis as and when proposals were put forward on sites which the Council considered were VIOS. In my view, this approach is unacceptable. Given the strictness of the policy, it is unreasonable for landowner/developers not to know whether their open land might be subject to this policy until after an application has been submitted.
- 11.46 There are other inconsistencies. The designation applies to many playing fields outside settlements, such as along the Lansdown Road and around Clandown, in contradiction to the indication that sites subject to the policy are within the towns and villages. How such sites contribute to the character of the nearby settlements is unclear.
- 11.47 Many of the designated VIOS, both in Bath and in the smaller towns and villages, overlap with other protective policies which have a clearer focus. Many of the sites are within or adjoining conservation areas. Policy BH.6 includes open spaces which contribute to the character of the area among the matters to which particular attention will be given. The policy and statutory provisions applying in conservation areas provide a strong basis on which to resist harmful development, including the loss of important open areas. Within the conservation areas, Policy BH.15 and the VIOS designation constitute unnecessary duplication. Conservation area appraisals provide the opportunity for identifying open areas which contribute to the character of the area. In addition, many of the VIOS are playing fields protected by Policy SR.1A, or are public recreation grounds.
- 11.48 In the light of the above, I consider that many of the criticisms of this policy made by objectors are well founded. The purpose of the policy is confused, the selection of sites has been unsystematic and the need for the policy in many areas is unclear. I am not, therefore, in a position to

come to any view as to the merits of individual sites and whether they should be added to the designation or be deleted.

11.49 I recognise that some of the designated sites are brought forward from the Wandsyke Local Plan, which has a policy to protect Areas of Open Amenity Value. Many of those sites had been identified in an earlier local plan and endorsed by Inspectors when considering objections to those plans. My impression from the comments of previous Inspectors quoted by the Council is that they were able to identify a specific contribution of designated sites to the settlements within which they are located. These past assessments may be helpful to the Council in clarifying the basis for the selection of sites.

11.50 If the Council wishes to retain a policy designating and protecting visually important open spaces than I consider that sites should be assessed against clear criteria and the reasons for the selection of each site should be made explicit. The policy should be amended to reflect the basis on which sites have been selected. In my view, if retained, it should focus on the retention of the positive contribution of the space to the character and visual amenity of the settlement, rather than primarily on openness.

11.51 In the event that it is not practical to undertake such an assessment for this plan, I recommend that Policy BH.15 and the designation be deleted. Given the extent of the conservation areas within settlements, the tightly defined housing development boundaries and the policies protecting playing fields, I consider that the deletion of the policy would be unlikely to undermine the protection of the environmental quality of the District. In the light of my conclusions, there is no purpose in considering further any of the detailed objections to the policy.

Recommendations:

Either:

R11.18 The Council assemble a set of defined criteria against which to evaluate undeveloped sites within built up areas and carry out an assessment of sites identified in the RDDLP as VIOS against those criteria. Sites which accord with the criteria may then be identified with explicit reasons for the inclusion of sites within the VIOS designation; and

modify the Proposals Map in accordance with that site selection process; and

modify Policy BH.15 to relate directly to the criteria for the selection of sites and the contribution the site makes to the character of the settlement.

Or:

R11.19 Delete Policy BH.15 and delete the VIOS designation from the Proposals Map.

Chapter C3 - Policy BH.16

81/B3	Rosewell Nursing Home	BH.1
2326/B2	Mr C B Bentley	BH.16
2683/B1	Diocese of Bath & Wells	BH.16
3009/B3	Polestar Properties Limited	BH.16
3047/B2	Mrs E W Styles	BH.16
3047/B5	Mrs E W Styles	BH.16
3066/B3	Mr L Knowles	BH.16
3098/B37	George Wimpey Strategic Land	BH.16

Supporting Statements

120/B123	Ms Helen Woodley	BH.16
566/B10	Clutton Parish Council	BH.16
1864/B1	Ms S Walker	BH.16
1969/B1	Mr A Price	BH.16
1970/B1	Ms S Price	BH.16

Issues

- i) Whether the policy is necessary or unduly restrictive.
- ii) Whether land should be added to or removed from the designated area on the Proposals Map.

Inspector's Reasoning

11.52 Policy BH.16 seeks to protect the "separateness" of the cluster of ex-coalmining settlements in the south of the district. The designation abuts but does not overlap with the Housing Development Boundaries of the settlements and excludes any substantial groups of existing buildings. The designation thus applies only to the countryside.

11.53 I consider that existing policies in the plan are sufficient to protect the countryside between the BH.16 settlements. Policy SC1 establishes a settlement classification which defines all of the settlements affected by BH.16 as Urban Areas/R.1 settlements, with the exception of Hallatrow which is defined as an R.2 settlement. All of the settlements directly affected by the village buffer zones are covered by policy to permit housing development only within the defined housing development boundaries. The Proposals Map defines tight boundaries around the settlements in question, which ensure that there is countryside between them. New housing and employment development in the countryside is strictly controlled. Policy NE.1 protects the character of the rural landscape.

11.54 The Council justifies the policy on 2 main grounds. Firstly, it highlights what it regards as the development pressures on the edge of these settlements, but there is nothing to suggest that development pressures in these areas are exceptional or any different to those around the other edges of these and other rural settlements. Secondly, the Council highlight the narrowness of the gaps and their sensitivity to development. I accept that several of the settlements in this part of the district are close

to each other and that the visual impact of development on the separateness and setting of the settlements might be greater here than elsewhere. But I see no reason why any such greater impact should not be properly taken into account in the context of other policies and thus weigh against such proposals. This appears to have been the case in the examples highlighted by the Council of development that has been refused or dismissed on appeal.

11.55 I do not seek to undermine the importance of maintaining the separate identity of these particular rural settlements, but I am not satisfied that Policy BE.16 is needed to achieve this goal. The justification for the policy implies a lack of confidence in the other policies of the plan to control development satisfactorily. Subject to proper evaluation of the impact of individual proposals, I see no reason why the other policies applicable to the countryside should not be able to achieve the Council's objective. Policy BH.16 is not therefore necessary and I intend to recommend its deletion. Given this conclusion I have not considered the site specific objections.

Recommendation:

R11.20 Modify the plan by deleting paragraphs C3.73 and C3.74, Policy BH.16 and the village buffers from the Proposals Map.

Chapter C3 - Paragraph C3.80

1830/B5

Highways Agency

C3.80

Issue

- i) Should the paragraph clarify the roles and responsibilities of the Council and the Highways Agency with regard to highways?

Inspector's Reasoning

11.56 The Local Plan is a planning policy document that sets out the council's strategy and development control policies for future development in the District. It is not necessary to set out the respective responsibilities of local and government bodies. Statutory processes will ensure that the relevant agencies are consulted on development proposals. The second half of the paragraph concerning the Council's actions as highway authority responsible for directional and tourist signs is not relevant to the application of the policies of the plan and should be deleted.

Recommendation:

R11.21 Modify the plan by deleting all that part of paragraph C3.80 from "All directional signs" to the end.

Chapter C3 - Policy BH.19

686/B118

Bath Preservation Trust

BH.19

Issues

- i) Should the policy say that development "may" be permitted?
- ii) Should the policy require applicants to demonstrate that the original shop front could not be retained?

Inspector's Reasoning

Issue i)

11.57 The alternative wording proposed by the objector introduces an element of uncertainty into the policy wording that is not helpful. The purpose of policies in the plan is to provide clear guidance in its implementation.

Issue ii)

11.58 There is no need for the addition of a criterion requiring applicants to demonstrate that the retention of a "shop front of value" is not possible. Policy BH.20 affords protection to traditional shop fronts and the addition of this criterion would duplicate this policy. The plan must be read as a whole.

Recommendation: no change

Chapter C3 - Policy BH.21

578/B68

Norton Radstock Town Council

BH.21

Issue

- i) Should the policy take a firmer stance against security shutters and grills, particularly in conservation areas?

Inspector's Reasoning

11.59 I consider that the policy is robust and that the criteria adequately address issues of visibility and the effect on the building and the street scene. The plan also contains policies which protect the character and appearance of conservation areas. The plan should be read and applied as a whole. I also consider that criterion iv) of the policy properly recognises the need to maintain access to upper floors and that no change to the policy or the supporting text is needed in relation to access.

Recommendation: no change.

Chapter C3 - Policy BH.22

442/B4	Campaign for Dark Skies	BH.22
578/B69	Norton Radstock Town Council	BH.22
686/B120	Bath Preservation Trust	BH.22

Supporting Statement

2050/B7	Greenway - The Residents Forum from Lyncombe Vale to Beechen Cliff	BH.22
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Issues

- i) Should the policy refer to the Council's External Lighting Guide?
- ii) Should the policy discourage unsympathetic external lighting of residential properties and emphasise the protection of residential amenity?
- iii) Should the policy specify more clearly the types of development to which it applies?
- iv) Should reference be made to highway/street lighting?

Inspector's Reasoning

Issue i)

11.60 Paragraph C3.98 refers to the Council's external lighting guide. Adding this reference to the policy would add nothing to either the weight of the guide or to the effectiveness of the policy. The existing reference to the guide is useful information for applicants that supports the implementation of the policy. The supporting text is the most appropriate place to refer to the guide.

Issue ii)

11.61 Permitted development rights for residential property owners mean that the plan can do little to control external lighting of residential properties, outside conservation areas. Paragraph C3.94 acknowledges that residential properties contribute to the problem of light pollution. Paragraph C3.98 sufficiently highlights the problem and usefully refers to the external lighting guide. It would not be appropriate for the plan to advocate changes to the permitted development rights attached to residential properties.

11.62 Criterion i) seeks to prohibit sources of light pollution in locations where it is not a problem at present. Criterion ii) protects residents in villages and urban areas from development that would lead to an increase in light pollution. Both policies favour protecting residential and visual amenity, although criterion ii) specifically identifies these aspects because it recognises that external illumination is already a part of the street scene in some settlements and it is not the intention of the criterion to protect the wider environment from the visual affects of external lighting. There

is no need to amend the policy to add a further criterion relating to residential amenity.

Issue iii)

11.63 The Policy refers to "facilities" and I consider that this is a broad and inclusive term which encompasses a wide range of developments in the countryside. The supporting text to the policy in paragraphs C3.94 to C3.98 provide an adequate explanation of the nature of the policy and how it is intended to be applied. It would be unhelpful to restrict the policy by applying it to specific types of buildings and uses.

Issue iv)

11.64 Street lighting does not require planning permission. Policies in the plan cannot control the decisions of those responsible for street lighting or the maintenance and alteration of street lighting. The plan is not the place to advocate the changes sought by the objector.

Recommendation: no change

SECTION 12 - Chapter C4

Chapter C4 - Policy M.1

120/B92	Ms Helen Woodley	M.1
1427/B128	Environment Agency	M.1
3202/B2	Pensford plc	M.1
3257/C245	Somer Valley Friends of the Earth	M.1/D

Supporting Statement

502/B21	Camerton Parish Council	M.1
120/C196	Ms Helen Woodley	M.1/A
120/C197	Ms Helen Woodley	M.1/B
3257/C243	Somer Valley Friends of the Earth	M.1/B
120/C198	Ms Helen Woodley	M.1/C
120/C199	Ms Helen Woodley	M.1/D

Issues

- i) Whether the plan should restrict further minerals extraction in the District.
- ii) Should the policy take into account the need to protect the water environment?
- iii) Whether the policy requires rewording to add clarity.
- iv) Should the Policy *require* mitigation?

Inspector's Reasoning

Issue i)

12.1 It would be contrary to Government policy (MPG1 paragraph 40) to place a complete restriction on any minerals extraction in the District. As drafted, the plan sets out appropriate criteria by which proposals can be assessed.

Issue ii)

12.2 Clearly the local authority have a responsibility to take into account the need to protect the flow and quality of surface and ground water supplies. However, there are a number of policies within the plan which would cover potential impacts upon this resource, including Policies M.8, NE.13, and NE.14. The wording proposed by the objector would introduce unnecessary detail.

Issue iii)

12.3 In their response to Pensford plc the Council agrees some changes to Policy M.1 which it then lists. However, these changes do not appear in their entirety in the consolidated version of the plan. In my view the

changes listed by the Council in their response would clarify and improve the policy, and the policy should be modified accordingly.

Issue iv)

12.4 Further assurance is sought that mitigation measures will be implemented. However, it is for the local authority to secure the implementation of mitigation measures through planning conditions or obligations as appropriate and to ensure that they are properly monitored. The additional text suggested by the objector would make little difference and I consider it to be unnecessary.

Recommendation:

R12.1 Modify Policy M1 to accord with the proposed changes set out in the Council's response to objection 3202/B2.

Chapter C4 - Paragraphs C4.11-C4.57

3202/B3	Pensford plc	C4.11
3202/B4	Pensford plc	C4.13
3202/B5	Pensford plc	C4.14
1427/B129	Environment Agency	C4.20
3202/B6	Pensford plc	C4.25
3202/B7	Pensford plc	C4.26
3202/B8	Pensford plc	C4.27
2312/B1	Bath Stone Group	C4.35
3202/B1	Pensford plc	C4.40
3202/B9	Pensford plc	C4.47
3291/B2	Waste Recycling Group (WRG)	C4.47
3257/C246	Somer Valley Friends of the Earth	C4.47/A
3298/C47	Cam Valley Wildlife Group	C4.47/A
3202/B10	Pensford plc	C4.49
745/C39	South Stoke Parish Council	C4.54/A
686/D197	Bath Preservation Trust	PIC/C/38 (C4.54)
743/D41	Combe Hay Parish Council	PIC/C/38 (C4.54)
745/D44	South Stoke Parish Council	PIC/C/38 (C4.54)
578/B70	Norton Radstock Town Council	C4.57

Supporting Statements

120/D356	Mrs H Woodley	PIC/C/37 (C4.47)
3298/D97	Cam Valley Wildlife Group	PIC/C/37 (C4.47)

Issues

Paragraphs C4.11 to C4.20

- i) Should paragraph C4.13 acknowledge the difference between stone for use as aggregate and stone for building and walling?
- ii) Whether paragraph C4.20 should confirm who is responsible for the restoration of the site at Combe Hay.

Paragraphs C4.25-C4.44

- iii) Whether paragraph C4.25 should clarify the proposed uses of the limestone.
- iv) Whether paragraph C4.26 requires clarification.
- v) Whether points (i) and (ii) are correct.
- vi) Whether the production figure for Hayes Wood Mine paragraph C4.35 is correct.
- vii) Whether paragraph C4.40 should acknowledge the need to provide aggregates.

Paragraphs C4.47-C4.57

- viii) Whether paragraph C4.47 should more accurately describe Stowey Quarry; make reference to non-inert waste; and acknowledge the importance of the sites for nature conservation.
- ix) Is it appropriate to imply in paragraph C4.49 that prime quality building stone is being crushed?
- x) Should paragraph C4.54 be updated in accordance with the recent First Secretary of State decision?
- xi) Does the Fuller's Earth site have the benefit of a B2 fallback permission as stated in PIC/C/38?
- xii) Whether the reference to the Springfield spoil tip in paragraph C4.5 should be clarified.
- xiii) Whether the District should contribute to aggregate extraction in the region.

Inspector's Reasoning

Issues i) to xii)

- 12.5 The amount of detail contained in these paragraphs of the plan is excessive and unnecessary. The objective of the plan should be to provide a clear guide to minerals operators and the public as to where mineral extraction is likely to be acceptable and where it would not be acceptable (paragraph 15, MPG1). It should not seek to describe the geology and the history of operations in the District, or set out extracts from the MWALP which is now out of date. The reference in paragraph C4.54 to the use of the Fuller's Earth Plant Site is a particular example of unnecessary and irrelevant detail which should not be included in the plan.

12.6 The plan should include a summary of the minerals reserves and resources as assessed by the minerals planning authority (paragraph 24 MPG1). Therefore, whilst the sub-heading on page 232 of the plan is appropriate, the text which follows is too detailed. Paragraphs C4.5 to C4.58 should be deleted and replaced with a short section on mineral resources covering limestone, Fuller's Earth and coal in accordance with my recommendation below, together with a table which summarises the position for each active and inactive site. As a result I do not consider in detail every objection which has been raised, since these relate to the detailed wording of the text which I am recommending to be deleted.

Issue xiii)

12.7 There is no justification for apportioning a figure for aggregate extraction in the District. The Structure Plan (paragraph 3.27) identifies North Somerset and South Gloucestershire as the main production areas to deliver the figures apportioned by MPG6 to the former county of Avon. Therefore, I have neither justification nor evidence to support such a figure. Pensford plc question the level of reserves in the District put forward in paragraph C4.11, but provide no evidence to support their objection. This is a matter which needs to be resolved between the Council and the main operators in the area, so that a new table 4.1 may be completed to be inserted in the plan as recommended below.

Recommendations:

R12.2 Paragraphs C4.5 to C4.58 be deleted and replaced with the following:

"Limestone is the principal commercial mineral worked in the plan area. Current reserves are in the order of 600,000 tonnes, according to 2001 estimates. Fuller's Earth and coal were extracted from sites within the District up to 1979 and 1973 respectively. However, whilst reserves still exist in the area the extraction of these minerals is not considered to be economically attractive and is unlikely to resume in the District.

There are currently three sites active in the District: two surface mineral workings and one underground mine. Stowey Quarry near Bishop Sutton, produces white lias and blue lias limestones for use as building and walling stone and also for aggregate purposes. Upper Lawn Quarry at Combe Down produces the Combe Down variety of Bath Stone for building, refurbishment, restoration and walling purposes; and Hayes Wood Mine at Limpley Stoke produces some 9-11,000 tonnes of stone each year.

There are also a further three sites which are currently inactive but with extant planning permissions. The Table below provides a summary of the mineral reserves and registered planning permissions at the six sites."

Table 4.1 (*to be completed by the Council*)

	Name	Description, i.e.location, area etc.	Extent of mineral reserve and type	Planning Permissions
Active sites				
Inactive sites				

R12.3 PIC/C/38 be deleted.

Chapter C4 - Paragraph C4.59

3202/B11

Pensford plc

C4.59

Issue

- i) Whether the paragraph should acknowledge that it is sustainable for a site to yield the highest production possible before it is closed.

Inspector's Reasoning

12.8 Paragraph C4.60 acknowledges that, in terms of economic and environmental sustainability, best use should be made of extracted minerals. However, I do not agree with the objector that in every case the most sustainable option would be to yield the highest production possible. The yield must be determined on a case by case basis at the decision-making stage, taking into account sustainability factors. Therefore, the plan should not be amended in accordance with the objection

Recommendation: no change

Chapter C4 - Policy M.3 and Paragraph C4.60

3202/B12

Pensford plc

C4.60

Supporting Statement

3257/C247

Somer Valley Friends of the Earth

M.3/A

Issue

- i) Whether it is appropriate for the plan to be concerned with the end use of minerals extracted within the District.

Inspector's Reasoning

12.9 It is an aim of Government as set out in MPG6 para 28 to make the best use of mineral resources by minimising wastage and avoiding the use of higher quality materials where lower grade materials would suffice. However, MPG6 does not suggest that this can be achieved through the planning process. It is the “producers, specifiers and consumers of aggregates” who are identified as having an influence on the efficient use of resources. Planning controls offer very limited powers over the way in which the product of extraction is used, so a Local Plan policy which seeks to influence the end use could not be effectively implemented. In these circumstances I recommend the deletion of Paragraph C4.60 and Policy M.3.

Recommendation:

R12.4 Modify the plan by deleting paragraph C4.60 and Policy M.3.

Chapter C4 - Policy M.4 and Paragraphs C4.61 and C4.62

3202/B13	Pensford plc	C4.61
3202/B14	Pensford plc	C4.62
1427/B131	Environment Agency	M.4
3202/B15	Pensford plc	M.4

Supporting Statements

3257/C248	Somer Valley Friends of the Earth	C4.61/A
1427/B130	Environment Agency	C4.62
3257/C249	Somer Valley Friends of the Earth	C4.62/A
3298/B39	Cam Valley Wildlife Group	M.4

Issues

- i) Whether the plan accords with government guidance on the recycling of aggregates.
- ii) Should the meaning of “satisfactorily regenerated” be clarified?

Inspector's Reasoning

Issue i)

12.10 Whilst MPG1 encourages the use of recycled aggregates (paragraph 75), it also advocates the reclamation of sites as soon as possible (paragraph 71) after extraction has ceased. Furthermore, whilst JRSP Policy 28 encourages the recycling of aggregates, this is only where it would be

“environmentally acceptable”. It is therefore appropriate to include in the plan a policy which seeks to balance the benefits of recycling against environmental impacts, and I see no reason why this should only be considered in the context of waste management. Paragraph C4.61 together with Policy M.4 does in my view properly represent the balance sought in strategic policy. However, I find that paragraph C4.62 is unnecessarily prescriptive in seeking to retain materials on site to assist with reclamation. The manner of reclamation should be dealt with on a case by case basis seeking the most sustainable option. I therefore recommend it be deleted.

Issue ii)

12.11 Whilst I accept the Council’s explanation of a restored and a regenerated quarry, the qualification “satisfactorily” is not defined. In my view the policy would be more clearly understood if proposals were to be judged against specific matters such as the effect on the landscape or nature conservation, and I recommend changes to reflect this.

Recommendations:

R12.5 Modify the plan by deleting paragraph C4.62.

R12.6 Modify Policy M4 criterion (i) as follows:

delete “satisfactorily” before “restored” and “regenerated”

insert after “tip” “where it would cause significant harm”

delete “of value”

insert “or” after “landscape”.

Chapter C4 - Policy M.5

3202/B16 Pensford plc M.5

Supporting Statement

3257/C250 Somer Valley Friends of the Earth M.5/A

Issue

- i) Whether it is appropriate for the local plan to address the exportation of mineral waste and overburden.

Inspector's Reasoning

12.12 The use of overburden and mineral waste for reclamation is covered by criterion v) of Policy M.1. Policy M.5 seeks to add a further level of control which is not necessary. The way in which overburden and mineral waste

is to be dealt with should be considered as part of the planning application or environmental statement so that the particular circumstances of the site and its output can be taken into account. I recommend the policy be deleted.

Recommendation:

R12.7 Delete Policy M.5.

Chapter C4 - Policy M.6 and Paragraph C4.64

3202/B17	Pensford plc	C4.64
3291/B1	Waste Recycling Group (WRG)	C4.64
3202/B18	Pensford plc	M.6

Issues

- i) Whether it is reasonable for the plan to not contain a figure for aggregate production within the District.
- ii) Should Stowey Quarry be recognised as a source of primary aggregate?

Inspector's Reasoning

Issue i)

12.13 This issue was raised in relation to paragraphs C4.11-C4.57 where I have accepted that in view of Policy 26 of the JRSP there is no requirement for B&NES to include a figure for aggregate production in this plan.

Issue ii)

12.14 Policy M.6 would only restrict the extraction of aggregate if this was to be the primary activity for which planning permission was being granted. Whilst I accept the objector's point that aggregate is extracted from Stowey Quarry, as far as I am aware this is not the primary activity at the site and so would not be restricted by Policy M.6. As the JRSP identifies South Gloucestershire and North Somerset as the main aggregate producers, there is no justification for an alternative approach to aggregate extraction in Bath and North East Somerset.

Recommendation: no change

Chapter C4 - Policy M.7

120/B91	Ms Helen Woodley	M.7
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Issue

- i) Should the plan resist further open cast extraction?

Inspector's Reasoning

12.15 As the Council states, to resist open cast extraction would be to suggest that all extraction should be by underground mining. This would be unreasonable having regard to existing mineral operations and not practical for all the types of minerals found in the District. In any event, all the environmental impacts of a mineral working, whether or not open cast, would be taken into account at the planning application stage.

Recommendation: no change

Chapter C4 - Policy M.8 and Paragraph C4.66

Supporting Statements

1427/B132	Environment Agency	C4.66
1427/B133	Environment Agency	M.8

Chapter C4 - Policy M.9 and Paragraphs C4.67 and C4.68

1830/B8	Highways Agency	M.9
3533/C4	Network Rail Infrastructures Ltd	M.9/B

Supporting Statements

120/C188	Ms Helen Woodley	C4.67/B
120/C189	Ms Helen Woodley	C4.68/A
3257/C251	Somer Valley Friends of the Earth	C4.68/A
120/C190	Ms Helen Woodley	M.9/A
3257/C252	Somer Valley Friends of the Earth	M.9/A
3511/C18	British Waterways	M.9/A
1427/C217	Environment Agency	M.9/B
3422/C1	Mendip Hills AONB	M.9/B
3511/C19	British Waterways	M.9/B

Issues

- i) Whether the plan should set out the responsibilities of the Council and the Highways Agency with regard to highways.
- ii) Should specific reference be made to rail and water as alternative forms of transport?

Inspector's Reasoning

Issue i)

12.16 I agree with the Council. The Local Plan is a planning policy document that sets out the council's strategy and development control policies for future development in the District. It is not necessary to set out the respective responsibilities of local and government bodies. Statutory processes will ensure that the relevant agencies are consulted on development proposals.

Issue ii)

12.17 The additional text suggested by the objector to criterion iii) is unnecessary. The wording is sufficient to ensure that alternatives to road transport are properly considered.

Recommendation: no change

Chapter C4 - Policy M.10

Supporting Statement

1427/B134	Environment Agency	M.10
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Chapter C4 - Policy M.11 and Paragraphs C4.74-C4.83

3202/B19	Pensford plc	C4.74
3202/B20	Pensford plc	C4.75
3202/B21	Pensford plc	C4.76
1883/B1	Kelston Sparkes Ltd	C4.83
120/B84	Ms Helen Woodley	M.11

Supporting Statement

345/B20	Freshford Parish Council	C4.82
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Issues

Paragraphs C4.74 to C4.76, C4.82 and C4.83

- i) Whether the information contained in these paragraphs is factually correct and appropriate for inclusion in a local plan.
- ii) Whether it is appropriate to resist the reclamation of the Queen Charlton Quarry until reclamation of the concrete works has reached an advanced stage.

Policy M.11

- iii) Whether there are houses within the Preferred Area for Mineral Extraction that will be blighted.
- iv) Whether the quarry face should be protected as a geological SSSI once the planning permission for extraction has expired.
- v) Whether the plan should provide reassurance that the reinstated allotments will be at a similar altitude.

Inspector's Reasoning

Issue i)

12.18 The information contained in these paragraphs has attracted a number of objections relating to factual information, but I have no evidence against which to judge whether the plan should be amended in accordance with these objections. However, these paragraphs are primarily descriptive narrative rather than the reasoned justification which should be contained within the plan. As a result much of the contents are unnecessary, and I recommend substantial deletion and alteration to restrict the paragraphs to reasoning which supports the allocations in Policy M.11. Reference is made to development which would or would not be acceptable at the sites included in this section of the plan, but any such proposals would fall to be considered against the policies of the plan and should not therefore be judged by this text.

Issue ii)

12.19 It is clear that the reinstatement of the quarry is linked to the work being carried out at the concrete works, but the reference in the text to “an advanced stage” could introduce inflexibility into the way in which the two processes are carried out. I recommend a modification to the text to reflect the interrelationship between the two processes.

Issues iii-v)

12.20 The Council states that there are no houses within the preferred area of search which would be blighted.

12.21 The protection of any quarry face as a SSSI is a matter for English Nature rather than the Council.

12.22 The reinstatement of the allotments is a matter which would be negotiated as part of a new planning application and in my view there is no need for it to be referred to in the plan.

Recommendations:

R12.8 Modify the plan by deleting paragraph C4.74.

R12.9 Modify paragraph C4.75 by deleting the second sentence and “M3” in the last sentence.

R12.10 Modify paragraph C4.76 by deleting the first sentence; deleting “therefore” and inserting after “forward” “from the MWALP”.

R12.11 Modify the plan by deleting paragraph C4.78.

R12.12 Modify paragraph C4.79 by deleting from “Proposals for further” to “rise to complaints.”

R12.13 Modify the plan by deleting paragraph C4.80.

R12.14 Modify paragraph C4.83 by deleting the second sentence; deleting “will be resisted until” and inserting after “site” “should be phased to accord with the completion of”; deleting “have reached an advanced stage”.

SECTION 13 - Chapter D: Access and Glossary

Chapter D - General

2/B35	T2000/Railfutures	D
2/B37	T2000/Railfutures	D

Supporting Statement

686/B122	Bath Preservation Trust	D
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Issues

- i) Whether there should be a sustainable freight policy.
- ii) Whether there should be a policy for the use of the River Avon for freight and passengers.

Inspector's Reasoning

Issue i)

13.1 Policy 57 of the JRSP requires that local plans make provision for safeguarding existing rail freight facilities and for new rail freight infrastructure. Paragraph D5.4 of the plan states that rail freight provision in the District is limited and the Greater Bristol Transport Strategy refers only to the railhead facility at Westmoreland Station Road in Bath. There are no firm proposals for expanding rail freight infrastructure in the District at the present time and as such Policy T.10 seeks only to safeguard the railhead facility. Policy T.1, criterion 3 promotes the enhancement of transport facilities in the area generally. Therefore a satisfactory policy context does exist which is realistic but also allows for improvements and new infrastructure in the event it comes forward. The identification of HGV freight routes is better dealt with in the context of freight quality partnerships between operators and the Council, as advised in paragraph 46 of PPG13, rather than the Local Plan.

Issue ii)

13.2 There are currently no plans for the provision of infrastructure on the River Avon to allow for the transportation of passengers and freight. PPG12 states that only transport proposals that are firm and are likely to be implemented during the course of the plan period should be included in the Plan. Policy T.1, criterion 3 supports improvements to transport facilities, including riverine infrastructure, in the District should proposals come forward.

Recommendation: no change

D1: A Balanced and Integrated Transport System - Policy T1 and Paragraphs D1-D1.4

461/B12	Hinton Blewett Parish Council	D1
578/B71	Norton Radstock Town Council	D1.3
578/B72	Norton Radstock Town Council	D1.3
345/B17	Freshford Parish Council	D1.3
334/B4	Ms P Davis	T.1
686/B126	Bath Preservation Trust	T.1
2682/B2	Chewton Keynsham Neighbourhood Association	T.1

Supporting Statements

3257/C254	Somer Valley Friends of the Earth	D1.2/B
345/B25	Freshford Parish Council	T.1
254/B39	Keynsham Town Council	T.1

Issues

- i) Whether more detail of specific transport corridors and routes should be included in the supporting text.
- ii) Whether the plan penalises rural communities by discriminating against the private car.
- iii) Should Policy T1 (4) focus on reducing congestion rather than being "anti car"?
- iv) Should Policy T1 (1) be more strongly worded in accordance with the LTP?
- v) Is Policy T1 (4) (which promotes the area and corridor approach) at odds with the housing allocation in Policy GDS1 (K2)?

Inspector's Reasoning

Issue i)

13.3 As stated elsewhere in this report, there is an excess of unnecessary narrative within the reasoned justification of the plan which does little to explain the policies. In particular, there is no need to repeat the contents of Government policy documents or of RPG10 and the JRSP, and for that reason I recommend the deletion of paragraphs D1.1 and D1.4. For the same reason there is no need to set out the objectives of the LTP in Table 6B which should be deleted.

13.4 As the Council has stated, the purpose of the text in paragraph D1.3 is to draw attention to the strategic context set down by the JRSP, in particular Policy 4. It would not be appropriate for the Local Plan to redefine the routes identified in the JRSP, or to add to the detail which is currently included. Strategic Transport issues in the Norton-Radstock area will be reconsidered in the forthcoming Greater Bristol Strategic Transport Study.

Issue ii)

13.5 National guidance in PPG13, paragraph 4 cites reducing the need to travel, especially by car, as one of the Government's main objectives. Paragraph 40 of PPG13 acknowledges that the potential for using public transport in rural areas is more limited than in urban areas, however it goes on to state that reducing dependency on the private car in rural areas must also be pursued. Paragraphs 5.8 to 5.10 and Policy 47 in the JRSP reiterate these objectives and set down a strategic context for local plans to follow which encourages alternatives to the car. Given this policy context the approach adopted in the supporting text is the correct one and I do not accept that it unduly discriminates against people living in the rural areas.

Issue iii)

13.6 Paragraph 5.8 in the JRSP explains that there is a direct link between road construction and increased congestion and use of the car. It is widely accepted that the most effective way of reducing congestion is to reduce the need to travel and to improve public transport accessibility. This approach is advocated across all levels of planning policy and is correctly reflected in Policy T.1.

Issue iv)

13.7 Policy T1 reflects the objectives of the LTP. There is no need to repeat the words of the LTP in the Policy.

Issue v)

13.8 Although the housing allocation GDS.1/K2 has been deleted in the RDDLP, I have recommended that it be reinstated as an allocation to meet strategic housing land requirements, on the basis that it best meets the criteria in the JRSP for the release of a site for housing from the Green Belt around Keynsham. I note the concerns about the distance of this site from the main transport corridor, but this does not outweigh the harm to the Green Belt that would result from the release of the alternative sites to which the objector refers.

Recommendations:

R13.1 Modify the plan by deleting paragraphs D1.1 and D1.4.

R13.2 Modify the plan by deleting Table 6B and all references to it in the text.

D2: - Strategic Transport Corridors - Policy T2, Paragraph D2.2 and Diagrams 17 and 17B

340/B7 Wiltshire County Council
564/B15 London Road Area Residents Association

D2.2
D2.2

686/B127	Bath Preservation Trust	D2.2
1830/B6	Highways Agency	D2.2
340/C8	Wiltshire County Council	D2.3/A
2/B20	T2000/Railfutures	T.2
2/B21	T2000/Railfutures	T.2
731/B15	Stowey Sutton Parish Council	T.2
878/B35	The Bath Society	T.2
1830/B9	Highways Agency	T.2
2251/B5	Federation of Bath Residents Associations - Transport Group	T.2
2900/B1	Mrs J M Jones	T.2
2997/B6	London Road & Snowhill Partnership	T.2
578/B39	Norton Radstock Town Council	DIAG17
578/B73	Norton Radstock Town Council	DIAG17
578/C91	Norton Radstock Town Council	DIAG17B/A

Supporting Statements

878/B34	The Bath Society	D2.2
686/B123	Bath Preservation Trust	T.2

Issues

- i) Whether the plan deals adequately with the problems caused by HGVs.
- ii) Should the roles and responsibilities of the Highways Agency be recognised in the supporting text and Policy T.2?
- iii) Should the Policy text refer to all of the partners involved in the Bristol/Bath/South Coast study?
- iv) Should the Council actively campaign for a reduction in the level of through traffic in Bath and implement innovative ideas?
- v) Should paragraph D2.2 refer to the desirability of examining rail freight movements between the south coast and the Bath/Bristol/South Wales areas?
- vi) Should Diagram 17 be updated and show in-commuting?

Inspector's Conclusions

Issue i)

13.9 There is no doubt that HGV movement is a significant issue which affects residents in Bath and smaller villages. There are no firm proposals in this plan or the Local Transport Plan (LTP) to alleviate the problems associated with HGV movement in the District. However, it would be inappropriate for the plan to include a policy banning HGVs from the central area of Bath in the absence of an assessment to support such a proposal. The primary focus for dealing with HGV traffic would need to be through agreements between local authorities and freight operators through freight quality partnerships. Proposals for new roads and bypasses to alleviate HGV and through traffic through sensitive areas should be pursued primarily through the LTP and only when funding and a timescale

are confirmed should they be included as proposals in the plan. I am satisfied that the supporting text in paragraph D2.2 which discusses HGV movements is of sufficient detail for the purposes of this plan and that no modification is required in this respect.

Issue ii) iii) and iv)

13.10 The Council has deleted Policy T.2 from the RDDLP and thus detailed objections relating to it have been either met or over taken by events. The existence of the Bristol-Bath-South Coast Study does not in itself impact upon land use planning in the District and I agree with the deletion of the policy. However, reference to the Study remains in the text, and it is through this Study that the Council may lay the foundations for seeking a means to reduce through traffic in Bath, not by the active campaign suggested by one objector.

13.11 The supporting text provides background information about the strategic transport corridors in the District and some of the problems associated with them. These include both road and rail transport corridors. The involvement of the Strategic Rail Authority is recognised in the RDDLP, although subsequently this is being wound up, and many of its functions are passing to the Department for Transport's new Rail Group. It also sets out the roles and responsibilities of some of the agencies and other bodies which are responsible for maintaining and improving the district's strategic transport corridors. In response to the objection from the Highways Agency the Council has clarified the role of the Agency in relation to the A46 and A36, and in my view this is sufficient for the purposes of the plan.

Issue v)

13.12 As the objector has stated, Diagrams 17A and 17B are based on out of date data from the 1991 census. The Council intends to update them as soon as data from the 2001 census is available, and to provide a diagram to show in-commuting to the District.

Recommendations:

R13.3 Modify Diagram 17A and B by updating with 2001 census data.

R13.4 Modify the plan by inserting a new Diagram to show inward commuting.

R13.5 Modify paragraph D2.3 by updating the reference to the Strategic Rail Authority.

D3: Walking and Cycling - Policy T3, Policy T4 and Paragraphs D3.3 and D3.4

686/B128
689/B25

Bath Preservation Trust
British Horse Society

D3.3
D3.3

120/B26	Ms Helen Woodley	D3.4
2251/B2	Federation of Bath Residents Associations - Transport Group	D3.4
2/B27	T2000/Railfutures	T.3
398/B3	Mr G Hobbs	T.3
2152/B1	Ms K Lovell	T.3
3010/B3	Mr M Grigg	T.3
2682/B3	Chewton Keynsham Neighbourhood Association	T.4
3164/B1	Mr W Houghton	T.4

Supporting Statements

254/B43	Keynsham Town Council	T.3
254/B44	Keynsham Town Council	T.4
120/C211	Ms Helen Woodley	T.4/A
3257/C255	Somer Valley Friends of the Earth	T.4/A

Issues

- i) Does the plan include sufficient detail in relation to the design and location of pedestrian and cycling routes?
- ii) Should a strategy for horse riding be included in the plan?
- iii) Should a sustainable freight policy be added to the traffic management measures within the plan?
- iv) Does Policy T4 fail to deliver its objectives in relation to establishing pedestrian links to allocation GDS1/K2 in south west Keynsham?

Inspector's Reasoning

Issue i)

13.13 As the Council has stated in its response, the WHS is already given adequate protection in Policy BH.1 and through other policies in the Access Chapter which seek to control the development of transport infrastructure. Detailed design matters relating to street furniture and paving are more appropriately dealt with as SPD.

13.14 The maintenance of pavements and paved areas, and of access to public footpaths, are operational matters beyond the remit of this Local Plan.

13.15 The walking and cycling strategies and related policies collectively seek to encourage the enhancement and improvement of cycle and pedestrian paths and facilities throughout the district. Policy T3 is a general policy and is not intended to identify specific schemes or locations for new routes or improvements.

13.16 There is currently no proposal for a pedestrian/cycle bridge over the Lower Bristol Road and the Avon, and there are no proposals for a hard-surfaced foot/cycle path between the Broadmead roundabout and the Chandag Estate. National planning guidance in PPG12 states that only schemes which are certain and funded should be included as proposals in a local plan. As such it would be inappropriate to include a policy or

proposal in the plan for these schemes. However, the absence of a specific reference to a scheme would not prevent an improvement scheme coming forward under the existing general policies in the plan, as part of the wider walking and cycling strategies.

13.17 The extent of the improvements to the cycle and pedestrian network in the District depends on funding. The LTP sets down the funding priorities and targets to be achieved in the District. Given the role of the LTP it is not necessary for the Council to "seek funding" for improvements in this Local Plan and as such this text should be struck out of Policy T.3. This also applies to Policies T.5 and T.8 which contain the text.

13.18 The Council has indicated that routes have been identified under the Safe Routes to Schools Scheme. Paragraph D3.4 states that one of the mechanisms which will be employed in implementing the walking strategy is safety training and advice for school children. I consider it would benefit the plan by providing useful information to readers if the supporting text to Policy T.3 makes reference to the safe Routes to Schools Scheme and recommend accordingly.

Issue ii)

13.19 Horse riding is a predominantly recreational activity rather than a means of transport. This is reflected in national guidance which refers to equine-related activities in PPS7, paragraph 32 as a popular form of recreation. The policies in this section of the plan are concerned with means of transport rather than recreation, and therefore it would not be appropriate to include horse riding as an activity. No modification is therefore required in response to the objection.

Issue iii)

13.20 As stated in paragraph 13.1, the identification of HGV freight routes is better dealt with in the context of freight quality partnerships between operators and the Council, as advised in paragraph 46 of PPG13, rather than the Local Plan.

Issue iv)

13.21 Policies T.3 and T.4 are general in their application, and are not intended to set down detailed design guidance and pedestrian routes to new development. The detailed design and extent of pedestrian and cycling links are determined through negotiations with developers at the application stage and the application of the more detailed policies and proposals of the plan.

13.22 In my view the main weakness in these policies is the repetition in their content. The amalgamation of the policies into one would assist in the achievement of a concise and focussed Local Plan.

Recommendations:

R13.6 Modify paragraph D3.4 bullet point 6 by inserting after "school" "through the Safe Routes to Schools Scheme".

R13.7 Modify the plan by deleting Policies T3 and T4 and inserting a new policy:

"To promote walking and the use of public transport, the Council will seek the provision of safe, convenient and pleasant facilities for pedestrians and the mobility impaired, including the extension of a network of pedestrian routes. These requirements should be incorporated in all new developments including traffic management and transport infrastructure schemes."

D3: Walking and Cycling - Policy T5 and Paragraphs D3.5 and D3.6

2306/B12	Mr T W Evans	D3.5
3094/C2	Chew Valley Recreational Trail Associations	D3.6/A
120/B76	Ms Helen Woodley	T.5
685/B37	Batheaston Parish Council	T.5
878/B36	The Bath Society	T.5
2682/B4	Chewton Keynsham Neighbourhood Association	T.5
3265/B1	Mr D E Packman	T.5

Supporting Statements

120/C212	Ms Helen Woodley	D3.6/A
120/B27	Ms Helen Woodley	T.5
254/B45	Keynsham Town Council	T.5

Comments on Suggested Unadvertised Inquiry Change IC13

120/F370-s	Mrs H Woodley	IC13 (D3.6)
3094/F6	Chew Valley Recreational Trail Association	IC13 (D3.6)

Issue

- i) Whether the Policy should be included in the plan and whether the Policy and reasoned justification is appropriately worded.

Inspector's Reasoning

13.23 PPG12, paragraph 5.16 states that development plans should include policies and proposals on the overall development of the transport network. The table on page 31 of the guidance lists those transport plan matters which have land use implications and includes "strategies for cycling and pedestrians". As such, it is entirely appropriate for the plan to seek to control the development of the cycle route network in the district in the interests of a better planned, sustainable environment.

13.24 PPG13, paragraph 80 states that in developing a cycle route network local authorities should "carefully consider the shared use of space with

pedestrians when alternative options are not available". The practicalities of developing a cycle network in an established and historic built environment and street pattern means that it is inevitable that pedestrians and cyclists will have to share some routes. Issues of safety would need to be dealt with in relation to each proposed route. I therefore consider that the reference to shared use of footpaths for cycle ways in the reasoned justification is appropriate.

- 13.25 I consider the reference to the Chew Valley Trail in the Plan and the addition of the further explanatory text (IC13) to be appropriate for the purposes of this part of the Plan. The plan must be read as a whole and as the Council has indicated in Proof 148 (Chew Valley Lake), Policy SR.9 and its supporting text both refer to a commitment by the Council to safeguard and develop this recreational route. I am satisfied that the approach proposed by the Council is pragmatic in seeking the support of the landowner and that the combined use of the trail for cycle and pedestrian use is sensible in seeking to create a community resource for transport and leisure that is available to a wide range of uses and sections of the community.
- 13.26 The Council has confirmed that a cycle route from Odd Down to Combe Down is included in the Council's Strategic Cycle Network and will therefore be shown on the Proposals Map. This meets the relevant objection.
- 13.27 Policy T.5 and the associated text deals solely with the development of the cycle network and facilities in the District. The pedestrian network is dealt with elsewhere and therefore it would be inappropriate to include a pedestrian friendly objective.
- 13.28 Policy T.6 requires secure cycle parking to be provided with new development and Policy T.5 encourages the provision of cycle facilities more generally. The provision of cycle racks on buses is a matter for the operator, not the Local Plan. No further references to cycle parking would be appropriate.
- 13.29 Policy T.5 is a general policy and as such it is not intended to set down detailed guidance on pedestrian routes in specific schemes. These should be achieved through the application of detailed policies elsewhere in the plan.

Recommendations:

R13.8 Modify Paragraph D3.6 in accordance with Inquiry Change IC13.

R13.9 Modify Policy T.5 by deleting "or seek funding for".

D3: Walking and Cycling - Policy T6

246/B13	SUSTRANS	T.6
685/B38	Batheaston Parish Council	T.6
686/B129	Bath Preservation Trust	T.6
2604/B5	Emlor Homes Ltd	T.6

Supporting Statements

120/B28	Ms Helen Woodley	T.6
120/C213	Ms Helen Woodley	T.6/A
120/C214	Ms Helen Woodley	T.6/B

Issue

- i) Whether the Policy should be included in the plan, and whether there is sufficient and appropriate wording.

Inspector's Reasoning

13.30 It is entirely appropriate that the plan should include policies which deal with provisions to encourage cycling. However, the location of covered cycle stands in relation to a building's entrance is a detailed matter that is not appropriate for inclusion in this Local Plan. The location of such facilities will need to be considered on a site by site basis according to the size of facility needed and any other site constraints.

13.31 The choice of design of a cycle rack suitable for use in the Bath WHS is also a detailed design matter which is not appropriate for inclusion in this Policy. The matter is covered by Policy BH.1 which seeks to protect the WHS from unsympathetic development and Policy T.16, criterion (v) which seeks to control the development of transport infrastructure in the interests of the protection of the WHS.

13.32 It would not be appropriate to exclude housing for the elderly from having to provide cycle parking. While the residents themselves may not use bicycles, staff and visitors may do so and as such it would not be unreasonable to require the provision of these facilities in such circumstances.

Recommendation: no change

D3: Walking and Cycling - Policy T7

120/D354	Mrs H Woodley	PIC/D/3 (T.7)
246/D17	SUSTRANS	PIC/D/4 (T.7)
246/B16	SUSTRANS	T.7
731/D23	Stowey-Sutton Parish Council	PIC/D/3 (T.7)
731/D24	Stowey-Sutton Parish Council	PIC/D/4 (T.7)
743/C40	Combe Hay Parish Council	T.7/T
1999/B2	Bristol City Council	T.7
2129/B1	Mr & Mrs T Lawrence	T.7
2854/B1	Monkton Combe Parish Council	T.7

3126/B27	Bath Friends of the Earth	T.7
3126/D66	Bath Friends of the Earth	PIC/D/2 (T.7)
3126/D67	Bath Friends of the Earth	PIC/D/3 (T.7)
3276/B2	Temra of Bath	T.7
120/C254	Ms Helen Woodley	T.7/N

Supporting Statement

120/B29	Ms Helen Woodley	T.7
120/D353	Mrs H Woodley	PIC/D/1 (T.7)
614/D21	Temple Cloud Residents Association	PIC/D/1 (T.7)
1943/D4	Bristol Water	PIC/D/3 (T.7)
3126/D63	Bath Friends of the Earth	PIC/D/1 (T.7)
2854/C2	Monkton Combe Parish Council	T.7/S

Issue

- i) Whether the plan should show additional cycle routes or variations to those already shown?

Inspector's Reasoning

13.33 Policy T.9 safeguards all disused railway lines for future use by sustainable modes of transports, including bicycles. As such there is no need to explicitly set down each route individually. The Proposals Map is amended in the RDDLP to indicate "Sustainable Transport Routes". This will include the former Somerset and Dorset railway. I am satisfied that this is the appropriate approach to take and that it accords with guidance in PPG13, paragraph 6 which states that development plans should seek to protect sites and routes which could be critical in developing infrastructure to widen transport choices.

13.34 The cycle route from Bath to Radstock terminates at Shoscombe due to the development at Single Hill. No modification to the Proposals Map is required.

13.35 The cycle routes through Combe Hay were illustrative in the DDLP; there were no firm plans to implement these routes in the plan. As a former railway route it is safeguarded through Policy T.9, which accords with national guidance which states that it is appropriate for development plans to safeguard routes along disused railway land for use beyond the plan period.

13.36 The Council have re-designated the disused railway line that runs through Withy Mills Farm from a cycle route to a Sustainable Transport Route under Policy T.9. This partially satisfies the related objection, while safeguarding the route for future use. It is the Council's intention to consult fully with the landowners on the future use of the land and as the Council have stated, the use of the route for a cycle path will depend on the co-operation of the landowners.

13.37 The Proposals Map is amended in the RDDLP to show cycle routes into Bristol from Keynsham and Whitchurch. It is also amended to show the

correct route of the cycle route through Monkton Combe. These changes satisfy the related objections.

13.38 There is no master plan for the Western Riverside and as a result it would be premature to designate cycle routes within the development. Policy T.5 is sufficient to ensure that developers make provision for cyclists that is well connected to existing routes, when the proposal comes forward.

13.39 The Council proposes an Inquiry Change (IC13) to the supporting text in paragraph D3.6 to clarify the position regarding cycle routes around Chew Valley Lake, and to highlight the need for consultation with the landowner, Bristol Water. Whilst this does not fully meet the objections raised by the Chew Valley Recreational Trail Association, I support this approach since no progress can be made to designate the route without the co-operation of the landowner. I refer also to my previous response under Policy T.5, and related recommendation.

13.40 The route near the Globe roundabout was amended rather than deleted to show the correct line of the intended route. I have no evidence before me to question this decision and as such no modification is necessary in response to the related objection.

Recommendation:

R13.10 Modify the plan by incorporating Inquiry Change (IC13).

D4: Buses - Policy T8 and Paragraphs D4.2 and D4.3

3010/B5	Mr M Grigg	D4.2
2/B46	T2000/Railfutures	D4.3
2/B23	T2000/Railfutures	T.8
564/B14	London Road Area Residents Association	T.8
685/B39	Batheaston Parish Council	T.8
2682/B5	Chewton Keynsham Neighbourhood Association	T.8
2947/B5	Bath Chamber of Commerce	T.8
3108/B2	Mr R F Fessey	T.8
3273/B5	Bath & District Community Health Council	T.8
3312/B1	Cllr G Dawson	T.8

Supporting Statements

120/B30	Ms Helen Woodley	T.8
254/B41	Keynsham Town Council	T.8
441/B8	Mrs S F Hobbs	T.8
2251/B9	Federation of Bath Residents Associations - Transport Group	T.8
3181/B1	Bath & District Consumer Group	T.8

Issue

- i) Is the Policy and its explanatory text appropriate and sufficiently comprehensive?

Inspector's Reasoning

- 13.41 It is not for this plan to enforce agreements signed between the bus operating companies and the Council. This is a legal/contractual matter which would need to be pursued directly between the Council and the bus operators. The bus quality partnership referred to in the plan is an agreement signed between the local bus operator and the Council. The supporting text and policy does not preclude the Council from undertaking an agreement with national coach service operators and Policy T.8 refers to "bus and coach operations", therefore no change is required to the wording of the policy.
- 13.42 The priority bus routes identified in the policy follow the strategic routes identified in the Structure Plan (Policy 4) as far as they affect the District. The Structure Plan (Policy 9) does not specify which routes between Bath and Keynsham/Bristol should be identified and I have no evidence before me to determine the suitability of the route via Bitton suggested by one objector.
- 13.43 Although bus routes to Chippenham and Trowbridge are referred to in the Structure Plan under Policy 4 (O), I have no evidence before me to determine how other routes referred to by objectors should be taken account of in the Local Plan. The emerging Greater Bristol Transport Plan has set down 10 priority routes as part of its bus strategy. A further route network centred on Bath has yet to be finalised, although a bid for funding the scheme will be submitted in 2006. In these circumstances I have no basis on which to recommend the addition of further routes to Policy T.8.
- 13.44 There is inevitably an element of duplication between the LTP and the Local Plan. It is important that the Local Plan ensures that transport provision is in place or put in place to support new development and to ensure that the district develops in a sustainable way. PPG12, paragraph 5.4 states that the LTP and the Local Plan should support each others' policies and proposals. Development along the identified corridors may have to contribute towards the implementation costs of the traffic management measures and as such it is vital that developers are made aware of the routes and planned infrastructure provision. However, as stated in respect of Policy T.3, given the role of the LTP, it is not necessary for the Council to "seek funding for" improvements through the Local Plan, and therefore these words should be deleted from the policy.
- 13.45 In assessing site K2 for housing, which I am recommending be reinstated in the plan, there are a number of matters to be weighed. I find there are other matters which outweigh the issue of access to the bus priority route through Keynsham such that this is not a matter which should prevent the development of the site.
- 13.46 As the Council has stated it does have a role to encourage the provision of public transport through quality bus partnerships and infrastructure provision such as improvements to the bus station and other transport related infrastructure. It would not be appropriate to use the Local Plan to

lobby central government for funding for an LRT scheme. The LTP seeks to set down priorities for infrastructure development in the district and there is currently no proposal in this LTP for an LRT line in Bath.

13.47 A number of objectors referred to matters such as the use of open top buses, or the organisation of the bus industry and the operational elements of the bus network such as improvements to its efficiency through the increased frequency of services. Such matters are operational in nature and therefore beyond the remit of the Local Plan.

13.48 This section of the Access Chapter includes QG 19. It is my recommendation that all the QGs should be deleted from the plan, with their contents included within the text where necessary to support policy. QG 19 sets out the undertakings within the Quality Bus Partnership. Whilst this may be of interest to some, it is not relevant to the justification or explanation of Policy T.8 and is not a land use matter. I therefore recommend that the text within QG 19 is deleted.

Recommendations:

R13.11 Modify Policy T.8 by deleting "seek funding for".

R13.12 Modify the plan by deleting QG 19.

D5: Railways - Policy T9 and Paragraphs D5.3, D5.5, D5.6 and D5.7

334/C17	Ms P Davis	D5.3/B
3328/C8	Strategic Rail Authority	D5.3/B
3328/C10	Strategic Rail Authority	D5.3/B
3468/C1	North Wiltshire District Council	D5.3/B
3533/C3	Network Rail Infrastructures Ltd	D5.3/B
2686/C8	Norton Radstock Regeneration Company	D5.6/A
3415/C2	North Somerset Railway Company	D5.6/A
2/B45	T2000/Railfutures	T.9
88/B37	William & Pauline Houghton	T.9
246/B14	SUSTRANS	T.9
254/B40	Keynsham Town Council	T.9
1904/B6	Ms B Cohn	T.9
2016/B4	Mr B E Walsh	T.9
2686/B4	Norton Radstock Regeneration Company	T.9
3298/D98	Cam Valley Wildlife Group	PIC/D/7 (T.9)
3324/C2	BRB (Residuary) Limited	T.9/B
3415/C1	North Somerset Railway Company	T.9/B
3611/C1	Homebase Group Ltd	T.9/B
120/C255	Ms Helen Woodley	T.9/L
578/C110	Norton Radstock Town Council	T.9/L
3257/C277	Somer Valley Friends of the Earth	T.9/L
578/C109	Norton Radstock Town Council	T.9/N
2135/C3	Miss G M Bennett	T.9/Q
3116/C125	Bath & North East Somerset Allotment Association	T.9/Q
3262/C9	The PPG Partnership	T.9/Q
3286/C7	BLCT (11680) Ltd	T.9/Q
3394/C2	Cllr A Furse	T.9/Q

Supporting Statements

120/C216	Ms Helen Woodley	D5.5/A
120/C217	Ms Helen Woodley	D5.5/C
120/C218	Ms Helen Woodley	D5.6/A
120/C219	Ms Helen Woodley	D5.7/A
120/B20	Ms Helen Woodley	T.9
120/D322	Mrs H Woodley	PIC/D/7 (T.9)
120/D355	Mrs H Woodley	PIC/D/7 (T.9)
345/B18	Freshford Parish Council	T.9
614/D22	Temple Cloud Residents Association	PIC/D/7 (T.9)
686/B124	Bath Preservation Trust	T.9
3126/D65	Bath Friends of the Earth	PIC/D/7 (T.9)
120/C258	Ms Helen Woodley	T.9/D

Issues

- i) To what extent should the plan refer to the reopening or safeguarding of stations and railway lines?
- ii) Is the safeguarding of former railway lines as Sustainable Transport Routes appropriate?
- iii) How far can the plan influence operational matters?
- iv) Does the change in safeguarding alter the line of cycle routes?

Inspector's Reasoning

Issue i)

13.49 The SRA and Network Rail have stated that there will be no funding available to re-open the lines and stations referred to in paragraph D5.3. The Rail Strategy for the Bristol, Bath and Weston-Super-Mare area was published before the dramatic changes that have occurred in the rail industry in the wake of the Hatfield Rail Crash. These changes have refocused rail spending priorities and as the SRA has commented in their objections there is now great uncertainty about funding being made available to meet the aspirations outlined in the supporting text. To retain the references to possible station and line re-openings would be misleading in the current context and contrary to guidance in PPG12 which states that only those proposals that are firm and likely to be implemented during the plan period should be included in development plans. In addition PPG13, paragraph 74 states that the Council should liaise with the SRA before including proposals for rail improvements in their plan. It is not clear whether the Council has done this in respect of the proposals in the paragraph. It is now very unlikely that the potential station and line re-openings referred to in paragraph D5.3 will be implemented in the plan period and I therefore recommend that the paragraph is deleted.

13.50 Policy T.9 states that development which would prejudice the efficient functioning or future development of the railway network will not be permitted. To some extent this meets the objectors' concerns in respect

of potential new or reopened stations for example at Bathampton and Bathford Halt. (Limpley Stoke is in Wiltshire and is not subject to these plan policies.) Without any firm proposals likely to be implemented during the plan period I consider that no reference to reopening stations such as Twerton Station should be included in the plan.

Issue ii)

- 13.51 In the JRSP, Policy 53 states that Local Plans should safeguard routes of disused and dismantled railways as transport routes, with preference given to cycle/walkways and public transport rather than highways. The text of paragraph D5.6 identifies the routes which are to be safeguarded in the RDDLP, and Policy T.9 provides the safeguarding for those routes.
- 13.52 The deletion of the specific reference to the Radstock to Frome route in the DDLP does not weaken the protection of this particular route; rather the approach taken is to extend the protection afforded to this route to all the disused railway lines in the District. I consider the issue of whether the reinstatement of the railway line and the station at Radstock should be safeguard in the policies of the plan in dealing with GDS.1/NR2, the Radstock Railway Land. I find no justification for such an approach. The safeguarding of the Sustainable Transport Routes provides an appropriate level of protection in the absence of any committed and funded scheme.
- 13.53 I acknowledge the comments made in respect of the Inspector's Mendip Local Plan Report regarding the safeguarding of the Frome to Radstock railway; however I note that the recommendation was not carried forward in the adopted plan. PPG12, paragraph 5.23 states that plans should give better protection to those sites and routes surplus to transport requirements which could be critical in developing infrastructure to widen transport choices, and this is the approach adopted under Policy T.9. However, it is clear from the wording in Government advice and in the JRSP policy that it is disused railway trackbeds and routes which should be safeguarded for possible future transport schemes. I have no evidence before me to suggest that communities and/or individual property owners would be blighted by the safeguarding of the Frome to Radstock railway line as one objector suggests, but the Council should ensure that former railway routes which have been redeveloped and which are now in beneficial use are not included as Sustainable Transport Routes.
- 13.54 The former Midland Rail Line is safeguarded under Policy T.9 as far as the District boundary as a sustainable transport route. That part of the route which goes through the Western Riverside site is not shown on the Proposals Map in order to avoid any prejudice to the master planning of the site as referred to in Policy GDS.1/B1; and there are no proposals in the plan for that part of the route through the Homepage site. I deal with the change in notation on the Proposals Map from "Rapid Transit Route" to "Sustainable Transport Route" in considering Policy T.11 and paragraphs D6.1-6.3 below.

- 13.55 Dealing with more detailed matters, I make the following comments. The safeguarding of the disused railway network is to ensure that it is kept for alternative transport uses, not only for use as a railway. Matters concerning buses are dealt with under section D4. Policy T.9 does not constitute a proposal to create a cycle route around Temple Cloud. One objector is concerned about the impact on biodiversity of any re-use of the route as a cycle way, but Policy T.1, criterion 1 states that the Council will seek to reduce the adverse impact of all forms of travel upon the natural environment. Biodiversity and the protection of the natural environment are also covered by the NE policies in Chapter C2.
- 13.56 The policy seeks to safeguard routes for future use, in accordance with guidance in PPG12 and JRSP Policy 53. The demolition of railway structures along the routes is not prohibited by the policy as long as the integrity of the route is retained. Any proposal would have to be considered on its own merits. Changes made to the Proposals Map in respect of Policy T.9 are only in respect of the designation or re-designation of the routes and should not affect the land to the north of Avon Park allotments. The safeguarded route from Bath to Radstock ends at Shoscombe because of the development at Single Hill.

Issue iii)

- 13.57 The speed of trains is an operational matter which is outside the remit of this land use plan, so is the frequency of service from Freshford Station and the number of local trains on the Bristol to Bath line. The provision of train services is not a planning matter. Furthermore, accessibility concerns within stations are matters for the train operators/network rail, although the Council has indicated that it will pursue the platform height issue at Keynsham with the rail operator.

Issue iv)

- 13.58 The Council has noted the detailed route description for the Norton Radstock Greenway suggested by the objector, but guidance in PPG12 states that excessive detail of this sort in local plans should be avoided.
- 13.59 The Council has confirmed that the Bristol to Bath cycle path is protected as an important link in the National Cycle Network.
- 13.60 Where the Cycle Route is duplicated by the Sustainable Transport Route it has been deleted from the Proposals Map. The Cycle Route has also been deleted where it was shown along a road rather than on the former railway lines. I agree that this is a reasonable approach for the plan to take and make no recommendation for modification.

Recommendation:

R13.13 Modify the plan by deleting paragraph D5.3.

(See also recommendation under Policy T.11 below.)

D5: Railways - Policy T10

2/B16	T2000/Railfutures	T.10
88/B45	William & Pauline Houghton	T.10
88/B49	William & Pauline Houghton	T.10
581/B21	Batheaston Society	T.10
685/B40	Batheaston Parish Council	T.10
2682/B6	Chewton Keynsham Neighbourhood Association	T.10
3312/B7	Cllr G Dawson	T.10

Supporting Statements

120/B124	Ms Helen Woodley	T.10
1999/B5	Bristol City Council	T.10

Issues

- i) Should the Proposals Map safeguard land for new railway stations at Radstock, Bathampton and Newbridge Parkway?
- ii) Would the new station site at Newbridge be better if implemented as part of a scheme for new Council offices.
- iii) Is it inconsistent not to include Keynsham in Policy T.10 when it is the Council's stated intention to implement improvements there?

Inspector's Reasoning

Issue i)

13.61 I deal with the issue of safeguarding for a station at Radstock in Section 7 (Policy GDS.1/NR2).

13.62 In respect of the reopening and construction of new stations at Bathampton and Newbridge Parkway, the LTP (figures 5.1 and 5.2) does not identify that funding is being sought or made available for these suggested proposals and as such it would be inappropriate to include them in the plan. The potential for the opening of a station at Newbridge Parkway is linked to the future of any LRT line between the proposed park and ride site and Western Riverside. Until such time as there are firm proposals supported by funding, it would be inappropriate to make any designation in this plan.

13.63 Furthermore, even though there may be no objection to its allocation, unless a new station at Saltford is a firm proposal likely to be implemented within the life of this plan, T.10 1) should be deleted.

Issue ii)

13.64 I have recommended against any change to the Green Belt boundary in the vicinity of Newbridge (see Section 7, GDS.1/B1A) and it would be inappropriate to allow other uses such as Council Offices in this sensitive location which could prejudice the landscape setting of Bath.

Issue iii)

13.65 The Council has confirmed that the improvements at Keynsham Station, referred to in connection with Proposal K1- Somerdale would not involve the development of any extra land. Policy T.10 seeks only to safeguard land for new stations and rail freight uses and as such it would not be appropriate to refer to Keynsham Station in this context.

Recommendation:

R13.14 Modify Policy T.10 by deleting 1).

D6: Rapid Transit - Policy T11 and Paragraphs D6.1, D6.2 and D6.3

2251/B7	Federation of Bath Residents Associations - Transport Group	D6
162/B2	Trams for Bath	D6.1
3262/C10	The PPG Partnership	D6.1/A
162/B3	Trams for Bath	D6.2
3262/C11	The PPG Partnership	D6.2/A
3550/C1	Second Site Property Holdings & Transco plc	D6.2/A
162/B4	Trams for Bath	D6.3
878/B3	The Bath Society	D6.3
2/B24	T2000/Railfutures	T.11
120/B21	Ms Helen Woodley	T.11
629/B4	FPD Savills Ltd	T.11
3001/B1	Motor Services (Bath) Ltd	T.11
3181/B3	Bath & District Consumer Group	T.11
3262/B1	The PPG Partnership	T.11
3286/B6	BLCT (11680) Ltd	T.11
3287/B5	BLCT (11650) Ltd	T.11
3312/B2	Cllr G Dawson	T.11

Supporting Statements

686/B125	Bath Preservation Trust	T.11
3201/B9	South West Regional Development Agency	T.11

Issues

- i) To what extent should the plan set out detailed proposals for a Rapid Transit facility for Bath?
- ii) Should the route for a Rapid Transit be safeguarded as a Sustainable Transport Route?

Inspector's Reasoning

13.66 In the RDDLP, Policy T.11 is deleted and the Proposals Map is modified to amend the Rapid Transit Route notation to Sustainable Transport Route under Policy T.9.

13.67 The Council has aspirations to provide a network of rapid transit services across the City, but without properly worked-up plans and provision for

funding, it is too early to include any detail of such a network in the plan. The advice in PPG12 is that plans should only include proposals which are firm, with a reasonable degree of certainty of proceeding within the plan period and should be identified as such in the LTP. At the time of the Inquiry, this scheme was not in the LTP. It would be premature for the plan to set down any detailed proposals relating to this route. I therefore recommend paragraphs D6.1 to D6.3 be deleted.

Issue ii)

13.68 Whilst I support the safeguarding of former railway routes as Sustainable Transport Routes under Policy T.9, I do so on the basis that the policy accords with Policy 53 of the JRSP. However, the JRSP policy refers to the routes of disused and dismantled railways and from this I infer that the policy is not intended to apply to former railway routes which have been developed for other uses. As a result I do not agree with the Council's substitution of Sustainable Transport Route notation to the whole of the Rapid Transit Route on the PM. Where this follows a former railway route which has been redeveloped, I consider that it does not accord with the purpose of the JRSP policy which is to safeguard the routes of disused and dismantled railways, and could lead to blight for properties which are so affected. I therefore recommend that the line is deleted in those locations where the former railway route has been subject to redevelopment and is in beneficial use.

13.69 To be consistent, the Council should review the other Sustainable Transport Routes to delete those parts where the former railway route has been subject to redevelopment and is in beneficial use.

13.70 The appropriate time to identify the route for any Rapid Transit facility will be once a scheme has been properly worked up and provision has been made for funding. This would ensure that any properties which may be affected would not be subject to uncertainty and unnecessary blight.

Recommendations:

R13.15 Modify the plan by deleting the heading "Rapid Transit" and paragraphs D6.1 to D6.3.

R13.16 Review all the Sustainable Transport Routes to ensure they do not include land which has been redeveloped and is in beneficial use.

D7: Transport Interchange - Policy T12 and Paragraph D7.1

120/C256	Ms Helen Woodley	D7.1/B
686/C161	Bath Preservation Trust	D7.1/B
2/B28	T2000/Railfutures	T.12
120/C257	Ms Helen Woodley	T.12/A
686/C162	Bath Preservation Trust	T.12/A

Supporting Statements

120/B22	Ms Helen Woodley	T.12
254/B42	Keynsham Town Council	T.12
441/B9	Mrs S F Hobbs	T.12

Issues

- i) Would an interchange at Newbridge P&R site be a waste should oil price rises force people to use their cars less in the future?
- ii) Whether an interchange at Newbridge would be detrimental to the Green Belt.

Inspector's Reasoning

Issue i)

13.71 The main objective of the government's transport guidance as set out in PPG13 is to reduce the need to travel. Park and Ride facilities have an important role to play in reducing the length of journeys made by the private car, as well as reducing congestion in town and city centres. As the Council has stated in their response, in the event that the price of oil fluctuates to such an extent as to bring the viability of P&R facilities into question, then the Plan can be reviewed in order to address this issue. This objection does not justify any change to Policy T.12.

Issue ii)

13.72 The Council has indicated that the extent of the development proposed at Newbridge would compromise the openness of the Green Belt, and therefore the site should be removed from the Green Belt. I consider this issue in detail in relation to GDS.1/B1A in Section 7 of my report, and find that the circumstances are not sufficient to justify the release of the land from the Green Belt. I accept that this site on the urban edge represents a convenient and accessible location for a P&R/transport interchange, and my recommendation does not rule out the possibility of accommodating an appropriately designed P&R/transport interchange on this Green Belt site in the future. I therefore consider that the reference to Newbridge in Policy T.12 should remain.

Recommendation: no change

D8: Traffic Management - Policy T13 and Paragraphs D8.1 and D8.4

3273/B7	Bath & District Community Health Council	D8.1
3269/B6	Ms I Lerpiniere	D8.4
2/B29	T2000/Railfutures	T.13
578/B74	Norton Radstock Town Council	T.13
2965/B15	Morley Fund Management Limited	T.13
3010/B1	Mr M Grigg	T.13

Supporting Statements

2466/B6 120/B23	Keynsham Civic Society Ms Helen Woodley	D8.4 T.13
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Issues

- i) Whether various specific transport management/safety measures should be proposed.
- ii) Should a bypass be shown for the centre of Radstock?
- iii) Should the policy recognise the range of demands on accessibility to the city centre?
- iv) Is air quality measured accurately?

Inspector's Reasoning

Issues i)

13.73 While the plan can take account of future bus priority schemes and safety measures defined through the LTP, and co-ordinate them with the development strategy, it is not the appropriate document to take forward detailed proposals for transport management and road safety schemes.

Issue ii)

13.74 There are no current proposals to construct a bypass around Radstock and as such it would not be appropriate for this plan to propose one without the necessary funding commitment pursued through the LTP. The Council has indicated in their response that the regeneration scheme planned for Radstock will improve traffic circulation and the environment for shoppers in the town centre generally.

Issue iii)

13.75 Policy T.13 refers to the various town centre users including cyclists, pedestrians and the mobility impaired, as well as the servicing needs of commercial users. I am satisfied that the inclusive nature of the policy encompasses a wide enough range of user's access needs.

Issue iv)

13.76 The siting of air quality monitoring stations is a detailed operational matter which is beyond the remit of this Local Plan.

Recommendation: no change

D8: Traffic Management - Policies T14 & T15

88/B50	William & Pauline Houghton	T.14
120/B24	Ms Helen Woodley	T.14
685/B41	Batheaston Parish Council	T.14
686/B132	Bath Preservation Trust	T.14
3010/B2	Mr M Grigg	T.14
120/B13	Ms Helen Woodley	T.15
685/B42	Batheaston Parish Council	T.15
1900/B1	Mr W I Bell	T.15
3265/B2	Mr D E Packman	T.15

Supporting Statements

2251/B1	Federation of Bath Residents Associations - Transport Group	T.14
502/B22	Camerton Parish Council	T.15
689/B26	British Horse Society	T.15
120/C187	Ms Helen Woodley	T.15/A
3257/C258	Somer Valley Friends of the Earth	T.15/A

Issue

- i) Whether various specific transport/safety measures should be proposed?

Inspector's Reasoning

13.77 Policies T.14 and T.15 are general policies which set down the range of measures the Council may employ in order to discourage through traffic and reduce the speed of traffic along unsuitable routes. However, proposals for specific measures such as the design of new street furniture and road calming in Twerton High Street, the location for the introduction of 20 mph zones and the imposition of weight restrictions are too detailed to be included in the plan. Such proposals should be taken forward through the LTP.

13.78 Policy T.15 provides for traffic management in rural areas which is realistic and respects the environment and character of rural areas. Whilst traffic management can have direct or indirect land use implications which should be dealt with in local plans, I am satisfied that the approach adopted by the Council in Policies T.14 and T.15 complies with this guidance.

Recommendation: no change

D9: Transport Infrastructure - Policy T16 and Paragraphs D9.1 and D9.2

689/B27	British Horse Society	D9.1
1830/B7	Highways Agency	D9.1
1427/B137	Environment Agency	D9.2
2/B36	T2000/Railfutures	T.16
502/B19	Camerton Parish Council	T.16
1427/B135	Environment Agency	T.16
3126/B17	Bath Friends of the Earth	T.16

Supporting Statements

120/B14	Ms Helen Woodley	T.16
3257/C259	Somer Valley Friends of the Earth	T.16/A
3257/C260	Somer Valley Friends of the Earth	T.16/C
3298/C72	Cam Valley Wildlife Group	T.16/C
3257/C261	Somer Valley Friends of the Earth	T.16/D
3257/C262	Somer Valley Friends of the Earth	T.16/F

Issue

- i) Whether the policy and its explanatory text covers all relevant matters relevant to the assessment of new transport infrastructure.

Inspector's Reasoning

- 13.79 A number of detailed matters are raised by objectors, and I deal with these as follows. Criterion (vi) states that the needs of horse riders should be taken into account when developing new infrastructure, and this is sufficient to meet the objector's concerns. I find no reason for the role of the Highways Agency and its responsibility for trunk roads to be included within paragraph D9.1 which deals with the Council's responsibilities.
- 13.80 Criterion (iv) states that proposals for transport infrastructure should take account of the water environment. No further reference is required.
- 13.81 Policy T.16 seeks to control the development of transport infrastructure in the interests of promoting sustainable transport and protecting the environment. It is not the purpose of the policy to take account of the commercial interests of road users. The identification of HGV freight routes is better dealt with in the context of freight quality partnerships between operators and the Council, as advised in paragraph 46 of PPG13, rather than the Local Plan.
- 13.82 The objector's reference to "suitable highway infrastructure" is not clear, but Policy T.24 requires suitable access to be provided in new development proposals and the plan should be read as a whole, therefore I consider that highway infrastructure is adequately covered.
- 13.83 The Council has amended the policy by deleting the phrase, "have regard to" in favour of "if adequate account has been taken of". I support the change since it provides a more robust and comprehensive basis upon which to judge adherence of the various criteria.
- 13.84 The Council has amended the Policy so that the words "quality" and "patronage" are added to criterion (ix). This satisfies part of the related objection. I agree with the Council that criterion (ii) already deals with the effects of increased traffic and no additional criterion is therefore required to deal with this issue.
- 13.85 I conclude that no issue raised by objectors needs to be added to the policy or accompanying text.

Recommendation: no change

D9: Transportation Infrastructure- Policy T17

2/B26	T2000/Railfutures	T.17
78/B21	Mr S Osgood	T.17
81/B2	Rosewell Nursing Home	T.17
167/B6	Mr & Mrs M Pickman	T.17
566/B7	Clutton Parish Council	T.17
631/D10	Cameley Parish Council	PIC/D/8 (T.17)
708/B28	The Widcombe Associatio	T.17
731/D17	Stowey-Sutton Parish Council	PIC/D/8 (T.17)
2058/B1	Cll R Nicholl	T.17
2176/B3	Bath & North East Somerset Conservative Group	T.17
2247/B1	Mr & Mrs J Empson	T.17
2331/B2	Mr P V Tainton	T.17
2333/B2	Mr A H Rogers	T.17
2342/B2	Mr M Clifford	T.17
2345/B2	Mr M T Whitton	T.17
2947/B4	Bath Chamber of Commerce	T.17
2959/B4	Mr L F James	T.17
2966/B1	Cllr R Nicholl	T.17
3126/B18	Bath Friends of the Earth	T.17
3268/B1	Ms J Allen	T.17
3278/D34	Persimmon Homes (Wessex) Ltd	PIC/D/8 (T.17)
3298/B7	Cam Valley Wildlife Group	T.17

Supporting Statement

120/D352	Mrs H Woodley	PIC/D/8 (T.17)
614/D20	Temple Cloud Residents Association	PIC/D/8 (T.17)
3126/D64	Bath Friends of the Earth	PIC/D/8 (T.17)
3643/D3	Cllr Steve Willcox	PIC/D/8 (T.17)
3648/D4	Mr & Mrs K Redding	PIC/D/8 (T.17)

Issues

- i) Should the routes identified in Policy T.17 continue to be safeguarded?
- ii) Should the following schemes be included in Policy T.17:
 - the LTP schemes to convert Rossiter Way to two way traffic and to create a pedestrian priority area in Claverton Street.
 - the completion of the A46/A36 link and the creation of a park and ride facility to the east of Bath.
 - the construction of an access link road between Cloud Hill and the A39.
 - the safeguarding of the Welton link road between West Road and Radstock Road.
 - a bypass for Saltford.

Inspector's Reasoning

Issue i)

- 13.86 The schemes listed in Policy T.17 were inherited from the former Avon County Council, the bypasses of Whitchurch and Temple Cloud/Clutton having been included in Development Plans from before 1974. In response to objections, the Council has agreed that the eastern route of the Temple Cloud/Clutton bypass should be deleted in view of the severance of Clutton and the nature conservation issues which it raises. However, the Council is concerned that there is the potential for an urban extension to Bristol in the Whitchurch area which would have implications for traffic movements on the A37. The Council therefore wishes to retain the safeguarding of land for the Whitchurch and Temple Cloud/Clutton bypasses
- 13.87 A joint study was carried out in 2003 in conjunction with Bristol City Council regarding the economic case for the Whitchurch bypass, but it concluded that there was not a strong case at that time. No further evidence has been put before me to support the economic case for either of these bypass routes. The JRSP refers in Policy 4 (P) to "reducing environmental problems in Whitchurch, Clutton and Temple Cloud" which provides a strategic context for considering bypasses as well as other measures for reducing congestion and the impact of traffic on the environment in these settlements. It does not however provide an endorsement for the bypass schemes.
- 13.88 Given that the need for the bypasses has not been fully determined, Policy T.17 does not comply with the provisions of paragraph 5.22 of PPG12 because it seeks to define precise routes on the proposals map without any commitment in terms of definitive studies or financing. PPG12 states that where the precise route of a proposal is not known, but where the proposals are sufficiently advanced, the authority may define the area over which it intends to apply a safeguarding policy. However, this assumes that there is a clear commitment and need for the road scheme. In my view the possibility of a future urban extension is not a good enough reason to retain these safeguarded routes, and gives no indication that the routes are likely to be developed during the plan period. In the event that an urban extension is planned in the Whitchurch area, studies would be required of the traffic implications and proposals for new routes/bypasses should be properly formulated, costed and funded at that time. It is in the context of firm commitments that the routes should then be included in a future DPD. In the meantime I recommend that the Whitchurch and Temple Cloud/Clutton bypass safeguarded routes are deleted from Policy T.17.
- 13.89 I accept the Council's explanation that the route of the Lower Bristol Road through the Western Riverside site should not be defined until such time as the master plan for the development is brought forward. The supporting text in paragraph D9.3 states that the safeguarded section of the Lower Bristol Road is currently also the subject of a review. Given the

uncertainty surrounding the scheme I refer to the advice in paragraph 5.22 of PPG12 and recommend that this safeguarded route is also deleted.

Issue ii)

13.90 The Rossiter Road and Claverton Street LTP schemes do not require additional land and as such no safeguarding is required in Policy T.17.

13.91 The A46/A36 link and the east of Bath park and ride facility are the subject of a separate study (Bristol/Bath – South Coast MMS). As such it would be premature for the plan to include these schemes.

13.92 There are no proposals for the other three schemes put forward by objectors. PPG12 states that only schemes which are firm and likely to proceed during the lifetime of the plan should be included as proposals. The Council indicates that the suggested road schemes are not included in the LTP and where they are subject to the Greater Bristol Strategic Transport Study they are at an early stage in their planning. No modification is therefore necessary in response to these objections.

13.93 In the absence of any schemes which require safeguarding in the plan, I recommend the deletion of Policy T.17 and the supporting text in paragraph D9.3.

Recommendation:

R13.17 Modify the plan by deleting Policy T.17 and Paragraph D9.3.

D10: Car Parking - Policy T18 and Paragraphs D10.1, D10.3 and D10.4

3181/B4	Bath & District Consumer Group	D10.1
3010/B4	Mr M Grigg	D10.3
3263/B2	Bath Football Club Trustees Ltd	D10.3
3116/C109	Bath & North East Somerset Allotment Association	D10.3/A
334/C16	Ms P Davis	D10.3/B
3116/C108	Bath & North East Somerset Allotment Association	D10.3/B
3262/B2	The PPG Partnership	D10.4
120/C278	Ms Helen Woodley	D10.4/D
3257/C263	Somer Valley Friends of the Earth	D10.4/D
120/B16	Ms Helen Woodley	T.18
120/B17	Ms Helen Woodley	T.18
120/B18	Ms Helen Woodley	T.18
2251/B3	Federation of Bath Residents Associations - Transport Group	T.18
2947/B2	Bath Chamber of Commerce	T.18
2965/B16	Morley Fund Management Limited	T.18

Supporting Statements

1999/C21	Bristol City Council	D10.4/B
3257/C264	Somer Valley Friends of the Earth	T.18/A

Issues

- i) Should there be a reference in the plan to the Lambridge Park and Ride site and if so, should more detail be added about the scheme?
- ii) Is the reference to the proposed Park and Ride site at Newbridge sufficient and does the policy support Bath's importance for shopping and business?
- iii) Is the approach to transport provision for workers in the city centre outside public transport operating hours, and for shoppers and short stay visitors appropriate?

Inspector's Reasoning

Issue i)

13.94 The Council confirms in that the Lambridge site has been fully appraised and that they are committed to bringing forward the scheme. I have no evidence that the Lambridge Park and Ride site will not go ahead in the lifetime of the plan, and therefore it is appropriate that it remain in the plan. In the RDDLP text has been added to paragraph D10.3 to clarify that development of the Park and Ride site will require the Council to secure suitable alternative provision for the sports pitches and facilities, and Policy NE.14, which controls development within the floodplain, will apply to the development of the Lambridge site so no further addition to the paragraph is necessary.

13.95 The improvement of bus frequencies and provision of a local distribution facility to reduce HGV movements in the city centre are traffic management related matters which are generally beyond the remit of this plan. In any event they are unlikely to be suitable substitutes for the provision of a park and ride facility at Lambridge.

Issue ii)

13.96 Reference is made in paragraph D10.4 of the RDDLP to the proposal for a Park and Ride at Newbridge and to Policy GDS.1/B1A which sets out development requirements. I deal with the detail of this scheme in Section 7 of my report. However, I recommend the deletion of paragraphs D6.1-D6.3 and therefore the reference should be deleted from paragraph D10.4.

13.97 The supporting text in paragraph D10.7 recognises that the loss of parking which serves a shopping centre can have a detrimental effect on the shopping environment in the city centre. The Council's approach to car parking seeks to strike a balance between meeting the needs of visitors and shoppers to Bath whilst improving the quality of the environment for all visitors to the city centre. Traffic congestion and the resulting harm to the environmental quality of the city centre in the form of air quality and the ease of movement of pedestrians are important

factors affecting Bath's continued role as a major employment and shopping destination, as is the availability of long and short stay parking spaces. There is therefore no tension between the Council's wider strategic policies for the city of Bath and its car parking policies.

Issue iii)

13.98 The final sentence of paragraph D10.1 states that provision will be made for those who have a valid need for long stay off street parking in the city centre, and this could include workers in the city centre who are outside normal public transport hours.

13.99 The viability and vitality of the Bath city centre must be maintained by ensuring that there is enough off street parking provision in the city centre to cater for the needs of shoppers, tourists and other short stay visitors. Therefore the change from "adequate" provision to "some" as suggested by one objector would not be appropriate. Furthermore, while home delivery services and internet shopping are having an impact on shopping culture generally, there is no evidence to suggest that this trend has led to any significant reduction in the demand for city centre parking. In any event is not within the remit of the Council to support home delivery services.

Note

13.100 Although no objection has been raised to the principle of Policy T.18, it seems to me that this is more a statement of intent rather than a policy, and that it largely summarises the preceding text. The Council should consider whether it is necessary to retain this as a policy, or whether its wording could be used to replace much of the preceding text.

Recommendation:

R13.18 The Council to consider whether it is necessary to retain Policy T.18, or whether its wording could be used to replace much of the preceding text in paragraphs D10.1 – D10.4.

D10: Car Parking - Policy T19

120/B19	Ms Helen Woodley	T.19
334/B3	Ms P Davis	T.19
768/B2	Mr C D Noble	T.19
2251/B4	Federation of Bath Residents Associations - Transport Group	T.19
2947/B1	Bath Chamber of Commerce	T.19
3181/B5	Bath & District Consumer Group	T.19

Issues

- i) Does Policy T.19 adopt the right approach with regard to resident parking permits and on-street parking controls?

- ii) Should Policy T.19 be extended to all areas of Bath, not just the city centre, and to other towns in the District?

Inspector's Reasoning

Issue i)

- 13.101 No statistical evidence is submitted as to the effectiveness or otherwise of on-street parking controls, but there is evidence of general support for residents' parking schemes in the areas affected. It is Government policy to reduce the use of the car for journeys to work and therefore it is appropriate to place the needs of residents above those of commuters. However, any restrictions on the number of spaces for each household are an operational matter which is not within the remit of this plan.
- 13.102 I appreciate the concern expressed regarding safety issues in off-street car parks, and clearly with any reduction in on-street spaces in the evenings the use of such car parks is likely to increase. However, this is an operational matter which the Council is addressing through the removal of charges in off street car parks after 7pm which may increase the numbers of on-street spaces available, and may also be addressed through safety measures within the car parks.

Issue ii)

- 13.103 The Council have no plans to extend the scheme more widely than that set out in the plan, although any modification of the residents' parking areas can be done outside the plan process. The boundaries of the residents' parking areas are subject to regular review for residents beyond the resident parking areas who experience problems with commuter parking in their streets.

Recommendation: no change

D10: Car Parking - Policy T20

120/B7	Ms Helen Woodley	T.20
3126/B20	Bath Friends of the Earth	T.20
3243/B4	B&Q plc	T.20

Issue

- i) Is the Policy appropriately worded?

Inspector's Reasoning

- 13.104 Policy T.20 seeks to control the loss or addition of off street parking in conjunction with new development. Other policies in the plan encourage the use of more sustainable forms of development and modes of transport

in order to reduce road traffic. I find no conflict with that objective in this policy.

13.105 The Council's parking standards as modified by PICs are set down in an Annex to Section D. The retail standard is in accordance with the standards set down in PPG13 for developments over 1000 m², however the standards restrict parking for retail developments between 200 m² and 1000 m² to 1 space per 35 m². PPG13 paragraph 53 indicates that local authorities should use their discretion in setting the level of parking appropriate for new developments. Given the extremely constrained nature of Bath I consider that there is justification for the standard set.

13.106 Policy T.20 seeks to control parking provision in existing development in accordance with the wider parking strategy of the Council, whereas paragraph A3.16 (4) seeks to control the design of major developments. Where the scale of major new development would significantly intensify activity, the aim would be to reduce the number of trips arising out of that increased activity as much as possible. I find no conflict between the policy and this paragraph.

Recommendation: no change

D10: Car Parking - Policy T.21

2/B22	T2000/Railfutures	T.21
2/B44	T2000/Railfutures	T.21
581/B22	Batheaston Society	T.21
685/B44	Batheaston Parish Council	T.21
1427/B136	Environment Agency	T.21
1427/B138	Environment Agency	T.21
2947/B3	Bath Chamber of Commerce	T.21
3262/B3	The PPG Partnership	T.21
3263/D7	Bath Football Club Trustees Ltd	PIC/D/14 (T.21)
3312/B5	Cllr G Dawson	T.21
334/C15	Ms P Davis	T.21/A
3116/C107	Bath & North East Somerset Allotment Association	T.21/A
3263/C4	Bath Football Club Trustees Ltd	T.21/A
686/C163	Bath Preservation Trust	T.21/B
3116/C106	Bath & North East Somerset Allotment Association	T.21/B

Supporting Statement

120/B8	Ms Helen Woodley	T.21
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Issue

- i) Is the safeguarding for Park and Ride sites in Policy T.21 appropriate?

Inspector's Reasoning

13.107 I deal with the principle of including the Lambridge Park and Ride site in the plan and flood risk assessment in relation to Policy T.18. Traffic

calming measures along the A4 is a matter of detail which could be brought forward if considered necessary by the Council as highways authority. Safeguarding of recreational facilities is covered by Policy SR.1A which would apply to any development of the Lambridge site. Thus there is no need to cover this matter in Policy T.21.

13.108 I deal with the principle of a Park and Ride at Newbridge in Section 7 of my report, in relation to GDS.1/B1A. I do not recommend the deletion of the proposal, but recommend against removing the site from the Green Belt. With the Green Belt status retained, there is little need to safeguard the site in Policy T.21 since any other development is unlikely to be permitted. The same reasoning applies to the extension of the Odd Down Park and Ride site.

13.109 Paragraph D10.4 of the RDDLP indicates that consideration is being given to the feasibility of developing a Park and Ride site along the A37 and the possibility of providing an all week site to serve the A36. However, it would be premature to include either scheme in Policy T.21 when the study has not been concluded and there is no firm commitment to proceed.

13.110 I therefore conclude that there is no need for ii or iii in Policy T.21, and rather than retain a policy to safeguard just one site at Lambridge, I recommend changes to Policy T.22 to cover this matter. I therefore recommend that T.21 be deleted.

Recommendation:

R13.19 Modify the plan by deleting Policy T.21.

D10: Car Parking - Policy T.22

345/B27	Freshford Parish Council	T.22
581/B23	Batheaston Society	T.22
3126/B21	Bath Friends of the Earth	T.22
3263/B1	Bath Football Club Trustees Ltd	T.21

Supporting Statements

120/B121	Ms Helen Woodley	T.22
42/B8	CPRE	T.22

I deal with the identification of a Park and Ride site to serve the A36 under Policy T.21.

Issues

- i) Should the Policy:

refer to the introduction of traffic calming measures to eliminate the affects of additional traffic generated by Park and Ride sites;

seek to reduce "total road traffic";

refer to the replacement of lost recreational facilities?

Inspector's Reasoning

- 13.111 The policy seeks to prevent/avoid detrimental impacts arising from the development of new Park and Ride sites, rather than to mitigate against them through such measures as traffic calming. In any event, such measures could be introduced if appropriate by the Council without the need for a reference in the policy.
- 13.112 Criterion (v) of the policy seeks to ensure that the surrounding road network has the capacity to safely accommodate any traffic generated by the Park and Ride development. The main purpose of the proposed Park and Ride network is to reduce the number of trips into Bath city centre. Increased use of public transport in the city more generally should achieve a reduction in the total level of traffic in all areas of Bath. The plan's policies seek to achieve a wider ranging reduction in traffic across the District by improving public transport infrastructure and generally reducing the need to travel.
- 13.113 Policy SR.1A seeks to control the loss and replacement of recreational facilities. The plan should be read as a whole and there is no need to duplicate the provisions of Policy SR.1A in Policy T.22.
- 13.114 I recommend the deletion of Policy T.21, and in order to maintain the safeguarding of the Lambridge Park and Ride site, I recommend changes to Policy T.22. No other change is required.

Recommendation:

R13.20 Modify Policy T.22 by inserting at beginning:

"The Council will safeguard land shown on the Proposals Map for Park and Ride purposes at Lambridge, Bath, adjacent the A4."

D11: Airports/Aerodrome Safeguarding Areas - Policy T23 and Paragraph D11.1

1880/B1	Civil Aviation Authority	D11.1
334/B2	P S Davis	T.23
1880/B2	Civil Aviation Authority	T.23

Issue

- i) Are Policy T.23 and Paragraph D11.1 appropriately worded?

Inspector's Reasoning

- 13.115 The reference in paragraph D11.1 to “uses -- which would prejudice air safety”, would cover uses which might increase the risk of collision between aircraft and birds. It is not therefore necessary to make a specific reference to such uses. The Council have no control over the amount of air traffic passing over the District so it is not a matter which could be controlled through this plan.
- 13.116 Given that the statutory designated safeguarding areas may be revised during the lifetime of the plan, I consider that they should be deleted from the Proposals Map along with the reference to the Proposals Map in the policy. The text of the policy should instead refer to “the airport/aerodrome safeguarding areas as defined by the CAA”. Policies in the plan should endure for the lifetime of the. Additional text should also be added to the paragraph D11.1 to inform applicants to consult the Council about the current boundaries of the safeguarded areas. I recommend accordingly.

Recommendations:

R13.21 Modify Paragraph D11.1 by adding at the end:

“This includes uses which might increase the risk of collision between aircraft and birds. Applicants should consult the Council about the current extent of the safeguarded areas because they are reviewed and amended from time to time by the CAA”

R13.22 Modify Policy T.23 deleting “shown on the Proposals Map” and inserting “as defined by the CAA”.

D12: The Requirements and Implementation of Development - Policy T24 and Paragraphs D12.1, D12.3, D12.4, D12.5, D12.6 and D12.7

3289/B1	Mr S McCourt	D12.1
696/C85	South West RSL Planning Consortium	D12.3/B
721/C71	Government Office for the South West	D12.3/B
2962/C5	Wm Morrison Supermarkets plc	D12.3/B
3533/C5	Network Rail Infrastructures Ltd	D12.3/B
696/C86	South West RSL Planning Consortium	D12.4/A
721/C72	Government Office for the South West	D12.4/A
3257/C268	Somer Valley Friends of the Earth	D12.4/A
696/C87	South West RSL Planning Consortium	D12.5/A
696/C88	South West RSL Planning Consortium	D12.6/A
696/C89	South West RSL Planning Consortium	D12.7/A
685/B46	Batheaston Parish Council	T.24
696/B27	South West RSL Planning Consortium	T.24
3126/B22	Bath Friends of the Earth	T.24
3318/B3	Stubbs Rich (Developments) Ltd	T.24

Supporting Statements

1999/C16	Bristol City Council	D12.3/B
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3257/C267	Somer Valley Friends of the Earth	D12.3/B
1999/C17	Bristol City Council	D12.4/A
1999/C18	Bristol City Council	D12.5/A
1999/C19	Bristol City Council	D12.6/A
1999/C20	Bristol City Council	D12.7/A
120/B9	Ms Helen Woodley	T.24

Issues

- i) Is the Policy and supporting text appropriate in terms of: the needs of rural dwellers; affordable housing; development in locations with good access to public transport; train station parking; the achievement of car free development; the meaning of "environmentally sensitive areas"; the objective of reducing "total road traffic"?
- ii) Is there significant duplication in Policies T.24 to T.26?

Inspector's Reasoning

Issue i)

- 13.117 Steps are being taken to ensure that Park and Ride facilities cater for rural dwellers wishing to use them outside normal working hours, since the operating hours have been extended. Park and Ride facilities do not cater for evening activities, but congestion within the City is unlikely to be so severe at these times, and parking provision is likely to be available within the city centre. Policy T.15 seeks to promote traffic management measures in rural areas to increase the safety of roads in these areas and to protect the character and appearance of the countryside and settlements. I am satisfied that the plan goes as far as it can in promoting the needs of rural dwellers in relation to parking provision and road safety.
- 13.118 There is no basis in national planning policy for treating affordable housing any differently to other housing in terms of parking standards or plan policy. The Council has indicated that parking standards will be applied flexibly and proposals for affordable housing will be considered on their own merits, according to the nature of the location and the development proposed, and this is an appropriate approach.
- 13.119 There is an objection that the requirements in relation to development in locations with good access to public transport are not sufficiently onerous, whilst another objector finds them to be too onerous. The text of paragraph D12.3 is clear enough in its intent and I accept that it is desirable to maintain a degree of flexibility. This complies with PPG13 paragraph 56 which calls for a balance to be struck between the need to encourage use of public transport and the need to maintain and enhance the vitality and viability of town centres.
- 13.120 With regard to the alternative text suggested by W M Morrison for paragraph D12.3, I consider that the approach taken in the plan to car

parking in areas which are well served by public transport accords with Government advice to seek to reduce reliance on the private car.

13.121 The provision of car parking at a railway station would be considered as a proposal for Park and Ride. These fall to be judged against Policy T.22 which sets down the criteria against which to assess Park and Ride proposals.

13.122 While it is desirable to encourage car free development in appropriate locations, the Council's parking standards set down the framework in which to consider the level of parking provision. Opportunities for car free development should be explored at the application stage, according to the nature and location of the development. I consider that adding an additional policy to "encourage" this form of development would add very little to the plan.

13.123 The phrase "environmentally sensitive areas" is included in criterion 6 of Policy T.24. However, criterion 5 can also be read as being concerned with the effect on the environment of providing vehicular access to a development, and clearly a more stringent approach would be required in a sensitive rural or residential location. To avoid confusion, I recommend criterion 6 is deleted.

13.124 The plan's policies generally seek to achieve a reduction in traffic through the improvement of public transport provision, by making it less attractive to travel by private car, and by reducing the need to travel through development in sustainable locations. There is no need for such an intention to be stated in this section of the plan.

Issue ii)

13.125 Policies T.24 – T.26 are very detailed, and there is repetition within the criteria listed under each policy such that I consider some rationalisation would be possible which would deliver a more focussed and succinct policy approach. However, the objector puts forward no alternative policies and in the absence of such alternatives, I do not place a high priority on the formulation of a new set of policies in this section.

Recommendation:

R13.23 Modify Policy T.24 by deleting criterion 6.

D12: The Requirements and Implementation of Development - Policy T25

2/B18	T2000/Railfutures	T.25
696/B28	South West RSL Planning Consortium	T.25
1830/B13	Highways Agency	T.25
1830/D28	Highways Agency	PIC/D/15 (T.25)
3098/B39	George Wimpey Strategic Land	T.25
3126/B23	Bath Friends of the Earth	T.25

3257/C265 Somer Valley Friends of the Earth

T.25/B

Supporting Statements

120/B122	Ms Helen Woodley	T.25
3257/D287	Somer Valley Friends of the Earth	PIC/D/15 (T.25)
1830/C14	Highways Agency	T.25/B
1830/C15	Highways Agency	T.25/C

I deal with the issue of car parking for affordable housing under Policy T.24.

Issues

- i) Does the policy take the appropriate approach to requiring a travel plan and for transport assessments?
- ii) Should the policy make clear that the Highways Agency will be consulted where a development affects a trunk road?

Inspector's Reasoning

Issue i)

- 13.126 Travel plans are a matter for negotiation between the developer, the Council and local transport providers and as such I support the Council's position that a degree of discretion is used in determining when one will be required. To require a travel plan for all developments above the thresholds set out in the T.25 Schedule would be too onerous.
- 13.127 The Council added text to the Schedule to Policy T.25 in the RDDLP which makes clear that the cumulative effects of developments which fall below the thresholds set down in the T.25 Schedule but which would have a comparable effect to development above the thresholds will be required to submit a transport assessment. I consider that this amendment satisfies the related objection.
- 13.128 The Government has yet to issue guidance on transport assessments and the standards set out in draft PPG13 were not carried forward into the published PPG13 (March 2001). In the absence of national guidance I consider it is appropriate for the Council to set down thresholds which are suitable for the local context. The threshold figures in T.25 are not onerous and are broadly in line with the local parking standards (Policy T.26) and national standards in PPG13 in terms of retail parking thresholds. Setting down clear thresholds as part of the policy offers developers certainty and as such I support their retention in the plan.
- 13.129 To require a full transport assessment for developments below the thresholds set out in the Schedule would be too onerous a requirement. Subject to issues concerning the cumulative impact of smaller developments I support the Council's approach in the RDDLP which seeks to require a "statement of transport and car parking needs" with smaller developments, rather than a full transport assessment. This strikes the right balance and ensures that developers are made to consider the wider

impacts of their developments, in terms of transport, in all cases without imposing unnecessary costs on developers of smaller schemes.

13.130 I acknowledge that the words “comparable impact” are not exacting, however I consider that it is possible to determine in general terms when the cumulative impact of smaller developments will create traffic issues of a similar scale to those of developments over the T.25 Schedule thresholds. As with many things it will be a matter of fact and degree and will require an element of judgement as to what area or routes are the subject of concern, and the proximity of the developments to each other and the subject routes or area. I am satisfied that the words “comparable impact” set a benchmark using the T.25 Schedule as the basis for decisions on this issue.

Issue ii)

13.131 I agree with the Council that the Highways Agency, as a statutory consultee, would be consulted as part of the normal procedural requirements of the application process. No modification is therefore required in this respect.

Recommendation: no change

D12: The Requirements and Implementation of Development - Policy T26

2/B19	T2000/Railfutures	T.26
42/B7	CPRE	T.26
120/B10	Ms Helen Woodley	T.26
120/B69	Ms Helen Woodley	T.26
120/D351	Mrs H Woodley	PIC/D/15 (T.26)
564/B13	London Road Area Residents Association	T.26
696/B29	South West RSL Planning Consortium	T.26
721/B41	Government Office for the South West	T.26
1999/B11	Bristol City Council	T.26
1999/B12	Bristol City Council	T.26
3126/B24	Bath Friends of the Earth	T.26
3126/B25	Bath Friends of the Earth	T.26
3273/B6	Bath & District Community Health Council	T.26
721/C70	Government Office for the South West	T.26/A
334/C14	Ms P Davis	T.26/B
721/C73	Government Office for the South West	T.26/B
2987/C8	Royal United Hospital Bath NHS Trust	
T.26/B		
2962/C7	Wm Morrison Supermarkets plc	T.26/C
721/C69	Government Office for the South West	T.26-Reg24(9)

Supporting Statements

3257/C266	Somer Valley Friends of the Earth	T.26/A
2962/C6	Wm Morrison Supermarkets plc	T.26/B

Issue

- i) Does the plan set out an appropriate policy approach to car parking?

Inspector's Reasoning

- 13.132 The Council has added more detail to the parking standards schedule in the RDDLP and by PIC/D/15. The standards reflect and significantly expand upon the national standards. The T.26 schedule also reflects local circumstances in respect of certain forms of development such as retail in which a more rigorous standard is applied in terms of a lower threshold to account for parking at smaller retail developments. PPG13, paragraph 52 states that authorities should adopt the national maximum parking standards set out in the guidance and may adopt more rigorous standards where appropriate. The Council states that it intends to refine the parking standards further and to adopt them as SPD. Apart from the residential standards which I deal with below, I consider that the Council is taking sufficient account of local circumstances in its approach.
- 13.133 PPG3, paragraph 62 states that parking standards that result, on average, of over 1.5 spaces per dwelling are unlikely to meet the government's emphasis on securing sustainable development. However, as a starting point for assessing parking provision in residential developments, the standards set down in the T.26 schedule are too generous and do not comply with national guidance. The standards would meet with national guidance if there were to be a range of maximums which, on average, resulted in about 1.5 spaces per dwelling. Thus for the smallest units the maximum should be less than 1 space per dwelling, whereas 2 spaces might be appropriate for 3 bedrooms and above. Accessibility criteria should only be relevant for example in locations where the development is accessible by public transport and therefore parking should be provided below the maximum in the standard. There is no reason why affordable housing should be treated differently. I recommend that the Council review the residential parking standards to ensure they comply fully with Government policy.
- 13.134 I appreciate the reason for the reference in paragraph D12.4 to the effect of providing secure car parking, but such an approach conflicts with national policy and should therefore be deleted.
- 13.135 In respect of B&B development, paragraph D12.3 states that the standards set out in the Schedule are to be regarded as the starting point in determining what would be acceptable provision in any given location. I am satisfied that there can be flexibility in the application of the standards and therefore there is no reason for the use to not be included.
- 13.136 The hospital parking standards are changed in the PIC to refer to staff and visitors, rather than the number of beds. The Council has also stated that

it is working with the RUH to devise solutions to the current access problems to the hospital.

- 13.137 Since the parking standards are likely to be subject to review and amendment from time to time, I consider it is appropriate to include them within SPD (which now replaces SPG). However, whilst it is appropriate to include reference to the SPD in the supporting text at paragraph D12.5, the reference in Policy T.26 should be deleted since SPD does not form part of the plan's policies.
- 13.138 In the PIC a preamble to the Provision for People with Disabilities Schedule is provided to clarify that a minimum parking standard will be applied to all developments in respect of parking for people with disabilities. In addition, the minimum percentage of parking spaces required for people with disabilities in shopping developments with over 200 parking spaces is now set at 4%. This goes some way to meeting the concerns raised by one objector that too many spaces would result from a requirement of 5%, and recognises that larger developments will lead to an increased supply of disabled spaces, without necessarily a proportional rise in demand.
- 13.139 Policy T.26 seeks to control the level of parking in new development, whilst Policy T.20 seeks to control the loss of off street parking provision and service areas. The plan should be read as whole and there is no need to repeat the provisions of Policy T.20 in this policy.
- 13.140 The plan's policies seek to achieve a wider ranging reduction in traffic across the City and District by improving public transport infrastructure and generally reducing the need to travel. There is no need for this policy to identify the need to reduce total road traffic.
- 13.141 The parking standard for a major new stadium of 1 space per 15 seats is a maximum standard and there is flexibility to allow a lower provision in locations which are physically constrained and which benefit from good access by public transport.
- 13.142 One objector considers that supermarkets should only be allowed to expand onto their existing car parks. However, such a requirement would be too onerous. Each proposal would fall to be determined according to its own merits and factors such as the accessibility of the development to public transport would be taken into consideration. The standards being applied by the Council are maximum standards and it does not follow that an expansion in floor area would automatically result in a proportional expansion in car parking. These are matters which are better left to detailed negotiation at planning application stage.
- 13.143 Bath is a compact and highly constrained city which is not suited to large amounts of traffic, particularly in the city centre. The existence of Park and Ride facilities around the city is intended to cater for visitors and commuters to Bath from the surrounding areas. Bath is highly accessible by public transport from a significant proportion of settlements in the

District. The Council's approach to car parking seeks to strike a balance between meeting the needs of visitors and shoppers to Bath whilst improving the quality of the environment for all visitors to the city centre. There is no case for increasing the parking provision within the centre of Bath.

13.144 In the consolidated version of the plan the Schedule is amended so that the parking standard for restaurants, cafés and pubs is lowered from 1 space per 5m² to 1 space per 10m², and this accords with the need to promote the use of public transport.

13.145 The text which referred to assessing general industrial (B2) and storage, distribution and warehousing development (B8) over 5000m² on individual merits has been deleted. I consider that this satisfies the related objection.

13.146 The text which referred to a more relaxed parking standard being applied to educational facilities used for community or adult education purposes has also been deleted. This satisfies the related objection.

Recommendation:

R13.24 Review the residential parking standards (C3) set down in the schedule to Policy T.26 to ensure they comply with national standards of, on average, no more than 1.5 spaces per dwelling.

R13.25 Modify paragraph D12.4 by deleting the final sentence.

R13.26 Modify Policy T.26 criterion (i) by deleting after "Council".

R13.27 Replace all references in the text to "Supplementary Planning Guidance" with Supplementary Planning Document.

Glossary

3257/D279 Somer Valley Friends of the Earth PIC/4 (Glossary)

Comments on Suggested Unadvertised Inquiry Change IC20

120/G373-s Mrs H Woodley - support IC20 (Glossary - floodplains)

Issue

- i) The term "natural resources" should be replaced by the term "ecological resources"

Inspector's Reasoning

13.147 As the Council has stated, the term "natural resources" would include ecological resources. It is more important that the plan is succinct and understood than that it seeks to promote eco tourism through the use of

terminology. Apart from the improvement arising from IC20 (a definition of "floodplain") no modification is necessary.

Recommendation:

R13.28 Modify the Glossary in accordance with IC20.

SECTION 14 - Omission of Policies

Omissions

240/B8	Avon Fire Authority	OMISSION
578/B76	Norton Radstock Town Council	OMISSION
644/B7	Mr D A Rastrick	OMISSION
652/B5	Mrs V G Rastrick	OMISSION
683/B10	Cotswolds AONB Partnership	OMISSION
1427/B125	Environment Agency	OMISSION
1427/B126	Environment Agency	OMISSION
2695/B1	The Springs Foundation	OMISSION
3086/B1	Joint Working Party for Indoor Bowls	OMISSION
3273/B4	Bath & District Community Health Council	OMISSION
3273/B10	Bath & District Community Health Council	OMISSION

Issues

- i) Whether the plan should include a policy which allows for operational development by the Fire Authority.
- ii) Whether a policy is required to address the problems of Coomb End, Norton Radstock.
- iii) Whether there should be a policy to require improvements to the industrial development in Welton Vale.
- iv) Is there a need for a clearer statement of policy for the protection of the open countryside from development, including the conversion of agricultural buildings?
- v) Should the plan deal with the threat from invasive non-native species to the biodiversity of the area?
- vi) Is further text required to deal with general groundwater issues?
1427/B126
- vii) Is a policy required to protect the Bath Hot Springs?
- viii) Should the proposed indoor bowls hall at Odd Down be included in the plan?
- ix) Should the plan include policies to deal with the needs of older or vulnerable residents, and arrangements for community safety to reduce local NHS costs of treating the victims of crime?

Inspector's Reasoning

Issue i)

- 14.1 The Fire Authority give no details of their requirements to enable any specific allocations to be made in the plan. Policy CF.2 in the RDDLP deals with the provision of new or replacement community facilities so future

proposals would fall to be considered against that policy. There is no need to add any further policy to the plan.

Issue ii)

14.2 I deal with the issues raised by Coomb End in Sections 2 and 5 of my report.

Issue iii)

14.3 As the Council rightly point out, the only opportunity to require improvements to the appearance of an existing development is in the context of a planning application for further development or redevelopment. The policies of the plan relating to design and landscaping would ensure appropriate requirements were applied in that event.

Issue iv)

14.4 The strategy of the plan is to focus new development within the main urban areas and rural settlements. This in itself will provide protection for the open countryside. In addition there are policies such as NE.1 which seek to protect the landscape, and Policy ET.9 which deals with the conversion of rural buildings and requires design to be in keeping with its surroundings. No further policy is required.

Issue v)

14.5 An addition has been made to paragraph C2.35 of the RDDLP to highlight this problem.

Issue vi)

14.6 Paragraph C2.56A has been added to the RDDLP to address this concern.

Issue vii)

14.7 Paragraphs C2.56B – D and Policy NE.13A have been added to the RDDLP to address this concern. The Bath Hot Springs Protection Area has also been added to the Proposals Map.

Issue viii)

14.8 This proposal has the support of the Council's Resource Co-ordination Committee, but planning permission would still be required and there are a number of policies in the plan against which it would need to be assessed. In the Council assessment of playing pitches the Odd Down playing fields were found to make an important contribution to the provision of sports pitches so any proposal would need to be assessed against the requirements of Policy SR.1. It would be inappropriate to allocate the site for the use at the present stage.

Issue ix)

14.9 Care for the elderly and other vulnerable residents is dealt with through the Council's Community Care Plan, and proposals for new facilities would be assessed against Policy CF.6 of the RDDLP. With regard to community safety, it is one of the objectives of urban design to promote public places and routes that are safe, and this is a requirement of Policy D.2 of the plan. This is the way in which planning can contribute to a reduction in the costs which arise from crime.

Recommendation: no change

APPENDIX 1 Lists of large numbers of representations

SECTION 1

Chapter A3 - Paragraph A3.17

Objections

3098/B5	George Wimpey Strategic Land	A3.17
708/C37	The Widcombe Association	A3.17/A
3342/C1	Mrs T Merrifield	A3.17/A
3343/C5	Mr C J Beezley	A3.17/A
3343/C6	Mr C J Beezley	A3.17/A
3343/C65	Mr C J Beezley	A3.17/A
3357/C11	Mr J K Hall	A3.17/A
3361/C1	Mr I Sharp	A3.17/A
3407/C2	Mr T Keane	A3.17/A
3410/C4	Mrs M S Hibberd	A3.17/A
3431/C7	Ms A Tisdall	A3.17/A
3441/C12	Mr P D Marsden	A3.17/A
3443/C3	Mr N Morgan	A3.17/A
3448/C6	Ms E Lomath	A3.17/A
3449/C9	Mr R A Trebess	A3.17/A
3456/C10	Mr M Saunders	A3.17/A
3523/C10	Miss M Anderson	A3.17/A
3549/C1	Mr P Ariaratnam	A3.17/A
3552/C13	Mrs A McCarron	A3.17/A
3553/C2	Mr P McCarron	A3.17/A
3553/C8	Mr P McCarron	A3.17/A
3596/C1	Ms B Fisher	A3.17/A
3264/C15	Landscape Estates Ltd	A3.17/A
120/C156	Ms Helen Woodley	A3.17A/A
686/C137	Bath Preservation Trust	A3.17A/A
708/C36	The Widcombe Association	A3.17A/A
753/C5	Mrs E Pomeroy	A3.17A/A
754/C1	Mrs S Lewis	A3.17A/A
766/C8	Macaulay/Prospect Residents Association	A3.17A/A
771/C4	Mrs M Newbigin	A3.17A/A
1902/C3	Drs E & P Hersch	A3.17A/A
2999/C4	The National Trust	A3.17A/A
3116/C99	Bath & North East Somerset Allotment Association	A3.17A/A
3342/C2	Mrs T Merrifield	A3.17A/A
3343/C7	Mr C J Beezley	A3.17A/A
3348/C6	Mr G R Dent	A3.17A/A
3357/C10	Mr J K Hall	A3.17A/A
3361/C2	Mr I Sharp	A3.17A/A
3362/C1	Ms J Bilan	A3.17A/A
3369/C5	Mr & Mrs D E Sullivan	A3.17A/A
3374/C4	Mrs S von Tutschek	A3.17A/A
3377/C1	Mr A J Stafford	A3.17A/A
3379/C1	Mr P Brewer	A3.17A/A
3380/C1	Mrs M M E Blandford	A3.17A/A
3382/C1	Dr C W Stammers	A3.17A/A
3384/C2	Mr I P Armston	A3.17A/A
3385/C2	Mr W W Howe	A3.17A/A
3386/C1	Mr G Kerr	A3.17A/A
3388/C6	Mr R Nunn	A3.17A/A
3391/C5	Mr E Hext	A3.17A/A
3398/C1	Mr M Swift	A3.17A/A
3399/C1	Mr & Mrs V Ubogu	A3.17A/A
3400/C1	Mr A P Bowrey	A3.17A/A

3401/C3	Mrs H Arrowsmith-Brown	A3.17A/A
3402/C3	Mr J H Arrowsmith-Brown	A3.17A/A
3404/C4	Ms M Howe	A3.17A/A
3407/C3	Mr T Keane	A3.17A/A
3410/C3	Mrs M S Hibberd	A3.17A/A
3414/C5	Mrs M D Hext	A3.17A/A
3423/C4	Mr A Holbrook	A3.17A/A
3431/C1	Ms A Tisdall	A3.17A/A
3437/C1	Ms P A Chown	A3.17A/A
3441/C2	Mr P D Marsden	A3.17A/A
3441/C3	Mr P D Marsden	A3.17A/A
3443/C4	Mr N Morgan	A3.17A/A
3445/C2	Ms J Marchant	A3.17A/A
3447/C3	Mr D Carr	A3.17A/A
3448/C7	Ms E Lomath	A3.17A/A
3449/C10	Mr R A Trebess	A3.17A/A
3456/C1	Mr M Saunders	A3.17A/A
3459/C4	Mr R F Porter	A3.17A/A
3461/C13	Ms C Lorraine	A3.17A/A
3469/C8	Mr T F Mattock	A3.17A/A
3523/C9	Miss M Anderson	A3.17A/A
3532/C3	Ms A Godfrey	A3.17A/A
3549/C2	Mr P Ariaratnam	A3.17A/A
3552/C12	Mrs A McCarron	A3.17A/A
3553/C3	Mr P McCarron	A3.17A/A
3553/C13	Mr P McCarron	A3.17A/A
3553/C14	Mr P McCarron	A3.17A/A
3559/C5	Mr I Argyle	A3.17A/A
3560/C5	Mrs J Argyle	A3.17A/A
3570/C9	Bath Spa University College	A3.17A/A
3574/C1	Mr A Masters	A3.17A/A
3576/C1	Mr J O'Shea	A3.17A/A
3580/C1	Mr P Keane	A3.17A/A
3597/C3	Mr & Mrs J Brown	A3.17A/A

SECTION 2

Chapter B2 - Policies ET.1 to ET.3 and Paragraphs B2.1-B2.41

1269/B3	B&NES Allotments Association	Quick Guide 5
2618/B1	Bath Organic Group	Quick Guide 5
578/B36	Norton Radstock Town Council	B2.12
578/C90	Norton Radstock Town Council	B2.12/A
578/B38	Norton Radstock Town Council	B2.15
732/B16	Swainswick Parish Council	B2.16
120/D288	Mrs H Woodley	PIC/B/1 (B2.26)
345/B23	Freshford Parish Council	ET.1
629/B5	FPD Savills Ltd	ET.1
696/B12	South West RSL Planning Consortium	ET.1
723/B35	Bath Chamber of Commerce	ET.1
3004/B6	The Renrod Motor Group	ET.1
3005/B1	Bath Press	ET.1
3009/B4	Polestar Properties Limited	ET.1
3233/B3	Mr & Mrs M Williams	ET.1
3242/B4	Davies Street (Bathampton) Ltd	ET.1
3243/B1	B&Q plc	ET.1
3244/B2	Charles Church Western	ET.1
3264/B6	Landscape Estates Ltd	ET.1
3271/B4	Bellwish Limited	ET.1
3276/B9	Temra of Bath	ET.1

3278/B8	Persimmon Homes (Wessex) Ltd	ET.1
3300/B7	Oval Estates (Bath) Ltd	ET.1
3009/C16	Polestar Properties Limited	B2.28B/A
3570/C6	Bath Spa University College	B2.28B/A
3240/C13	Westbury Homes	QG6B/A
3242/C11	Davies Street (Bathampton) Ltd	QG6B/A
2388/C11	J S Bloor Ltd	TAB1A/A
3004/D10	Renrod Limited	PIC/B/7 (Table 1A)
3005/D3	Bath Press	PIC/B/7 (Table 1A)
3009/C15	Polestar Properties Limited	TAB1A/A
3599/C7	Linden Homes (Western) Ltd	TAB1A/A
3649/D4	Constantine Land	PIC/B/7 (Table 1A)
612/C1	King Sturge - Bath Office	ET.1A/A
686/C141	Bath Preservation Trust	ET.1A/A
696/C52	South West RSL Planning Consortium	ET.1A/A
2263/C20	Mr D V Walker	ET.1A/A
3205/C5	Edward Nash Partnership	ET.1A/A
3267/C7	C S J Planning Consultants Ltd	ET.1A/A
3435/C1	Mr K Jaegar	ET.1A/A
3570/C4	Bath Spa University College	ET.1A/A
3605/C21	Nicholson Estates	ET.1A/A
686/C142	Bath Preservation Trust	ET.1B/A
696/C53	South West RSL Planning Consortium	ET.1B/A
3205/C4	Edward Nash Partnership	ET.1B/A
3267/C8	C S J Planning Consultants Ltd	ET.1B/A
3570/C3	Bath Spa University College	ET.1B/A
3605/C20	Nicholson Estates	ET.1B/A
3116/C121	Bath & North East Somerset Allotment Association	ET.1B/C
3511/C5	British Waterways	ET.1B/C
695/C32	Society of Merchant Venturers	B2.28J/A
3511/C6	British Waterways	B2.28J/A
3004/D11	Renrod Limited	PIC/B/8 (QG6A)
3004/D12	Renrod Limited	PIC/B/9 (B2.28K)
3005/D4	Bath Press	PIC/B/8 (QG6A)
3005/D5	Bath Press	PIC/B/9 (B2.28K)
3649/D5	Constantine Land	PIC/B/8 (QG6A)
3649/D6	Constantine Land	PIC/B/9 (B2.28K)
686/C143	Bath Preservation Trust	ET.1C/A
696/C54	South West RSL Planning Consortium	ET.1C/A
3004/D13	Renrod Limited	PIC/B/10 (ET.1C)
3005/D6	Bath Press	PIC/B/10 (ET.1C)
3009/C17	Polestar Properties Limited	ET.1C/A
3205/C6	Edward Nash Partnership	ET.1C/A
3264/C18	Landscape Estates Ltd	ET.1C/A
3522/C1	Bodyworks/Iron Art	ET.1C/A
3600/C1	Roman Trading Ltd	ET.1C/A
3649/D7	Constantine Land	PIC/B/10 (ET.1C)
2388/C10	J S Bloor Ltd	B2.28M/A
3004/D14	Renrod Limited	PIC/B/11 (B2.28M)
3005/D7	Bath Press	PIC/B/11 (B2.28M)
3599/C6	Linden Homes (Western) Ltd	B2.28M/A
3649/D8	Constantine Land	PIC/B/11 (B2.28M)
581/C28	Batheaston Society	ET.1D/A
686/C144	Bath Preservation Trust	ET.1D/A
695/C33	Society of Merchant Venturers	ET.1D/A
696/C55	South West RSL Planning Consortium	ET.1D/A
2388/C9	J S Bloor Ltd (Sytner Properties Ltd)	ET.1D/A
3004/D15	Renrod Limited	PIC/B/12 (ET.1D)
3005/D8	Bath Press	PIC/B/12 (ET.1D)
3009/C18	Polestar Properties Limited	ET.1D/A
3205/C7	Edward Nash Partnership	ET.1D/A
3242/C18	Davies Street (Bathampton) Ltd	ET.1D/A

3264/C19	Landscape Estates Ltd	ET.1D/A
3295/C15	G L Hearn Planning	ET.1D/A
3300/C10	Oval Estates (Bath) Ltd	ET.1D/A
3599/C4	Linden Homes (Western) Ltd	ET.1D/A
3599/C5	Linden Homes (Western) Ltd	ET.1D/A
3600/C2	Roman Trading Ltd	ET.1D/A
3629/C4	Welton Bibby & Barron Limited	ET.1D/A
3629/C7	Welton Bibby & Barron Limited	ET.1D/A
3649/D9	Constantine Land	PIC/B/12 (ET.1D)
3257/C57	Somer Valley Friends of the Earth	B2.28O/A
3242/C12	Davies Street (Bathampton) Ltd	B2.28P/A
695/C34	Society of Merchant Venturers	B2.28Q/A
3242/C13	Davies Street (Bathampton) Ltd	B2.28Q/A
3242/C14	Davies Street (Bathampton) Ltd	B2.28R/A
3242/C15	Davies Street (Bathampton) Ltd	B2.28S/A
581/C29	Batheaston Society	B2.28T/A
3004/D16	Renrod Limited	PIC/B/13 (B2.28T)
3005/D9	Bath Press	PIC/B/13 (B2.28T)
3242/C16	Davies Street (Bathampton) Ltd	B2.28T/A
3649/D10	Constantine Land	PIC/B/13 (B2.28T)
3242/C17	Davies Street (Bathampton) Ltd	B2.28U/A
3233/B4	Mr & Mrs M Williams	B2.33
3299/B12	Bovis Homes (South West Region) Limited	B2.33
3570/C5	Bath Spa University College	B2.33/A
2355/C2	Lord Hylton	B2.36/A
3219/C33	The Hon Andrew Jolliffe	B2.36/A
3257/C55	Somer Valley Friends of the Earth	B2.36/A
3629/C6	Welton Bibby & Barron Limited	B2.36/A
3240/C5	Westbury Homes	B2.37A/A
3009/C14	Polestar Properties Limited	B2.38/A
578/B84	Norton Radstock Town Council	ET.2
2118/B2	Mr S C Banks	ET.2
3009/B5	Polestar Properties Limited	ET.2
3266/B4	O A G Stephens Limited	ET.2
3300/B1	Oval Estates (Bath) Ltd	ET.2
88/B25	William & Pauline Houghton	B2.40
686/B71	Bath Preservation Trust	ET.3
1427/B37	Environment Agency	ET.3
3007/B9	Grant Thornton	ET.3
88/B25	William & Pauline Houghton	B2.40
686/B71	Bath Preservation Trust	ET.3
1427/B37	Environment Agency	ET.3
3007/B9	Grant Thornton	ET.3
3257/C59	Somer Valley Friends of the Earth	B2.41A/A
3267/C11	C S J Planning Consultants Ltd	B2.41A/A
3298/C50	Cam Valley Wildlife Group	B2.41A/A
3299/C50	Bovis Homes (South West Region) Limited	B2.41A/A
578/C100	Norton Radstock Town Council	ET.3A/A
3044/C3	Mr A Hall	ET.3A/A
3257/C61	Somer Valley Friends of the Earth	ET.3A/A
3257/D310	Somer Valley Friends of the Earth	PIC/B/14 (ET.3A)
3267/C10	C S J Planning Consultants Ltd	ET.3A/A
3298/C49	Cam Valley Wildlife Group	ET.3A/A
3299/C48	Bovis Homes (South West Region) Limited	ET.3A/A
578/C101	Norton Radstock Town Council	ET.3A/B
3044/C2	Mr A Hall	ET.3A/B
3267/C9	C S J Planning Consultants Ltd	ET.3A/B

Supporting Statements

3201/B4	South West Regional Development Agency	B2.2
2695/B11	The Springs Foundation	Quick Guide 5

3201/B5	South West Regional Development Agency	B2.16
1427/B36	Environment Agency	ET.1
3649/D2	Constantine Land	PIC/B/1 (B2.26)
3605/C3	Nicholson Estates	ET.1B/A
2360/B1	Landray Will Trust	ET.3
2360/B1	Landray Will Trust	ET.3
120/D291	Mrs H Woodley	PIC/B/12 (ET.1D)
3257/C58	Somer Valley Friends of the Earth	ET.1D/A
3257/C56	Somer Valley Friends of the Earth	B2.28R/A
120/D290	Mrs H Woodley	PIC/B/11 (B2.28M)
1427/C149	Environment Agency	QG6A/A
3605/C2	Nicholson Estates	ET.1A/A

Comments on Suggested Unadvertised Inquiry Change IC1, IC2, IC3 & IC4

1427/F235-s	Environment Agency - South West Region	IC1 (Quick Guide 6B)
1427/F234-s	Environment Agency - South West Region	IC2 (B2.28J)
1427/F233-s	Environment Agency - South West Region	IC3 (ET.1A & ET.1C)
3116/F152-s	Bath & North East Somerset Allotments Association	IC3 (ET.1A & ET.1C)
1427/F232-s	Environment Agency - South West Region	IC4 (ET.1C & ET.1D)

SECTION 3

Chapter B3 - Policy CF.5 and Paragraphs B3.48-B3.62

Objections

716/B2	City of Bath College	B3.53 (B3.47)
714/B6	University of Bath	B3.54 (B3.48)
2999/B1	The National Trust	B3.54 (B3.48)
120/D304	Mrs H Woodley	PIC/B/23 (B3.54A)
683/D22	Cotswold AONB Partnership	PIC/C/1 (B3.54A)
3257/D292	Somer Valley Friends of the Earth	PIC/B/23 (B3.54A)
3342/C10	Mrs T Merrifield	B3.54/A
3343/C13	Mr C J Beezley	B3.54/A
3377/C2	Mr A J Stafford	B3.54/A
3377/D6	Mr A J Stafford	PIC/B/23 (B3.54A)
3417/D34	The Campaign to Preserve the Green Belt at Claverton Down	PIC/B/23 (B3.54A)
3417/D44	The Campaign to Preserve the Green Belt at Claverton Down	PIC/B/23 (B3.54A)
3417/D46	The Campaign to Preserve the Green Belt at Claverton Down	PIC/B/23 (B3.54A)
3431/C2	Ms A Tisdall	B3.54/A
3441/C1	Mr P D Marsden	B3.54/A
3443/C6	Mr N Morgan	B3.54/A
334/C18	Ms P Davis	B3.54A/A
567/C3	Mr M Stutchbury	B3.54A/A
708/C32	The Widcombe Associatio	B3.54A/A
708/C35	The Widcombe Associatio	B3.54A/A
753/C6	Mrs E Pomeroy	B3.54A/A
754/C4	Mrs S Lewis	B3.54A/A
766/C7	Macaulay/Prospect Residents Association	B3.54A/A
771/C3	Mrs M Newbigin	B3.54A/A
2999/C5	The National Trust	B3.54A/A
3257/C70	Somer Valley Friends of the Earth	B3.54A/A
3296/C3	Dr & Mrs H E Stutchbury	B3.54A/A
3342/C8	Mrs T Merrifield	B3.54A/A
3343/C3	Mr C J Beezley	B3.54A/A
3343/C37	Mr C J Beezley	B3.54A/A
3343/C45	Mr C J Beezley	B3.54A/A

3343/C46	Mr C J Beezley	B3.54A/A
3343/C2	Mr C J Beezley	B3.54A/A
3343/C4	Mr C J Beezley	B3.54A/A
3343/C8	Mr C J Beezley	B3.54A/A
3343/C12	Mr C J Beezley	B3.54A/A
3343/C16	Mr C J Beezley	B3.54A/A
3343/C22	Mr C J Beezley	B3.54A/A
3343/C24	Mr C J Beezley	B3.54A/A
3343/C26	Mr C J Beezley	B3.54A/A
3343/C47	Mr C J Beezley	B3.54A/A
3343/C48	Mr C J Beezley	B3.54A/A
3343/C58	Mr C J Beezley	B3.54A/A
3343/C59	Mr C J Beezley	B3.54A/A
3343/C60	Mr C J Beezley	B3.54A/A
3343/C61	Mr C J Beezley	B3.54A/A
3343/C62	Mr C J Beezley	B3.54A/A
3343/C64	Mr C J Beezley	B3.54A/A
3348/C7	Mr G R Dent	B3.54A/A
3350/C1	Mr J W A McKillop	B3.54A/A
3357/C8	Mr J K Hall	B3.54A/A
3359/C1	Mrs E Dolman	B3.54A/A
3360/C1	Mr J A Bailey	B3.54A/A
3365/C1	Mr C Jump	B3.54A/A
3369/C4	Mr & Mrs D E Sullivan	B3.54A/A
3373/C3	Mr A von Tutschek	B3.54A/A
3379/C2	Mr P Brewer	B3.54A/A
3380/C2	Mrs M M E Blandford	B3.54A/A
3382/C2	Dr C W Stammers	B3.54A/A
3384/C1	Mr I P Armston	B3.54A/A
3385/C1	Mr W W Howe	B3.54A/A
3386/C2	Mr G Kerr	B3.54A/A
3386/C3	Mr G Kerr	B3.54A/A
3387/C4	Mrs J Kerr	B3.54A/A
3388/C5	Mr R Nunn	B3.54A/A
3391/C3	Mr E Hext	B3.54A/A
3398/C2	Mr M Swift	B3.54A/A
3399/C2	Mr & Mrs V Ubogu	B3.54A/A
3400/C2	Mr A P Bowrey	B3.54A/A
3401/C4	Mrs H Arrowsmith-Brown	B3.54A/A
3402/C4	Mr J H Arrowsmith-Brown	B3.54A/A
3404/C3	Ms M Howe	B3.54A/A
3407/C5	Mr T Keane	B3.54A/A
3410/C2	Mrs M S Hibberd	B3.54A/A
3414/C3	Mrs M D Hext	B3.54A/A
3423/C5	Mr A Holbrook	B3.54A/A
3437/C2	Ms P A Chown	B3.54A/A
3441/C4	Mr P D Marsden	B3.54A/A
3441/C13	Mr P D Marsden	B3.54A/A
3443/C11	Mr N Morgan	B3.54A/A
3444/C2	Mrs B A Beezley	B3.54A/A
3445/C7	Ms J Marchant	B3.54A/A
3448/C4	Ms E Lomath	B3.54A/A
3449/C5	Mr R A Trebess	B3.54A/A
3456/C8	Mr M Saunders	B3.54A/A
3461/C8	Ms C Lorraine	B3.54A/A
3469/C7	Mr T F Mattock	B3.54A/A
3494/C3	Mr A Wilkes	B3.54A/A
3523/C7	Miss M Anderson	B3.54A/A
3549/C4	Mr P Ariaratnam	B3.54A/A
3552/C11	Mrs A McCarron	B3.54A/A
3553/C4	Mr P McCarron	B3.54A/A
3553/C12	Mr P McCarron	B3.54A/A

3559/C2	Mr I Argyle	B3.54A/A
3560/C6	Mrs J Argyle	B3.54A/A
3570/C2	Bath Spa University College	B3.54A/A
3574/C2	Mr A Masters	B3.54A/A
3580/C2	Mr P Keane	B3.54A/A
3597/C4	Mr & Mrs J Brown	B3.54A/A
3304/B2	W F Wells & Sons	B3.62 (B3.56)
120/B98	Ms Helen Woodley	CF.5 (CF.3)
345/C33	Freshford Parish Council	CF.5/C
1427/B45	Environment Agency	CF.5 (CF.3)
1869/B1	Ms R Griffiths	CF.5 (CF.3)
2206/B1	Ms D Wyers	CF.5 (CF.3)
2241/B1	Mr & Mrs G T Perry	CF.5 (CF.3)
2302/B1	Mr V B Hurren	CF.5 (CF.3)
2600/B2	Neighbourhood Watch (Twerton)	CF.5 (CF.3)
2804/B2	Mr G Stewart	CF.5 (CF.3)
2974/B1	People Against a School	CF.5 (CF.3)
2993/B1	Mrs S Weedon	CF.5 (CF.3)
2994/B1	Ms J R Day	CF.5 (CF.3)
3021/B1	Mr & Mrs Jarvis	CF.5 (CF.3)
3048/B1	Mrs G W Pitman	CF.5 (CF.3)
3049/B1	Mr P Crudgington	CF.5 (CF.3)
3083/B1	Stokes Masonry	CF.5 (CF.3)
3097/B1	Mr M Swinton	CF.5 (CF.3)
3099/B15	Barratt Bristol Limited(Mr A T P Joliffe)	CF.5 (CF.3)
3102/B1	Mr & Mrs R Murray	CF.5 (CF.3)
3104/B1	Mr & Mrs E Cavaliero	CF.5 (CF.3)
3164/B2	Mr W Houghton	CF.5 (CF.3)
3257/C71	Somer Valley Friends of the Earth	CF.5/B
3304/B4	W F Wells & Sons	CF.5 (CF.3)
3493/C6	Bath & Wells Diocesan Board of Finance	CF.5/E
3312/B10	Cllr G Dawson	CF.5 (CF.3)

Supporting Statement(s)

714/D14	University of Bath	PIC/B/23 (B3.54A)
1907/B1	Govenors of East Harptree Primary School	CF.5 (CF.3)
1908/B1	Govenors of East Harptree Primary School	CF.5 (CF.3)
2451/B1	Mr E H Potter	CF.5 (CF.3)
3127/B1	Ms M Douglas-Jones	CF.5 (CF.3)
3135/B1	Mr & Mrs C Osborne	CF.5 (CF.3)
3183/B1	Stanton Drew Primary School	CF.5 (CF.3)
3259/B1	Marksbury Church of England Primary School	CF.5 (CF.3)
3493/C5	Bath & Wells Diocesan Board of Finance	CF.5/B

Comments on Suggested Unadvertised Inquiry Changes IC6 and IC14

120/F367	Mrs H Woodley	IC6 (CF.5)
1427/F229-s	Environment Agency - South West Region	IC6 (CF.5)
2314/F3	Ms A Melling	IC6 (CF.5)
2600/F7	Neighbourhood Watch	IC6 (CF.5)
3116/F155	Bath & North East Somerset Allotments Association	IC6 (CF.5)
3126/G171-s	Bath Friends of the Earth	IC14 (B4.56A)

Chapter B4 - Policies SR.1 and SR.1A and Paragraphs B4.9/A-B4.13 and Diagram 6A

Objections

3261/C19	Bath & North East Somerset Primary Care Trust	Diagram 6A/A
3446/C11	Taylor Woodrow Developments Ltd	Diagram 6A/A
3261/B7	Bath & North East Somerset Primary Care Trust	B4.11
3261/B3	Bath & North East Somerset Primary Care Trust	B4.12
3257/C76	Somer Valley Friends of the Earth	B4.12/A
3261/C16	Bath & North East Somerset Primary Care Trust	B4.12/A
3261/C17	Bath & North East Somerset Primary Care Trust	B4.12A/A
3261/B2	Bath & North East Somerset Primary Care Trust	B4.12B/A
3261/C18	Bath & North East Somerset Primary Care Trust	B4.12B/A
3416/C2	Ms Erica Draisey	B4.13/B
88/B29	William & Pauline Houghton	SR.1
120/D314	Mrs H Woodley	PIC/B/30 (SR.1B)
589/B5	Bath City Football Club	SR.1
878/B9	The Bath Society	SR.1
2088/B2	Mrs E M Hyde	SR.1
2141/B2	Mr G Hunt	SR.1
2143/B2	Mr & Mrs A Vickers	SR.1
2310/B9	Beechcroft Developments	SR.1
2448/B5	Mr J Sewart	SR.1
2466/B5	Keynsham Civic Society	SR.1
3233/B5	Mr & Mrs M Williams	SR.1
3249/B6	Kingswood School	SR.1
3249/B7	Kingswood School	SR.1
3260/B2	Bath Rugby plc	SR.1
3260/B4	Bath Rugby plc	SR.1
3261/B1	Bath & North East Somerset Primary Care Trust	SR.1
3261/B13	Bath & North East Somerset Primary Care Trust	SR.1
3273/B2	Bath & District Community Health Council	SR.1
3274/B3	The Girls'Day School Trust	SR.1
3274/B5	The Girls'Day School Trust	SR.1
3299/B31	Bovis Homes (South West Region) Limited	SR.1
3313/B2	Mr A D Thakara	SR.1
686/C170	Bath Preservation Trust	SR.1A/A
3116/C111	Bath & North East Somerset Allotment Association	SR.1A/A
3257/C77	Somer Valley Friends of the Earth	SR.1A/A
3261/C22	Bath & North East Somerset Primary Care Trust	SR.1A/A
3416/C1	Ms Erica Draisey	SR.1A/A
3116/C94	Bath & North East Somerset Allotment Association	SR.1A/J
295/C1	Mr & Mrs R N Ford	SR.1A/K
3613/C1	Mrs K A Wilcox	SR.1A/K
3116/C96	Bath & North East Somerset Allotment Association	SR.1A/M
42/C21	CPRE	SR.1A/P
120/C262	Ms Helen Woodley	SR.1A/P
589/C9	Bath City Football Club	SR.1A/P
686/C169	Bath Preservation Trust	SR.1A/P
3394/C3	Cllr A Furse	SR.1A/Q

Supporting Statements

2050/C12	Greenway - The Residents Forum from Lyncombe Vale to Beechen Cliff	B4.9/A
3219/C27	The Hon Andrew Jolliffe	B4.9/A
3219/C28	The Hon Andrew Jolliffe	B4.12/A
3219/C29	The Hon Andrew Jolliffe	B4.12A/A
3219/C30	The Hon Andrew Jolliffe	B4.12B/A
292/C6	Timsbury Cricket Club	B4.13/A
1885/C7	Mrs J Hibbett	B4.13/A
1885/C12	Mrs J Hibbett	B4.13/A
1887/C9	Mrs M Moon	B4.13/A
1888/C9	Mr C Knowlton	B4.13/A
1889/C10	Ms E Hebden	B4.13/A
1890/C9	Mrs M Fuller	B4.13/A
1891/C5	Mrs G Price	B4.13/A

1892/C7	Mr C Dunster	B4.13/A
1916/C10	Access B&NES	B4.13/A
1929/C7	Mr A L Lewis	B4.13/A
2002/C10	Mr R J Young	B4.13/A
2017/C9	Mr G Eastment	B4.13/A
2322/C6	Ms Tennant-Bone	B4.13/A
2328/C8	Mr G C Bratt	B4.13/A
2330/C7	Mr & Mrs R Button	B4.13/A
2374/C9	Mr N R Crocker	B4.13/A
2383/C9	Mr L Hebden	B4.13/A
2384/C9	Ms G Shreeves	B4.13/A
2421/C9	Mr A Humphrey	B4.13/A
2422/C9	Mrs K Willox	B4.13/A
2427/C9	Mr P R Smith	B4.13/A
2996/C6	Mrs M E Deacon	B4.13/A
3028/C9	Mr & Mrs D P Bassil	B4.13/A
3030/C2	Mr R Tranter	B4.13/A
3032/C2	Ms V B Davies	B4.13/A
3039/C2	Ms D Gray	B4.13/A
3116/C56	Bath & North East Somerset Allotment Association	B4.13/A
3261/C20	Bath & North East Somerset Primary Care Trust	B4.13/A
3355/C4	Mr D E Deacon	B4.13/A
3356/C4	Mr H Nowell	B4.13/A
3367/C1	Ms R Gardner	B4.13/A
3370/C1	Timsbury Athletic Football Club	B4.13/A
3383/C4	Mr L Davis	B4.13/A
3403/C8	Mr M Cleeveley	B4.13/A
3405/C4	Mr S R Kerr	B4.13/A
3406/C4	Mr D Nowell	B4.13/A
3408/C3	Mr M P Hawkins	B4.13/A
3409/C4	Mr B Stevenson	B4.13/A
3411/C5	Mr S Dredge	B4.13/A
3412/C4	Mr M B Parfitt	B4.13/A
3426/C1	Mr N Cleeveley	B4.13/A
3433/C1	Mr G M Jackson	B4.13/A
3434/C1	Ms L Robinson	B4.13/A
3452/C2	Mr D Sage	B4.13/A
3453/C1	Mr N Hucker	B4.13/A
3458/C2	Mr & Mrs P Hancock	B4.13/A
3471/C1	Ms C Hebden	B4.13/A
3472/C1	Mr R Clarke	B4.13/A
3473/C1	Mrs B J Biggs	B4.13/A
3476/C5	Mr E Chivers	B4.13/A
3488/C1	Mr M Tucker	B4.13/A
3489/C1	Ms C J Bateman	B4.13/A
3116/C57	Bath & North East Somerset Allotment Association	B4.13/B
110/B16	Sport England South West	SR.1
120/B96	Ms Helen Woodley	SR.1
1859/B1	Mr D Kennedy	SR.1
1958/B1	Mr R A Ingram	SR.1
1998/B1	Ms J Bennett	SR.1
2031/B1	Mr J Toplis	SR.1
2031/B4	Mr J Toplis	SR.1
2032/B1	Mr R Tobin	SR.1
2033/B2	Mrs A Tobin	SR.1
2034/B1	Mr D F Boyd	SR.1
2035/B1	Mr W W Hanna	SR.1
2036/B1	Mrs L S Baker	SR.1
2037/B1	Mr B J Baker	SR.1
2038/B1	Ms A Steen	SR.1
2039/B1	Ms R H Stringer	SR.1
2040/B1	Mr A H Stringer	SR.1

2041/B1	Ms P R Wheeler	SR.1
2042/B1	Mrs T Ellis	SR.1
2043/B1	Mr P M Ellis	SR.1
2044/B1	Mr G Butler	SR.1
2045/B1	Mr D R Prosser	SR.1
2046/B1	Mrs A Prosser	SR.1
2047/B1	Mr B Sweetman	SR.1
2048/B1	Ms F Sweetman	SR.1
2049/B1	Ms J Newbury	SR.1
2050/B9	Greenway - The Residents Forum from Lyncombe Vale to Beechen Cliff	SR.1
2051/B1	Mr P Burfoot	SR.1
2059/B1	Mr P J Dolan	SR.1
2060/B1	Mrs A M H Dolan	SR.1
2061/B1	Mrs H Canham	SR.1
2062/B1	Mr J Canham	SR.1
2063/B1	Cdr N S H Buckland	SR.1
2064/B1	Mr D J Fogden	SR.1
2065/B1	Mr K L Glass	SR.1
2066/B1	Mr A Snell	SR.1
2067/B1	Mr T Hastings	SR.1
2068/B1	Mrs A Hastings	SR.1
2069/B1	Mr D Hampton	SR.1
2070/B1	Mrs J Hampton	SR.1
2071/B1	Mr & Mrs T Leland	SR.1
2072/B1	Mr & Mrs D Stafford	SR.1
2073/B1	Mr B Stradling	SR.1
2074/B1	Mrs F J M Stradling	SR.1
2076/B1	Ms A S Petter	SR.1
2077/B1	Mr S Petter	SR.1
2078/B1	Dr S J Hayward	SR.1
2080/B2	Ms B Blanchard	SR.1
2081/B2	Mrs L A Platt	SR.1
2082/B2	Mr R B Platt	SR.1
2084/B2	Mr M A Phelp	SR.1
2085/B2	Ms N Robertson	SR.1
2086/B2	Mr W Robertson	SR.1
2087/B2	Mr T D Hyde	SR.1
2090/B2	Mrs C Thomas	SR.1
2091/B2	Mrs C M Hayward	SR.1
2092/B2	Ms J Legge	SR.1
2093/B2	Mr G Lee	SR.1
2095/B2	Mr S W Frith	SR.1
2096/B2	Rev R Nunn	SR.1
2097/B1	Ms T Lee	SR.1
2099/B1	Mr M Harding	SR.1
2100/B1	Mrs J South	SR.1
2101/B1	Mr J South	SR.1
2102/B2	Dr E R Gardner	SR.1
2103/B2	Ms K Davey	SR.1
2104/B2	Mr S Hayward	SR.1
2105/B2	Ms P Hayward	SR.1
2106/B2	Greenway Lane Residents' Forum	SR.1
2107/B1	Ms R Sanvicens	SR.1
2108/B2	Mrs M D Spiller	SR.1
2109/B1	Ms R Stanton	SR.1
2110/B2	Mrs M Nunn	SR.1
2111/B2	Mrs M M Carter	SR.1
2112/B2	Mr G D E Sanvicens	SR.1
2113/B1	Mr H A Carter	SR.1
2114/B1	Ms P Toplis	SR.1
2115/B1	Mr C Lever	SR.1
2138/B2	Ms P Harboard	SR.1

2139/B1	Ms M Jenkins	SR.1
2140/B2	Mr P Jenkins	SR.1
2144/B2	Mr M O'Sullivan	SR.1
2153/B1	Mr P M Chant	SR.1
2237/B2	Ms Margret	SR.1
2238/B2	Ms S Youd	SR.1
2239/B1	Mr R Holloway	SR.1
2240/B1	Ms C Holloway	SR.1
2266/B1	Mrs G R Seymour	SR.1
2290/B2	Mrs L Amos	SR.1
2689/B2	Ms M Crosland	SR.1
2690/B2	Mr M Lawman	SR.1
2691/B1	Mrs M Lawman	SR.1
3161/B1	Rev P Calver	SR.1
3162/B2	Mrs D Calver	SR.1
3322/B1	Mr & Mrs A Douglas	SR.1
2050/C11	Greenway - The Residents Forum from Lyncombe Vale to Beechen Cliff	SR.1A/A
3249/C9	Kingswood School	SR.1A/A
3261/D24	Bath & North East Somerset Primary Care Trust	PIC/B/28 (SR.1A)
3261/C23	Bath & North East Somerset Primary Care Trust	SR.1A/A
3274/C9	The Girls'Day School Trust	SR.1A/A
3396/C4	Mr & Mrs G Moore	SR.1A/A
566/C16	Clutton Parish Council	SR.1A/E
566/C17	Clutton Parish Council	SR.1A/I
292/C2	Timsbury Cricket Club	SR.1A/K
292/C9	Timsbury Cricket Club	SR.1A/K
730/C24	Timsbury Parish Council	SR.1A/K
1872/C3	Mr & Mrs I J Winfield	SR.1A/K
1885/C4	Mrs J Hibbett	SR.1A/K
1886/C4	MS G D Gaines	SR.1A/K
1887/C4	Mrs M Moon	SR.1A/K
1888/C4	Mr C Knowlton	SR.1A/K
1889/C5	Ms E Hebden	SR.1A/K
1890/C4	Mrs M Fuller	SR.1A/K
1892/C4	Mr C Dunster	SR.1A/K
1915/C7	Mr A Fullalove	SR.1A/K
1916/C5	Access B&NES	SR.1A/K
1927/C6	Mr & Mrs A Waugh	SR.1A/K
1929/C4	Mr A L Lewis	SR.1A/K
1931/C5	Mrs K Mulvaney	SR.1A/K
2001/C3	Miss N Boren	SR.1A/K
2002/C9	Mr R J Young	SR.1A/K
2007/C3	Mrs J L Durk	SR.1A/K
2322/C3	Ms Tennant-Bone	SR.1A/K
2328/C5	Mr G C Bratt	SR.1A/K
2330/C4	Mr & Mrs R Button	SR.1A/K
2344/C6	Mr & Mrs Holbrook and Family	SR.1A/K
2374/C4	Mr N R Crocker	SR.1A/K
2378/C3	Mr & Mrs P G Pierce	SR.1A/K
2382/C3	Mr E Brimble	SR.1A/K
2383/C4	Mr L Hebden	SR.1A/K
2384/C4	Ms G Shreeves	SR.1A/K
2385/C6	Ms J Eittle	SR.1A/K
2387/C3	Mr & Mrs J Greenwood	SR.1A/K
2390/C7	Mr & Mrs J E Newth	SR.1A/K
2406/C3	Mr G Nicholls	SR.1A/K
2408/C5	Ms S Moss	SR.1A/K
2415/C5	Mr M R Gray	SR.1A/K
2419/C3	Ms C Jackson	SR.1A/K
2421/C7	Mr A Humphrey	SR.1A/K
2422/C6	Mrs K Willox	SR.1A/K
2427/C6	Mr P R Smith	SR.1A/K

2428/C3	Mrs W A Bagley	SR.1A/K
3028/C6	Mr & Mrs D P Bassil	SR.1A/K
3030/C5	Mr R Tranter	SR.1A/K
3032/C5	Ms V B Davies	SR.1A/K
3039/C5	Ms D Gray	SR.1A/K
3355/C3	Mr D E Deacon	SR.1A/K
3356/C7	Mr H Nowell	SR.1A/K
3367/C4	Ms R Gardner	SR.1A/K
3370/C4	Timsbury Athletic Football Club	SR.1A/K
3383/C8	Mr L Davis	SR.1A/K
3389/C2	Mrs P H Hall	SR.1A/K
3403/C4	Mr M Cleeveley	SR.1A/K
3405/C7	Mr S R Kerr	SR.1A/K
3406/C8	Mr D Nowell	SR.1A/K
3408/C5	Mr M P Hawkins	SR.1A/K
3409/C8	Mr B Stevenson	SR.1A/K
3411/C1	Mr S Dredge	SR.1A/K
3412/C7	Mr M B Parfitt	SR.1A/K
3424/C5	Mr M Sage	SR.1A/K
3425/C6	Mr D Neale	SR.1A/K
3426/C4	Mr N Cleeveley	SR.1A/K
3429/C5	Timsbury Cricket Club	SR.1A/K
3433/C4	Mr G M Jackson	SR.1A/K
3434/C4	Ms L Robinson	SR.1A/K
3452/C4	Mr D Sage	SR.1A/K
3453/C4	Mr N Hucker	SR.1A/K
3458/C4	Mr & Mrs P Hancock	SR.1A/K
3464/C5	Mr B Wilkins	SR.1A/K
3471/C2	Ms C Hebden	SR.1A/K
3472/C2	Mr R Clarke	SR.1A/K
3473/C4	Mrs B J Biggs	SR.1A/K
3474/C5	Mr A Ricards	SR.1A/K
3475/C2	Mr D Vowles	SR.1A/K
3476/C8	Mr E Chivers	SR.1A/K
3477/C2	Ms K Newman	SR.1A/K
3478/C5	Mr L J Berry	SR.1A/K
3479/C2	Mr D Biggs	SR.1A/K
3480/C5	Mrs M Chivers	SR.1A/K
3481/C2	Ms R Day	SR.1A/K
3482/C2	Mr B Curtis	SR.1A/K
3483/C5	Mr J Newman	SR.1A/K
3486/C2	Mrs J Berry	SR.1A/K
3487/C4	Mr L Travetti	SR.1A/K
3488/C4	Mr M Tucker	SR.1A/K
3489/C4	Ms C J Bateman	SR.1A/K
3490/C4	Mr M Smith	SR.1A/K
3491/C4	Mr O Weaver	SR.1A/K
3492/C2	Mr M Bryant	SR.1A/K
3502/C2	Ms D Clarke	SR.1A/K
3503/C3	Mr B Clarke	SR.1A/K
3504/C3	Mrs B I Clarke	SR.1A/K
3505/C2	Mr S Hill	SR.1A/K
3506/C2	Mrs L Hill	SR.1A/K
3507/C1	Ms L Hill	SR.1A/K
3508/C1	Mr & Mrs D Chappell	SR.1A/K
3509/C2	Mr T Hill	SR.1A/K
3519/C2	Mr M Davies	SR.1A/K
3527/C2	Mrs D Ford	SR.1A/K
3530/C2	Mr & Mrs R Cooper	SR.1A/K
3538/C2	Mrs M Humphrey	SR.1A/K
3539/C2	Mrs S Forsythe	SR.1A/K
3540/C2	Mr & Mrs A Roper	SR.1A/K

3541/C5	Mr M Passingham	SR.1A/K
3542/C1	Dr G Harrison Smith	SR.1A/K
3543/C5	Mr M McGreevy	SR.1A/K
3544/C2	Mr & Mrs R Nix	SR.1A/K
3546/C1	Mr & Mrs C Weston	SR.1A/K
3554/C5	Mrs C Passingham	SR.1A/K
3555/C5	Ms S Jones	SR.1A/K
3556/C5	Mr A Forbes	SR.1A/K
3561/C2	Mr & Mrs R J Bick	SR.1A/K
3562/C2	Mr J Hare	SR.1A/K
3563/C2	Mr C Hare	SR.1A/K
3573/C2	Mr M J Scott	SR.1A/K
3575/C5	Mr G Passingham	SR.1A/K
3577/C2	Ms V Hoskins	SR.1A/K
3585/C2	Miss P Bramley	SR.1A/K
3586/C5	Mr S Clothier	SR.1A/K
3587/C5	Mr D Forsythe	SR.1A/K
3592/C5	Ms S J Lewis	SR.1A/K
3593/C5	Mr K D Lewis	SR.1A/K
3609/C1	Mr D M Williams	SR.1A/K
3274/C8	The Girls'Day School Trust	SR.1A/L

Chapter B4 - Policy SR.1B and Paragraph B4.13A

Objections

3257/C78	Somer Valley Friends of the Earth	SR.1B/A
3295/C11	G L Hearn Planning	SR.1B/A

Supporting Statements

1872/C6	Mr & Mrs I J Winfield	B4.13A/A
1927/C9	Mr & Mrs A Waugh	B4.13A/A
2344/C9	Mr & Mrs Holbrook and Family	B4.13A/A
2387/C6	Mr & Mrs J Greenwood	B4.13A/A
2406/C6	Mr G Nicholls	B4.13A/A
2415/C8	Mr M R Gray	B4.13A/A
2419/C6	Ms C Jackson	B4.13A/A
3424/C8	Mr M Sage	B4.13A/A
3425/C4	Mr D Neale	B4.13A/A
3429/C8	Timsbury Cricket Club	B4.13A/A
3464/C8	Mr B Wilkins	B4.13A/A
3474/C6	Mr A Ricards	B4.13A/A
3478/C8	Mr L J Berry	B4.13A/A
3479/C5	Mr D Biggs	B4.13A/A
3480/C8	Mrs M Chivers	B4.13A/A
3486/C5	Mrs J Berry	B4.13A/A
3539/C5	Mrs S Forsythe	B4.13A/A
3541/C8	Mr M Passingham	B4.13A/A
3543/C8	Mr M McGreevy	B4.13A/A
3554/C8	Mrs C Passingham	B4.13A/A
3555/C8	Ms S Jones	B4.13A/A
3556/C8	Mr A Forbes	B4.13A/A
3562/C5	Mr J Hare	B4.13A/A
3563/C5	Mr C Hare	B4.13A/A
3573/C5	Mr M J Scott	B4.13A/A
3575/C8	Mr G Passingham	B4.13A/A
3577/C5	Ms V Hoskins	B4.13A/A
3585/C5	Miss P Bramley	B4.13A/A
3586/C8	Mr S Clothier	B4.13A/A
3587/C8	Mr D Forsythe	B4.13A/A

3592/C8	Ms S J Lewis	B4.13A/A
3593/C8	Mr K D Lewis	B4.13A/A
3257/D298	Somer Valley Friends of the Earth	PIC/B/30a (SR.1B)

Chapter B4 - Policy SR.9 and Paragraphs B4.61-B4.65

Objections

689/B22	British Horse Society	B4.61
689/B20	British Horse Society	B4.62
686/C147	Bath Preservation Trust	B4.62/A
689/B21	British Horse Society	B4.63
689/B23	British Horse Society	B4.65
88/B32	William & Pauline Houghton	SR.9
88/B34	William & Pauline Houghton	SR.9
120/B87	Ms Helen Woodley	SR.9
246/B15	SUSTRANS	SR.9
458/B2	Riparian Owners Avon River	SR.9
566/B12	Clutton Parish Council	SR.9
573/B3	Mr R Harris	SR.9
578/B57	Norton Radstock Town Council	SR.9
1904/B4	Ms B Cohn	SR.9
1904/B5	Ms B Cohn	SR.9
2000/B1	Ms A Beresford	SR.9
2129/B2	Mr & Mrs T Lawrence	SR.9
2628/B1	Mr S Emery	SR.9
2702/B1	Ms A C Marjoram	SR.9
2816/B1	Mr J I Garside	SR.9
2984/B1	Ms J Knapp	SR.9
2998/B1	Mrs R Brown	SR.9
2999/B2	The National Trust	SR.9
3000/B1	St Swithins Yard Ltd	SR.9
3024/B1	Ms C Barrett	SR.9
3050/B1	Ms M Dawson	SR.9
3051/B1	Mrs M E Adams	SR.9
3052/B1	Mr P Mercier	SR.9
3054/B1	Mr & Mrs I McCallum	SR.9
3055/B1	Mr R I Donaldson	SR.9
3056/B1	The Framing Workshop	SR.9
3057/B1	Mr & Mrs D J Moore	SR.9
3058/B1	Mrs D M Hurd	SR.9
3059/B1	Green Stationery Co	SR.9
3060/B1	Walcot Reclamation Ltd	SR.9
3061/B1	Ms S Gwilliam	SR.9
3069/B1	Mr & Mrs B Gifford	SR.9
3070/B1	Mr J O'Pray	SR.9
3094/B1	Chew Valley Recreational Trail Associations	SR.9
3189/B2	Somerset Coal Canal Society	SR.9
3217/B1	Mr M N Banahan	SR.9
3312/B9	Cllr G Dawson	SR.9
120/C253	Ms Helen Woodley	SR.9/K
3629/C2	Welton Bibby & Barron Limited	SR.9/K

Supporting Statement(s)

1427/B49	Environment Agency	B4.65
564/B32	London Road Area Residents Association	SR.9
2050/C14	Greenway - The Residents Forum from Lyncombe Vale to Beechen Cliff	SR.9/A
614/D23	Temple Cloud Residents Association	PIC/B/33 (SR.9)

SECTION 4

Chapter B5 - Introduction and Policies S.2-S.4 and Paragraphs B5.23- B5.40 and B5.32

Objections

878/B14	The Bath Society	B5.23
3660/E6	Ms S Bones	FPIC/B/03 (B5.23)
3667/E4	Mr R Houghton	FPIC/B/03 (B5.23)
686/E200	Bath Preservation Trust	FRPIC/B05 Southgate
686/E202	Bath Preservation Trust	FRPIC/B05
717/E3	St John's Hospital Trustees	FPIC/B/05 (Table 1)
2947/E7	Bath Chamber of Commerce	FPIC/B/05 (Table 1)
2965/E19	Morley Fund Management Ltd	FPIC/B/05 (Table 1)
3660/E4	Ms S Bones	FPIC/B/05 (Table 1)
3662/E1	Insight Investments	FPIC/B/05 (Table 1)
3663/E1	House of Fraser	FPIC/B/05 (Table 1)
3664/E1	Standard Life	FPIC/B/05 (Table 1)
3665/E1	Willats Charity	FPIC/B/05 (Table 1)
3667/E6	Mr R Houghton	FPIC/B/05 (Table 1)
3671/E2	Mr N Stubbs	FPIC/B/05 (Table 1)
878/B15	The Bath Society	B5.25
2965/E22	Morley Fund Management Ltd	FPIC/B/06 (B5.25)
3660/E7	Ms S Bones	FPIC/B/06 (B5.25)
3666/E5	Littman & Robeson	FPIC/B/06 (B5.25)
721/C51	Government Office for the South West	B5.25/A
3126/E70	Bath Friends of the Earth	FPIC/B/07 (B5.25A)
3660/E8	Ms S Bones	FPIC/B/07 (B5.25A)
717/E4	St John's Hospital Trustees	FPIC/B/08 (Table 1B)
2965/E24	Morley Fund Management Ltd	FPIC/B/08 (Table 1B)
3126/E118	Bath Friends of the Earth	FPIC/B/08 (Table 1B)
3660/E5	Ms S Bones	FPIC/B/08 (Table 1B)
3662/E2	Insight Investments	FPIC/B/08 (Table 1B)
3663/E2	House of Fraser	FPIC/B/08 (Table 1B)
3664/E2	Standard Life	FPIC/B/08 (Table 1B)
3665/E2	Willats Charity	FPIC/B/08 (Table 1B)
3666/E2	Littman & Robeson	FPIC/B/08 (Table 1B)
578/B59	Norton Radstock Town Council	S.2
3007/B8	Grant Thornton	S.2
3126/E84	Bath Friends of the Earth	FPIC/B/09 (B5.28)
3660/E9	Ms S Bones	FPIC/B/09 (B5.28)
2388/E12	J S Bloor (Sytner Properties Ltd)	FPIC/B/10 (B5.29)
3126/E75	Bath Friends of the Earth	FPIC/B/10 (B5.29)
3660/E10	Ms S Bones	FPIC/B/10 (B5.29)
3666/E10	Littman & Robeson	FPIC/B/10 (B5.29)
3669/E48	Hayesfield School	FPIC/B/10 (B5.29)
3673/E2	Second Site Property Holdings & Transco plc	FPIC/B/10 (B5.29)
3126/E91	Bath Friends of the Earth	FPIC/B/11 (B5.29A)
3666/E19	Littman & Robeson	FPIC/B/11 (B5.29A)
3669/E47	Hayesfield School	FPIC/B/11 (B5.29A)
3660/E11	Ms S Bones	FPIC/B/12 (B5.30)
2965/E26	Morley Fund Management Ltd	FPIC/B/13 (B5.31)
721/B25	Government Office for the South West	B5.32
2965/E18	Morley Fund Management Ltd	FPIC/B/14 (B5.32)
3126/E94	Bath Friends of the Earth	FPIC/B/14 (B5.32)
2176/E6	B&NES Conservative Group	FPIC/B/15 (B5.32A-B5.32Q)
2176/E7	B&NES Conservative Group	FPIC/B/15 (B5.32R)
2388/E13	J S Bloor (Sytner Properties Ltd)	FPIC/B/15 (B5.32A-B5.32R)
2947/E8	Bath Chamber of Commerce	FPIC/B/15 (B5.32J)
2947/E9	Bath Chamber of Commerce	FPIC/B/15 (B5.32K)
2947/E10	Bath Chamber of Commerce	FPIC/B/15 (B5.32M+N)

2947/E11	Bath Chamber of Commerce	FPIC/B/15 (B5.32P)
2947/E12	Bath Chamber of Commerce	FPIC/B/15 (B5.32Q)
2965/E27	Morley Fund Management Ltd	FPIC/B/15 (B5.32A-B5.32R)
3126/E138	Bath Friends of the Earth	FPIC/B/15 (B5.32A)
3126/E140	Bath Friends of the Earth	FPIC/B/15 (B5.32B)
3126/E151	Bath Friends of the Earth	FPIC/B/15 (B5.32C)
3126/E153	Bath Friends of the Earth	FPIC/B/15 (B5.32I)
3126/E156	Bath Friends of the Earth	FPIC/B/15 (B5.32J)
3126/E157	Bath Friends of the Earth	FPIC/B/15 (B5.32K)
3126/E165	Bath Friends of the Earth	FPIC/B/15 (B5.32M)
3126/E167	Bath Friends of the Earth	FPIC/B/15 (B5.32N)
3126/E169	Bath Friends of the Earth	FPIC/B/15 (B5.32Q)
3279/E16	Sainsbury's Supermarkets Ltd	FPIC/B/15 (B5.32M)
3279/E39	Sainsbury's Supermarkets Ltd	FPIC/B/15 (B5.32E-K)
3659/E1	Keynsham Town Centre Management Steering Group	FPIC/B/15 (B5.32R)
3660/E12	Ms S Bones	FPIC/B/15 (B5.32A-B5.32R)
3668/E11	Castlemore Securities Lyd	FPIC/B/15 (B5.32A-B5.32R)
3673/E3	Second Site Property Holdings & Transco plc	FPIC/B/15 (B5.32A-B5.32R)
2947/E15	Bath Chamber of Commerce	FPIC/B/17 (B5.32V)
3126/E98	Bath Friends of the Earth	FPIC/B/17 (B5.32V)
3660/E13	Ms S Bones	FPIC/B/17 (B5.32V)
3668/E10	Castlemore Securities Lyd	FPIC/B/17 (B5.32V)
3673/E4	Second Site Property Holdings & Transco plc	FPIC/B/17 (B5.32V)
3126/E107	Bath Friends of the Earth	FPIC/B/18 (B5.32W)
3660/E14	Ms S Bones	FPIC/B/18 (B5.32W)
3668/E9	Castlemore Securities Lyd	FPIC/B/18 (B5.32W)
3126/E110	Bath Friends of the Earth	FPIC/B/19 (B5.32X)
578/B85	Norton Radstock Town Council	S.3
2348/B2	Chartwell Land plc	S.3
2388/E14	J S Bloor (Sytner Properties Ltd)	FPIC/B/20 (S.3)
2962/B1	Wm Morrison Supermarkets plc	B5.30
2965/E28	Morley Fund Management Ltd	FPIC/B/20 (S.3)
3116/E151	Bath & North East Somerset Allotment Association	FPIC/B/20 (S.3)
3286/B3	BLCT (11680) Ltd	S.3
3287/B3	BLCT (11650) Ltd	S.3
3660/E3	Ms S Bones	FPIC/B/20 (S.3)
3669/E46	Hayesfield School	FPIC/B/20 (S.3)
3671/E4	Mr N Stubbs	FPIC/B/20 (S.3)

Supporting Statements

3673/E1	Second Site Property Holdings & Transco plc	FPIC/B/05 (Table 1)
3257/C88	Somer Valley Friends of the Earth	B5.25/A
3257/C89	Somer Valley Friends of the Earth	B5.30/A
2962/C3	Wm Morrison Supermarkets plc	B5.30/B
3257/C90	Somer Valley Friends of the Earth	B5.32/A
3658/E2	O & H Properties Ltd	FPIC/B/20 (S.3)
3661/E8	St Martin's Garden Primary School	FPIC/B/11 (B5.29A)
3673/E5	Second Site Property Holdings & Transco plc	FPIC/B/20 (S.3)
2947/E23	Bath Chamber of Commerce	FPIC/B/21 (B5.33A)
3126/E78	Bath Friends of the Earth	FPIC/B/21 (B5.33A)
3126/E81	Bath Friends of the Earth	FPIC/B/23 (B5.35A)
3660/E15	Ms S Bones	FPIC/B/21 (B5.35A)
3668/E8	Castlemore Securities Lyd	FPIC/B/21 (B5.33A)
2388/E15	J S Bloor (Sytner Properties Ltd)	FPIC/B/22 (B5.34)
3660/E16	Ms S Bones	FPIC/B/22 (B5.34)
3243/B6	B&Q plc	B5.35
686/C174	Bath Preservation Trust	B5.35/A
686/C173	Bath Preservation Trust	B5.35A/A
3257/C91	Somer Valley Friends of the Earth	B5.35/A
3257/C92	Somer Valley Friends of the Earth	B5.35A/A
578/B60	Norton Radstock Town Council	B5.37

3243/B2	B&Q plc	B5.39
723/B28	Bath Chamber of Commerce	B5.40
2/B38	T2000/Railfutures	S.4
564/B29	London Road Area Residents Association	S.4
3007/B7	Grant Thornton	S.4
3243/B3	B&Q plc	S.4
3288/B2	Co-operative Group (CWS) Ltd	S.4
120/C127	Ms Helen Woodley	S.4/A
686/C175	Bath Preservation Trust	S.4/A

Comments on Suggested Unadvertised Inquiry Change IC21

3126/G170-s	Bath Friends of the Earth	IC15 (Table 1B)
120/H378	Mrs H Woodley	IC21 (B5.35B)
3116/H157	Bath & North East Somerset Allotments Association	IC21 (B5.35B)

SECTION 5

Chapter B7 - Housing Need -General Approach Paragraphs B7.19-B7.27

Objections

2466/B3	Keynsham Civic Society	B7.19
700/B16	Chase Homes	B7.21
239/C4	Country Land & Business Association	B7.21/A
2707/C5	Crest Strategic Projects Limited	B7.21/A
3009/C21	Polestar Properties Limited	B7.21/A
3240/C7	Westbury Homes	B7.21/A
485/B14	Prowting Projects Ltd	B7.22
601/B10	House Builders Federation	B7.22
3009/C20	Polestar Properties Limited	B7.22/A
3233/B7	Mr & Mrs M Williams	B7.23
601/C20	House Builders Federation	B7.23/B
2340/C18	Mr & Mrs S Wiseman	B7.23/B
2356/C10	The Hon W H M Jolliffe	B7.23/B
2601/C27	Linden Homes (Developments) Limited	B7.23/B
3219/C14	The Hon Andrew Jolliffe	B7.23/B
3257/C125	Somer Valley Friends of the Earth	B7.23/B
3298/C41	Cam Valley Wildlife Group	B7.23/B
3299/C81	Bovis Homes (South West Region) Limited	B7.23/B
3009/B8	Polestar Properties Limited	B7.24
485/B7	Prowting Projects Ltd	B7.25
601/B11	House Builders Federation	B7.25
695/B7	Society of Merchant Venturers	B7.25
1904/B3	Ms B Cohn	B7.25
2310/B15	Beechcroft Developments	B7.25
2313/B2	Bryant Homes (Taylor Woodrow)	B7.25
2388/B1	J S Bloor Ltd (Sytner Properties Ltd)	B7.25
2601/B4	Linden Homes (Developments) Limited	B7.25
2641/B7	David Wilson Homes	B7.25
2641/B3	David Wilson Homes	B7.25
2975/B12	Crest Nicholson Properties Limited	B7.25
2976/B3	Mrs Marlene Maud Baker	B7.25
3009/B7	Polestar Properties Limited	B7.25
3098/B23	George Wimpey Strategic Land	B7.25
3099/B31	Barratt Bristol Limited(Mr A T P Jolliffe)	B7.25
3241/B5	Edward Ware Homes Ltd	B7.25
3242/B6	Davies Street (Bathampton) Ltd	B7.25
3251/B27	Prospect Land Ltd	B7.25
3266/B5	O A G Stephens Limited	B7.25
3299/B2	Bovis Homes (South West Region) Limited	B7.25

3219/C13	The Hon Andrew Jolliffe	B7.25/B
3251/C59	Prospect Land Ltd	B7.25/A
696/C57	South West RSL Planning Consortium	B7.25/B
2340/C15	Mr & Mrs S Wiseman	B7.25/B
2601/C28	Linden Homes (Developments) Limited	B7.25/B
3251/C70	Prospect Land Ltd	B7.25/B
3299/C67	Bovis Homes (South West Region) Limited	B7.25/B
3605/C5	Nicholson Estates	B7.25/B
3605/C17	Nicholson Estates	B7.25/B
695/C27	Society of Merchant Venturers	B7.25/C
2641/C17	David Wilson Homes	B7.25/C
3251/C71	Prospect Land Ltd	B7.25/C
3257/C126	Somer Valley Friends of the Earth	B7.25/C
3299/C68	Bovis Homes (South West Region) Limited	B7.25/C
3605/C7	Nicholson Estates	B7.25/C
2340/C16	Mr & Mrs S Wiseman	B7.25/D
2356/C4	The Hon W H M Jolliffe	B7.25/D
2601/C29	Linden Homes (Developments) Limited	B7.25/D
2641/C30	David Wilson Homes	B7.25/D
3219/C36	The Hon Andrew Jolliffe	B7.25/D
3251/C72	Prospect Land Ltd	B7.25/D
3257/C127	Somer Valley Friends of the Earth	B7.25/D
3298/C43	Cam Valley Wildlife Group	B7.25/D
3299/C69	Bovis Homes (South West Region) Limited	B7.25/D
3446/C2	Taylor Woodrow Developments Ltd	B7.25/D
3601/C2	Ministry of Defence	B7.25/D
3605/C25	Nicholson Estates	B7.25/D
2340/C17	Mr & Mrs S Wiseman	B7.25/E
2356/C3	The Hon W H M Jolliffe	B7.25/E
2601/C30	Linden Homes (Developments) Limited	B7.25/E
2641/C31	David Wilson Homes	B7.25/E
3219/C37	The Hon Andrew Jolliffe	B7.25/E
3251/C73	Prospect Land Ltd	B7.25/E
3257/C128	Somer Valley Friends of the Earth	B7.25/E
3299/C70	Bovis Homes (South West Region) Limited	B7.25/E
3446/C3	Taylor Woodrow Developments Ltd	B7.25/E
3605/C8	Nicholson Estates	B7.25/E
2641/C12	David Wilson Homes	B7.25/F
3251/C74	Prospect Land Ltd	B7.25/F
3298/C42	Cam Valley Wildlife Group	B7.25/F
3299/C71	Bovis Homes (South West Region) Limited	B7.25/F
2641/C32	David Wilson Homes	B7.25/G
3251/C75	Prospect Land Ltd	B7.25/G
3257/C130	Somer Valley Friends of the Earth	B7.25/G
3299/C72	Bovis Homes (South West Region) Limited	B7.25/G
3251/C76	Prospect Land Ltd	B7.25/H
3257/C131	Somer Valley Friends of the Earth	B7.25/H
462/C28	Gleeson Homes	B7.25/I
3098/C65	George Wimpey Strategic Land	B7.25/I
3251/C77	Prospect Land Ltd	B7.25/I
3257/C132	Somer Valley Friends of the Earth	B7.25/I
3299/C66	Bovis Homes (South West Region) Limited	B7.25/I
3605/C4	Nicholson Estates	B7.25/I
3605/C14	Nicholson Estates	B7.25/I
3605/C22	Nicholson Estates	B7.25/I
462/C29	Gleeson Homes	DIAG8/A
3251/B26	Prospect Land Ltd	B7.27
3278/B16	Persimmon Homes (Wessex) Ltd	B7.27
601/C18	House Builders Federation	B7.27A/A
3116/C127	Bath & North East Somerset Allotment Association	B7.27A/A
3257/C133	Somer Valley Friends of the Earth	B7.27A/A

Supporting Statements

3257/C124	Somer Valley Friends of the Earth	B7.21/A
3228/C2	North Somerset Council	B7.25/I

Chapter B7 - Housing Need - Brownfield Sites, Brownfield Windfall sites etc: Paragraphs B7 28-B7.43

Objections

686/B52	Bath Preservation Trust	B7.28
3233/B8	Mr & Mrs M Williams	B7.28
2/B49	T2000/Railfutures	B7.29
686/D186	Bath Preservation Trust	PIC/B/40 (B7.29)
3251/B25	Prospect Land Ltd	B7.29
3299/B18	Bovis Homes (South West Region) Limited	B7.29
601/C17	House Builders Federation	B7.29/B
2641/C13	David Wilson Homes	B7.29/B
3299/C82	Bovis Homes (South West Region) Limited	B7.29/B
3251/B24	Prospect Land Ltd	B7.30
3299/B44	Bovis Homes (South West Region) Limited	B7.30
2641/C14	David Wilson Homes	B7.30/A
2686/C11	Norton Radstock Regeneration Company	B7.30/A
3219/C32	The Hon Andrew Jolliffe	B7.30/A
3257/C134	Somer Valley Friends of the Earth	B7.30/A
3298/C45	Cam Valley Wildlife Group	B7.30/A
3299/C52	Bovis Homes (South West Region) Limited	B7.30/A
3023/B3	Mr & Mrs D Hawkes	B7.31
3251/B23	Prospect Land Ltd	B7.31
601/C16	House Builders Federation	B7.31/A
3251/C60	Prospect Land Ltd	B7.31/A
3601/C1	Ministry of Defence	B7.31/A
3299/C47	Bovis Homes (South West Region) Limited	B7.31/C
3233/B9	Mr & Mrs M Williams	B7.32
3251/B22	Prospect Land Ltd	B7.32
3251/C61	Prospect Land Ltd	B7.32/A
485/B8	Prowting Projects Ltd	B7.33
3251/B21	Prospect Land Ltd	B7.35
2641/C26	David Wilson Homes	B7.35/B
3257/C135	Somer Valley Friends of the Earth	B7.35/B
3233/B10	Mr & Mrs M Williams	B7.36
2601/C31	Linden Homes (Developments) Limited	B7.38/A
3257/C272	Somer Valley Friends of the Earth	B7.38/A
3298/C81	Cam Valley Wildlife Group	B7.38/A
3446/C4	Taylor Woodrow Developments Ltd	B7.38/A
2601/C32	Linden Homes (Developments) Limited	B7.39/A
3257/C271	Somer Valley Friends of the Earth	B7.39/A
3298/C80	Cam Valley Wildlife Group	B7.39/A
3446/C12	Taylor Woodrow Developments Ltd	B7.39/A
3304/B5	W F Wells & Sons	B7.40
3257/C270	Somer Valley Friends of the Earth	B7.40/A
3298/C79	Cam Valley Wildlife Group	B7.40/A
2976/B2	Mrs Marlene Maud Baker	B7.41
3251/B18	Prospect Land Ltd	B7.42
3251/B17	Prospect Land Ltd	B7.43
2340/C14	Mr & Mrs S Wiseman	B7.43/A
3257/C269	Somer Valley Friends of the Earth	B7.43/A

Supporting Statements

3251/B20	Prospect Land Ltd	B7.36
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3251/B19 Prospect Land Ltd B7.41

Comments on Suggested Unadvertised Inquiry Change IC16

2686/G29-s Norton-Radstock Regeneration Company IC16 (B7.30)
3257/G314 Somer Valley Friends of the Earth IC16 (B7.30)

Chapter B7 - Housing Needs - Windfall Development - Policy HG.4 and Paragraphs B7.55 and B7.56

Objections

3251/B14	Prospect Land Ltd	B7.55
3299/B32	Bovis Homes (South West Region) Limited	B7.55
721/C53	Government Office for the South West	B7.56/B
87/B2	Mr J M A Blatchford	HG.4
307/B3	Mr Brian Ford	HG.4
322/B13	Greenvale Residents Association	HG.4
396/B4	Mr D Bidwell	HG.4
396/B5	Mr D Bidwell	HG.4
396/B6	Mr D Bidwell	HG.4
566/B9	Clutton Parish Council	HG.4
688/B3	Cllr Jonathan & Cllr Mrs P Gay	HG.4
720/B4	BT Group plc	HG.4
730/B21	Timsbury Parish Council	HG.4
731/B13	Stowey Sutton Parish Council	HG.4
1917/B1	Mr J Mason	HG.4
1987/B2	Bathford Parish Council	HG.4
2094/B2	Bromilow International	HG.4
2098/B1	Mr P Bryant	HG.4
2098/B2	Mr P Bryant	HG.4
2201/B1	Mr T Thomson	HG.4
2232/B1	Mr Peter Chandler	HG.4
2234/B1	Mr Brian Keeling	HG.4
2331/B1	Mr P V Tainton	HG.4
2333/B1	Mr A H Rogers	HG.4
2342/B1	Mr M Clifford	HG.4
2345/B1	Mr M T Whitton	HG.4
2356/B1	The Hon W H M Jolliffe	HG.4
2373/B1	Mr Ashraf Ghali	HG.4
2373/B2	Mr Ashraf Ghali	HG.4
2380/B2	Mr M McGibney	HG.4
2388/B2	J S Bloor Ltd (Sytner Properties Ltd)	HG.4
2394/B1	Mrs A Hitchens & Others	HG.4
2598/B1	Mr Ian Parker	HG.4
2612/B1	Mr M R Hill	HG.4
2641/B2	David Wilson Homes	HG.4
2951/B1	Mr A J Bradley	HG.4
3007/B4	Grant Thornton	HG.4
3009/B9	Polestar Properties Limited	HG.4
3066/B1	Mr L Knowles	HG.4
3066/B4	Mr L Knowles	HG.4
3079/B6	Flower & Hayes (Developments) Ltd	HG.4
3080/B1	W J Free	HG.4
3081/B4	Mr D Hall	HG.4
3082/B1	Mr & Mrs A F Mills	HG.4
3097/B7	Mr M Swinton	HG.4
3129/B2	Mr M S Smith	HG.4
3177/B1	Mr Whitehead	HG.4
3177/B2	Mr Whitehead	HG.4
3177/B3	Mr Whitehead	HG.4

3177/B4	Mr Whitehead	HG.4
3179/B2	NSY Limited	HG.4
3211/B1	Cllr M Hawkings	HG.4
3218/B1	Portland (Radstock) Ltd	HG.4
3231/B1	Alcan Lawson Mardon	HG.4
3233/B13	Mr & Mrs M Williams	HG.4
3237/B1	Octavian Development & Construction	HG.4
3237/B2	Octavian Development & Construction	HG.4
3237/B5	Octavian Development & Construction	HG.4
3241/B2	Edward Ware Homes Ltd	HG.4
3241/B3	Edward Ware Homes Ltd	HG.4
3241/B10	Edward Ware Homes Ltd	HG.4
3242/B7	Davies Street (Bathampton) Ltd	HG.4
3244/B1	Charles Church Western	HG.4
3251/B28	Prospect Land Ltd	HG.4
3278/B14	Persimmon Homes (Wessex) Ltd	HG.4
3283/B1	Mr W Pickford	HG.4
3301/B1	W G White Discretionary Trust	HG.4
3302/B1	V Vivian Pension Scheme	HG.4
3303/B1	Mr & Mrs Laws	HG.4
3303/B2	Mr & Mrs Laws	HG.4
3009/C11	Polestar Properties Limited	HG.4/A
3299/C49	Bovis Homes (South West Region) Limited	HG.4/A
3079/C7	Flower & Hayes (Developments) Ltd	HG.4/D

Supporting Statements

3257/C137	Somer Valley Friends of the Earth	B7.56/B
505/B65	Bathampton Parish Council	HG.4
1874/B1	Mr C A Shaw	HG.4
3238/B7	Cadbury Limited	HG.4
3625/C1	Mr I Maxwell	HG.4/C

Comments on Suggested Unadvertised Inquiry Change IC7

731/F25	Stowey Sutton Parish Council	IC7 (HG.4)
1427/F230-s	Environment Agency - South West Region	IC7 (HG.4)
3129/F5	Mr M S Smith	IC7 (HG.4)

Chapter B7 - Affordable Homes - Policy HG.8 and Paragraphs B7.73-B7.82

Objections

2057/B4	Bath & District Self Build Association	B7.73
2311/B3	Somer Community Housing Trust	B7.74
2311/B4	Somer Community Housing Trust	B7.76
2641/C15	David Wilson Homes	B7.73/A
3251/B12	Prospect Land Ltd	B7.78
2641/C16	David Wilson Homes	B7.78/A
3240/C8	Westbury Homes	B7.78/A
3257/C143	Somer Valley Friends of the Earth	B7.79/A
3257/C144	Somer Valley Friends of the Earth	B7.79/A
2311/B5	Somer Community Housing Trust	B7.80
2466/B8	Keynsham Civic Society	B7.80
3251/B11	Prospect Land Ltd	B7.80
3257/C145	Somer Valley Friends of the Earth	B7.80/A
601/C29	House Builders Federation	B7.80A/A
2601/C35	Linden Homes (Developments) Limited	B7.80A/A
2641/C18	David Wilson Homes	B7.80A/A
3098/C53	George Wimpey Strategic Land	B7.80A/A

3219/C21	The Hon Andrew Jolliffe	B7.80A/A
3257/C146	Somer Valley Friends of the Earth	B7.80A/A
3299/C57	Bovis Homes (South West Region) Limited	B7.80A/A
2311/B7	Somer Community Housing Trust	B7.81
2601/C11	Linden Homes (Developments) Limited	B7.81/A
3257/C147	Somer Valley Friends of the Earth	B7.81/A
721/C54	Government Office for the South West	B7.81/B
2340/C11	Mr & Mrs S Wiseman	B7.81/B
3098/C52	George Wimpey Strategic Land	B7.81/B
3219/C24	The Hon Andrew Jolliffe	B7.81/B
3257/C148	Somer Valley Friends of the Earth	B7.81/B
3219/C22	The Hon Andrew Jolliffe	B7.82/A
3257/C149	Somer Valley Friends of the Earth	B7.82/A
2356/C19	The Hon W H M Jolliffe	B7.82/B
3219/C23	The Hon Andrew Jolliffe	B7.82/B
3257/C150	Somer Valley Friends of the Earth	B7.82/B
239/C6	Country Land & Business Association	B7.82A/A
3240/C9	Westbury Homes	B7.82A/A
3257/C151	Somer Valley Friends of the Earth	B7.82A/A
88/B38	William & Pauline Houghton	HG.8
485/B10	Prowting Projects Ltd	HG.8
696/B32	South West RSL Planning Consortium	HG.8
696/B20	South West RSL Planning Consortium	HG.8
696/B30	South West RSL Planning Consortium	HG.8
732/B19	Swainswick Parish Council	HG.8
746/B13	NHS Executive South West	HG.8
890/B19	Mr A Bryant	HG.8
2260/B1	Harpers Fine Furnishing Limited	HG.8
2311/B6	Somer Community Housing Trust	HG.8
2601/B7	Linden Homes (Developments) Limited	HG.8
2604/B4	Emlor Homes Ltd	HG.8
2634/B1	Mr J Hodges and Others	HG.8
2641/B4	David Wilson Homes	HG.8
2965/B4	Morley Fund Management Limited	HG.8
2975/B13	Crest Nicholson Properties Limited	HG.8
2986/B4	Avon & Wiltshire Mental Health Partnership NHS Trust	HG.8
2987/B2	Royal United Hospital Bath NHS Trust	HG.8
3097/B11	Mr M Swinton	HG.8
3098/B26	George Wimpey Strategic Land	HG.8
3099/B8	Barratt Bristol Limited(Mr A T P Jolliffe)	HG.8
3099/B21	Barratt Bristol Limited(Mr A T P Jolliffe)	HG.8
3210/B1	McCarthy & Stone (Developments) Ltd	HG.8
3233/B14	Mr & Mrs M Williams	HG.8
3241/B7	Edward Ware Homes Ltd	HG.8
3250/B3	Lattice Property Holdings	HG.8
3251/B10	Prospect Land Ltd	HG.8
3261/B10	Bath & North East Somerset Primary Care Trust	HG.8
3271/B2	Bellwish Limited	HG.8
3278/B26	Persimmon Homes (Wessex) Ltd	HG.8
3299/B16	Bovis Homes (South West Region) Limited	HG.8
3240/C15	Westbury Homes	HG.8/A
3295/C10	G L Hearn Planning	HG.8/A
3299/C73	Bovis Homes (South West Region) Limited	HG.8/A
3446/C5	Taylor Woodrow Developments Ltd	HG.8/A
3496/C1	Fordham Research Ltd	HG.8/A
3550/C2	Second Site Property Holdings & Transco plc	HG.8/A
3210/C2	McCarthy & Stone (Developments) Ltd	HG.8/B

Supporting Statements

3257/C138	Somer Valley Friends of the Earth	B7.73/A
3257/C139	Somer Valley Friends of the Earth	B7.73/B

3257/C140	Somer Valley Friends of the Earth	B7.73/C
239/C5	Country Land & Business Association	B7.76/A
3257/C141	Somer Valley Friends of the Earth	B7.76/A
3257/C142	Somer Valley Friends of the Earth	B7.78/A
3261/C14	Bath & North East Somerset Primary Care Trust	B7.82A/A

Chapter B7 - Policy HG.17 and Paragraph B7.134

Objections

3382/C3	Dr C W Stammers	B7.134/A
708/C31	The Widcombe Associatio	B7.134/A
3342/C9	Mrs T Merrifield	B7.134/A
3357/C7	Mr J K Hall	B7.134/A
3441/C6	Mr P D Marsden	B7.134/A
3443/C7	Mr N Morgan	B7.134/A
3443/C12	Mr N Morgan	B7.134/A
3448/C2	Ms E Lomath	B7.134/A
3456/C4	Mr M Saunders	B7.134/A
3523/C6	Miss M Anderson	B7.134/A
3552/C10	Mrs A McCarron	B7.134/A
3553/C7	Mr P McCarron	B7.134/A
3553/C11	Mr P McCarron	B7.134/A
683/C13	Cotswolds AONB Partnership	B7.134A/A
708/C38	The Widcombe Associatio	B7.134A/A
721/C55	Government Office for the South West	B7.134A/A
753/C1	Mrs E Pomeroy	B7.134A/A
754/C3	Mrs S Lewis	B7.134A/A
766/C6	Macaulay/Prospect Residents Association	B7.134A/A
771/C2	Mrs M Newbigin	B7.134A/A
2999/C6	The National Trust	B7.134A/A
3342/C3	Mrs T Merrifield	B7.134A/A
3343/C49	Mr C J Beezley	B7.134A/A
3343/C50	Mr C J Beezley	B7.134A/A
3343/C51	Mr C J Beezley	B7.134A/A
3343/C55	Mr C J Beezley	B7.134A/A
3343/C56	Mr C J Beezley	B7.134A/A
3343/C1	Mr C J Beezley	B7.134A/A
3343/C15	Mr C J Beezley	B7.134A/A
3343/C52	Mr C J Beezley	B7.134A/A
3343/C53	Mr C J Beezley	B7.134A/A
3343/C54	Mr C J Beezley	B7.134A/A
3348/C3	Mr G R Dent	B7.134A/A
3357/C6	Mr J K Hall	B7.134A/A
3377/C3	Mr A J Stafford	B7.134A/A
3379/C3	Mr P Brewer	B7.134A/A
3380/C3	Mrs M M E Blandford	B7.134A/A
3386/C4	Mr G Kerr	B7.134A/A
3388/C4	Mr R Nunn	B7.134A/A
3391/C2	Mr E Hext	B7.134A/A
3398/C3	Mr M Swift	B7.134A/A
3399/C3	Mr & Mrs V Ubogu	B7.134A/A
3400/C3	Mr A P Bowrey	B7.134A/A
3401/C5	Mrs H Arrowsmith-Brown	B7.134A/A
3402/C5	Mr J H Arrowsmith-Brown	B7.134A/A
3407/C7	Mr T Keane	B7.134A/A
3410/C1	Mrs M S Hibberd	B7.134A/A
3414/C2	Mrs M D Hext	B7.134A/A
3431/C3	Ms A Tisdall	B7.134A/A
3437/C3	Ms P A Chown	B7.134A/A
3441/C5	Mr P D Marsden	B7.134A/A

3445/C8	Ms J Marchant	B7.134A/A
3448/C3	Ms E Lomath	B7.134A/A
3449/C4	Mr R A Trebess	B7.134A/A
3456/C5	Mr M Saunders	B7.134A/A
3469/C6	Mr T F Mattock	B7.134A/A
3523/C5	Miss M Anderson	B7.134A/A
3549/C5	Mr P Ariaratnam	B7.134A/A
3552/C8	Mrs A McCarron	B7.134A/A
3552/C9	Mrs A McCarron	B7.134A/A
3553/C5	Mr P McCarron	B7.134A/A
3559/C6	Mr I Argyle	B7.134A/A
3560/C4	Mrs J Argyle	B7.134A/A
3580/C3	Mr P Keane	B7.134A/A
3597/C1	Mr & Mrs J Brown	B7.134A/A
3570/C13	Bath Spa University College	B7.135/A
88/B40	William & Pauline Houghton	B7.137
2/B48	T2000/Railfutures	HG.17
88/B39	William & Pauline Houghton	HG.17
120/D333	Mrs H Woodley	PIC/B/45 (HG.17)
683/D25	Cotswold AONB Partnership	PIC/B/45 (HG.17)
686/B93	Bath Preservation Trust	HG.17
686/D187	Bath Preservation Trust	PIC/B/45 (HG.17)
714/D13	University of Bath	PIC/B/45 (HG.17)
723/B31	Bath Chamber of Commerce	HG.17
878/B18	The Bath Society	HG.17
3312/B3	Cllr G Dawson	HG.17
3343/D80	Mr C J Beezley	PIC/B/45 (HG.17)
3348/D10	Mr G R Dent	PIC/B/45 (HG.17)
3417/D54	The Campaign to Preserve the Green Belt at Claverton Down	PIC/B/45 (HG.17)
3417/D57	The Campaign to Preserve the Green Belt at Claverton Down	PIC/B/45 (HG.17)

Supporting Statements

3343/C14	Mr C J Beezley	B7.134/A
3257/C163	Somer Valley Friends of the Earth	HG.17/A

Comments on Suggested Unadvertised Inquiry Change IC9

120/F368	Mrs H Woodley	IC9 (HG.17)
754/F15	Mrs S Lewis	IC9 (HG.17)
3343/F91	Mr C J Beezley	IC9 (HG.17)
3380/F4	M M E Blandford	IC9 (HG.17)
3381/F4	Mr J R Blandford	IC9 (HG.17)
3388/F17	Mr R Nunn	IC9 (HG.17)
3417/F97	Campaign for the Protection of Green Belt	IC9 (HG.17)
3461/F20	Ms C Lorraine	IC9 (HG.17)
3552/F16	Mrs A McCarron	IC9 (HG.17)
3553/F16	Mr P McCarron	IC9 (HG.17)

SECTION 7

Chapter B9 - Policy GDS.1

Objections

110/B13	Sport England South West	GDS.1
110/B14	Sport England South West	GDS.1
110/B15	Sport England South West	GDS.1
334/B9	Ms P Davis	GDS.1
376/B3	Mr I Wallis	GDS.1
442/B5	Campaign for Dark Skies	GDS.1

447/B39	Wilcon Homes	GDS.1
578/B67	Norton Radstock Town Council	GDS.1
695/B15	Society of Merchant Venturers	GDS.1
695/B9	Society of Merchant Venturers	GDS.1
695/B16	Society of Merchant Venturers	GDS.1
696/B26	South West RSL Planning Consortium	GDS.1
721/B34	Government Office for the South West	GDS.1
721/B35	Government Office for the South West	GDS.1
1427/B83	Environment Agency	GDS.1
1904/B1	Ms B Cohn	GDS.1
1922/B1	Mr & Mrs Smalley	GDS.1
1933/B1	Mr F W Henton	GDS.1
1934/B2	Mr J Presley	GDS.1
1945/B1	Mrs C Skuse	GDS.1
1976/B1	Mrs J M Higgins	GDS.1
1979/B1	Ms L Young	GDS.1
1993/B1	Mr N Beaumont	GDS.1
1995/B1	Mr & Mrs Hawkins	GDS.1
2137/B1	Mrs S Beard	GDS.1
2305/B2	Ms C Slade	GDS.1
2313/B4	Bryant Homes (Taylor Woodrow)	GDS.1
2432/B2	Mr D Benson	GDS.1
2886/B1	Mr & Mrs B Stevens	GDS.1
2965/B3	Morley Fund Management Limited	GDS.1
2975/B14	Crest Nicholson Properties Limited	GDS.1
3047/B3	Mrs E W Styles	GDS.1
3098/B46	George Wimpey Strategic Land	GDS.1
3098/B29	George Wimpey Strategic Land	GDS.1
3099/B22	Barratt Bristol Limited(Mr A T P Joliffe)	GDS.1
3101/B1	Mr & Mrs A P Hunt	GDS.1
3107/B10	English Nature	GDS.1
3177/B6	Mr Whitehead	GDS.1
3233/B15	Mr & Mrs M Williams	GDS.1
3275/B4	Mrs S Thomas	GDS.1
3299/B17	Bovis Homes (South West Region) Limited	GDS.1
3257/C183	Somer Valley Friends of the Earth	GDS.1/A
3257/C185	Somer Valley Friends of the Earth	GDS.1/C
3298/C63	Cam Valley Wildlife Group	GDS.1/C
3257/C184	Somer Valley Friends of the Earth	GDS.1/F

Supporting Statements

120/D334	Mrs H Woodley	PIC/B/54 (GDS.1)
9/B14	David Chalk	GDS.1
644/B5	Mr D A Rastrick	GDS.1
652/B3	Mrs V G Rastrick	GDS.1
1858/B1	Mr A Cribb	GDS.1
1924/B1	Mr & Mrs N Bridges	GDS.1
1928/B1	Mr & Mrs D L Handley	GDS.1
1930/B1	Mrs J A Sharp	GDS.1
1932/B2	Cllr G Derrick	GDS.1
1939/B2	Ms J Wellington	GDS.1
1940/B1	Ms C Wellington	GDS.1
1951/B1	Mrs J E Wilmott	GDS.1
1971/B1	Mrs T Morgan	GDS.1
1978/B1	Mr & Mrs Young	GDS.1
2012/B1	Mr R Dando	GDS.1
2013/B1	Mr & Mrs S Wheeler	GDS.1
2014/B1	Mr & Mrs G Young	GDS.1
2052/B1	Mr & Mrs Grubb	GDS.1
2054/B1	Mr M Wellington	GDS.1
2136/B1	Ms S Daggar	GDS.1

2242/B1	Mr & Mrs T Burgess	GDS.1
2245/B1	Mrs E Sheppard	GDS.1
2246/B1	Mr T F Day	GDS.1
2250/B1	Miss G Foxwell	GDS.1
2343/B1	Mr & Mrs D W Hutton	GDS.1
2364/B1	Mr & Mrs N L Carpenter	GDS.1
2366/B1	Mr L J Gibbs	GDS.1
2397/B1	Mr & Mrs P Harris	GDS.1
2398/B1	Welton Vale Protection Group	GDS.1
2411/B2	Mr M Randall	GDS.1
2426/B2	Ms J Chalk	GDS.1
2887/B1	Mr & Mrs C Moss	GDS.1
2888/B1	Mrs V Bridges	GDS.1
2911/B1	Ms J Ware	GDS.1
2941/B1	Mr Jenkins	GDS.1
3201/B6	South West Regional Development Agency	GDS.1
1427/C202	Environment Agency	GDS.1/A

Chapter B9 - Policy GDS.1/B1

Objections

2/B41	T2000/Railfutures	GDS.1/B1
42/B10	CPRE	GDS.1/B1
88/B43	William & Pauline Houghton	GDS.1/B1
88/B44	William & Pauline Houghton	GDS.1/B1
120/B88	Ms Helen Woodley	GDS.1/B1
334/B6	Ms P Davis	GDS.1/B1
376/B4	Mr I Wallis	GDS.1/B1
485/B16	Prowting Projects Ltd	GDS.1/B1
564/B26	London Road Area Residents Association	GDS.1/B1
629/B3	FPD Savills Ltd	GDS.1/B1
686/B50	Bath Preservation Trust	GDS.1/B1
686/D188	Bath Preservation Trust	PIC/B/55 (GDS.1/B1)
686/E201	Bath Preservation Trust	FPIC/B/24 (GDS.1/B1)
695/B10	Society of Merchant Venturers	GDS.1/B1
696/B34	South West RSL Planning Consortium	GDS.1/B1
709/B7	Lordswood Farms Limited	GDS.1/B1
717/E5	St John's Hospital Trustees	FPIC/B/24 (GDS.1/B1)
725/B2	Redcliffe Homes Ltd	GDS.1/B1
878/B25	The Bath Society	GDS.1/B1
1427/B84	Environment Agency	GDS.1/B1
1830/E31	Highways Agency	FPIC/B/24 (GDS.1/B1)
2339/B1	Ms A Prior	GDS.1/B1
2348/B1	Chartwell Land plc	GDS.1/B1
2388/E16	J S Bloor (Sytner Properties Ltd)	FPIC/B/24 (GDS.1/B1)
2388/E18	J S Bloor (Sytner Properties Ltd)	FPIC/B/24 (GDS.1/B1)
2478/B1	English Heritage	GDS.1/B1
2478/D13	English Heritage	PIC/B/55 (GDS.1/B1)
2947/E25	Bath Chamber of Commerce	FPIC/B/24 (GDS.1/B1)
2965/E29	Morley Fund Management Ltd	FPIC/B/24 (GDS.1/B1)
3004/B2	The Renrod Motor Group	GDS.1/B1
3004/B4	The Renrod Motor Group	GDS.1/B1
3004/E19	Renrod Motor Group	FPIC/B/24 (GDS.1/B1)
3005/B2	Bath Press	GDS.1/B1
3005/E10	Bath Press	FPIC/B/24 (GDS.1/B1)
3023/B2	Mr & Mrs D Hawkes	GDS.1/B1
3116/E148	Bath & North East Somerset Allotment Association	FPIC/B/24 (GDS.1/B1)
3126/E114	Bath Friends of the Earth	FPIC/B/24 (GDS.1/B1)
3126/B7	Bath Friends of the Earth	GDS.1/B1
3164/B3	Mr W Houghton	GDS.1/B1

3233/B20	Mr & Mrs M Williams	GDS.1/B1
3243/B5	B&Q plc	GDS.1/B1
3250/B1	Lattice Property Holdings	GDS.1/B1
3264/B4	Landscape Estates Ltd	GDS.1/B1
3276/B1	Temra of Bath	GDS.1/B1
3276/B3	Temra of Bath	GDS.1/B1
3276/B4	Temra of Bath	GDS.1/B1
3279/B1	Sainsbury's Supermarkets Ltd	GDS.1/B1
3279/E19	Sainsbury's Supermarkets Ltd	FPIC/B/24 (GDS.1/B1)
3286/B4	BLCT (11680) Ltd	GDS.1/B1
3286/E12	BLCT (11680) Ltd	FPIC/B/24 (GDS.1/B1)
3287/B4	BLCT (11650) Ltd	GDS.1/B1
3299/D102	Bovis Homes	PIC/B/55 (GDS.1/B1)
3299/B10	Bovis Homes (South West Region) Limited	GDS.1/B1
3313/B1	Mr A D Thakara	GDS.1/B1
3656/E3	Nempnett Thrubwell Parish Council	FPIC/B/24 (GDS.1/B1)
3660/E17	Ms S Bones	FPIC/B/24 (GDS.1/B1)
3662/E3	Insight Investments	FPIC/B/24 (GDS.1/B1)
3663/E3	House of Fraser	FPIC/B/24 (GDS.1/B1)
3664/E3	Standard Life	FPIC/B/24 (GDS.1/B1)
3665/E3	Willats Charity	FPIC/B/24 (GDS.1/B1)
3668/E7	Castlemore Securities Lyd	FPIC/B/24 (GDS.1/B1)
3671/E1	Mr N Stubbs	FPIC/B/24 (GDS.1/B1)
3671/E3	Mr N Stubbs	FPIC/B/24 (GDS.1/B1)
3671/E5	Mr N Stubbs	FPIC/B/24 (GDS.1/B1)
3673/E6	Second Site Property Holdings & Transco plc	FPIC/B/24 (GDS.1/B1)
695/C23	Society of Merchant Venturers	GDS.1/B1/A
695/C31	Society of Merchant Venturers	GDS.1/B1/A
3107/C27	English Nature	GDS.1/B1/A
3276/C10	Temra of Bath	GDS.1/B1/A
3279/C2	Sainsbury's Supermarkets Ltd	GDS.1/B1/A
3627/C3	Astra Circuits Ltd	GDS.1/B1/A
3628/C3	Huggett Electrical Ltd	GDS.1/B1/A
3611/C2	Homebase Group Ltd	GDS.1/B1/A
601/C15	House Builders Federation	GDS.1/B1/B
686/C148	Bath Preservation Trust	GDS.1/B1/B
686/C152	Bath Preservation Trust	GDS.1/B1/B
721/C56	Government Office for the South West	GDS.1/B1/B
2340/C10	Mr & Mrs S Wiseman	GDS.1/B1/B
2356/C17	The Hon W H M Jolliffe	GDS.1/B1/B
2388/C5	J S Bloor Ltd (Sytner Properties Ltd)	GDS.1/B1/B
2478/C11	English Heritage	GDS.1/B1/B
2601/C36	Linden Homes (Developments) Limited	GDS.1/B1/B
2641/C19	David Wilson Homes	GDS.1/B1/B
2707/C6	Crest Strategic Projects Limited	GDS.1/B1/B
3098/C56	George Wimpey Strategic Land	GDS.1/B1/B
3219/C11	The Hon Andrew Jolliffe	GDS.1/B1/B
3264/C22	Landscape Estates Ltd	GDS.1/B1/B
3276/C11	Temra of Bath	GDS.1/B1/B
3299/C74	Bovis Homes (South West Region) Limited	GDS.1/B1/B
3299/C83	Bovis Homes (South West Region) Limited	GDS.1/B1/B
3446/C6	Taylor Woodrow Developments Ltd	GDS.1/B1/B
3550/C4	Second Site Property Holdings & Transco plc	GDS.1/B1/B
3605/C1	Nicholson Estates	GDS.1/B1/B
3605/C11	Nicholson Estates	GDS.1/B1/B
3605/C15	Nicholson Estates	GDS.1/B1/B
3627/C4	Astra Circuits Ltd	GDS.1/B1/B
3628/C4	Huggett Electrical Ltd	GDS.1/B1/B
686/C149	Bath Preservation Trust	GDS.1/B1/C
3286/C8	BLCT (11680) Ltd	GDS.1/B1/C
3550/C3	Second Site Property Holdings & Transco plc	GDS.1/B1/D
3550/D9	SecondSite Property Holdings Ltd & Transco plc	PIC/B/55 (GDS.1/B1)

3602/C1 Westmark Developments Ltd GDS.1/B1/D

Supporting Statements

2695/B7 The Springs Foundation GDS.1/B1
3201/B7 South West Regional Development Agency GDS.1/B1
1973/C3 Bath Choral Society GDS.1/B1/A
696/C81 South West RSL Planning Consortium GDS.1/B1/B
1427/C171 Environment Agency GDS.1/B1/C

Chapter B9 - Policy GDS.1/B11/A

Objections

42/C15 CPRE GDS.1/B11/A
110/C22 Sport England South West GDS.1/B11/A
334/C19 Ms P Davis GDS.1/B11/A
567/C1 Mr M Stutchbury GDS.1/B11/A
683/C15 Cotswolds AONB Partnership GDS.1/B11/A
686/C150 Bath Preservation Trust GDS.1/B11/A
708/C39 The Widcombe Associatio GDS.1/B11/A
708/C43 The Widcombe Associatio GDS.1/B11/A
714/C8 University of Bath GDS.1/B11/A
721/C57 Government Office for the South West GDS.1/B11/A
753/C2 Mrs E Pomeroy GDS.1/B11/A
754/C2 Mrs S Lewis GDS.1/B11/A
766/C9 Macaulay/Prospect Residents Association GDS.1/B11/A
771/C6 Mrs M Newbigin GDS.1/B11/A
1921/C2 Claverton Parish Council GDS.1/B11/A
2999/C9 The National Trust GDS.1/B11/A
3107/C28 English Nature GDS.1/B11/A
3107/C30 English Nature GDS.1/B11/A
3116/C100 Bath & North East Somerset Allotment Association GDS.1/B11/A
3296/C5 Dr & Mrs H E Stutchbury GDS.1/B11/A
3342/C4 Mrs T Merrifield GDS.1/B11/A
3343/C10 Mr C J Beezley GDS.1/B11/A
3343/C25 Mr C J Beezley GDS.1/B11/A
3343/C30 Mr C J Beezley GDS.1/B11/A
3343/C33 Mr C J Beezley GDS.1/B11/A
3343/C34 Mr C J Beezley GDS.1/B11/A
3343/C35 Mr C J Beezley GDS.1/B11/A
3343/C57 Mr C J Beezley GDS.1/B11/A
3343/C11 Mr C J Beezley GDS.1/B11/A
3343/C20 Mr C J Beezley GDS.1/B11/A
3343/C21 Mr C J Beezley GDS.1/B11/A
3343/C23 Mr C J Beezley GDS.1/B11/A
3343/C66 Mr C J Beezley GDS.1/B11/A
3348/C1 Mr G R Dent GDS.1/B11/A
3349/C2 Mrs P S Magrath GDS.1/B11/A
3350/C2 Mr J W A McKillop GDS.1/B11/A
3357/C5 Mr J K Hall GDS.1/B11/A
3358/C4 Mr M A Hillyer GDS.1/B11/A
3359/C3 Mrs E Dolman GDS.1/B11/A
3360/C2 Mr J A Bailey GDS.1/B11/A
3361/C3 Mr I Sharp GDS.1/B11/A
3363/C1 Mr & Mrs J Bowrey GDS.1/B11/A
3365/C3 Mr C Jump GDS.1/B11/A
3368/C2 Mrs C J Scobie-Allin GDS.1/B11/A
3369/C3 Mr & Mrs D E Sullivan GDS.1/B11/A
3373/C1 Mr A von Tutschek GDS.1/B11/A
3374/C1 Mrs S von Tutschek GDS.1/B11/A

3379/C4	Mr P Brewer	GDS.1/B11/A
3381/C1	Mr J R Blandford	GDS.1/B11/A
3382/C4	Dr C W Stammers	GDS.1/B11/A
3384/C4	Mr I P Armston	GDS.1/B11/A
3385/C4	Mr W W Howe	GDS.1/B11/A
3386/C7	Mr G Kerr	GDS.1/B11/A
3387/C1	Mrs J Kerr	GDS.1/B11/A
3388/C3	Mr R Nunn	GDS.1/B11/A
3391/C1	Mr E Hext	GDS.1/B11/A
3395/C2	Ms M King & Ms G Briggs	GDS.1/B11/A
3398/C4	Mr M Swift	GDS.1/B11/A
3399/C4	Mr & Mrs V Ubogu	GDS.1/B11/A
3401/C6	Mrs H Arrowsmith-Brown	GDS.1/B11/A
3402/C6	Mr J H Arrowsmith-Brown	GDS.1/B11/A
3404/C1	Ms M Howe	GDS.1/B11/A
3407/C8	Mr T Keane	GDS.1/B11/A
3410/C5	Mrs M S Hibberd	GDS.1/B11/A
3414/C1	Mrs M D Hext	GDS.1/B11/A
3417/C2	The Campaign to Preserve the Green Belt at Claverton Down	GDS.1/B11/A
3423/C1	Mr A Holbrook	GDS.1/B11/A
3431/C6	Ms A Tisdall	GDS.1/B11/A
3431/C8	Ms A Tisdall	GDS.1/B11/A
3436/C1	Mr R Fell	GDS.1/B11/A
3437/C4	Ms P A Chown	GDS.1/B11/A
3441/C8	Mr P D Marsden	GDS.1/B11/A
3441/C9	Mr P D Marsden	GDS.1/B11/A
3442/C2	Winsley Parish Council	GDS.1/B11/A
3443/C5	Mr N Morgan	GDS.1/B11/A
3444/C1	Mrs B A Beezley	GDS.1/B11/A
3445/C1	Ms J Marchant	GDS.1/B11/A
3447/C2	Mr D Carr	GDS.1/B11/A
3448/C1	Ms E Lomath	GDS.1/B11/A
3449/C6	Mr R A Trebess	GDS.1/B11/A
3449/C7	Mr R A Trebess	GDS.1/B11/A
3454/C1	Mr K Foulger	GDS.1/B11/A
3455/C1	Mrs J Foulger	GDS.1/B11/A
3456/C2	Mr M Saunders	GDS.1/B11/A
3457/C3	Mr T Brett	GDS.1/B11/A
3459/C2	Mr R F Porter	GDS.1/B11/A
3461/C3	Ms C Lorraine	GDS.1/B11/A
3461/C11	Ms C Lorraine	GDS.1/B11/A
3461/C16	Ms C Lorraine	GDS.1/B11/A
3462/C2	Mr S Lorraine	GDS.1/B11/A
3469/C5	Mr T F Mattock	GDS.1/B11/A
3494/C1	Mr A Wilkes	GDS.1/B11/A
3495/C2	Mr & Mrs I J M Pring	GDS.1/B11/A
3512/C1	Mr N S Hackett	GDS.1/B11/A
3516/C1	Mr & Mrs J Coghlan	GDS.1/B11/A
3518/C4	Mr Q Lambert	GDS.1/B11/A
3523/C4	Miss M Anderson	GDS.1/B11/A
3524/C3	Countryside Agency	GDS.1/B11/A
3528/C4	Ms M Cooper	GDS.1/B11/A
3548/C1	Mr T Hardick	GDS.1/B11/A
3549/C6	Mr P Ariaratnam	GDS.1/B11/A
3552/C1	Mrs A McCarron	GDS.1/B11/A
3552/C2	Mrs A McCarron	GDS.1/B11/A
3553/C1	Mr P McCarron	GDS.1/B11/A
3553/C10	Mr P McCarron	GDS.1/B11/A
3557/C3	Mr R Plant	GDS.1/B11/A
3558/C3	Mrs J Plant	GDS.1/B11/A
3559/C4	Mr I Argyle	GDS.1/B11/A
3560/C3	Mrs J Argyle	GDS.1/B11/A

3574/C3	Mr A Masters	GDS.1/B11/A
3576/C4	Mr J O'Shea	GDS.1/B11/A
3578/C2	Mrs V O'Shea	GDS.1/B11/A
3579/C2	Mr A W Young	GDS.1/B11/A
3580/C4	Mr P Keane	GDS.1/B11/A
3582/C4	Ms J Heseltine	GDS.1/B11/A
3588/C1	Mr D Hallard	GDS.1/B11/A
3597/C2	Mr & Mrs J Brown	GDS.1/B11/A
3610/C2	Ms E Herbert	GDS.1/B11/A
3626/C3	Bath Friends of the Earth	GDS.1/B11/A
3626/C4	Bath Friends of the Earth	GDS.1/B11/A
3116/C97	Bath & North East Somerset Allotment Association	GDS.1/B11/B
3343/C32	Mr C J Beezley	GDS.1/B11/B
3343/C9	Mr C J Beezley	GDS.1/B11/B
3343/C19	Mr C J Beezley	GDS.1/B11/B
3343/C31	Mr C J Beezley	GDS.1/B11/B
3357/C1	Mr J K Hall	GDS.1/B11/B
3399/C7	Mr & Mrs V Ubogu	GDS.1/B11/B
3407/C11	Mr T Keane	GDS.1/B11/B
3461/C6	Ms C Lorraine	GDS.1/B11/B
3469/C2	Mr T F Mattock	GDS.1/B11/B

Supporting Statements

696/C73	South West RSL Planning Consortium	GDS.1/B11/A
3520/C1	Dr J Allen	GDS.1/B11/A
3529/C1	Mr S Coombe	GDS.1/B11/A
3607/C1	Mr C M Stevens	GDS.1/B11/A
3622/C2	Wessex Water	GDS.1/B11/A

Chapter B9 - Policy GDS.1/B15

Objections

3116/C63	Bath & North East Somerset Allotment Association	GDS.1/B15/A
3219/C12	The Hon Andrew Jolliffe	GDS.1/B15/A
3338/C1	Mrs D Obray	GDS.1/B15/A
3339/C1	Mrs B M Collins	GDS.1/B15/A
3344/C1	Mrs E Fields	GDS.1/B15/A
3345/C1	Mrs V Nobbs	GDS.1/B15/A
3346/C1	Mr R H Nobbs	GDS.1/B15/A
3364/C2	Mr T Selway	GDS.1/B15/A
3366/C1	Mrs M G Selway	GDS.1/B15/A
3375/C1	Mr G Rossiter	GDS.1/B15/A
3376/C1	Mrs M W Rossiter	GDS.1/B15/A
3397/C2	Mrs M G Rossiter ODoel	GDS.1/B15/A
3413/C1	Mr A Prideaux	GDS.1/B15/A
3418/C1	Ms J Hodgkinson	GDS.1/B15/A
3419/C1	Mr T J Hodgkinson	GDS.1/B15/A
3440/C1	Mr R P Reed	GDS.1/B15/A
3460/C1	Mrs J E Lewis	GDS.1/B15/A
3465/C1	Mr A Jones	GDS.1/B15/A
3466/C1	Mrs K Jones	GDS.1/B15/A
3467/C1	Cllr D Romero	GDS.1/B15/A
3531/C1	Mr K Dornan	GDS.1/B15/A
3534/C1	Mr G Dornan	GDS.1/B15/A
3535/C1	Mr S P Dornan	GDS.1/B15/A
3537/C1	Quality & Style	GDS.1/B15/A
3564/C1	Miss S Meredith	GDS.1/B15/A
3583/C1	Mrs S Tarrant	GDS.1/B15/A
3584/C1	Ms S Holmes	GDS.1/B15/A

3299/C75	Bovis Homes (South West Region) Limited	GDS.1/B15/B
3351/C1	Mr P J Hyden	GDS.1/B15/B
3352/C1	Mrs S Hyden	GDS.1/B15/B
3353/C1	Ms C Britton	GDS.1/B15/B
3354/C1	Mr M Britton	GDS.1/B15/B
3364/C1	Mr T Selway	GDS.1/B15/B
3366/C2	Mrs M G Selway	GDS.1/B15/B
3371/C1	Mr T Mitchell	GDS.1/B15/B
3372/C1	Mrs D Mitchell	GDS.1/B15/B
3375/C2	Mr G Rossiter	GDS.1/B15/B
3376/C2	Mrs M W Rossiter	GDS.1/B15/B
3397/C1	Mrs M G Rossiter0Doel	GDS.1/B15/B
3420/C1	Mrs M Durston	GDS.1/B15/B
3439/C1	Mrs B Reed	GDS.1/B15/B
3450/C1	Mr & Mrs W J Gregory	GDS.1/B15/B
3451/C1	Mr D A Williams	GDS.1/B15/B
3470/C1	Mr D Boakes	GDS.1/B15/B
3484/C1	Ms L Hucklebridge	GDS.1/B15/B
3485/C1	Mr A Hucklebridge	GDS.1/B15/B
3536/C1	Mrs S M Dornan	GDS.1/B15/B
3589/C1	Mr G P Tarrant	GDS.1/B15/B
3594/C1	Ms S J Whiteman	GDS.1/B15/B

Supporting Statements

S696/C77	South West RSL Planning Consortium	GDS.1/B15/A
S3603/C1	Mr M Hobbins	GDS.1/B15/A
S3595/C1	Mr P Whiteman	GDS.1/B15/B

Chapter B9 - Policy GDS.1/K2

Objections

2/B32	T2000/Railfutures	GDS.1/K2
72/B5	Mr V P Thomas	GDS.1/K2
233/B8	Compton Dando Parish Council	GDS.1/K2
398/B6	Mr G Hobbs	GDS.1/K2
441/B12	Mrs S F Hobbs	GDS.1/K2
457/B16	Mr K G Hunt	GDS.1/K2
490/B3	Mr M J Baker	GDS.1/K2
500/B2	Mr & Mrs Vowles	GDS.1/K2
580/B10	Hignett Brothers	GDS.1/K2
689/B18	British Horse Society	GDS.1/K2
739/B3	Mrs Elizabeth Thomas	GDS.1/K2
813/B5	Mrs J A Lynch	GDS.1/K2
826/B5	Mr F Guard	GDS.1/K2
1427/B95	Environment Agency	GDS.1/K2
1565/B2	Dr & Mrs I Crofton Briggs	GDS.1/K2
1848/B4	Mr P Greaves	GDS.1/K2
1866/B1	Mr W Shoreland	GDS.1/K2
1870/B1	Mr & Mrs A Sinclair	GDS.1/K2
1870/B2	Mr & Mrs A Sinclair	GDS.1/K2
1875/B1	Mr & Mrs J C Culpin	GDS.1/K2
1894/B1	Mr P Evered	GDS.1/K2
1898/B1	Mrs N Burston	GDS.1/K2
1935/B1	Mr G Wring	GDS.1/K2
1936/B1	Miss A King	GDS.1/K2
2008/B1	Mr & Mrs J Reay	GDS.1/K2
2011/B1	Mrs J A Clough	GDS.1/K2
2018/B1	Mr J Evans	GDS.1/K2
2119/B1	Mr D Harding	GDS.1/K2

2119/B2	Mr D Harding	GDS.1/K2
2119/B3	Mr D Harding	GDS.1/K2
2119/B4	Mr D Harding	GDS.1/K2
2119/B5	Mr D Harding	GDS.1/K2
2133/B2	Mr S L Brazier	GDS.1/K2
2154/B1	Ms L J Payne	GDS.1/K2
2154/B2	Ms L J Payne	GDS.1/K2
2154/B3	Ms L J Payne	GDS.1/K2
2154/B4	Ms L J Payne	GDS.1/K2
2155/B1	Mr R W Payne	GDS.1/K2
2155/B2	Mr R W Payne	GDS.1/K2
2155/B3	Mr R W Payne	GDS.1/K2
2155/B4	Mr R W Payne	GDS.1/K2
2176/B2	Bath & North East Somerset Conservative Group	GDS.1/K2
2177/B1	Mr D C Gadsby	GDS.1/K2
2177/B2	Mr D C Gadsby	GDS.1/K2
2178/B1	Mrs M Gadsby	GDS.1/K2
2179/B1	Mrs P M Blouet	GDS.1/K2
2180/B1	Mr J M Webster	GDS.1/K2
2181/B1	Mrs G Webster	GDS.1/K2
2186/B1	Mrs J D Jarvis	GDS.1/K2
2187/B1	Mr M Harding	GDS.1/K2
2211/B1	Mr A Trigger	GDS.1/K2
2228/B1	Mrs J Hamnett	GDS.1/K2
2243/B1	Mr & Mrs C Baker	GDS.1/K2
2267/B1	Mrs J E Tymkoy	GDS.1/K2
2267/B2	Mrs J E Tymkoy	GDS.1/K2
2270/B1	Mrs B Edgell	GDS.1/K2
2271/B1	Mr J A Burston	GDS.1/K2
2272/B1	Mr M Knight	GDS.1/K2
2273/B1	Mr W D Knight	GDS.1/K2
2274/B1	Ms Cox	GDS.1/K2
2277/B1	Mr Water	GDS.1/K2
2278/B1	Ms C Jorgenson	GDS.1/K2
2278/B2	Ms C Jorgenson	GDS.1/K2
2278/B3	Ms C Jorgenson	GDS.1/K2
2278/B4	Ms C Jorgenson	GDS.1/K2
2279/B1	Mr J L Vangorph	GDS.1/K2
2281/B1	Mr L Jones	GDS.1/K2
2282/B1	Ms C Easton	GDS.1/K2
2283/B1	Mr R Walker	GDS.1/K2
2284/B1	Ms S W Clifford	GDS.1/K2
2285/B1	Mr G Towler	GDS.1/K2
2286/B1	Mr K Swanton	GDS.1/K2
2288/B1	Mr N Taylor	GDS.1/K2
2289/B1	Mr E Tennear	GDS.1/K2
2291/B1	Mr M Radford	GDS.1/K2
2292/B1	Mr G Mitchell	GDS.1/K2
2293/B1	Mr R C Heath	GDS.1/K2
2294/B1	Mrs A Heath	GDS.1/K2
2294/B2	Mrs A Heath	GDS.1/K2
2296/B2	Ms D Jermyn	GDS.1/K2
2297/B1	Mr D B French	GDS.1/K2
2298/B1	Ms D I French	GDS.1/K2
2299/B1	Mr J Moore	GDS.1/K2
2313/B6	Bryant Homes (Taylor Woodrow)	GDS.1/K2
2313/B7	Bryant Homes (Taylor Woodrow)	GDS.1/K2
2321/B1	Mr C Clarke	GDS.1/K2
2346/B1	Ms S Morris & Mr J Ford	GDS.1/K2
2349/B1	Ms J Allen	GDS.1/K2
2349/B2	Ms J Allen	GDS.1/K2
2350/B1	Mr S Allen	GDS.1/K2

2350/B2	Mr S Allen	GDS.1/K2
2376/B1	Mr & Mrs Hardwell	GDS.1/K2
2377/B1	Miss J Naish	GDS.1/K2
2392/B1	Mr G J Price	GDS.1/K2
2401/B1	Mrs E L Thomas	GDS.1/K2
2424/B1	Mrs J Shahin	GDS.1/K2
2425/B1	Mr & Mrs Hodge	GDS.1/K2
2457/B1	Mr A Exon	GDS.1/K2
2459/B1	Mr & Mrs A Lewis	GDS.1/K2
2461/B1	Mr C Pym	GDS.1/K2
2466/B1	Keynsham Civic Society	GDS.1/K2
2466/B10	Keynsham Civic Society	GDS.1/K2
2470/B1	Mr J Marlor	GDS.1/K2
2471/B1	Ms A Twyford	GDS.1/K2
2476/B1	Ms L Green	GDS.1/K2
2477/B1	RPS	GDS.1/K2
2477/B2	RPS	GDS.1/K2
2480/B1	Mrs H M Cox	GDS.1/K2
2482/B1	Mr F King	GDS.1/K2
2483/B1	Ms M M Shellton	GDS.1/K2
2484/B1	Mr G M Chandler	GDS.1/K2
2485/B1	Ms P M Chandler	GDS.1/K2
2488/B1	Miss E C Leach	GDS.1/K2
2489/B1	Mr M L Webber	GDS.1/K2
2490/B1	Ms S L Allan	GDS.1/K2
2492/B1	Ms T Wilde	GDS.1/K2
2493/B1	Ms L Bessell	GDS.1/K2
2494/B1	Mr J Munro	GDS.1/K2
2495/B1	Mrs L Munro	GDS.1/K2
2496/B1	Mrs B Lloyd	GDS.1/K2
2497/B1	Mr P Brookes	GDS.1/K2
2499/B1	Ms C Stenner	GDS.1/K2
2500/B1	Mr R Bates	GDS.1/K2
2502/B1	Ms J Baker	GDS.1/K2
2503/B1	Ms R Shaw	GDS.1/K2
2504/B1	Ms C Sollars	GDS.1/K2
2505/B1	Mr Webb	GDS.1/K2
2506/B1	Mr I Hares	GDS.1/K2
2507/B1	Mr S Moon	GDS.1/K2
2508/B1	Ms K J Moon	GDS.1/K2
2509/B1	Mr J C Culpin	GDS.1/K2
2512/B1	Mr N Davies	GDS.1/K2
2516/B1	Ms F Holloway	GDS.1/K2
2517/B1	Mr A L Ashby	GDS.1/K2
2518/B1	Ms L Buxton	GDS.1/K2
2519/B1	Ms N Palmer	GDS.1/K2
2520/B1	Mr C Keepax	GDS.1/K2
2521/B1	Mrs E Keepax	GDS.1/K2
2523/B1	Ms L White	GDS.1/K2
2524/B1	Ms A Alexander	GDS.1/K2
2531/B1	Mr J Sampson	GDS.1/K2
2535/B1	Ms V J Hunt	GDS.1/K2
2538/B1	Ms A J Sandford	GDS.1/K2
2539/B1	Mr J S Constant	GDS.1/K2
2540/B1	Mrs B Brooks	GDS.1/K2
2543/B1	Mrs J K Piasecki	GDS.1/K2
2544/B1	Mr N Taylor	GDS.1/K2
2546/B1	Mr B A Sandford	GDS.1/K2
2547/B1	Mr & Mrs R Exton	GDS.1/K2
2548/B1	Ms J Rice	GDS.1/K2
2549/B1	Mr D Green	GDS.1/K2
2555/B1	Mr J W Stokes	GDS.1/K2

2557/B1	Mr T Hopes	GDS.1/K2
2559/B1	Mr A Iveson	GDS.1/K2
2560/B1	Mr N Banks	GDS.1/K2
2561/B1	Ms F Banks	GDS.1/K2
2562/B1	Mrs E A Stokes	GDS.1/K2
2564/B1	Mr D W Vangorph	GDS.1/K2
2565/B1	Mr A Laver	GDS.1/K2
2566/B1	Ms C Henley	GDS.1/K2
2568/B1	Mrs J King	GDS.1/K2
2570/B1	Mr S J Britton	GDS.1/K2
2571/B1	Mr & Mrs J Pitney	GDS.1/K2
2575/B1	Mr & Mrs J M Dolman	GDS.1/K2
2576/B1	Ms M Carey	GDS.1/K2
2577/B1	Mr M Corbishly	GDS.1/K2
2578/B1	Mr D Richardson	GDS.1/K2
2579/B1	Mr J D Cridlands	GDS.1/K2
2581/B1	Mrs J Bingham	GDS.1/K2
2583/B1	Ms E Evans	GDS.1/K2
2610/B1	Mr & Mrs J Munro	GDS.1/K2
2613/B1	Mr A Sollars	GDS.1/K2
2622/B1	Mr & Mrs Kendrick	GDS.1/K2
2623/B1	Ms S Clarke	GDS.1/K2
2640/B1	Ms C A Rhymes	GDS.1/K2
2650/B1	Mr D Smale	GDS.1/K2
2652/B1	Mr E P Lindsay	GDS.1/K2
2657/B1	Mr S Hill	GDS.1/K2
2658/B1	Mrs D M Hill	GDS.1/K2
2660/B1	Mr R Howe	GDS.1/K2
2662/B1	Mr M Crispin	GDS.1/K2
2665/B1	Mr K Jones	GDS.1/K2
2666/B1	Mr I Gooding	GDS.1/K2
2667/B1	Mr B Nash	GDS.1/K2
2669/B1	Mr & Mrs R C Bolwell	GDS.1/K2
2670/B1	Mr B R Short	GDS.1/K2
2671/B1	Ms M Honey	GDS.1/K2
2673/B1	Mrs E P Adnams	GDS.1/K2
2675/B1	Mr & Mrs C Cornwell	GDS.1/K2
2677/B1	Mr A Harding	GDS.1/K2
2678/B1	Mr P Hirons	GDS.1/K2
2679/B1	Ms L Harding	GDS.1/K2
2680/B1	Mrs J M Hirons	GDS.1/K2
2685/B1	Ms Z Martin	GDS.1/K2
2687/B1	Mr J Sayer	GDS.1/K2
2692/B1	Mr M Nelson	GDS.1/K2
2697/B1	Mr P G Jones	GDS.1/K2
2701/B1	Mr I Moon	GDS.1/K2
2703/B1	Mrs B Moon	GDS.1/K2
2705/B1	Mr J Parsons	GDS.1/K2
2706/B1	Mrs A A Parsons	GDS.1/K2
2708/B1	Ms A Rabbeth	GDS.1/K2
2709/B1	Mr M Pabbeth	GDS.1/K2
2710/B1	Ms A Sutton	GDS.1/K2
2711/B1	Mr V Brewin	GDS.1/K2
2712/B1	Mr S Douglas	GDS.1/K2
2717/B1	Mr F J Belgin	GDS.1/K2
2719/B1	Ms S K Belgin	GDS.1/K2
2722/B1	Ms C Constant	GDS.1/K2
2723/B1	Mr M A Chandler	GDS.1/K2
2725/B1	Mr A Plasecki	GDS.1/K2
2727/B1	Mr A Strange	GDS.1/K2
2728/B1	Mr A Brown	GDS.1/K2
2729/B1	Mr N Dyer	GDS.1/K2

2730/B1	Mr J H Godfrey	GDS.1/K2
2731/B1	Mrs H Crawford	GDS.1/K2
2732/B1	Ms R Sisson	GDS.1/K2
2733/B1	Mr A Crawford	GDS.1/K2
2735/B1	Mr D S Howarth	GDS.1/K2
2736/B1	Mrs E Kendall	GDS.1/K2
2737/B1	Mrs M Trenchard	GDS.1/K2
2738/B1	Mr & Mrs C Davies	GDS.1/K2
2740/B1	Ms E H Weaver	GDS.1/K2
2741/B1	Mr R Beese	GDS.1/K2
2743/B1	Ms P Lyons	GDS.1/K2
2745/B1	Mr R M Gill	GDS.1/K2
2746/B1	Ms C McNamara	GDS.1/K2
2747/B1	Mr S Woodman	GDS.1/K2
2749/B1	Mr P Hawley	GDS.1/K2
2751/B1	Ms S Bullock	GDS.1/K2
2752/B1	Mr & Mrs Maile	GDS.1/K2
2756/B1	Mr P Hartwell	GDS.1/K2
2758/B1	Mr P Sheehan	GDS.1/K2
2760/B1	Ms S Murphy	GDS.1/K2
2762/B1	Mr & Mrs P M Brain	GDS.1/K2
2763/B1	Mrs E Sheehan	GDS.1/K2
2764/B1	Mr A J Titcomb	GDS.1/K2
2765/B1	Ms P G Shirley	GDS.1/K2
2766/B1	Mr D Quilter	GDS.1/K2
2767/B1	Ms J E Coffin	GDS.1/K2
2769/B1	Ms J Clark	GDS.1/K2
2772/B1	Mr G Packer	GDS.1/K2
2775/B1	Mr C J Davies	GDS.1/K2
2783/B1	Ms K N Lockyer	GDS.1/K2
2784/B1	Mr S Collins	GDS.1/K2
2785/B1	Mrs L J Collins	GDS.1/K2
2786/B1	Mrs M A Cock	GDS.1/K2
2788/B1	Ms R L Beese	GDS.1/K2
2789/B1	Mr T Nelson	GDS.1/K2
2791/B1	Ms J Chandler	GDS.1/K2
2795/B1	Mr D Bravery	GDS.1/K2
2796/B1	Miss L M Coates	GDS.1/K2
2800/B1	Miss P A Knowles	GDS.1/K2
2801/B2	Ms S L Flook	GDS.1/K2
2801/B3	Ms S L Flook	GDS.1/K2
2801/B4	Ms S L Flook	GDS.1/K2
2801/B5	Ms S L Flook	GDS.1/K2
2801/B6	Ms S L Flook	GDS.1/K2
2806/B2	Mr J D Flook	GDS.1/K2
2806/B3	Mr J D Flook	GDS.1/K2
2806/B4	Mr J D Flook	GDS.1/K2
2806/B5	Mr J D Flook	GDS.1/K2
2806/B6	Mr J D Flook	GDS.1/K2
2808/B1	Mr M F Hannen	GDS.1/K2
2809/B1	Mrs M A Hannen	GDS.1/K2
2810/B1	Mr L Baker	GDS.1/K2
2813/B1	Mr Y Watts	GDS.1/K2
2818/B1	Mr D Blom	GDS.1/K2
2821/B1	Mr R Nutt	GDS.1/K2
2822/B1	Mr J D Hooper	GDS.1/K2
2824/B1	Mr T Shearn	GDS.1/K2
2825/B1	Mr I G Laver	GDS.1/K2
2826/B1	Ms J O'Connell	GDS.1/K2
2827/B1	Mr J Thompson	GDS.1/K2
2829/B1	Mr T Barter	GDS.1/K2
2831/B1	Mr & Mrs H R Tulit	GDS.1/K2

2833/B1	Mr N G Dix	GDS.1/K2
2834/B1	Ms P Wells	GDS.1/K2
2835/B1	Mr R A Connell	GDS.1/K2
2836/B1	Mr J Simon	GDS.1/K2
2838/B1	Mr & Mrs W Douglas	GDS.1/K2
2841/B1	Mr & Mrs R A Cheney	GDS.1/K2
2842/B1	Mr T Rhymes	GDS.1/K2
2843/B1	Mrs L Bowes	GDS.1/K2
2845/B1	Mr & Mrs H Moore	GDS.1/K2
2847/B1	Ms C Taylor	GDS.1/K2
2847/B2	Ms C Taylor	GDS.1/K2
2849/B1	Ms R O'Hare	GDS.1/K2
2851/B1	Mr & Mrs T Lapham	GDS.1/K2
2855/B1	Mr R Anstey	GDS.1/K2
2856/B1	Ms A Gavaghan	GDS.1/K2
2859/B1	Ms C Arnold	GDS.1/K2
2860/B1	Mrs M Ford	GDS.1/K2
2861/B1	Occupier	GDS.1/K2
2862/B1	Ms Kathryn Ford	GDS.1/K2
2863/B1	Occupier	GDS.1/K2
2864/B1	Mr J Lewis	GDS.1/K2
2865/B1	Mr A Gilroy	GDS.1/K2
2866/B1	Mr & Mrs M P Lynskey	GDS.1/K2
2869/B1	Mrs B Willmott	GDS.1/K2
2870/B1	Mr D Browner	GDS.1/K2
2871/B1	Mr P I Rae	GDS.1/K2
2877/B1	Mrs N Morris	GDS.1/K2
2878/B1	Mr V Papanicolou	GDS.1/K2
2879/B1	Mr A Winstone	GDS.1/K2
2882/B1	Mr F G Pera	GDS.1/K2
2884/B1	Ms C Rabbeth	GDS.1/K2
2897/B1	Mr T J Down	GDS.1/K2
2898/B1	Mrs J A Down	GDS.1/K2
2903/B1	Ms C Fox	GDS.1/K2
2904/B1	Mr P Payne	GDS.1/K2
2905/B1	Ms C Reubein	GDS.1/K2
2905/B2	Ms C Reubein	GDS.1/K2
2905/B3	Ms C Reubein	GDS.1/K2
2905/B4	Ms C Reubein	GDS.1/K2
2905/B5	Ms C Reubein	GDS.1/K2
2916/B1	Mrs J Weeks	GDS.1/K2
2918/B1	Mr M Stockley	GDS.1/K2
2919/B1	Mrs A Stockley	GDS.1/K2
2925/B1	Mr E Petty	GDS.1/K2
2926/B1	Mrs B Petty	GDS.1/K2
2930/B1	Ms M Payne	GDS.1/K2
2932/B1	Mr J Smale	GDS.1/K2
2933/B1	Mr T Blakeley	GDS.1/K2
2934/B1	Mrs K Blakeley	GDS.1/K2
2935/B1	Mr C Singer	GDS.1/K2
2936/B1	Ms M Foswell	GDS.1/K2
2937/B1	Ms W Hodgson	GDS.1/K2
2939/B1	Mrs D A Newman	GDS.1/K2
2940/B1	Mrs F G Dix	GDS.1/K2
2944/B1	Ms E Pera	GDS.1/K2
2945/B1	Mr C Difelice	GDS.1/K2
2946/B1	Mr A Smith?	GDS.1/K2
2950/B1	Ms D Fidler	GDS.1/K2
2953/B1	Mr & Mrs J F Reed	GDS.1/K2
2955/B1	Ms A Betteridge	GDS.1/K2
2957/B1	Mrs C Hudson	GDS.1/K2
2957/B2	Mrs C Hudson	GDS.1/K2

2957/B3	Mrs C Hudson	GDS.1/K2
2958/B1	Keynsham Allotment Association	GDS.1/K2
2958/B2	Keynsham Allotment Association	GDS.1/K2
2958/B3	Keynsham Allotment Association	GDS.1/K2
2960/B1	Ms C Reubein	GDS.1/K2
2961/B1	Mr M Fox	GDS.1/K2
2972/B2	Ms R Parsons	GDS.1/K2
2981/B1	Mr J A Young	GDS.1/K2
2982/B1	Ms W J Young	GDS.1/K2
3017/B1	Ms E V Higgins	GDS.1/K2
3018/B1	Mr D J Higgins	GDS.1/K2
3019/B2	Mr J Gibbons	GDS.1/K2
3029/B1	Mr S Tanner & Ms L Eddolls	GDS.1/K2
3062/B1	Mrs M Whitehead	GDS.1/K2
3073/B1	Mr A Blouet	GDS.1/K2
3077/B1	Mr L Buxton	GDS.1/K2
3090/B1	Ms A Hewitt	GDS.1/K2
3091/B1	Mr B Hewitt	GDS.1/K2
3095/B1	Mr H Ward-James	GDS.1/K2
3096/B1	Keynsham Allotment Association	GDS.1/K2
3098/B30	George Wimpey Strategic Land	GDS.1/K2
3098/B31	George Wimpey Strategic Land	GDS.1/K2
3112/B1	Mr M Parminter	GDS.1/K2
3121/B1	Mr & Mrs S P Jarvis	GDS.1/K2
3122/B1	Ms L Attwood	GDS.1/K2
3126/B45	Bath Friends of the Earth	GDS.1/K2
3130/B1	Mrs P Shearn	GDS.1/K2
3131/B1	Mr T H Shearn	GDS.1/K2
3133/B1	Mrs L Walter	GDS.1/K2
3141/B1	Mr & Mrs J Prior	GDS.1/K2
3145/B1	Mr & Mrs Cook	GDS.1/K2
3148/B1	Ms C Holloway	GDS.1/K2
3151/B1	Mr & Mrs A B Halliday	GDS.1/K2
3156/B1	Mr C V Clayfield	GDS.1/K2
3156/B2	Mr C V Clayfield	GDS.1/K2
3157/B1	Mr D Constable	GDS.1/K2
3158/B1	Ms J Constable	GDS.1/K2
3169/B1	Mr & Mrs B Howell	GDS.1/K2
3175/B1	Mr J M Pinkerton	GDS.1/K2
3182/B1	Mrs S Bracey	GDS.1/K2
3184/B1	Ms J Taylor	GDS.1/K2
3185/B1	Amba Medical Ltd	GDS.1/K2
3187/B1	Ms N Sadler	GDS.1/K2
3221/B1	Ms J Sadler	GDS.1/K2
3222/B1	Mrs S Hamilton	GDS.1/K2
3223/B1	Mr N D Gwyther	GDS.1/K2
3224/B1	Ms J Gwyther	GDS.1/K2
3233/B25	Mr & Mrs M Williams	GDS.1/K2
3252/B1	Mr J Dunn	GDS.1/K2
3269/B1	Ms I Lerpiniere	GDS.1/K2
3269/B2	Ms I Lerpiniere	GDS.1/K2
3269/B4	Ms I Lerpiniere	GDS.1/K2
3272/B2	Mr & Mrs J Whittle	GDS.1/K2
3272/B3	Mr & Mrs J Whittle	GDS.1/K2
3272/B4	Mr & Mrs J Whittle	GDS.1/K2
3272/B5	Mr & Mrs J Whittle	GDS.1/K2
3278/B24	Persimmon Homes (Wessex) Ltd	GDS.1/K2
3314/B1	Ms J Brown	GDS.1/K2
3316/B1	Mr W J Tincknell	GDS.1/K2
3317/B1	Mr S Olive	GDS.1/K2
3337/B1	Mrs B Moorman	GDS.1/K2
695/C24	Society of Merchant Venturers	GDS.1/K2/A

695/C28	Society of Merchant Venturers	GDS.1/K2/A
695/C29	Society of Merchant Venturers	GDS.1/K2/A
696/C63	South West RSL Planning Consortium	GDS.1/K2/A
3098/C62	George Wimpey Strategic Land	GDS.1/K2/A
3446/C7	Taylor Woodrow Developments Ltd	GDS.1/K2/A
3446/C9	Taylor Woodrow Developments Ltd	GDS.1/K2/B

Supporting Statements

398/B5	Mr G Hobbs	GDS.1/K2
600/B3	Mr & Mrs A Jones	GDS.1/K2
686/B47	Bath Preservation Trust	GDS.1/K2
1877/B1	Ms L Burns	GDS.1/K2
42/C16	CPRE	GDS.1/K2/A
120/C185	Ms Helen Woodley	GDS.1/K2/A
1568/C5	The Woodland Trust	GDS.1/K2/A
2135/C2	Miss G M Bennett	GDS.1/K2/A
2176/C5	Bath & North East Somerset Conservative Group	GDS.1/K2/A
3154/C2	Mr & Mrs D Phipps	GDS.1/K2/A

Chapter B9 - Policy GDS.1/NR1

Objections

462/B23	Gleeson Homes	GDS.1/NR1
1427/B98	Environment Agency	GDS.1/NR1
1932/B1	Cllr G Derrick	GDS.1/NR1
1937/B1	Mrs F Phelps	GDS.1/NR1
1938/B1	Ms S Carey	GDS.1/NR1
1955/B1	Mr J E Reynolds	GDS.1/NR1
1981/B1	Mr & Mrs C Franklin	GDS.1/NR1
1992/B1	Mr & Mrs N H Barber	GDS.1/NR1
1994/B1	Mr & Mrs R A McLeod	GDS.1/NR1
2021/B1	Mr C M T Smith	GDS.1/NR1
2022/B1	Mr H A Carter	GDS.1/NR1
2028/B1	Mr & Mrs S Hawkins	GDS.1/NR1
2124/B1	Mr & Mrs A Morrison	GDS.1/NR1
2126/B1	Mr N Diclaudio	GDS.1/NR1
2168/B1	Mr & Mrs P Pepperell	GDS.1/NR1
2170/B1	Mr B W Andrews	GDS.1/NR1
2176/B1	Bath & North East Somerset Conservative Group	GDS.1/NR1
2189/B1	Mrs S Hawkins	GDS.1/NR1
2194/B1	Mr S Gould & Miss M Gay	GDS.1/NR1
2198/B1	Mr & Mrs B T Hart	GDS.1/NR1
2215/B1	Mrs M Cole	GDS.1/NR1
2216/B1	Mrs M Bran	GDS.1/NR1
2217/B1	Mr D Lloyd	GDS.1/NR1
2219/B1	Mr C J Paget	GDS.1/NR1
2222/B1	Mr & Mrs Jellyman	GDS.1/NR1
2224/B1	Mr M Ilott	GDS.1/NR1
2258/B1	Mrs B Ball	GDS.1/NR1
2261/B1	Mr F E Skjonnemand	GDS.1/NR1
2369/B1	Mr & Mrs P Parfitt	GDS.1/NR1
2436/B1	Mr M Pitman	GDS.1/NR1
2440/B1	Mr & Mrs W G Kelly	GDS.1/NR1
2479/B1	Ms P Wilson	GDS.1/NR1
2532/B1	Mr S Moon	GDS.1/NR1
2534/B1	Mr K Robers	GDS.1/NR1
2586/B1	Mr C A Hulford	GDS.1/NR1
2589/B1	Mr G R Coe	GDS.1/NR1
2590/B1	Ms H J McDermott	GDS.1/NR1

2649/B4	The Duchy of Cornwall	GDS.1/NR1
2885/B1	Mr D Byrne	GDS.1/NR1
3011/B1	Mr D J Seviour	GDS.1/NR1
3012/B1	Cllr G Doswell	GDS.1/NR1
3037/B1	Mr J Robinson	GDS.1/NR1
3043/B1	Mr & Mrs Collier	GDS.1/NR1
3046/B1	Mr S le Merle	GDS.1/NR1
3066/B2	Mr L Knowles	GDS.1/NR1
3099/B23	Barratt Bristol Limited(Mr A T P Jolliffe)	GDS.1/NR1
3149/B1	Mr T Parfitt	GDS.1/NR1
3225/B1	Mr N Pollard	GDS.1/NR1
3236/B2	Mr A Weaver & Mr L Blacker	GDS.1/NR1
3278/B3	Persimmon Homes (Wessex) Ltd	GDS.1/NR1
3278/B6	Persimmon Homes (Wessex) Ltd	GDS.1/NR1
462/C39	Gleeson Homes	GDS.1/NR1/A
696/C64	South West RSL Planning Consortium	GDS.1/NR1/A
2356/C13	The Hon W H M Jolliffe	GDS.1/NR1/A
2360/C5	Landray Will Trust	GDS.1/NR1/A
3219/C4	The Hon Andrew Jolliffe	GDS.1/NR1/A
3298/C82	Cam Valley Wildlife Group	GDS.1/NR2/A

Supporting Statements

1991/C2	Mr & Mrs R Brown	GDS.1/NR1/A
2176/C4	Bath & North East Somerset Conservative Group	GDS.1/NR1/A
42/C20	CPRE	GDS.1/NR1/B
3116/C4	Bath & North East Somerset Allotment Association	GDS.1/NR1/B

Chapter B9 - Policy GDS.1/NR2

Objections

2/B25	T2000/Railfutures	GDS.1/NR2
2/B43	T2000/Railfutures	GDS.1/NR2
1427/B99	Environment Agency	GDS.1/NR2
1968/B1	Streetly Developments	GDS.1/NR2
2686/B3	Norton Radstock Regeneration Company	GDS.1/NR2
3012/B3	Cllr G Doswell	GDS.1/NR2
3099/B24	Barratt Bristol Limited(Mr A T P Jolliffe)	GDS.1/NR2
3201/B8	South West Regional Development Agency	GDS.1/NR2
3233/B26	Mr & Mrs M Williams	GDS.1/NR2
3257/B1	Somer Valley Friends of the Earth	GDS.1/NR2
3298/B5	Cam Valley Wildlife Group	GDS.1/NR2
3299/B4	Bovis Homes (South West Region) Limited	GDS.1/NR2
3299/B34	Bovis Homes (South West Region) Limited	GDS.1/NR2
3257/C186	Somer Valley Friends of the Earth	GDS.1/NR2/A
3298/C51	Cam Valley Wildlife Group	GDS.1/NR2/A
3532/C1	Ms A Godfrey	GDS.1/NR2/A
2356/C2	The Hon W H M Jolliffe	GDS.1/NR2/B
2356/C15	The Hon W H M Jolliffe	GDS.1/NR2/B
2641/C21	David Wilson Homes	GDS.1/NR2/B
2686/C12	Norton Radstock Regeneration Company	GDS.1/NR2/B
3219/C19	The Hon Andrew Jolliffe	GDS.1/NR2/B
3219/C20	The Hon Andrew Jolliffe	GDS.1/NR2/B
3257/C187	Somer Valley Friends of the Earth	GDS.1/NR2/B
3298/C52	Cam Valley Wildlife Group	GDS.1/NR2/B
3299/C51	Bovis Homes (South West Region) Limited	GDS.1/NR2/B
3257/C193	Somer Valley Friends of the Earth	GDS.1/NR2/D
2686/C10	Norton Radstock Regeneration Company	GDS.1/NR2/E
3257/C188	Somer Valley Friends of the Earth	GDS.1/NR2/E
3298/C53	Cam Valley Wildlife Group	GDS.1/NR2/E

578/C108	Norton Radstock Town Council	GDS.1/NR2/F
2686/C7	Norton Radstock Regeneration Company	GDS.1/NR2/F
2686/C9	Norton Radstock Regeneration Company	GDS.1/NR2/F
3415/C4	North Somerset Railway Company	GDS.1/NR2/F
3415/C6	North Somerset Railway Company	GDS.1/NR2/F
3257/C191	Somer Valley Friends of the Earth	GDS.1/NR2/K
3415/C5	North Somerset Railway Company	GDS.1/NR2/K
3257/C192	Somer Valley Friends of the Earth	GDS.1/NR2/L
3298/C54	Cam Valley Wildlife Group	GDS.1/NR2/L

Supporting Statements

2962/C4	Wm Morrison Supermarkets plc	GDS.1/NR2/A
696/C84	South West RSL Planning Consortium	GDS.1/NR2/B
3257/C189	Somer Valley Friends of the Earth	GDS.1/NR2/F
1427/C179	Environment Agency	GDS.1/NR2/H
3257/C190	Somer Valley Friends of the Earth	GDS.1/NR2/H
1427/C178	Environment Agency	GDS.1/NR2/I

Comments on Suggested Unadvertised Inquiry Change IC10

1427/F231-s	Environment Agency - South West Region	IC10 (GDS.1/NR2)
2686/F28-s	Norton-Radstock Regeneration Company	IC10 (GDS.1/NR2)
3257/F313	Somer Valley Friends of the Earth	IC10 (GDS.1/NR2)

Chapter B9 - Policy GDS.1/V9

Objections

247/B7	Farmborough Parish Council	GDS.1/V9
1427/B113	Environment Agency	GDS.1/V9
1918/B1	Mr D J Cook	GDS.1/V9
1959/B1	Mr C Bridges	GDS.1/V9
1973/B1	Bath Choral Society	GDS.1/V9
2213/B1	Mr J Meredith	GDS.1/V9
2214/B1	Mrs M H Meredith	GDS.1/V9
2393/B1	Mrs M Price	GDS.1/V9
2393/B2	Mrs M Price	GDS.1/V9
2418/B2	Mr C R Hulcoop	GDS.1/V9
2607/B1	Mr R A Davis	GDS.1/V9
2607/B2	Mr R A Davis	GDS.1/V9
2607/B3	Mr R A Davis	GDS.1/V9
2607/B4	Mr R A Davis	GDS.1/V9
2626/B1	Mrs A E Parker	GDS.1/V9
2626/B2	Mrs A E Parker	GDS.1/V9
2626/B3	Mrs A E Parker	GDS.1/V9
2626/B4	Mrs A E Parker	GDS.1/V9
2627/B1	Mr J D Parker	GDS.1/V9
2627/B2	Mr J D Parker	GDS.1/V9
2627/B3	Mr J D Parker	GDS.1/V9
2627/B4	Mr J D Parker	GDS.1/V9
2629/B1	Mr R Lillington	GDS.1/V9
2629/B2	Mr R Lillington	GDS.1/V9
2629/B3	Mr R Lillington	GDS.1/V9
2630/B1	Mrs M M Lillington	GDS.1/V9
2630/B2	Mrs M M Lillington	GDS.1/V9
2631/B1	Mr E M Ford	GDS.1/V9
2631/B2	Mr E M Ford	GDS.1/V9
2631/B3	Mr E M Ford	GDS.1/V9
2632/B1	Mr P J Bugler & Mr A J Clifton	GDS.1/V9
2642/B1	Mr G Young	GDS.1/V9

2642/B2	Mr G Young	GDS.1/V9
2642/B3	Mr G Young	GDS.1/V9
2683/B3	Diocese of Bath & Wells	GDS.1/V9
2797/B1	Ms R Davies	GDS.1/V9
2805/B1	Mr J Todd	GDS.1/V9
2912/B2	Ms S Kara	GDS.1/V9
2922/B1	Ms C Bates	GDS.1/V9
2923/B1	Mr R G Hellin	GDS.1/V9
2924/B1	Mr T W Higgs	GDS.1/V9
2924/B2	Mr T W Higgs	GDS.1/V9
2927/B1	Mrs K M Worrall	GDS.1/V9
2927/B2	Mrs K M Worrall	GDS.1/V9
2927/B3	Mrs K M Worrall	GDS.1/V9
2929/B1	Mr I Valentine	GDS.1/V9
2929/B2	Mr I Valentine	GDS.1/V9
2973/B1	Mr & Mrs A W J Champion	GDS.1/V9
3144/B1	Farmborough Primary School	GDS.1/V9
3147/B1	Mr S Ware & Mrs S Hodgkins	GDS.1/V9
3188/B1	Mrs L Bates	GDS.1/V9
3278/B31	Persimmon Homes (Wessex) Ltd	GDS.1/V9
3323/B1	Mr M G Comben	GDS.1/V9
3323/B2	Mr M G Comben	GDS.1/V9
696/C71	South West RSL Planning Consortium	GDS.1/V9/A
2340/C4	Mr & Mrs S Wiseman	GDS.1/V9/A
2340/C26	Mr & Mrs S Wiseman	GDS.1/V9/A
3098/C57	George Wimpey Strategic Land	GDS.1/V9/B

Supporting Statements

2340/B1	Mr & Mrs S Wiseman	GDS.1/V9
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SECTION 9

Chapter C1 - C1.10F-C1.10K

Objections

120/C267	Ms Helen Woodley	C1.10E/A
3251/C66	Prospect Land Ltd	C1.10E/A
110/C21	Sport England South West	C1.10F/A
120/D332	Mrs H Woodley	PIC/C/1 (C1.10f)
120/D336	Mrs H Woodley	PIC/C/1 (C1.10H)
567/C2	Mr M Stutchbury	C1.10F/A
683/D26	Cotswold AONB Partnership	PIC/C/1 (C1.10f)
683/D29	Cotswold AONB Partnership	PIC/C/1 (C1.10k)
686/D189	Bath Preservation Trust	PIC/C/1 (C1.10f-k)
708/C34	The Widcombe Associatio	C1.10F/A
708/C42	The Widcombe Associatio	C1.10F/A
714/D19	University of Bath	PIC/C/1 (C1.10k)
721/D83	Government Office for the South West	PIC/C/1 (C1.10f-k)
753/C3	Mrs E Pomeroy	C1.10F/A
754/C6	Mrs S Lewis	C1.10F/A
754/D9	Mrs S Lewis	PIC/C/1 (C1.10f)
754/D11	Mrs S Lewis	PIC/C/1 (C1.10g)
754/D12	Mrs S Lewis	PIC/C/1 (C1.10h)
754/D13	Mrs S Lewis	PIC/C/1 (C1.10i)
766/C5	Macaulay/Prospect Residents Association	C1.10F/A
771/C1	Mrs M Newbigin	C1.10F/A
809/D4	Mr & Mrs M J Day	PIC/C/1 (C1.10g)
878/C40	The Bath Society	C1.10F/A

1902/C2	Drs E & P Hersch	C1.10F/A
2999/C7	The National Trust	C1.10F/A
3126/D53	Bath Friends of the Earth	PIC/C/1 (C1.10f-k)
3165/D4	Mr K Biggs	PIC/C/1 (C1.10k)
3251/C67	Prospect Land Ltd	C1.10F/A
3296/C2	Dr & Mrs H E Stutchbury	C1.10F/A
3342/C5	Mrs T Merrifield	C1.10F/A
3343/C38	Mr C J Beezley	C1.10F/A
3343/C39	Mr C J Beezley	C1.10F/A
3343/C40	Mr C J Beezley	C1.10F/A
3343/C43	Mr C J Beezley	C1.10F/A
3343/C44	Mr C J Beezley	C1.10F/A
3343/C63	Mr C J Beezley	C1.10F/A
3343/C68	Mr C J Beezley	C1.10F/A
3343/D72	Mr C J Beezley	PIC/C/1 (C1.10h)
3343/D76	Mr C J Beezley	PIC/C/1 (C1.10f-k)
3343/D85	Mr C J Beezley	PIC/C/1 (C1.10h)
3343/D88	Mr C J Beezley	PIC/C/1 (C1.10j)
3343/C18	Mr C J Beezley	C1.10F/A
3343/C41	Mr C J Beezley	C1.10F/A
3343/C42	Mr C J Beezley	C1.10F/A
3343/C67	Mr C J Beezley	C1.10F/A
3348/C5	Mr G R Dent	C1.10F/A
3348/D8	Mr G R Dent	PIC/C/1 (C1.10i)
3348/D9	Mr G R Dent	PIC/C/1 (C1.10k)
3348/D13	Mr G R Dent	PIC/C/1 (C1.10h)
3357/C4	Mr J K Hall	C1.10F/A
3358/C2	Mr M A Hillyer	C1.10F/A
3359/C4	Mrs E Dolman	C1.10F/A
3365/C2	Mr C Jump	C1.10F/A
3368/C1	Mrs C J Scobie-Allin	C1.10F/A
3369/C2	Mr & Mrs D E Sullivan	C1.10F/A
3374/C3	Mrs S von Tutschek	C1.10F/A
3377/C4	Mr A J Stafford	C1.10F/A
3379/C6	Mr P Brewer	C1.10F/A
3381/C2	Mr J R Blandford	C1.10F/A
3384/D5	Mr I P Armston	PIC/C/1 (C1.10i)
3386/C5	Mr G Kerr	C1.10F/A
3387/C2	Mrs J Kerr	C1.10F/A
3388/C2	Mr R Nunn	C1.10F/A
3388/D10	Mr R Nunn	PIC/C/1 (C1.10f-g)
3391/C4	Mr E Hext	C1.10F/A
3392/C1	Mr P Dixon	C1.10F/A
3398/C5	Mr M Swift	C1.10F/A
3399/C5	Mr & Mrs V Ubogu	C1.10F/A
3401/C1	Mrs H Arrowsmith-Brown	C1.10F/A
3402/C1	Mr J H Arrowsmith-Brown	C1.10F/A
3407/C9	Mr T Keane	C1.10F/A
3410/C6	Mrs M S Hibberd	C1.10F/A
3414/C4	Mrs M D Hext	C1.10F/A
3417/C3	The Campaign to Preserve the Green Belt at Claverton Down	C1.10F/A
3417/D4	The Campaign to Preserve the Green Belt at Claverton Down	PIC/C/1 (C1.10f-k)
3417/D5	The Campaign to Preserve the Green Belt at Claverton Down	PIC/C/1 (C1.10f)
3417/D10	The Campaign to Preserve the Green Belt at Claverton Down	PIC/C/1 (C1.10g)
3417/D15	The Campaign to Preserve the Green Belt at Claverton Down	PIC/C/1 (C1.10h)
3417/D20	The Campaign to Preserve the Green Belt at Claverton Down	PIC/C/1 (C1.10h)
3417/D23	The Campaign to Preserve the Green Belt at Claverton Down	PIC/C/1 (C1.10h)
3417/D24	The Campaign to Preserve the Green Belt at Claverton Down	PIC/C/1 (C1.10h)
3417/D60	The Campaign to Preserve the Green Belt at Claverton Down	PIC/C/1 (C1.10k)
3417/D67	The Campaign to Preserve the Green Belt at Claverton Down	PIC/C/1 (C1.10k)
3417/D82	The Campaign to Preserve the Green Belt at Claverton Down	PIC/C/1 (C1.10i)
3417/D88	The Campaign to Preserve the Green Belt at Claverton Down	PIC/C/1 (C1.10i)

3417/D90	The Campaign to Preserve the Green Belt at Claverton Down	PIC/C/1 (C1.10i)
3417/D94	The Campaign to Preserve the Green Belt at Claverton Down	PIC/C/1 (C1.10i)
3417/D96	The Campaign to Preserve the Green Belt at Claverton Down	PIC/C/1 (C1.10k)
3417/D6	The Campaign to Preserve the Green Belt at Claverton Down	PIC/C/1 (C1.10f)
3417/D8	The Campaign to Preserve the Green Belt at Claverton Down	PIC/C/1 (C1.10g)
3417/D9	The Campaign to Preserve the Green Belt at Claverton Down	PIC/C/1 (C1.10g)
3417/D11	The Campaign to Preserve the Green Belt at Claverton Down	PIC/C/1 (C1.10g)
3417/D12	The Campaign to Preserve the Green Belt at Claverton Down	PIC/C/1 (C1.10g)
3417/D13	The Campaign to Preserve the Green Belt at Claverton Down	PIC/C/1 (C1.10g)
3417/D14	The Campaign to Preserve the Green Belt at Claverton Down	PIC/C/1 (C1.10g)
3417/D21	The Campaign to Preserve the Green Belt at Claverton Down	PIC/C/1 (C1.10h)
3417/D58	The Campaign to Preserve the Green Belt at Claverton Down	PIC/C/1 (C1.10k)
3417/D69	The Campaign to Preserve the Green Belt at Claverton Down	PIC/C/1 (C1.10j)
3417/D84	The Campaign to Preserve the Green Belt at Claverton Down	PIC/C/1 (C1.10i)
3417/D33	The Campaign to Preserve the Green Belt at Claverton Down	PIC/C/1 (C1.10f)
3423/C2	Mr A Holbrook	C1.10F/A
3431/C4	Ms A Tisdall	C1.10F/A
3436/C2	Mr R Fell	C1.10F/A
3437/C5	Ms P A Chown	C1.10F/A
3441/C7	Mr P D Marsden	C1.10F/A
3441/D15	Mr P D Marsden	PIC/C/1 (C1.10f)
3441/D17	Mr P D Marsden	PIC/C/1 (C1.10f)
3441/D18	Mr P D Marsden	PIC/C/1 (C1.10g)
3441/D21	Mr P D Marsden	PIC/C/1 (C1.10h)
3441/D24	Mr P D Marsden	PIC/C/1 (C1.10h)
3441/D25	Mr P D Marsden	PIC/C/1 (C1.10h)
3441/D27	Mr P D Marsden	PIC/C/1 (C1.10h)
3441/D28	Mr P D Marsden	PIC/C/1 (C1.10i)
3441/D29	Mr P D Marsden	PIC/C/1 (C1.10j)
3441/D30	Mr P D Marsden	PIC/C/1 (C1.10k)
3442/C1	Winsley Parish Council	C1.10F/A
3443/C10	Mr N Morgan	C1.10F/A
3445/C4	Ms J Marchant	C1.10F/A
3448/C8	Ms E Lomath	C1.10F/A
3449/C1	Mr R A Trebess	C1.10F/A
3454/D4	Mr K Foulger	PIC/C/1 (C1.10f-k)
3456/C6	Mr M Saunders	C1.10F/A
3457/C1	Mr T Brett	C1.10F/A
3459/C1	Mr R F Porter	C1.10F/A
3461/C1	Ms C Lorraine	C1.10F/A
3461/C4	Ms C Lorraine	C1.10F/A
3461/C9	Ms C Lorraine	C1.10F/A
3461/C14	Ms C Lorraine	C1.10F/A
3461/D17	Mrs C Lorraine	PIC/C/1 (C1.10f-k)
3462/C3	Mr S Lorraine	C1.10F/A
3462/D5	Mr C Lorraine	PIC/C/1 (C1.10f-k)
3469/C4	Mr T F Mattock	C1.10F/A
3495/C3	Mr & Mrs I J M Pring	C1.10F/A
3512/C3	Mr N S Hackett	C1.10F/A
3516/C3	Mr & Mrs J Coghlan	C1.10F/A
3518/C1	Mr Q Lambert	C1.10F/A
3523/C3	Miss M Anderson	C1.10F/A
3528/C6	Ms M Cooper	C1.10F/A
3548/C3	Mr T Hardick	C1.10F/A
3549/C7	Mr P Ariaratnam	C1.10F/A
3552/C6	Mrs A McCarron	C1.10F/A
3552/C7	Mrs A McCarron	C1.10F/A
3553/C6	Mr P McCarron	C1.10F/A
3557/C1	Mr R Plant	C1.10F/A
3558/C1	Mrs J Plant	C1.10F/A
3559/C1	Mr I Argyle	C1.10F/A
3560/C1	Mrs J Argyle	C1.10F/A

3576/C2	Mr J O'Shea	C1.10F/A
3578/C3	Mrs V O'Shea	C1.10F/A
3580/C5	Mr P Keane	C1.10F/A
3582/C3	Ms J Heseltine	C1.10F/A
3610/C3	Ms E Herbert	C1.10F/A
3632/D5	Mr & Mrs D Peters	PIC/C/1 (C1.10f-k)
3636/D4	Mr T G Williams	PIC/C/1 (C1.10f-k)
3638/D1	Mrs Frears & Family	PIC/C/1 (C1.10i)
3639/D1	Mr & Mrs D Cauchois	PIC/C/1 (C1.10k)
3642/D5	Mr R Cook	PIC/C/1 (C1.10f)
3646/D9	Cllr B Webber	PIC/C/1 (C1.10f-k)
3647/D10	Mrs J Vickery	PIC/C/1 (C1.10f-k)
110/C19	Sport England South West	C1.10G/A
708/C33	The Widcombe Associatio	C1.10G/A
708/C41	The Widcombe Associatio	C1.10G/A
753/C4	Mrs E Pomeroy	C1.10G/A
878/C41	The Bath Society	C1.10G/A
2999/C8	The National Trust	C1.10G/A
3251/C68	Prospect Land Ltd	C1.10G/A
3342/C6	Mrs T Merrifield	C1.10G/A
3343/C28	Mr C J Beezley	C1.10G/A
3343/C17	Mr C J Beezley	C1.10G/A
3343/C27	Mr C J Beezley	C1.10G/A
3348/C4	Mr G R Dent	C1.10G/A
3357/C3	Mr J K Hall	C1.10G/A
3358/C1	Mr M A Hillyer	C1.10G/A
3379/C5	Mr P Brewer	C1.10G/A
3381/C3	Mr J R Blandford	C1.10G/A
3382/C5	Dr C W Stammers	C1.10G/A
3386/C6	Mr G Kerr	C1.10G/A
3387/C3	Mrs J Kerr	C1.10G/A
3388/C1	Mr R Nunn	C1.10G/A
3398/C6	Mr M Swift	C1.10G/A
3399/C6	Mr & Mrs V Ubogu	C1.10G/A
3401/C2	Mrs H Arrowsmith-Brown	C1.10G/A
3402/C2	Mr J H Arrowsmith-Brown	C1.10G/A
3407/C10	Mr T Keane	C1.10G/A
3410/C7	Mrs M S Hibberd	C1.10G/A
3423/C3	Mr A Holbrook	C1.10G/A
3437/C6	Ms P A Chown	C1.10G/A
3441/C11	Mr P D Marsden	C1.10G/A
3443/C9	Mr N Morgan	C1.10G/A
3445/C6	Ms J Marchant	C1.10G/A
3448/C9	Ms E Lomath	C1.10G/A
3449/C2	Mr R A Trebess	C1.10G/A
3456/C7	Mr M Saunders	C1.10G/A
3461/C7	Ms C Lorraine	C1.10G/A
3461/C10	Ms C Lorraine	C1.10G/A
3469/C3	Mr T F Mattock	C1.10G/A
3512/C4	Mr N S Hackett	C1.10G/A
3518/C2	Mr Q Lambert	C1.10G/A
3523/C2	Miss M Anderson	C1.10G/A
3549/C8	Mr P Ariaratnam	C1.10G/A
3552/C3	Mrs A McCarron	C1.10G/A
3552/C5	Mrs A McCarron	C1.10G/A
3557/C2	Mr R Plant	C1.10G/A
3558/C2	Mrs J Plant	C1.10G/A
3580/C6	Mr P Keane	C1.10G/A
3582/C2	Ms J Heseltine	C1.10G/A

Supporting Statements

3417/D32	The Campaign to Preserve the Green Belt at Claverton Down	PIC/C/1 (C1.10f)
3441/D14	Mr P D Marsden	PIC/C/1 (C1.10f)

Comments on Suggested Unadvertised Inquiry Change IC11

766/F11	Macaulay/Prospect Residents' Association	IC11 (C1.10K)
771/F11	Mrs M Newbiggin	IC11 (C1.10K)
3381/F5	Mr J R Blandford	IC11 (C1.10K)
3395/F3	Ms M King & Ms G Briggs	IC11 (C1.10K)
3454/F10	Mr K Foulger	IC11 (C1.10K)
3461/F21	Ms C Lorraine	IC11 (C1.10K)
3462/F9	Mr S Lorraine	IC11 (C1.10K)
3552/F14	Mrs A McCarron	IC11 (C1.10K)
3553/F15	Mr P McCarron	IC11 (C1.10K)
3639/F3	Mr & Mrs S Cauchois	IC11 (C1.10K)

Chapter C1 - Policy GB.1 and Paragraphs C1.27-C1.29

Objections

685/B22	Batheaston Parish Council	C1.27
878/B22	The Bath Society	C1.29
120/C266	Ms Helen Woodley	C1.29A/A
686/C153	Bath Preservation Trust	C1.29A/A
3257/C195	Somer Valley Friends of the Earth	C1.29A/A
2/B17	T2000/Railfutures	GB.1
2/B42	T2000/Railfutures	GB.1
42/B4	CPRE	GB.1
167/B7	Mr & Mrs M Pickman	GB.1
287/B3	Mr David Dunn	GB.1
322/B11	Greenvale Residents Association	GB.1
345/B24	Freshford Parish Council	GB.1
361/B4	Mr D A Kemp	GB.1
362/B4	Mrs J M Kemp	GB.1
447/B35	Wilcon Homes	GB.1
485/B12	Prowting Projects Ltd	GB.1
502/B17	Camerton Parish Council	GB.1
581/B7	Batheaston Society	GB.1
589/B6	Bath City Football Club	GB.1
686/B94	Bath Preservation Trust	GB.1
695/B4	Society of Merchant Venturers	GB.1
697/B3	Twerton Park Properties Ltd	GB.1
714/B7	University of Bath	GB.1
720/B3	BT Group plc	GB.1
730/B20	Timsbury Parish Council	GB.1
878/B21	The Bath Society	GB.1
878/B23	The Bath Society	GB.1
1879/B1	Mr C Rice	GB.1
1897/B2	Mr & Mrs R A Parker	GB.1
1902/B1	Drs E & P Hersch	GB.1
1987/B1	Bathford Parish Council	GB.1
2251/B6	Federation of Bath Residents Associations - Transport Group	GB.1
2303/B2	Wellow Residents Association	GB.1
2329/B1	Mr D Gillingham	GB.1
2335/B1	Mr D Crellin	GB.1
2351/B1	Mr D Sully	GB.1
2352/B1	Mr F W Hawker & Sons Ltd	GB.1
2395/B1	Mrs T Malhotra	GB.1
2466/B2	Keynsham Civic Society	GB.1
2599/B1	Mr G Glass and Mr R Weston	GB.1
2601/B9	Linden Homes (Developments) Limited	GB.1

2601/B10	Linden Homes (Developments) Limited	GB.1
2625/B1	Poplar Nurseries	GB.1
2636/B2	The Jollands Trust	GB.1
2644/B1	Mr D Jones	GB.1
2648/B4	Persimmon Homes (Wessex) Ltd	GB.1
2707/B3	Crest Strategic Projects Limited	GB.1
2914/B1	Mr D Paradise	GB.1
2979/B1	Mr D J Smith	GB.1
3002/B2	Mr & Mrs Marton	GB.1
3003/B2	London Baptist Property Board Ltd	GB.1
3098/B34	George Wimpey Strategic Land	GB.1
3113/B1	Mrs C Campbell	GB.1
3115/B1	Mr R Pippard	GB.1
3194/B1	Mr N T Harris	GB.1
3204/B1	Mr T Mason	GB.1
3220/B1	Mr P S Rawlings	GB.1
3229/B1	Mr P Alford; Mr P Garrett; Mr Leslie Norfolk	GB.1
3233/B16	Mr & Mrs M Williams	GB.1
3233/B17	Mr & Mrs M Williams	GB.1
3242/B9	Davies Street (Bathampton) Ltd	GB.1
3251/B5	Prospect Land Ltd	GB.1
3251/B6	Prospect Land Ltd	GB.1
3267/B5	C S J Planning Consultants Ltd	GB.1
3268/B2	Ms J Allen	GB.1
3269/B5	Ms I Lerpiniere	GB.1
3281/B1	Mr P Waters	GB.1
3294/B1	Mr & Mrs S Usher	GB.1
3294/B2	Mr & Mrs S Usher	GB.1
3297/B1	Mrs Y Stutchbury	GB.1
3305/B1	W Reed (Builders) Ltd	GB.1
3309/B1	Liberal Democrat B&NES Group	GB.1
3309/B2	Liberal Democrat B&NES Group	GB.1
3309/B3	Liberal Democrat B&NES Group	GB.1
3309/B4	Liberal Democrat B&NES Group	GB.1
3315/B1	Mr & Mrs D Mills	GB.1
120/C265	Ms Helen Woodley	GB.1/D
3446/C10	Taylor Woodrow Developments Ltd	GB.1/E
3446/C13	Taylor Woodrow Developments Ltd	GB.1/E
42/C17	CPRE	GB.1/F
120/C260	Ms Helen Woodley	GB.1/F
686/C165	Bath Preservation Trust	GB.1/F
721/C62	Government Office for the South West	GB.1/F
3347/C1	Mrs R le Huray	GB.1/F
3438/C2	Mr R V Garroway	GB.1/F
3463/C1	Stothert & Pitt Sports Club	GB.1/F
3547/C3	Mr & Mrs D F Bye	GB.1/F
2173/C2	Mr M Swift	GB.1/G
878/C39	The Bath Society	GB.1/I
1897/C3	Mr & Mrs R A Parker	GB.1/I
42/C14	CPRE	GB.1/L
110/C20	Sport England South West	GB.1/L
683/C14	Cotswolds AONB Partnership	GB.1/L
686/C166	Bath Preservation Trust	GB.1/L
708/C40	The Widcombe Associatio	GB.1/L
721/C63	Government Office for the South West	GB.1/L
754/C5	Mrs S Lewis	GB.1/L
766/C10	Macaulay/Prospect Residents Association	GB.1/L
771/C5	Mrs M Newbigin	GB.1/L
1921/C3	Claverton Parish Council	GB.1/L
3116/C98	Bath & North East Somerset Allotment Association	GB.1/L
3296/C4	Dr & Mrs H E Stutchbury	GB.1/L
3342/C7	Mrs T Merrifield	GB.1/L

3348/C2	Mr G R Dent	GB.1/L
3349/C1	Mrs P S Magrath	GB.1/L
3350/C3	Mr J W A McKillop	GB.1/L
3357/C2	Mr J K Hall	GB.1/L
3358/C3	Mr M A Hillyer	GB.1/L
3359/C2	Mrs E Dolman	GB.1/L
3360/C3	Mr J A Bailey	GB.1/L
3361/C4	Mr I Sharp	GB.1/L
3363/C2	Mr & Mrs J Bowrey	GB.1/L
3365/C4	Mr C Jump	GB.1/L
3368/C3	Mrs C J Scobie-Allin	GB.1/L
3369/C1	Mr & Mrs D E Sullivan	GB.1/L
3373/C2	Mr A von Tutschek	GB.1/L
3374/C2	Mrs S von Tutschek	GB.1/L
3377/C5	Mr A J Stafford	GB.1/L
3384/C3	Mr I P Armston	GB.1/L
3385/C3	Mr W W Howe	GB.1/L
3395/C1	Ms M King & Ms G Briggs	GB.1/L
3398/C7	Mr M Swift	GB.1/L
3399/C8	Mr & Mrs V Ubogu	GB.1/L
3404/C2	Ms M Howe	GB.1/L
3407/C1	Mr T Keane	GB.1/L
3417/C1	The Campaign to Preserve the Green Belt at Claverton Down	GB.1/L
3431/C5	Ms A Tisdall	GB.1/L
3436/C3	Mr R Fell	GB.1/L
3441/C10	Mr P D Marsden	GB.1/L
3442/C3	Winsley Parish Council	GB.1/L
3445/C3	Ms J Marchant	GB.1/L
3445/C5	Ms J Marchant	GB.1/L
3447/C1	Mr D Carr	GB.1/L
3448/C5	Ms E Lomath	GB.1/L
3449/C8	Mr R A Trebess	GB.1/L
3449/C11	Mr R A Trebess	GB.1/L
3454/C2	Mr K Foulger	GB.1/L
3455/C2	Mrs J Foulger	GB.1/L
3456/C3	Mr M Saunders	GB.1/L
3457/C2	Mr T Brett	GB.1/L
3459/C3	Mr R F Porter	GB.1/L
3461/C2	Ms C Lorraine	GB.1/L
3461/C5	Ms C Lorraine	GB.1/L
3461/C12	Ms C Lorraine	GB.1/L
3461/C15	Ms C Lorraine	GB.1/L
3462/C1	Mr S Lorraine	GB.1/L
3469/C1	Mr T F Mattock	GB.1/L
3494/C2	Mr A Wilkes	GB.1/L
3495/C1	Mr & Mrs I J M Pring	GB.1/L
3512/C2	Mr N S Hackett	GB.1/L
3516/C2	Mr & Mrs J Coghlan	GB.1/L
3518/C3	Mr Q Lambert	GB.1/L
3523/C1	Miss M Anderson	GB.1/L
3528/C5	Ms M Cooper	GB.1/L
3548/C2	Mr T Hardick	GB.1/L
3552/C4	Mrs A McCarron	GB.1/L
3553/C9	Mr P McCarron	GB.1/L
3557/C4	Mr R Plant	GB.1/L
3558/C4	Mrs J Plant	GB.1/L
3559/C3	Mr I Argyle	GB.1/L
3560/C2	Mrs J Argyle	GB.1/L
3574/C4	Mr A Masters	GB.1/L
3576/C3	Mr J O'Shea	GB.1/L
3578/C1	Mrs V O'Shea	GB.1/L
3579/C1	Mr A W Young	GB.1/L

3582/C1	Ms J Heseltine	GB.1/L
3610/C1	Ms E Herbert	GB.1/L
3626/C5	Bath Friends of the Earth	GB.1/L
2395/B2	Mrs T Malhotra	GB.1 boundary

Supporting Statements

505/B31	Bathampton Parish Council	GB.1
505/B32	Bathampton Parish Council	GB.1
2050/B6	Greenway - The Residents Forum from Lyncombe Vale to Beechen Cliff	GB.1
1999/C14	Bristol City Council	GB.1/D
3116/C101	Bath & North East Somerset Allotment Association	GB.1/E
589/C12	Bath City Football Club	GB.1/F
120/C273	Ms Helen Woodley	GB.1/G
120/C272	Ms Helen Woodley	GB.1/H
3520/C2	Dr J Allen	GB.1/L
3529/C2	Mr S Coombe	GB.1/L
3598/C3	Mr G Bloor	GB.1/L
3607/C2	Mr C M Stevens	GB.1/L
3622/C1	Wessex Water	GB.1/L

SECTION 10 - Chapter C2

Chapter C2 - Policy NE.3 and Paragraph C2.19

Objections

3257/C197	Somer Valley Friends of the Earth	C2.19/A
462/B25	Gleeson Homes	NE.3
1871/B1	Mr M Horsford	NE.3
2050/B4	Greenway - The Residents Forum from Lyncombe Vale to Beechen Cliff	NE.3
2050/B10	Greenway - The Residents Forum from Lyncombe Vale to Beechen Cliff	NE.3
2208/B1	Mrs G Payne	NE.3
2407/B1	Mrs D Barker	NE.3
2649/B2	The Duchy of Cornwall	NE.3
3081/B2	Mr D Hall	NE.3
3278/B13	Persimmon Homes (Wessex) Ltd	NE.3
3320/B1	Mr & Mrs D Blackford	NE.3
3219/B1	The Hon Andrew Jolliffe	NE.3
3219/B2	The Hon Andrew Jolliffe	NE.3
2686/C15	Norton Radstock Regeneration Company	NE.3/C
2686/D27	Norton Radstock Regeneration Company	PIC/C/5 (NE.3)
3257/D297	Somer Valley Friends of the Earth	PIC/C/5 (NE.3 Map 19b)
3298/D86	Cam Valley Wildlife Group	PIC/C/5 (NE.3)

Supporting Statements

9/B15	David Chalk	NE.3
46/B2	Mr R M Ludlow	NE.3
120/B110	Ms Helen Woodley	NE.3
376/B8	Mr I Wallis	NE.3
455/B17	Avon Wildlife Trust	NE.3
510/B9	Welton Vale Protection Group	NE.3
644/B4	Mr D A Rastrick	NE.3
652/B2	Mrs V G Rastrick	NE.3
1251/B7	Mr T Body	NE.3
1905/B1	Ms L Dando	NE.3
1911/B1	Mr & Mrs Broomhead	NE.3
1912/B1	Mrs J Dark	NE.3
1913/B1	Mr C Wellington	NE.3

1914/B1	Ms R Wellington	NE.3
1924/B2	Mr & Mrs N Bridges	NE.3
1925/B1	Mr & Mrs R Greenman	NE.3
1926/B1	Ms J Probert	NE.3
1928/B2	Mr & Mrs D L Handley	NE.3
1930/B2	Mrs J A Sharp	NE.3
1932/B3	Cllr G Derrick	NE.3
1934/B1	Mr J Presley	NE.3
1939/B1	Ms J Wellington	NE.3
1941/B1	Mr B Wellington	NE.3
1942/B1	Mr & Mrs A Hayes	NE.3
1946/B1	Mr D Clayton	NE.3
1952/B1	Mr & Mrs P Down	NE.3
1953/B1	Mr F Handley	NE.3
1962/B1	Mr T Fricker	NE.3
1963/B1	Ms C Brittyn	NE.3
1964/B1	Mr D V Smith	NE.3
1965/B1	Mr A J Hillier	NE.3
1966/B1	Ms I D Heal	NE.3
1967/B1	Ms M R Hillman	NE.3
1977/B1	Mr & Mrs J Tanner	NE.3
1978/B2	Mr & Mrs Young	NE.3
1988/B1	Mrs M & Mr J Baber	NE.3
2130/B1	Ms A Hasell	NE.3
2131/B1	Mr & Mrs M Brooks	NE.3
2132/B1	Mr & Mrs K J Garside	NE.3
2151/B1	Mr & Mrs A E Miché	NE.3
2157/B1	Mr N Harrison	NE.3
2158/B1	Mrs Z Haworth	NE.3
2159/B1	Ms J Docherty	NE.3
2161/B1	Mr & Mrs G Moor	NE.3
2163/B1	Mr & Mrs M Perry	NE.3
2174/B1	Mr & Mrs A W Gibbs	NE.3
2175/B1	Mr D E M Phillips	NE.3
2188/B1	Mr & Mrs J Tudor	NE.3
2207/B1	Mr C Payne	NE.3
2209/B1	Mr P Beck	NE.3
2212/B1	Mr & Mrs C Coomes	NE.3
2252/B1	Mr J W Bendle	NE.3
2254/B1	Mr & Mrs N P Rundle	NE.3
2304/B1	Mr & Mrs Allward	NE.3
2305/B1	Ms C Slade	NE.3
2316/B1	Mr C E Russell	NE.3
2319/B1	Mrs C Chinnery	NE.3
2370/B1	Mrs E H Fry	NE.3
2371/B1	Ms P Read	NE.3
2379/B1	Mrs C Jones	NE.3
2381/B1	Mrs I Brooks	NE.3
2409/B1	Mr T T Randall	NE.3
2410/B1	Mrs E Randall	NE.3
2411/B1	Mr M Randall	NE.3
2426/B1	Ms J Chalk	NE.3
2432/B1	Mr D Benson	NE.3
2456/B1	Mrs I Benson	NE.3
2646/B1	Mr T G Wise	NE.3
2688/B1	Ms S Weeks	NE.3
2792/B1	Ms D Body	NE.3
2811/B1	Mr H A Henry	NE.3
2812/B1	Ms G W Witcombe	NE.3
2820/B1	Ms S Wise	NE.3
2828/B1	Mr L Targett	NE.3
2874/B1	Mr G Stansfield	NE.3

2876/B1	Ms R Colbourne	NE.3
2948/B1	Mr R J Cannings	NE.3
2949/B1	Mrs C M E Lydiard Cannings	NE.3
2954/B1	Mr G C Webb	NE.3
3012/B2	Cllr G Doswell	NE.3
3143/B1	Mr & Mrs S S Brewer	NE.3
3166/B1	Mr S G Chivers	NE.3
3167/B1	Mr G A Padfield	NE.3
3168/B1	Mrs P Padfield	NE.3
3173/B2	Bloomfield Road Residents Association	NE.3
3190/B1	Mrs G Coleshill	NE.3
3190/B2	Mrs G Coleshill	NE.3
3298/B18	Cam Valley Wildlife Group	NE.3
120/C242	Ms Helen Woodley	NE.3/C
2686/D20	Norton Radstock Regeneration Company	PIC/C/5 (NE.3 Map 19b)

SECTION 11 - Chapter C3

Chapter C3 - Policy BH.15 and Paragraph C3.71A

Objections

686/B117	Bath Preservation Trust	C3.72
120/B42	Ms Helen Woodley	BH.15
287/B4	Mr David Dunn	BH.15
322/B10	Greenvale Residents Association	BH.15
564/B16	London Road Area Residents Association	BH.15
566/B8	Clutton Parish Council	BH.15
589/B8	Bath City Football Club	BH.15
687/B7	Peasedown St John Parish Council	BH.15
697/B2	Twerton Park Properties Ltd	BH.15
697/B5	Twerton Park Properties Ltd	BH.15
730/B17	Timsbury Parish Council	BH.15
2143/B1	Mr & Mrs A Vickers	BH.15
2150/B1	Mr & Mrs M Robson	BH.15
2307/B1	Mr Barry Wheeler	BH.15
2310/B1	Beechcroft Developments	BH.15
2324/B2	Mrs S Johnston	BH.15
2399/B1	Mr P Stevens	BH.15
2448/B6	Mr J Sewart	BH.15
2605/B1	Mr K O'Callaghan	BH.15
2637/B1	Mr K Dodd	BH.15
2638/B3	High Littleton & Hallatrow Village Design Team	BH.15
2643/B1	Mr & Mrs C P Kingwill	BH.15
2648/B1	Persimmon Homes (Wessex) Ltd	BH.15
2654/B1	Mr & Mrs S Skelhorn	BH.15
2655/B1	Mrs J R Nicholls	BH.15
2661/B1	Mr C D M Davey	BH.15
2978/B1	Mrs E Freeman	BH.15
2980/B1	Mr & Mrs J D Pearce	BH.15
3193/B1	Mr & Mrs C L Rylance	BH.15
3207/B2	Cindabi (International) Ltd	BH.15
3234/B1	Mr R Lovegrove	BH.15
3234/B2	Mr R Lovegrove	BH.15
3249/B1	Kingswood School	BH.15
3249/B2	Kingswood School	BH.15
3260/B3	Bath Rugby plc	BH.15
3260/B5	Bath Rugby plc	BH.15
3261/B8	Bath & North East Somerset Primary Care Trust	BH.15
3274/B2	The Girls'Day School Trust	BH.15
3274/B4	The Girls'Day School Trust	BH.15

3279/D13	Sainsbury's Supermarkets Ltd	PIC/C/29 (NE.14 Inset Map 31a)
3302/B2	V Vivian Pension Scheme	Inset Map 31
3302/B3	V Vivian Pension Scheme	BH.15
3322/B4	Mr & Mrs A Douglas	BH.15
3645/D2	RPS Group plc	PIC/C/29 (NE.14 Inset Maps 31- 31a)
3274/C7	The Girls'Day School Trust	BH.15/A
295/C2	Mr & Mrs R N Ford	BH.15/C
3540/C1	Mr & Mrs A Roper	BH.15/C
3613/C2	Mrs K A Wilcox	BH.15/C
42/C18	CPRE	BH.15/D
120/C261	Ms Helen Woodley	BH.15/D
589/C11	Bath City Football Club	BH.15/D
3116/C95	Bath & North East Somerset Allotment Association	BH.15/E
3116/C126	Bath & North East Somerset Allotment Association	BH.15/H
3394/C1	Cllr A Furse	BH.15/H
3116/C126	Bath & North East Somerset Allotment Association	BH.15/H
3394/C1	Cllr A Furse	BH.15/H
3493/C4	Bath & Wells Diocesan Board of Finance	BH.15/L
3493/C4	Bath & Wells Diocesan Board of Finance	BH.15/L

Supporting Statements

120/C239	Ms Helen Woodley	C3.71/A
292/C4	Timsbury Cricket Club	C3.71/A
292/C8	Timsbury Cricket Club	C3.71/A
1872/C4	Mr & Mrs I J Winfield	C3.71/A
1872/C8	Mr & Mrs I J Winfield	C3.71/A
1885/C5	Mrs J Hibbett	C3.71/A
1885/C8	Mrs J Hibbett	C3.71/A
1886/C5	MS G D Gaines	C3.71/A
1887/C5	Mrs M Moon	C3.71/A
1887/C7	Mrs M Moon	C3.71/A
1888/C5	Mr C Knowlton	C3.71/A
1888/C7	Mr C Knowlton	C3.71/A
1889/C6	Ms E Hebden	C3.71/A
1889/C8	Ms E Hebden	C3.71/A
1890/C5	Mrs M Fuller	C3.71/A
1890/C7	Mrs M Fuller	C3.71/A
1891/C3	Mrs G Price	C3.71/A
1891/C7	Mrs G Price	C3.71/A
1892/C5	Mr C Dunster	C3.71/A
1892/C8	Mr C Dunster	C3.71/A
1915/C4	Mr A Fullalove	C3.71/A
1916/C6	Access B&NES	C3.71/A
1916/C8	Access B&NES	C3.71/A
1927/C3	Mr & Mrs A Waugh	C3.71/A
1927/C7	Mr & Mrs A Waugh	C3.71/A
1929/C5	Mr A L Lewis	C3.71/A
1929/C8	Mr A L Lewis	C3.71/A
1931/C3	Mrs K Mulvaney	C3.71/A
2002/C4	Mr R J Young	C3.71/A
2002/C7	Mr R J Young	C3.71/A
2017/C5	Mr G Eastment	C3.71/A
2017/C7	Mr G Eastment	C3.71/A
2322/C4	Ms Tennant-Bone	C3.71/A
2322/C8	Ms Tennant-Bone	C3.71/A
2328/C6	Mr G C Bratt	C3.71/A
2328/C9	Mr G C Bratt	C3.71/A
2330/C5	Mr & Mrs R Button	C3.71/A
2330/C9	Mr & Mrs R Button	C3.71/A
2344/C3	Mr & Mrs Holbrook and Family	C3.71/A
2344/C7	Mr & Mrs Holbrook and Family	C3.71/A

2374/C5	Mr N R Crocker	C3.71/A
2374/C7	Mr N R Crocker	C3.71/A
2378/C4	Mr & Mrs P G Pierce	C3.71/A
2378/C7	Mr & Mrs P G Pierce	C3.71/A
2383/C5	Mr L Hebden	C3.71/A
2383/C7	Mr L Hebden	C3.71/A
2384/C5	Ms G Shreeves	C3.71/A
2384/C7	Ms G Shreeves	C3.71/A
2385/C3	Ms J Eittle	C3.71/A
2387/C4	Mr & Mrs J Greenwood	C3.71/A
2387/C8	Mr & Mrs J Greenwood	C3.71/A
2390/C3	Mr & Mrs J E Newth	C3.71/A
2390/C8	Mr & Mrs J E Newth	C3.71/A
2406/C4	Mr G Nicholls	C3.71/A
2406/C8	Mr G Nicholls	C3.71/A
2408/C3	Ms S Moss	C3.71/A
2415/C3	Mr M R Gray	C3.71/A
2415/C6	Mr M R Gray	C3.71/A
2419/C4	Ms C Jackson	C3.71/A
2419/C8	Ms C Jackson	C3.71/A
2421/C3	Mr A Humphrey	C3.71/A
2421/C6	Mr A Humphrey	C3.71/A
2422/C3	Mrs K Willox	C3.71/A
2422/C7	Mrs K Willox	C3.71/A
2427/C3	Mr P R Smith	C3.71/A
2427/C7	Mr P R Smith	C3.71/A
2996/C4	Mrs M E Deacon	C3.71/A
2996/C8	Mrs M E Deacon	C3.71/A
3028/C3	Mr & Mrs D P Bassil	C3.71/A
3028/C7	Mr & Mrs D P Bassil	C3.71/A
3030/C4	Mr R Tranter	C3.71/A
3030/C8	Mr R Tranter	C3.71/A
3032/C4	Ms V B Davies	C3.71/A
3032/C8	Ms V B Davies	C3.71/A
3039/C4	Ms D Gray	C3.71/A
3039/C8	Ms D Gray	C3.71/A
3355/C5	Mr D E Deacon	C3.71/A
3356/C2	Mr H Nowell	C3.71/A
3356/C6	Mr H Nowell	C3.71/A
3367/C3	Ms R Gardner	C3.71/A
3370/C3	Timsbury Athletic Football Club	C3.71/A
3383/C2	Mr L Davis	C3.71/A
3383/C6	Mr L Davis	C3.71/A
3396/C3	Mr & Mrs G Moore	C3.71/A
3396/C6	Mr & Mrs G Moore	C3.71/A
3403/C2	Mr M Cleeveley	C3.71/A
3403/C7	Mr M Cleeveley	C3.71/A
3405/C2	Mr S R Kerr	C3.71/A
3405/C6	Mr S R Kerr	C3.71/A
3406/C2	Mr D Nowell	C3.71/A
3406/C5	Mr D Nowell	C3.71/A S
3408/C2	Mr M P Hawkins	C3.71/A
3409/C1	Mr B Stevenson	C3.71/A
3409/C6	Mr B Stevenson	C3.71/A
3411/C3	Mr S Dredge	C3.71/A
3411/C7	Mr S Dredge	C3.71/A
3412/C2	Mr M B Parfitt	C3.71/A
3412/C6	Mr M B Parfitt	C3.71/A
3424/C2	Mr M Sage	C3.71/A
3424/C6	Mr M Sage	C3.71/A
3425/C2	Mr D Neale	C3.71/A
3425/C7	Mr D Neale	C3.71/A

3426/C3	Mr N Cleeveley	C3.71/A
3426/C7	Mr N Cleeveley	C3.71/A
3429/C2	Timsbury Cricket Club	C3.71/A
3429/C6	Timsbury Cricket Club	C3.71/A
3432/C2	Mr M J Gray	C3.71/A
3433/C3	Mr G M Jackson	C3.71/A
3433/C7	Mr G M Jackson	C3.71/A
3434/C3	Ms L Robinson	C3.71/A
3434/C7	Ms L Robinson	C3.71/A
3452/C3	Mr D Sage	C3.71/A
3452/C7	Mr D Sage	C3.71/A
3453/C3	Mr N Hucker	C3.71/A
3453/C7	Mr N Hucker	C3.71/A
3458/C3	Mr & Mrs P Hancock	C3.71/A
3458/C7	Mr & Mrs P Hancock	C3.71/A
3464/C2	Mr B Wilkins	C3.71/A
3464/C7	Mr B Wilkins	C3.71/A
3471/C4	Ms C Hebden	C3.71/A
3471/C7	Ms C Hebden	C3.71/A
3472/C4	Mr R Clarke	C3.71/A
3472/C7	Mr R Clarke	C3.71/A
3473/C3	Mrs B J Biggs	C3.71/A
3473/C7	Mrs B J Biggs	C3.71/A
3474/C2	Mr A Ricards	C3.71/A
3474/C7	Mr A Ricards	C3.71/A
3476/C2	Mr E Chivers	C3.71/A
3476/C6	Mr E Chivers	C3.71/A
3477/C4	Ms K Newman	C3.71/A
3478/C2	Mr L J Berry	C3.71/A
3478/C6	Mr L J Berry	C3.71/A
3479/C3	Mr D Biggs	C3.71/A
3479/C7	Mr D Biggs	C3.71/A
3480/C2	Mrs M Chivers	C3.71/A
3480/C6	Mrs M Chivers	C3.71/A
3481/C4	Ms R Day	C3.71/A
3482/C4	Mr B Curtis	C3.71/A
3483/C2	Mr J Newman	C3.71/A
3486/C3	Mrs J Berry	C3.71/A
3486/C7	Mrs J Berry	C3.71/A
3487/C2	Mr L Travetti	C3.71/A
3488/C3	Mr M Tucker	C3.71/A
3488/C7	Mr M Tucker	C3.71/A
3489/C3	Ms C J Bateman	C3.71/A
3489/C7	Ms C J Bateman	C3.71/A
3490/C2	Mr M Smith	C3.71/A
3491/C2	Mr O Weaver	C3.71/A
3497/C2	Mrs R York	C3.71/A
3498/C1	Mr R O'Sullivan	C3.71/A
3499/C2	Mr C York	C3.71/A
3500/C2	Mrs G Collins	C3.71/A
3501/C2	Mrs P O'Sullivan	C3.71/A
3502/C3	Ms D Clarke	C3.71/A
3502/C6	Ms D Clarke	C3.71/A
3503/C4	Mr B Clarke	C3.71/A
3504/C4	Mrs B I Clarke	C3.71/A
3505/C4	Mr S Hill	C3.71/A
3507/C4	Ms L Hill	C3.71/A
3539/C3	Mrs S Forsythe	C3.71/A
3539/C7	Mrs S Forsythe	C3.71/A
3541/C2	Mr M Passingham	C3.71/A
3541/C6	Mr M Passingham	C3.71/A
3542/C4	Dr G Harrison Smith	C3.71/A

3543/C2	Mr M McGreevy	C3.71/A
3543/C6	Mr M McGreevy	C3.71/A
3554/C3	Mrs C Passingham	C3.71/A
3554/C6	Mrs C Passingham	C3.71/A
3555/C2	Ms S Jones	C3.71/A
3555/C6	Ms S Jones	C3.71/A
3556/C2	Mr A Forbes	C3.71/A
3556/C6	Mr A Forbes	C3.71/A
3562/C3	Mr J Hare	C3.71/A
3562/C7	Mr J Hare	C3.71/A
3563/C3	Mr C Hare	C3.71/A
3563/C7	Mr C Hare	C3.71/A
3573/C3	Mr M J Scott	C3.71/A
3573/C7	Mr M J Scott	C3.71/A
3575/C2	Mr G Passingham	C3.71/A
3575/C6	Mr G Passingham	C3.71/A
3577/C3	Ms V Hoskins	C3.71/A
3577/C7	Ms V Hoskins	C3.71/A
3585/C3	Miss P Bramley	C3.71/A
3585/C7	Miss P Bramley	C3.71/A
3586/C2	Mr S Clothier	C3.71/A
3586/C6	Mr S Clothier	C3.71/A
3587/C3	Mr D Forsythe	C3.71/A
3587/C6	Mr D Forsythe	C3.71/A
3592/C2	Ms S J Lewis	C3.71/A
3592/C6	Ms S J Lewis	C3.71/A
3593/C2	Mr K D Lewis	C3.71/A
3593/C6	Mr K D Lewis	C3.71/A
115/B2	Waterside Action Group	BH.15
120/D305	Mrs H Woodley	PIC/B/27 (CF.8 PM Inset 31)
120/D337	Mrs H Woodley	PIC/C/6 (NE.3 Inset 31)
120/D363	Mrs H Woodley	PIC/C/19 (NE.9 Inset 31/31A)
322/B9	Greenvale Residents Association	BH.15
451/B18	Mr D E Deacon	BH.15
651/B7	Mr Warren	BH.15
730/B22	Timsbury Parish Council	BH.15
1859/B2	Mr D Kennedy	BH.15
1872/B1	Mr & Mrs I J Winfield	BH.15
1885/B1	Mrs J Hibbett	BH.15
1886/B1	MS G D Gaines	BH.15
1887/B1	Mrs M Moon	BH.15
1888/B1	Mr C Knowlton	BH.15
1889/B2	Ms E Hebden	BH.15
1890/B1	Mrs M Fuller	BH.15
1891/B1	Mrs G Price	BH.15
1892/B1	Mr C Dunster	BH.15
1915/B1	Mr A Fullalove	BH.15
1916/B1	Access B&NES	BH.15
1927/B1	Mr & Mrs A Waugh	BH.15
1929/B1	Mr A L Lewis	BH.15
1931/B1	Mrs K Mulvaney	BH.15
1950/B1	St Stephens Allotments Society	BH.15
1956/B1	St Stephens Millenium Green Trust	BH.15
1957/B1	Mr J M Buffton	BH.15
1996/B1	Mr & Mrs P Bradshaw	BH.15
1998/B2	Ms J Bennett	BH.15
2001/B1	Miss N Boren	BH.15
2002/B1	Mr R J Young	BH.15
2007/B1	Mrs J L Durk	BH.15
2017/B1	Mr G Eastment	BH.15
2032/B2	Mr R Tobin	BH.15
2033/B1	Mrs A Tobin	BH.15

2034/B2	Mr D F Boyd	BH.15
2035/B2	Mr W W Hanna	BH.15
2036/B2	Mrs L S Baker	BH.15
2037/B2	Mr B J Baker	BH.15
2038/B3	Ms A Steen	BH.15
2039/B2	Ms R H Stringer	BH.15
2040/B2	Mr A H Stringer	BH.15
2041/B2	Ms P R Wheeler	BH.15
2042/B2	Mrs T Ellis	BH.15
2043/B2	Mr P M Ellis	BH.15
2044/B2	Mr G Butler	BH.15
2045/B2	Mr D R Prosser	BH.15
2046/B2	Mrs A Prosser	BH.15
2047/B2	Mr B Sweetman	BH.15
2048/B2	Ms F Sweetman	BH.15
2049/B2	Ms J Newbury	BH.15
2050/B8	Greenway - The Residents Forum from Lyncombe Vale to Beechen Cliff	BH.15
2051/B2	Mr P Burfoot	BH.15
2059/B2	Mr P J Dolan	BH.15
2060/B2	Mrs A M H Dolan	BH.15
2061/B2	Mrs H Canham	BH.15
2062/B2	Mr J Canham	BH.15
2063/B2	Cdr N S H Buckland	BH.15
2064/B2	Mr D J Fogden	BH.15
2065/B2	Mr K L Glass	BH.15
2066/B2	Mr A Snell	BH.15
2067/B2	Mr T Hastings	BH.15
2068/B2	Mrs A Hastings	BH.15
2069/B2	Mr D Hampton	BH.15
2070/B2	Mrs J Hampton	BH.15
2071/B2	Mr & Mrs T Leland	BH.15
2072/B2	Mr & Mrs D Stafford	BH.15
2073/B2	Mr B Stradling	BH.15
2074/B2	Mrs F J M Stradling	BH.15
2075/B1	Mr C J Twiss	BH.15
2076/B2	Ms A S Petter	BH.15
2077/B2	Mr S Petter	BH.15
2078/B2	Dr S J Hayward	BH.15
2080/B1	Ms B Blanchard	BH.15
2081/B1	Mrs L A Platt	BH.15
2082/B1	Mr R B Platt	BH.15
2084/B1	Mr M A Phelp	BH.15
2085/B1	Ms N Robertson	BH.15
2086/B1	Mr W Robertson	BH.15
2090/B1	Mrs C Thomas	BH.15
2091/B1	Mrs C M Hayward	BH.15
2092/B1	Ms J Legge	BH.15
2093/B1	Mr G Lee	BH.15
2095/B1	Mr S W Frith	BH.15
2096/B1	Rev R Nunn	BH.15
2097/B2	Ms T Lee	BH.15
2099/B2	Mr M Harding	BH.15
2100/B2	Mrs J South	BH.15
2101/B2	Mr J South	BH.15
2102/B1	Dr E R Gardner	BH.15
2103/B1	Ms K Davey	BH.15
2104/B1	Mr S Hayward	BH.15
2105/B1	Ms P Hayward	BH.15
2106/B1	Greenway Lane Residents' Forum	BH.15
2108/B1	Mrs M D Spiller	BH.15
2109/B2	Ms R Stanton	BH.15
2110/B1	Mrs M Nunn	BH.15

2111/B1	Mrs M M Carter	BH.15
2112/B1	Mr G D E Sanvicens	BH.15
2113/B2	Mr H A Carter	BH.15
2114/B2	Ms P Toplis	BH.15
2138/B1	Ms P Harboard	BH.15
2139/B2	Ms M Jenkins	BH.15
2140/B1	Mr P Jenkins	BH.15
2141/B1	Mr G Hunt	BH.15
2142/B2	Mrs O Hunt	BH.15
2144/B1	Mr M O'Sullivan	BH.15
2153/B2	Mr P M Chant	BH.15
2237/B1	Ms Margret	BH.15
2238/B1	Ms S Youd	BH.15
2239/B2	Mr R Holloway	BH.15
2240/B2	Ms C Holloway	BH.15
2266/B2	Mrs G R Seymour	BH.15
2290/B1	Mrs L Amos	BH.15
2322/B1	Ms Tennant-Bone	BH.15
2328/B1	Mr G C Bratt	BH.15
2330/B1	Mr & Mrs R Button	BH.15
2337/B1	Ms C Greenaway	BH.15
2338/B1	Mr J Ingram	BH.15
2344/B1	Mr & Mrs Holbrook and Family	BH.15
2374/B1	Mr N R Crocker	BH.15
2378/B1	Mr & Mrs P G Pierce	BH.15
2382/B1	Mr E Brimble	BH.15
2383/B1	Mr L Hebden	BH.15
2384/B1	Ms G Shreeves	BH.15
2385/B1	Ms J Ettle	BH.15
2387/B1	Mr & Mrs J Greenwood	BH.15
2390/B1	Mr & Mrs J E Newth	BH.15
2406/B1	Mr G Nicholls	BH.15
2408/B1	Ms S Moss	BH.15
2413/B1	Dr M Holbrook	BH.15
2415/B1	Mr M R Gray	BH.15
2417/B1	Ms F Nicholson	BH.15
2419/B1	Ms C Jackson	BH.15
2421/B1	Mr A Humphrey	BH.15
2422/B1	Mrs K Willox	BH.15
2427/B1	Mr P R Smith	BH.15
2428/B1	Mrs W A Bagley	BH.15
2435/B1	Sydney Buildings Householders' Association	BH.15
2689/B1	Ms M Crosland	BH.15
2690/B1	Mr M Lawman	BH.15
2691/B3	Mrs M Lawman	BH.15
2694/B1	Mr J Warin	BH.15
2696/B1	Mr H F Clare	BH.15
2799/B1	Mr & Mrs G A Cains	BH.15
2804/B1	Mr G Stewart	BH.15
2996/B2	Mrs M E Deacon	BH.15
3028/B1	Mr & Mrs D P Bassil	BH.15
3030/B1	Mr R Tranter	BH.15
3032/B1	Ms V B Davies	BH.15
3033/B1	Mr R C Hampshire	BH.15
3035/B1	Ms K Hampshire	BH.15
3036/B1	Ms C Watts	BH.15
3038/B1	Ms G Jackson	BH.15
3039/B1	Ms D Gray	BH.15
3040/B1	Mr A Mullins	BH.15
3042/B1	Mr A B Nix	BH.15
3042/B2	Mr A B Nix	BH.15
3161/B2	Rev P Calver	BH.15

3162/B1	Mrs D Calver	BH.15
3296/B1	Dr & Mrs H E Stutchbury	BH.15
120/C200	Ms Helen Woodley	BH.15/A
2050/C13	Greenway - The Residents Forum from Lyncombe Vale to Beechen Cliff	BH.15/A
3257/C242	Somer Valley Friends of the Earth	BH.15/A
120/C192	Ms Helen Woodley	BH.15/B
292/C5	Timsbury Cricket Club	BH.15/B
1872/C7	Mr & Mrs I J Winfield	BH.15/B
1885/C2	Mrs J Hibbett	BH.15/B
1886/C2	MS G D Gaines	BH.15/B
1887/C2	Mrs M Moon	BH.15/B
1888/C2	Mr C Knowlton	BH.15/B
1889/C3	Ms E Hebden	BH.15/B
1890/C2	Mrs M Fuller	BH.15/B
1891/C6	Mrs G Price	BH.15/B
1892/C2	Mr C Dunster	BH.15/B
1916/C3	Access B&NES	BH.15/B
1927/C2	Mr & Mrs A Waugh	BH.15/B
1929/C2	Mr A L Lewis	BH.15/B
1931/C4	Mrs K Mulvaney	BH.15/B
2001/C4	Miss N Boren	BH.15/B
2002/C3	Mr R J Young	BH.15/B
2007/C2	Mrs J L Durk	BH.15/B
2017/C2	Mr G Eastment	BH.15/B
2322/C7	Ms Tennant-Bone	BH.15/B
2328/C3	Mr G C Bratt	BH.15/B
2330/C8	Mr & Mrs R Button	BH.15/B
2344/C2	Mr & Mrs Holbrook and Family	BH.15/B
2374/C2	Mr N R Crocker	BH.15/B
2378/C6	Mr & Mrs P G Pierce	BH.15/B
2382/C4	Mr E Brimble	BH.15/B
2383/C3	Mr L Hebden	BH.15/B
2384/C2	Ms G Shreeves	BH.15/B
2385/C2	Ms J Eittle	BH.15/B
2387/C7	Mr & Mrs J Greenwood	BH.15/B
2390/C2	Mr & Mrs J E Newth	BH.15/B
2406/C7	Mr G Nicholls	BH.15/B
2408/C2	Ms S Moss	BH.15/B
2415/C2	Mr M R Gray	BH.15/B
2419/C9	Ms C Jackson	BH.15/B
2421/C2	Mr A Humphrey	BH.15/B
2422/C2	Mrs K Willox	BH.15/B
2427/C2	Mr P R Smith	BH.15/B
2996/C7	Mrs M E Deacon	BH.15/B
3028/C2	Mr & Mrs D P Bassil	BH.15/B
3030/C9	Mr R Tranter	BH.15/B
3032/C9	Ms V B Davies	BH.15/B
3039/C9	Ms D Gray	BH.15/B
3355/C1	Mr D E Deacon	BH.15/B
3356/C1	Mr H Nowell	BH.15/B
3383/C3	Mr L Davis	BH.15/B
3396/C5	Mr & Mrs G Moore	BH.15/B
3403/C1	Mr M Cleeveley	BH.15/B
3405/C3	Mr S R Kerr	BH.15/B
3406/C3	Mr D Nowell	BH.15/B
3409/C3	Mr B Stevenson	BH.15/B
3411/C6	Mr S Dredge	BH.15/B
3412/C1	Mr M B Parfitt	BH.15/B
3424/C1	Mr M Sage	BH.15/B
3425/C1	Mr D Neale	BH.15/B
3426/C8	Mr N Cleeveley	BH.15/B
3429/C1	Timsbury Cricket Club	BH.15/B

3432/C1	Mr M J Gray	BH.15/B
3433/C8	Mr G M Jackson	BH.15/B
3434/C8	Ms L Robinson	BH.15/B
3452/C8	Mr D Sage	BH.15/B
3453/C8	Mr N Hucker	BH.15/B
3458/C8	Mr & Mrs P Hancock	BH.15/B
3464/C1	Mr B Wilkins	BH.15/B
3471/C8	Ms C Hebden	BH.15/B
3472/C8	Mr R Clarke	BH.15/B
3473/C8	Mrs B J Biggs	BH.15/B
3474/C1	Mr A Ricards	BH.15/B
3475/C3	Mr D Vowles	BH.15/B
3476/C1	Mr E Chivers	BH.15/B
3477/C3	Ms K Newman	BH.15/B
3478/C1	Mr L J Berry	BH.15/B
3479/C6	Mr D Biggs	BH.15/B
3480/C1	Mrs M Chivers	BH.15/B
3481/C3	Ms R Day	BH.15/B
3482/C3	Mr B Curtis	BH.15/B
3483/C1	Mr J Newman	BH.15/B
3486/C6	Mrs J Berry	BH.15/B
3487/C3	Mr L Travetti	BH.15/B
3488/C8	Mr M Tucker	BH.15/B
3489/C8	Ms C J Bateman	BH.15/B
3490/C3	Mr M Smith	BH.15/B
3491/C1	Mr O Weaver	BH.15/B
3492/C1	Mr M Bryant	BH.15/B
3497/C3	Mrs R York	BH.15/B
3498/C2	Mr R O'Sullivan	BH.15/B
3499/C1	Mr C York	BH.15/B
3500/C1	Mrs G Collins	BH.15/B
3501/C1	Mrs P O'Sullivan	BH.15/B
3502/C5	Ms D Clarke	BH.15/B
3503/C1	Mr B Clarke	BH.15/B
3504/C1	Mrs B I Clarke	BH.15/B
3505/C3	Mr S Hill	BH.15/B
3507/C3	Ms L Hill	BH.15/B
3539/C6	Mrs S Forsythe	BH.15/B
3541/C1	Mr M Passingham	BH.15/B
3542/C3	Dr G Harrison Smith	BH.15/B
3543/C1	Mr M McGreevy	BH.15/B
3554/C1	Mrs C Passingham	BH.15/B
3555/C1	Ms S Jones	BH.15/B
3556/C1	Mr A Forbes	BH.15/B
3562/C6	Mr J Hare	BH.15/B
3563/C6	Mr C Hare	BH.15/B
3573/C6	Mr M J Scott	BH.15/B
3575/C1	Mr G Passingham	BH.15/B
3577/C6	Ms V Hoskins	BH.15/B
3585/C6	Miss P Bramley	BH.15/B
3586/C1	Mr S Clothier	BH.15/B
3587/C2	Mr D Forsythe	BH.15/B
3592/C1	Ms S J Lewis	BH.15/B
3593/C1	Mr K D Lewis	BH.15/B
292/C1	Timsbury Cricket Club	BH.15/C
292/C10	Timsbury Cricket Club	BH.15/C
730/C23	Timsbury Parish Council	BH.15/C
730/C25	Timsbury Parish Council	BH.15/C
1872/C2	Mr & Mrs I J Winfield	BH.15/C
1885/C3	Mrs J Hibbett	BH.15/C
1886/C3	MS G D Gaines	BH.15/C
1887/C3	Mrs M Moon	BH.15/C

1888/C3	Mr C Knowlton	BH.15/C
1889/C4	Ms E Hebden	BH.15/C
1890/C3	Mrs M Fuller	BH.15/C
1891/C2	Mrs G Price	BH.15/C
1892/C3	Mr C Dunster	BH.15/C
1915/C3	Mr A Fullalove	BH.15/C
1915/C6	Mr A Fullalove	BH.15/C
1916/C4	Access B&NES	BH.15/C
1927/C5	Mr & Mrs A Waugh	BH.15/C
1929/C3	Mr A L Lewis	BH.15/C
1931/C6	Mrs K Mulvaney	BH.15/C
2001/C2	Miss N Boren	BH.15/C
2002/C6	Mr R J Young	BH.15/C
2007/C4	Mrs J L Durk	BH.15/C
2017/C3	Mr G Eastment	BH.15/C
2017/C4	Mr G Eastment	BH.15/C
2322/C2	Ms Tennant-Bone	BH.15/C
2328/C4	Mr G C Bratt	BH.15/C
2330/C3	Mr & Mrs R Button	BH.15/C
2344/C5	Mr & Mrs Holbrook and Family	BH.15/C
2374/C3	Mr N R Crocker	BH.15/C
2378/C2	Mr & Mrs P G Pierce	BH.15/C
2382/C2	Mr E Brimble	BH.15/C
2383/C2	Mr L Hebden	BH.15/C
2384/C3	Ms G Shreeves	BH.15/C
2385/C5	Ms J Eittle	BH.15/C
2387/C2	Mr & Mrs J Greenwood	BH.15/C
2390/C6	Mr & Mrs J E Newth	BH.15/C
2406/C2	Mr G Nicholls	BH.15/C
2419/C2	Ms C Jackson	BH.15/C
2421/C5	Mr A Humphrey	BH.15/C
2422/C5	Mrs K Willox	BH.15/C
2427/C5	Mr P R Smith	BH.15/C
2428/C2	Mrs W A Bagley	BH.15/C
2428/C4	Mrs W A Bagley	BH.15/C
2996/C3	Mrs M E Deacon	BH.15/C
3028/C5	Mr & Mrs D P Bassil	BH.15/C
3030/C6	Mr R Tranter	BH.15/C
3032/C6	Ms V B Davies	BH.15/C
3039/C6	Ms D Gray	BH.15/C
3355/C2	Mr D E Deacon	BH.15/C
3356/C8	Mr H Nowell	BH.15/C
3367/C5	Ms R Gardner	BH.15/C
3370/C5	Timsbury Athletic Football Club	BH.15/C
3383/C7	Mr L Davis	BH.15/C
3389/C1	Mrs P H Hall	BH.15/C
3396/C1	Mr & Mrs G Moore	BH.15/C
3403/C5	Mr M Cleeveley	BH.15/C
3405/C8	Mr S R Kerr	BH.15/C
3406/C7	Mr D Nowell	BH.15/C
3408/C4	Mr M P Hawkins	BH.15/C
3409/C7	Mr B Stevenson	BH.15/C
3411/C2	Mr S Dredge	BH.15/C
3412/C8	Mr M B Parfitt	BH.15/C
3424/C4	Mr M Sage	BH.15/C
3425/C5	Mr D Neale	BH.15/C
3426/C5	Mr N Cleeveley	BH.15/C
3429/C4	Timsbury Cricket Club	BH.15/C
3432/C4	Mr M J Gray	BH.15/C
3433/C5	Mr G M Jackson	BH.15/C
3434/C5	Ms L Robinson	BH.15/C
3452/C5	Mr D Sage	BH.15/C

3453/C5	Mr N Hucker	BH.15/C
3458/C5	Mr & Mrs P Hancock	BH.15/C
3464/C4	Mr B Wilkins	BH.15/C
3471/C5	Ms C Hebden	BH.15/C
3472/C5	Mr R Clarke	BH.15/C
3473/C5	Mrs B J Biggs	BH.15/C
3474/C4	Mr A Ricards	BH.15/C
3475/C1	Mr D Vowles	BH.15/C
3476/C4	Mr E Chivers	BH.15/C
3477/C1	Ms K Newman	BH.15/C
3478/C4	Mr L J Berry	BH.15/C
3479/C1	Mr D Biggs	BH.15/C
3480/C4	Mrs M Chivers	BH.15/C
3481/C1	Ms R Day	BH.15/C
3482/C1	Mr B Curtis	BH.15/C
3483/C4	Mr J Newman	BH.15/C
3486/C1	Mrs J Berry	BH.15/C
3487/C5	Mr L Travetti	BH.15/C
3488/C5	Mr M Tucker	BH.15/C
3489/C5	Ms C J Bateman	BH.15/C
3490/C5	Mr M Smith	BH.15/C
3491/C5	Mr O Weaver	BH.15/C
3492/C3	Mr M Bryant	BH.15/C
3502/C1	Ms D Clarke	BH.15/C
3503/C2	Mr B Clarke	BH.15/C
3504/C2	Mrs B I Clarke	BH.15/C
3505/C1	Mr S Hill	BH.15/C
3506/C1	Mrs L Hill	BH.15/C
3507/C2	Ms L Hill	BH.15/C
3509/C1	Mr T Hill	BH.15/C
3519/C1	Mr M Davies	BH.15/C
3527/C1	Mrs D Ford	BH.15/C
3530/C1	Mr & Mrs R Cooper	BH.15/C
3538/C1	Mrs M Humphrey	BH.15/C
3539/C1	Mrs S Forsythe	BH.15/C
3541/C4	Mr M Passingham	BH.15/C
3542/C2	Dr G Harrison Smith	BH.15/C
3543/C4	Mr M McGreevy	BH.15/C
3544/C1	Mr & Mrs R Nix	BH.15/C
3546/C2	Mr & Mrs C Weston	BH.15/C
3554/C4	Mrs C Passingham	BH.15/C
3555/C4	Ms S Jones	BH.15/C
3556/C4	Mr A Forbes	BH.15/C
3561/C1	Mr & Mrs R J Bick	BH.15/C
3562/C1	Mr J Hare	BH.15/C
3563/C1	Mr C Hare	BH.15/C
3573/C1	Mr M J Scott	BH.15/C
3575/C4	Mr G Passingham	BH.15/C
3577/C1	Ms V Hoskins	BH.15/C
3585/C1	Miss P Bramley	BH.15/C
3586/C4	Mr S Clothier	BH.15/C
3587/C4	Mr D Forsythe	BH.15/C
3592/C4	Ms S J Lewis	BH.15/C
3593/C4	Mr K D Lewis	BH.15/C
3609/C2	Mr D M Williams	BH.15/C
120/C182	Ms Helen Woodley	BH.15/G
120/C183	Ms Helen Woodley	BH.15/I
120/C184	Ms Helen Woodley	BH.15/J
120/C181	Ms Helen Woodley	BH.15/L

APPENDIX 2 Compilation of Recommendations

All references in the report are to the consolidated version of the Local Plan March 2005 (Inquiry document A2.1.28). This means that where my recommendation is "no change", I am endorsing any Pre-Inquiry Change in that particular policy or text. Changes put forward during the Inquiry ("Inquiry Changes") are not included in the consolidated plan and are therefore highlighted in my recommendations where they occur. The following is a sequential list of my recommendations drawn from the preceding sections of the report where I am recommending that the plan be modified. The recommendations stating "no change" are not listed here.

Recommendations from Section 1 (Plan Chapters A1 - A5):

R1.1 Modify the plan by deleting paragraph A1.1 and Quick Guide 1.

R1.2 The Council to consider whether there is any need to retain sections A1.5-A1.11. If paragraph A1.10 is retained, the cross-reference at the end of the final sentence should be replaced with "(see Section A2)".

R1.3 The Council to update population figures (such as in paragraph A1.20).

R1.4 Modify the plan by deleting Quick Guide 2 and, if reference to the National Sustainable Development Objectives is to be retained, incorporate in paragraph A2.2;

R1.5 Modify the plan by deleting paragraph A2.3.

R1.6 Modify the plan by deleting paragraphs A3.1-A3.4 and, if possible, by inserting a clear, succinct vision relevant to the task of the Local Plan.

R1.7 Modify the plan by deleting heading "Overall Strategy", paragraph A3.7 and the Key Objectives – Overall Strategy (OS.1-OS.3).

R1.8 Modify the plan by deleting Quick Guide 4.

R1.9 Modify objective E.6 by inserting "quantity and" after "improve the".

R1.10 Modify the plan by deleting the heading "Sustainable Development Policy", paragraph A3.15, and Policy 1.

R1.11 Modify the plan by deleting paragraphs A3.17 and A3.17A and substituting:

"In order to maintain the character and setting of the City, consistent with its status as a World Heritage site and with the objectives of the Bristol/Bath Green Belt, the focus for development and change will be the existing built up area. The plan makes one change to the Green Belt boundary to allow for the expansion of the University of Bath".

R1.12 Modify the Plan by deleting paragraphs A3.18 and A3.18A from the RDDLP and reinstating paragraph A3.18 from the DDLP.

R1.13 Modify the plan by deleting the text of paragraph A3.20 and substituting:

“To create a sustainable pattern of development within Norton-Radstock, new residential development will be limited to that required to ensure the plan is able to provide an adequate supply of housing land within the plan period. Development will be mainly on brownfield sites, and will include mixed use schemes wherever appropriate in order to contribute to the provision of modern employment facilities.”

R1.14 Modify paragraph A4.7 by adding at the beginning:

“Where the use of planning conditions would not be appropriate, planning obligations may be sought in order to make acceptable development proposals which would otherwise not be granted planning permission.”;

by deleting: “Another method of securing such improvements is by mean of Planning Obligations” inserting “Planning obligations are” and removing the brackets around the rest of the sentence.

R1.15 Modify Policy IMP.1 by deleting the text and substituting:

“In determining planning applications, Planning Obligations under section 106 of the Town and Country Planning Act 1990 may be sought:

- i) where a particular form of development is required to comply with policy; or
- ii) to provide compensatory provision for what is lost or damaged as a result of the development; or
- iii) to mitigate an otherwise unacceptable impact of the development on local facilities and infrastructure; or
- iv) to overcome any other identified harm which would make the development otherwise unacceptable.”

R1.16 Modify paragraph A4.15 by deleting “thus possibly refusing the application” and inserting “resulting in the refusal of the application”.

R1.17 Modify the plan by deleting paragraph A4.23 and substituting:

“A new system of development plans has been introduced by the Planning and Compulsory Purchase Act 2004. As a result, this “old style” Local Plan will be saved for only three years from adoption. The Council’s Local Development Scheme sets out the timetable for the preparation of the documents forming the new Local Development Framework which will replace this Local Plan. The new system will provide greater flexibility for the review of policies and proposals as they become out of date.”

R1.18 Modify the Plan by deleting:

paragraph A4.26A;

paragraph A4.26B after the 2nd sentence;

paragraph A4.26C;

and by updating the remaining paragraphs as necessary.

R1.19 The Council to consider whether any of the points listed under Paragraph A4.26A should be incorporated into Chapter B9 under the heading "Bath" before Policy GDS.1/B1.

R1.20 Modify paragraph A4.27 by:

deleting first sentence and substituting:

"Planning permission has been granted for the major redevelopment of the Southgate area of Bath city centre, and a Compulsory Purchase Order has been confirmed by the Secretary of State to enable the scheme to proceed." and

deleting final sentence.

R1.21 Council to clarify the headings/sub headings to paragraphs A4.29-A4.31 (and more generally all those under "Promoting Development Projects") and update text in A4.29.

R1.22 Modify the plan by deleting paragraph A4.40 and the list of strategies.

R1.23 The Council reconsider the targets and indicators to ensure they are measurable; consistent with the objective of the policy the target is intended to measure; are based on indicators which will provide a clear indication of success or failure and measure what is important.

R1.24 Delete Targets 1 and 2 and Indicators 1 and 2.

R1.25 Target 3 and its associated indicator be reviewed so as to relate to the development/implementation of permitted employment sites and buildings.

R1.25 Indicator 4 be reviewed to identify a clear measure of success or failure or, alternatively, delete the target.

R1.26 Target 5 and the related Indicator be reviewed to more closely relate to policy or, alternatively, delete the target.

R1.27 Target 10 be modified by deleting the existing wording and substituting:

"Make provision which will deliver 6,855 additional dwellings within the plan period."

R1.28 Target 11 be modified to reflect Policy HG.8 as recommended to be modified.

R1.29 The Council to reassess Target 14 to ensure that it is realistic in the light of experience to date and roll-forward the timescale.

R1.30 Roll forward Target 13 if revised national targets for the period are available.

R1.31 Modify the plan by deleting Target 19 and the corresponding indicator.

R1.32 Modify the plan by identifying an indicator for Target 18 which better measures success in achieving the provision of additional planting.

R1.33 Modify Target 20 by deleting "60%" and inserting "50%"

R1.34 Modify the plan by deleting Target 23 and the related indicator.

R1.35 Modify the plan by deleting Policy D.1.

R1.36 Modify Policy D.2 by:

deleting criteria d) and e);

Reviewing the need for criterion h) and, if retained, specify more clearly what aspects of the living conditions of existing residents and the future residents of the proposed development are to be given consideration.

R1.37 Delete paragraph A5.32.

R1.38 Modify the plan by deleting Policy D.3.

R1.39 Modify Policy D.2 by inserting the following additional criterion:

"it provides for public art or otherwise contributes to a public realm which is attractive, enjoyable and legible."

R1.40 Modify Policy D.4 by deleting the existing text and substituting:

"Development will be permitted only where:

- a) it responds to the local context in terms of appearance, materials, siting, spacing and layout; reinforces or complements attractive qualities of local distinctiveness; or improves areas of poor design and layout;
- b) landscaping enhances the development and complements its surroundings;
- c) buildings and layouts are capable of adaptation;
- d) the appearance of extensions respect and complement their host building."

R1.41 Modify the supporting text to provide a reasoned justification for the policy by:

highlighting that the quality of the townscape and landscape varies and new development should complement what is attractive, but improve on what is poor;

referring to SPG/SPD where the attractive qualities and local distinctiveness of settlements is identified, such as conservation area appraisals and village design statements (and where such existing documents are listed);

deleting the last sentence of paragraph A5.60;

deleting the heading "Morphology" and the word in paragraphs A5.61 and 5.62 and amend the text to explain more straightforwardly what is being highlighted (such as "the pattern of streets, buildings and spaces")

deleting in paragraph A5.66 "without complete rebuilding" to the end of the sentence;

deleting paragraph A5.70 and adding at the end of paragraph A5.69: "Extensions should respect and complement their host building."

R1.42 Modify the plan by:

deleting Quick Guide 4A, Quick Guide 4B and paragraphs A5.74A and B.

deleting the reference to Quick Guide 4A in paragraph A5.74.

R1.43 Modify the plan by deleting Policy D5.

R1.44 Modify the plan by deleting the first sentence of paragraph A5.73 and substituting "Design statements should accompany all planning applications for new buildings and extensions."

Recommendations from Section 2 (Plan Chapters B1 – B2)

R2.1 Modify Paragraph B1.3 by reinstating the final sentence deleted from the DDLP.

R2.2 Modify Paragraph B1.4 by deleting the final sentence after "services" and adding: "and could accommodate mixed use development on some of the outdated employment sites. This would contribute to the housing land supply during the plan period, whilst contributing towards the development of a more balanced settlement in terms of homes and jobs."

R2.3 Modify policies ET.1 to ET.3 and paragraphs B2.1 to B2.41 as follows:

paragraph B2.1 - modify the quotation from PPG1 to conform with paragraph 4 of PPS1;

paragraphs B2.2 to B2.4 - retain;

delete paragraph B2.5 and insert: "A long term vision for the District's future is described in the Local Agenda 21 Strategy for Bath & North East Somerset, Change 21. Key points particularly relevant to the District's economy are" and set out the bullet points in Quick Guide 5;

delete Quick Guide 5;

paragraph B2.6 - retain but replace the last sentence with "The strategy has four building blocks underpinned by the themes of sustainability, partnership and inclusion" and include the bullet points in Quick Guide 6;

delete Quick Guide 6;

paragraphs B2.7 to B2.17 - retain;

delete paragraphs B2.18 to B2.41 (including Policies ET.1A-D and ET.3 and Quick Guides 6A and 6B).

R2.4 Insert the following text and policies:

"The general approach to employment land

The JRSP does not set out a target requirement for employment land in the District and Policy 31 seeks to limit the release of new greenfield sites for employment development. Consequently the local plan's starting point is to concentrate employment-related development on land already used for such purposes, including development undertaken as part of mixed use schemes, with greenfield employment land released only where necessary.

The Local Plan aims to maintain and enhance the economic prosperity of the District by ensuring that sufficient employment land is always available to meet development needs so that a diverse and buoyant economy can be preserved. Employment generating development should take place in locations that best accord with sustainable development objectives such as reducing the need to travel (through proximity to public transport and potential walking/cycling routes) and moving towards 'balanced communities'.

Forecast changes in demand for employment floorspace 2001-11

The Business Location Requirements Study 2003 (BLRS) provides an analysis of local employment trends up to 2011, forecasting market demand for floorspace during the period 2001-11 within the District and its four sub-areas. The study forecasts the need for an increase in office floorspace (B1a&b), mainly in Bath, and a managed reduction of industrial-type floorspace (B1c/B2/B8). These forecasts are incorporated in policy ET.1 as indicative guidance on the scale of changes which would be appropriate in employment floorspace provision. The Council will carefully monitor progress being made towards these guidance figures as a means of informing future planning decisions.

Policy ET.1 Employment land: overview

During the period 2001-2011 the Council will seek (A) to achieve the following indicative increase in office floorspace (Class B1a&b) and (B) to allow for the managed reduction in industrial-type floorspace (Class B1c/B2/B8):

(A) a net increase in office floorspace (Class B1a&b) of approx 24,000sq.m distributed as follows:

	Total	Annual average
Bath	18,000 sq.m	1,800 sq.m
Keynsham	No net change	No net change
Norton-Radstock	2,000 sq.m	200 sq.m
Rural areas	4,000 sq.m	400 sq.m
B&NES Total	24,000 sq.m	2,400 sq.m

(B) a managed net reduction in floorspace for industrial-type floorspace (Class B1c/B2/B8) of approx -45,000 sq.m distributed as follows:

	Total	Annual average
Bath	-17,500 sq.m	-1,750 sq.m
Keynsham	-3,500 sq.m	-350 sq.m
Norton-Radstock	-14,000 sq.m	-1,400 sq.m
Rural areas	-10,500 sq.m	-1,050 sq.m
B&NES Total	-45,500 sq.m	-4,550 sq.m

However, as a means of increasing the self-sustainability of Keynsham, policy GDS.1/K1 makes provision for additional employment at the Somerdale site which will be considered as additional to the above.

Information will be compiled and published annually, cataloguing the net changes in the above types of floorspace resulting from new build developments, redevelopments and changes of use. This information will be used to provide an important input into a plan-monitor-manage approach to achieving the objectives of this policy, implemented through policies ET.2 and ET.3 below.

Managing the indicative scales of change in demand for floorspace to 2011

The Council will seek to work towards the indicative scales of change set out in policy ET.1 through a mix of new provision (see paragraphs below), safeguarding of sites defined as core employment sites (see paragraphs.....below) and the adoption of a criteria-based approach to

proposals for change on other existing employment sites (see paragraphs....below).

New employment floorspace provision

The city of Bath is relatively self-contained from the employment standpoint, with 75% of residents employed locally. Opportunities to identify new employment land in the city are limited by environmental constraints such as topography, landscape and townscape considerations and the Green Belt. Nonetheless, some major redevelopment sites can make a significant contribution to retaining and stimulating employment growth during the plan period. These are listed under policy GDS.1 as Western Riverside (site B1), Lower Bristol Road (site B12), and Rush Hill, Odd Down (site B3).

Bath is expected to be the main focus of office development. Policies ET.1, ET.2 and GDS.1 therefore make provision for significant new office development in the city. Western Riverside has the potential to provide large capacity extending well beyond the plan period, and there may also be long term potential at MOD Foxhill, but such schemes are unlikely to be achieved in the short to medium term. In the short term the supply of offices in Central Bath is likely to remain tight as there has been relatively little speculative office development in the past 10 years. It is therefore considered important to safeguard this supply against pressures for changes of use to other purposes until alternative developments become available. Policy ET.2 therefore defines a core office employment area in the city centre within which the loss of office floorspace will be resisted unless certain criteria are met.

Keynsham has a high level of out-commuting with more than 79% of its employed residents travelling elsewhere to work in 1991. Therefore a key objective during the plan period will be to make the town more self-sustaining in terms of employment. Although demand for new office floorspace outside Bath is generally expected to be on a much smaller scale, the locational advantages of the allocated site at Somerdale in Keynsham (policy GDS1/K1) present the opportunity for a campus of high profile and quality which could attract demand from a wider area, helping to increase local jobs and reduce the high level of commuting from the town. The plan therefore promotes this development as a specific addition to the floorspace forecasts in policy ET.1.

In Norton-Radstock the growth in employment opportunities has not kept pace with past rates of residential development, so that over 50% of the town's workforce commuted elsewhere to work in 1991. In addition, although numbers have fallen in recent years, around 5600 people (about 25% of the local workforce) are still employed in manufacturing sectors such as printing, packaging, engineering and electronics. In view of these factors, and in line with the JRSP, the employment strategy for this area focuses on regeneration, aiming to foster a range of new local employment opportunities. The Local Plan seeks to ensure that a variety of types and sizes of sites are available. Development at Westfield

Industrial Estate is nearing completion and there is scope for a mixed use redevelopment of St Peter's factory at Westfield. A small site is also allocated at the former sewage works at Welton Hollow and provision is made for rounding-off Midsomer Norton Enterprise Park. Otherwise there is potential for a mixed use redevelopment at the Welton Bag factory and in the Coombe End area of Radstock. There is also potential for new employment development at the printing factory site in Paulton, near Midsomer Norton.

In the rural areas there is planning permission for 11ha of employment land at Peasedown St John, part of which originated through a comprehensive development scheme. In addition there is a requirement for the provision of small scale employment premises as part of the former Radfords site at Chew Stoke, as described in paragraph C1.39. Office development in the rural areas is likely to be small scale, through conversions, rural diversification and redevelopment of existing sites.

The key employment development opportunities described above, both those with planning permission and those allocated under policy GDS1 are shown on diagram 6.

Safeguarding core employment areas

As part of the process of managing an orderly planned reduction in industrial floorspace the Council has identified a number of core employment areas based on factors such as their location and environment, the concentration, range and quality of their existing premises, and the scope for further consolidation by development or redevelopment within their boundaries. The Council wishes to safeguard business premises within these areas against any pressures for redevelopment or change of use to other, often higher value, purposes as an important part of ensuring that there is sufficient accommodation to meet the demands of small and medium scale local businesses and prevent the loss of local employment activities and a possible increase in out-commuting. Policies ET.2 and ET.3 give effect to this.

In Bath land is identified for this purpose at Locksbrook Road and Brassmill Lane. These areas are particularly important in providing accommodation for the types of businesses which, if forced out of Bath by higher land values and a shrinking supply of alternative premises, could find it difficult to find alternative affordable options in the city. It has been found that employment land allocations in Keynsham and Norton Radstock are unlikely to attract significant relocations from Bath and that closure of larger companies in Bath has seldom resulted in relocation to other parts of the District.

Also in Bath, the Lower Bristol Road area has been considered for designation as a core employment area. However, this area has become run down over a long period of time and there is a need to regenerate derelict areas and older buildings through the provision of mixed use developments including the provision of offices, housing, spaces for non

business activities and transport infrastructure. The area also presents an opportunity to enhance both the important A36 gateway route into the city and the riverside area. It has therefore been allocated for mixed use purposes under policy GDS.1/B12.

In Keynsham, the Ashmead Park Industrial Estate provides the bulk of the town's floorspace in the industrial sector. The retention of this site is essential in the interests of preventing growth in the large scale of outward commuting from the town.

At Norton-Radstock there remains a number of thriving and relatively modern trading estates, notably in the Westfield and Radstock Road areas. A number of larger industrial sites at Welton and Norton Hill retain significant employment at established companies. In order for the town to retain its employment base these areas need to be safeguarded.

There is also significant employment in the industrial sector in the rural areas varying from large sites within or adjoining villages such as the printing works at Paulton, to freestanding industrial estates in the countryside such as Hallatrow and Burnett Business Parks and Clutton Hill Farm. Some result from conversions of buildings formerly in other uses while others are long-established industrial sites. They often provide relatively low-cost premises and make an important contribution to providing employment in rural areas.

Changes within employment sites outside core employment areas

There is a wide range of premises used for employment purposes outside the core employment areas. Many offer important opportunities for local employment. In particular, Bath is characterised by a pattern of mixed uses with residential uses intermingled with commercial and community uses. This juxtaposition of uses makes a significant contribution to the City's townscape character and economic and social vitality as well as facilitating shorter journeys to work. A number of employment sites have been lost to other uses in recent years and it is important that pressure to find land for housing does not prejudice the objective of balanced communities since, once lost, such local sites are rarely replaced.

The Council will therefore strive to ensure that the managed reduction in industrial floorspace does not unduly erode the number of local employment premises which are still capable (or potentially capable) of offering viable accommodation to business occupiers in terms of location, condition, layout, vehicular access, accessibility to employees, environmental and "bad neighbour" issues, etc. Consideration will be given to the availability or otherwise of adequate alternative premises in the locality and, in Bath, particular consideration will be given to the need to retain an adequate supply of small units of 500sq.m or less. In appropriate circumstances the Council will consider whether it would be right to support mixed use redevelopments providing opportunities for continuing employment, subject to the criteria set out in policies ET.3 (3) and HG.4.

Policy ET.2 Office development (class B1a & b):

Bath City Centre core office employment area. The following policies will apply within the area defined for this purpose on the Proposals Map:

- (1) Development for new office floorspace will be focused primarily on the sites identified for mixed use development in policy GDS.1. Subject to site-specific considerations new office floorspace will also be acceptable elsewhere in the defined core area as an element of mixed use developments.
- (2) Planning permission will not be granted for developments involving the loss of established office floorspace unless:
 - (i) it can be demonstrated that the aims of policy ET.1(A) for an increase in office floorspace in Bath will be met without retention of the premises in question; or
 - (ii) the site is no longer capable of offering office accommodation of adequate standard; or
 - (iii) the proposal will secure suitable alternative employment opportunities of at least equivalent economic benefit to the city centre; or
 - (iv) the proposal brings benefits to the city centre which assist the overall objectives of the plan and outweigh the loss of the office floorspace.

Elsewhere in the District:

- (1) Proposals for net gains of office floorspace will be supported in principle provided that the site is (a) within a site identified for the purpose in policy GDS.1 or elsewhere in the plan, (b) part of a protected core business area identified in policy ET.3 below, (c) within or very closely associated with the central areas of Bath, Keynsham, Midsomer Norton and Radstock or (d) in villages in accordance with policy ET.4. In all cases sites must be accessible to a range of transport modes.
- (2) Proposals for net losses in stand-alone office floorspace will not be granted in the protected core business areas or within or very close to the central areas of Keynsham, Midsomer Norton and Radstock unless:
 - (i) it can be demonstrated that the aims of policy ET.1(A) for an increase in office floorspace in the relevant sub-area will be met without retention of the premises in question; or
 - (ii) the site is no longer capable of offering office accommodation of adequate standard; or

- (iii) the proposal will secure suitable alternative employment opportunities of at least equivalent economic benefit to the sub-area.

Policy ET.3 Non-office business development (class B1c, B2 and B8)

- (1) Proposals for non-office development in the business use classes will be supported in principle within:
 - (a) the following core employment areas identified on the Proposals Map:

Brassmill Lane, Bath [NB: to be subdivided into two parts on the Proposals Map]

Locksbrook Road, Bath

[.....add others to be identified elsewhere in the District]
 - (b) sites identified for the purpose in GDS.1 or elsewhere in the plan, and
 - (c) other appropriate sites currently or last used for such purposes, and
 - (d) in villages in accordance with policy ET.4.
- (2) Planning permission will not be granted for proposals which would
 - (a) result in the loss of land or floorspace for non-office business use within the core employment areas identified on the Proposals Map or (b) run counter to the objectives of policy GDS1 in cases where such uses are proposed.
- (3) In all other locations proposals for the loss of land and floorspace for the above uses will be judged against the extent of positive or negative progress being made in achieving a managed reduction in floorspace on the scale sought by policy ET.1(B) and against the following additional criteria:
 - (i) whether the site is capable of continuing to offer adequate accommodation for potential business or other similar employment uses; or
 - (ii) whether continued use of the site for business or other similar employment uses would perpetuate unacceptable environmental or traffic problems; or
 - (iii) whether an alternative use or mix of uses offers community benefit outweighing the economic or employment advantages

of retaining the site in business or other similar employment uses.

In weighing the above criteria, particular consideration will be given to the need to ensure retention of a sufficient supply of small units of up to 500 sq.m, especially in the urban area of Bath."

R2.5 Modify the plan by deleting Policy ET.3A and paragraph B2.41A.

R2.6 Modify Policy ET.4 by:

inserting after "and B8)" "and small scale purpose built visitor accommodation"; and

reinstating criterion a) from the DDLP.

R2.7 Modify Policy ET.6 by deleting all of the policy from (and including) "will only be permitted where" and substituting:

"will have regard to the following:

- i) any adverse environmental impact (including any conflict with other policies in the plan); and
- ii) the adequacy of provision for the storage and disposal of animal waste; and
- iii) where there is harm or conflict with other policies in the plan, the need for, or the benefits to, the enterprise or the rural economy."

R2.8 Modify Policy ET.7 by:

deleting part iii);

deleting part iv).

R2.9 Modify the plan by moving paragraph B2.54 to after paragraph B2.62 (but delete the last sentence).

R2.10 Modify the plan by clarifying what constitutes farm diversification proposals for the purposes of Policy ET.9 (as opposed to other business proposals in the countryside).

R2.11 Modify Policy ET.8 as follows:

delete criterion (i)

delete criterion ii) and substitute "Existing buildings are used or replaced in accordance with the criteria in Policy ET.9"; and

add: "iii) the development would not result in a dispersal of activity which prejudices town or village viability";

Delete the last sentence and substitute “Where existing buildings cannot be reused in accordance with Policy ET.9, or replaced in accordance with Policy ET.5, new buildings will be permitted only where required for uses directly related to the use of, or products of, the associated landholding, are small in scale, well designed and grouped with existing buildings.”

R2.12 Modify Policy ET.9 by:

deleting in criterion 1 the words “local building styles and materials” and substituting “respect the style and materials of the existing building.”

deleting the first part of criterion 5a;

inserting the following new criterion before the existing 6):

“The development would result, or be likely to result, in replacement agricultural buildings or the outside storage of plant and machinery which would be harmful to visual amenity”.

R2.13 Modify the plan by inserting after paragraph B2.62 current paragraph B2.54 (deleting the last sentence). Update the text to reflect the advice in PPS7.

R2.14 Modify the plan by deleting the sub-heading “Farm Shops”, paragraphs B2.63 and 2.64 and Policy ET.10.

R2.15 Modify the plan by deleting the heading “Tourism/Visitor Attractions”, paragraphs B2.65-B2.73, QG7 and Policy ET.11.

R2.16 Modify the plan by deleting Policy ET.12. (See also my recommendations under Policy ET.4.)

R2.17 Modify the plan by deleting paragraphs B2.74-B2.77. (Consider editing and moving paragraphs B2.76-2.77 to supplement the reasoned justification to Policy ET.4.)

R2.18 Modify the plan by deleting paragraphs B2.78-B2.84 and Policy ET.13.

Recommendations from Section 3 (Plan Chapters B3 and B4)

R3.1 Modify the plan by deleting the heading “Community Facilities in Bath and North East Somerset” and paragraphs B3.5-B3.10.

R3.2 Modify the plan by deleting the wording of paragraph B3.12 and substituting:

“The Local Plan and its application in development control decisions can play only a limited role in ensuring the retention of needed community facilities and the services they provide. Whilst the plan can seek to prevent the loss of existing sites and premises from community use, it cannot ensure that any particular facility continues to be made available

to the public or any particular service continues to be provided. The proposed loss of community facilities used for public services may be part of wider proposals to improve the provision of services. Health and Education Authorities have their own procedures for planning changes in the provision of facilities and consulting the public, often on a wider basis than any one local community. In the public interest, it is important to take into account changes that might have an overall, wider benefit. The policy thus sets out a variety of circumstances where the loss of a community facility would be acceptable."

R3.4 Modify the plan by inserting after paragraph 3.13 a list of community facilities to which the policy applies.

R3.5 Modify Policy CF.1 by deleting the existing wording and substituting:

"Development involving the loss of a site used, or last used, for community purposes will be permitted only where:

- i) there is adequate existing local provision of community facilities; or
- ii) there is a local need for additional community facilities, but the site is unsuitable to serve that need or there is no realistic prospect of it being used for that local need; or
- iii) alternative facilities of equivalent community benefit will be provided; or
- iv) the proposed loss is an integral part of changes by a public service provider which will improve the overall quality or accessibility of public services in the District. "

R3.6 Modify Policy CF.3 by deleting the existing wording and substituting:

"Where existing community facilities are inadequate to meet the needs of future residents of new development, planning permission will be refused unless additional provision, related in scale and in kind to the proposed development, to meet those needs is, or will be, made."

R3.7 Modify the plan by deleting paragraphs B3.20-B3.46, including PIC/B/22.

R3.8 Modify paragraphs B3.54 and B3.54A in accordance with the recommendation in Section 9 concerning paragraphs C1.10F-C1.10K.

R3.9 Modify Policy CF.5 by:

deleting "2 St Johns RC Primary" and details of the allocations in accordance with IC6;

deleting "14 Pensford Primary" and details of the allocation.

R3.10 Modify the Proposals Map to reflect the above.

R3.11 Modify the plan by deleting the heading "Health Facilities" and paragraphs B3.63 - B3.71.

R3.12 Modify the plan by deleting in paragraph B3.75 all the text after "is not lost to another use(s)" and insert:

"The following factors will be taken into account to assess whether a public house provides a valuable community facility: its size, layout, and facilities and thus its actual or potential for providing a useful and attractive place for local people to meet; its location and accessibility to the local community; the availability of other community facilities in the village or locality, including any other public houses and their suitability for serving the community. There is no benefit in a public house being protected from redevelopment if there is no realistic prospect of a public house being successfully and attractively operated from the premises. The policy thus allows for viability to be taken into account. Unsuccessful marketing will be one consideration in assessing viability. When this criterion applies, applicants will be expected to demonstrate that the marketing was undertaken in accordance with expert advice and effectively targeted at potential operators."

R3.13 Modify Policy CF.7 by deleting the existing text and inserting:

"Planning permission will not be granted for the redevelopment or change of use of a public house which would result in the loss of premises which provide, or could provide, a needed community facility in that locality, unless:

- i) the operation of a public house serving the local community is not viable and the premises have been effectively marketed as a public house without success; or
- ii) the development or change of use would result in the provision of alternative facilities of equivalent or greater benefit to the local community."

R3.14 Modify paragraphs B3.76-B3.79 by editing and updating the text to reflect the assessment of allotment provision in the Council's Green Space Strategy.

R3.15 Modify the plan by deleting all of Policy CF.8 and substituting the following:

"Development resulting in the loss of land used for allotments will not be permitted unless:

- (i) the importance of the development outweighs the community value of the site as allotments and suitable, equivalent and accessible alternative provision is made; or
- (ii) the site is allocated for another use in the Local Plan and suitable, equivalent and accessible alternative provision is made.

Development resulting in the loss of vacant land last used for allotments will not be permitted unless the existing and foreseeable local demand for allotments can be met by existing suitable and accessible sites.

New allotments will be permitted provided that they are accessible to the area they are intended to serve and suitable for productive use".

R3.16 The Council to consider whether there is likely to be a need for additional burial space at St. Mary's Church, Claverton and whether an allocation to meet this need is required.

R3.17 Modify the plan by deleting paragraphs B4.1, B4.2, B4.4, B4.6, B4.8 and QG 8.

R3.18 Modify the plan by deleting paragraphs B4.12, B4.12A and B4.12B and Diagram 6A and inserting a summary of the conclusions of the Green Space Strategy.

R3.19 Modify paragraph B4.13 by deleting "formal" and "land" from the first sentence, inserting "open space" after "recreational" in the second line and by deleting the last sentence.

R3.20 Modify Policy SR.1A by:

deleting "formal" and "land" and inserting "open space" after "recreational";

deleting "prospect of demand" and inserting "evidence of future need"

deleting "community" in criterion iv) and inserting after "benefit" "to the development of sport".

R3.21 Council to reconsider the SR.1A designation on the Proposals Map: either the notation should be deleted entirely, or the sites which have been identified should be given a different notation such as "Sites used as playing fields subject to Policy SR.1A".

R3.22 Modify the plan by deleting the heading "Protection of Land Used for Informal Recreation and Play" and move paragraph B4.13A to before new policy SR.1A.

R3.23 Modify the plan by deleting Policy SR.1B.

R3.24 Modify the plan by deleting Quick Guide 9.

R3.25 Modify paragraphs B4.15 - B4.38 by:

deleting paragraphs B4.15, B4.23, B4.24, B4.26, B4.29, B4.33 and B4.34 and editing the remaining text in the light of the conclusions of the Green Space Strategy;

deleting the first sentence of paragraph B4.30; and start the next sentence "In Keynsham";

deleting the first sentence of paragraph B4.31 and move the second sentence to end of paragraph B4.32.

R3.26 Modify the plan by deleting Quick Guide 10.

R3.27 Replace the heading "Children's Playing Space and New Residential Development" with the heading "Provision of recreational facilities to meet the needs of new development" and move paragraphs B4.51 to B4.53 to immediately after paragraph B4.45.

R3.28 Modify by editing and updating paragraphs B4.42 – B4.45 and B4.51 to B4.53 to reflect the provision of a single policy; to take account of the conclusions of the Council's Green Space Strategy, to define all the types of recreational open space encompassed by the policy (to include allotments), to refer to further detail in forthcoming SPD (*if it remains the Council's intention to produce such a document soon after the adoption of the plan*) and consider what explanatory detail (such as buffer zones) should be incorporated in the SPD.

R3.29 Delete Policies SR.3 and SR.6 and replace with the following new Policy:

"Where new development generates a need for recreational open space and facilities which cannot be met by existing provision, the developer will be required to either provide for, or to contribute financially to, the provision of recreational open space and/or facilities to meet the need arising from the new development.

Where the need is for children's play space, provision should be made on the basis of 0.8ha per 1,000 population in accordance with the standards set out in the accompanying schedule.

Where the need is for outdoor and indoor sport facilities, provision should be made on the basis of 1.6-1.8ha for outdoor sports (of which 1.24ha is for pitch sports) and 0.77ha for indoor sports, per 1000 population, as set out in the accompanying schedule.

The requirement for any other form of recreational open space or facilities will be assessed on a case by case basis (*or based on the evidence/conclusions of the Green Space Strategy*).

Where the development site is too small to justify or accommodate the provision of a facility, contributions will be sought either:

- i) towards providing and securing new, conveniently located and safely accessible off-site provision; or
- ii) where the need is of a qualitative nature, towards the enhancement of existing facilities."

R3.30 Modify Policy SR.4 by reinstating criterion ii) from the DDLP.

R3.31 Modify paragraph B4.56A by deleting “to meet this scope” in accordance with Inquiry Change 14;

R3.32 Modify the plan by deleting the heading Major Sports Stadium, paragraphs B4.57-B4.59 and Policy SR.8.

R3.33 Modify Policy SR.9 by deleting all of the text and substituting:

“Development which adversely affects the recreational value and amenity of, or access to, public rights of way and other publicly accessible routes for walking, cycling and riding will not be permitted.”

R3.34 Consider the need for a new policy on the provision of new infrastructure for recreational routes and the safeguarding of sites/routes for such infrastructure in the light of the conclusions of studies being undertaken by the Council.

R3.35 Modify the Proposals Map by deleting all the recreational routes.

Recommendations from Section 4 (Plan Chapters B5 and B6)

R4.1 Modify Policy S.2 by deleting the existing wording and substituting:

“Retail development within the shopping centres listed in policy S.1 and defined on the Proposals Map will be permitted where it is (i) of a scale and type consistent with the existing retail function of the centre and (ii) well integrated into the existing pattern of the centre.”

R4.2 Modify Policy S.3 by deleting the existing wording and substituting:

“Land is allocated for retail development (use class A1) at the following sites:

In Bath: Southgate

The Podium/Cattlemarket

For convenience shopping only:

Hayesfield School *Subject to detailed assessment by the Council, especially of local recreational needs.*

In Keynsham: Land between St Johns Court & Charlton Rd”.

R4.3 Modify Policy S.4 by deleting the existing wording and substituting:

“Subject to policy S.9, retail development (including extensions to existing retail units) outside the shopping centres identified in policy S.1 and defined on the Proposals Map will only be permitted where:

- i) there is a demonstrable quantitative and qualitative need for the development;
- ii) the scale of the development relates to and complements the role and function of the centre;
- iii) the proposal is located in accordance with the sequential approach such that:
 - an appropriate site cannot be made available within the city or town centre under policy S.2; or
 - as a first preference alternative, the site is within an edge-of centre location forming a natural, well-connected extension to the town centre; or
 - as a second preference alternative, the site is within an out-of-centre location, is well-connected with it and provides for a high likelihood of linked shopping trips;
- iv) in the case of proposed developments within edge-of-centre and out-of-centre locations, there would be no unacceptable impact on the vitality and viability of other centres; and
- v) in all cases, the site is or will be accessible by a choice of means of transport (especially public transport, walking and cycling) and will not unacceptably rely on private transport or add unacceptably to traffic and congestion."

R4.4 Modify paragraphs B5.23 to B5.32X by deleting the existing text and substituting:

"NEW RETAIL DEVELOPMENT

The C&TCS, as reviewed in 2004, identified a significant projected quantitative capacity for additional retail floorspace to 2011. That growth could accommodate the levels of additional retail floorspace shown in tables 1 and 1B below, in addition to the floorspace gains arising from the redevelopment of Southgate in Bath, the proposed foodstore at Charlton Road, Keynsham and the proposed extension to Tesco at Old Mills, Paulton. However, the projections were made at the end of a long period of steady growth and optimism in retail markets and expenditure on retailing is subject to significant fluctuations as evidenced by the well-publicised downturn in retail performance and confidence after the spring of 2005. Moreover, the projections represent maximum capacity figures rather than a "needs" target which the plan should necessarily aim to meet because the impact of any scheme outside the city centre shopping area will need to be carefully assessed.

The projections also separately identify "large format/retail warehouse" stores. This division of the comparison shopping element is based on the assumption made in the C&TCS that spending on DIY, hardware,

furniture, floor coverings, carpets and electrical goods accounts for 35-40% of total national comparison goods expenditure. The report further assumes that as about half of the national spending in these categories takes place in retail warehouses up to 20% of total surplus comparison goods expenditure in B&NES could be accommodated in large format stores. However, it is not clear that this is necessarily an appropriate assumption as PPS6 requires consideration of whether there are constituent units on any proposed retail park on an edge-of-centre or out-of-centre site which could be accommodated on a sequentially preferable site. This is a matter that needs to be further explored in the course of the retail strategy discussed at paragraph.....below.

[Insert tables 1 and 1B as in the corrected consolidated version of the plan but alter the title of 1B so that it uses the same terms as table 1 and replace "bulky goods" with "large format/retail warehouse" stores.]

Comparison shopping: Bath

The majority of the forecast growth is focussed on Bath. However, in considering the extent to which new shopping floorspace should be allocated to meet this potential growth in expenditure to 2011 it is important to have regard to the unique characteristics of the core shopping centre, the contribution which will be made to the city centre by the Southgate redevelopment and its effect, and the timescale for the implementation of Southgate.

Located as it is within the World Heritage Site, the city centre relies to a large extent on the success of its retail function to provide economic support to its historic buildings. Many of the shops in the historic centre are far from ideal to support modern retailing and therefore to ensure that its attraction to retailers is maintained, new development outside the core which could divert shoppers and therefore reduce the attraction of the core area should be avoided. The redevelopment of Southgate will provide modern shopping units within the core shopping area and therefore support the retail function of the city centre. It will be a development of high quality and its success will depend upon the attraction of retailers confident of a secure economic return. The forecast levels of retail expenditure will help to attract retailers to the new scheme but any competing scheme which is outside the main shopping centre could dilute the attraction of Southgate to retailers and put the implementation of the scheme at risk.

Furthermore, with the completion of the Southgate scheme there will inevitably be some change within the historic core as retailers relocate into new units and older shops are left vacant. It is essential to the future health of the historic core that such units are quickly taken up by new occupants to safeguard the fabric of the buildings.

The plan therefore takes a precautionary approach to the firm allocation of additional retail floorspace in the city centre during the period to 2011. Other than Southgate only the potential redevelopment of the city centre

site at The Podium/Cattlemarket is identified for retail development during the plan period. This is likely to be a mixed use scheme providing for an increase in the quantity of comparison and convenience goods floorspace and a mix of other city centre uses including a replacement library and hotel as described in more detail in policy GDS1/B16. No other sites are firmly identified at this time but any further proposals for retail consolidation within the defined city centre shopping area will be supported in principle and determined on their site-specific merits.

The precautionary approach will also apply to the development of retail warehouses/large format stores in Bath. There may be some potential outside the city centre shopping area for retail warehouse developments of certain kinds but it is not expected that planning permission will be granted for large format stores selling clothing, fashion or sports goods, or variety goods of the kind typically found in the city centre. It is difficult to identify suitable edge-of-centre or out-of-centre sites for retail warehouses as this form of development is generally incompatible with the image, character and appearance of the WHS. While BWR represents a major brownfield opportunity, retail warehouse development surrounded by open car parking would not be appropriate for a site which should form an exemplary high-density, high-quality development area enhancing the character and status of the WHS. There is already some retail warehouse development along Lower Bristol Road and if further development of this kind is justified in terms of the sequential approach and the impact test it may be more appropriate to consolidate provision there. Suitable sites for this purpose will be examined in the course of future master-planning for the Lower Bristol Road area.

After the adoption of the local plan the Council will commence work on a retail strategy for Bath to show how it will be developed to provide new shopping floorspace for the city following the completion of Southgate and a period of consolidation for the centre as a whole. This will be in the form of a Development Plan Document (DPD). The DPD will be firmly based on the sequential approach set out in PPS6 and will thoroughly explore opportunities for securing the best use of under-used central sites with the most to contribute to the city's retail offer and to the image, repair and conservation of the urban fabric at the heart of the World Heritage Site. At an appropriate date it may also aim to make the most of the retail potential of any suitable edge-of-centre sites such as Avon Street Car Park, provided that such sites form a natural extension of the city centre shopping area, can be truly integrated into it and do not have an adverse impact on its vitality and viability. The DPD will provide for commitments to be made in a series of well-defined steps, subject to (and preceded by) regular monitoring and review. It will also be backed by concerted and clearly identified measures to drive through and secure implementation, including the use of compulsory purchase powers to assemble sites if necessary.

Comparison shopping: Keynsham, Midsomer Norton and Radstock

Table 1B, taken from the C&TCS study, assesses that it is appropriate to distribute only a limited part of the projected quantitative capacity to these second tier town centres within the District's retail hierarchy. There are several opportunities within the defined town centres where this provision could be made and such development would contribute to the self sufficiency of these towns. However, it is not considered appropriate to allocate these sites. Proposals that come forward would be determined within the context of policies S2 which is supportive of development in such locations.

Convenience shopping

The C&TCS assessments found substantial scope for the development of new convenience floorspace in Bath and this is supported by the pressure commonly agreed to be experienced by the Sainsbury's store at Green Park. Some of this pressure and scope will be absorbed by the replacement convenience store at Southgate and by extension of the Waitrose store at The Podium. It would also be assisted by take-up of the allocation at Keynsham which would help to reduce the existing high level of convenience expenditure outflow from Keynsham to Bristol and increase the attractiveness of the town.

Despite reservations about using the C&TCS projections as a basis for firm comparison retail allocations the above developments are unlikely to absorb even the minimum figure for the potential capacity for convenience shopping development to 2011. No other suitable sites have been identified within Bath city centre or at edge-of-centre sites *subject to Council's detailed assessment*: "and although PPS6 advises against out-of-centre shopping the particular circumstances of Bath justify the provision of a food store in the southern part of the densely-developed southern sector of the city where there is very little alternative provision at present. A site is therefore allocated for that purpose at Hayesfield School. This will take pressure off Sainsbury's and the congested road network around the city centre and provide good opportunities for travel to the store by bus, by cycle or on foot as well as by car."

No firm allocations are made for further convenience floorspace in Midsomer Norton and Radstock but the projections suggest that there is scope for a small level of additional development of this kind during the plan period. Any proposals that come forward will be determined against policies S.2 and S.4 as appropriate."

R4.5 Develop retail policy beyond the plan as follows:

1. Work up a shopping strategy for Bath City Centre in the form of an Area Action Plan, including clear measures for phased implementation. Based firmly on the sequential test, this would aim to (i) make the most of any under-used central sites with potential for adding to the city's retail offer and the image and conservation of the fabric of the WHS and (ii) to the extent justified, integrate into the city any edge-of-centre sites which can be closely incorporated into the pedestrian networks of the city.

2. Consider work on DPDs for Keynsham, Midsomer Norton and Radstock town centres with the aim of securing, consolidating and strengthening their roles in retailing and other matters.

R4.6 Modify paragraph B5.43 by inserting "too many" before "non-shop uses".

R4.7 Modify Policy S.5 by inserting at the start "Subject to policy S.6....."

R4.8 Modify Policy S.6 by deleting the existing text and substituting:

"Proposals for A3 uses within and adjoining the city centre shopping area defined on the Proposals Map will be permitted, provided that (either singly or in cumulatively with other similar existing uses) they preserve or enhance the character or appearance of the relevant part of the Conservation Area and do not have an unacceptable impact on the retail viability and vitality of the centre or the amenity of local residents. This policy also covers proposals to vary existing consents."

R4.9 Modify the plan by deleting paragraphs B5.62 and B5.63 and inserting:

"Outside the centres identified in policy S1 and on the Proposals Map there are many small shops spread throughout the District both within the urban areas and in villages. These can often serve day to day needs and offer valuable social and community benefits but a wide range of factors has contributed to a gradual reduction in the number of such units. While most of these factors are beyond the scope of planning powers the Council will seek to encourage the provision of new small shops in suitable cases and will resist the change of use of units with the potential to provide continuing key retail services to their local residential communities. Examples could be a well-located village shop or a unit capable of serving a large residential area on the edge of a town."

R4.10 Modify Policy S.9 by deleting the existing wording and substituting:

"Outside the shopping centres defined on the Proposals Map the Council will:

- a. grant planning permission for the development of appropriately located small-scale local shops within the settlements defined in policy SC.1 provided that there is no adverse effect on residential amenity; and
- b. refuse planning permission for the change of use of existing buildings in A1 use in cases where these have a realistic potential to perform a continuing key role in meeting the retail needs of the local area in a sustainable manner."

R4.11 Modify paragraph B6.6 by deleting the remainder of the first sentence from "although".

R4.12 Modify paragraph B6.6A by inserting at the end:

“Where there is the potential for adverse impacts, the significance of these will be weighed against the contribution that will be made to the regional target for renewable energy and the potential economic, social and environmental benefits of the proposed development.”

R4.13 Modify Policy ES.1 by deleting the existing text and substituting:

“Developments that generate energy from renewable sources, including any ancillary infrastructure or buildings, will be assessed against the following criteria.

- vi) any significant conflict with other policies in the plan;
- vii) the extent to which the design and siting of the development minimises any adverse impacts and, where there is harm and conflict with other policies, whether that harm can be removed at the end of the economic life of the development or when it ceases to be used for energy production;
- viii) the contribution that will be made to the regional target for renewable energy;
- ix) any wider environmental, social and economic benefits.”

R4.14 Modify paragraph B6.8 by deleting the final sentence and substituting a reference to further guidance on energy efficiency in the design and layout of buildings being set out in the Design Guide SPD.

R4.15 Modify Policy ES.2 by deleting the existing text and substituting:

“Permission for new buildings will be granted only where, within the other constraints on the development, the design, orientation, and layout of the buildings and outside areas have taken into account the need to minimise energy consumption over the lifetime of the development.”

R4.16 Modify paragraph B6.14 by deleting all of the last 2 sentences.

R4.17 Modify Policy ES.3 by:

deleting the last paragraph; and

inserting: “The potential dangers from existing gas and electricity infrastructure will be taken into account in determining applications for other developments. Development will not be permitted where it would increase the number of people exposed to unacceptable risks”.

R4.18 Modify paragraph B6.19 by deleting the 2nd sentence and substituting:

“SUDs are designed to reduce the quantity and improve the quality of surface water at or close to source, prior to discharge. This minimises pollution discharged into watercourses, and reduces the volume of water discharged to sewers or outfalls, whilst increasing water infiltration to the

ground and underlying aquifers. Such systems can thus control pollution, reduce flood risk and provide other benefits”.

R4.19 Modify the plan by deleting the heading “Water and Sewerage Infrastructure”, paragraph B6.20 and Policy ES.6.

R4.20 Modify paragraph B6.23 by deleting the last sentence.

R4.21 Modify paragraph 6.25B by deleting the sentence beginning “The only material consideration. “

R4.22 Modify the plan by deleting the whole of paragraph B6.25C.

R4.23 Modify Policy ES.7 by deleting the existing text and inserting:

“Telecommunications development which requires planning permission or prior approval will be permitted provided that:

- i) the applicant has demonstrated a need for the development;
- ii) the installation has been sited and designed to minimise its environmental impact;
- iii) the application is accompanied by a certificate confirming that the proposed installation meets the emission guidelines of the International Commission on Non-Ionizing Radiation Protection;
- iv) where the development would result in harm or conflict with other policies, the applicant has demonstrated that there are no available alternatives which would be materially less harmful (to include consideration of mast or site sharing, the use of existing buildings or structures and streetworks installations).

R4.24 Modify the plan by deleting Policy ES.8.

R4.25 Modify the plan by deleting the heading “Sewage Treatment Works”; paragraph B6.32; Policy ES.11; and the “Development Restraint Areas” on the Proposals Map.

Recommendations from Section 5 (Plan Chapter B7)

R5.1 Modify Policy HG.1 by deleting “6,200” and inserting “6,855”.

R5.2 Subject to the priorities identified in the Local Development Scheme, the Council give priority to the preparation of a Development Plan Document to provide a ten year supply of housing land based on an annualised figure derived from RPG10.

R5.3 A **table of allocated sites** be prepared as in Appendix 3 to Topic Paper 2.3 with the addition of the location of the site, whether previously developed or

greenfield, and the likely timetable for delivery. The new table to be inserted following the text in para B7.43, subject to the editing of that text to take into account changes in the sites to be allocated under Policy GDS.1.

R5.4 Modify the plan by deleting Paragraph B7.17A.

R5.5 Modify paragraph B7.17B by deleting the existing text and inserting:

“There are significant numbers of elderly people within the District, especially those over 80 years of age. These numbers are projected to grow during the plan period. The mix of dwellings to be provided under Policy HG.1 should include accommodation to meet the needs of the elderly including sheltered housing, flats and bungalows.”

R5.6 Modify the plan by deleting paragraph B7.17C.

R5.7 Modify paragraph B7.17D by deleting the existing text and inserting:

“The increasing incidence of homelessness within the District will be addressed through the provision of a supply of housing in accordance with regional requirements. This will include a proportion of affordable housing through policies HG.8 and 9, together with residential accommodation over retail units through Policy HG.12. Proposals for temporary accommodation will be assessed against a range of policies in the Plan.”

R5.8 Modify the plan by deleting the words in paragraph B7.18 from “Policy HG.2 acknowledges”.

R5.9 Modify the plan by deleting paragraph B7.18A.

R5.10 Modify Policy HG.1 (as recommended to be amended) by adding:

“The provision will incorporate a mix of dwelling size, type, tenure and affordability to meet the needs of specific groups such as the elderly or first time buyers. New housing developments should avoid the creation of large areas of housing of similar characteristics.”

R5.11 Modify the plan by deleting Policy HG.2.

R5.12 Modify paragraph B7.23 by deleting “60%” in the penultimate line and inserting “50%”.

R5.13 Modify paragraph B7.25 by deleting the table and inserting Table 1 from Topic Paper 2, subject to the following changes to Table 1:

line 2 delete “750” and insert “690”;

line 3 delete “On large brownfield sites” and insert “From allocated sites listed in Table ”; delete “1430” and insert “2115”;

line 7 delete;

line 8 delete "6300" insert "6855";

line 10 delete "6270" insert "6825".

R5.14 Modify all references to figures in the Table in the reasoned justification in Chapter B7 to those in the modified Table set out in R5.13 and update figures where relevant

R5.15 Modify paragraphs B7.28 to B7.43 by editing the text to take out detailed references to sites which are covered within the table of allocations and subject to Policy GDS.1; delete "90" in B7.35 and insert "80".

R5.16 Modify the contribution to housing land supply in the period to 2011 from the following allocations:

GDS.1/B1 Bath Western Riverside: 450 dwellings

GDS.1/B2 MOD Foxhill: delete allocation

GDS.1/B13 Lower Bristol Road: 50 dwellings

GDS.1/K5 Cannocks Garage: 25 dwellings

GDS.1/NR2 Radstock Railway Land: 50 dwellings

GDS.1/V3 Paulton Printing Factory: 150 dwellings (100 included in sites with planning permission and 50 to be added to brownfield allocations).

R5.17 That the following sites identified in the DDLP should be reconsidered as allocations for housing:

GDS.1/B7 land at Englishcombe Lane, Bath: 45 dwellings

GDS.1/B8 r/o 46-64 Bloomfield Drive: subject to investigation of the need for reinstatement of allotment use: 13 dwellings.

GDS.1/K2 land at South West Keynsham: 700 dwellings

GDS.1/V9 land at Brookside Drive, Farmborough: 30 dwellings.

R5.18 That the following sites be considered by the Council for residential allocation in the Local Plan:

Bath

Land at Beechen Cliff School Greenway Lane, for 18 dwellings.

Hayesfield School Playing Field: investigate requirement for continued recreational use and if not needed assess capacity for residential development.

Lansdown View: investigate requirement for reinstatement of allotment use and if not needed, assess capacity for residential development.

Radstock/Midsomer Norton

St Peter's Factory, Westfield together with land to the rear of Lincombe Road: mixed use scheme with 150 dwellings.

Welton Bag Factory, Station Road: mixed use scheme - capacity to be assessed.

Coomb End, Radstock: area designated as Regeneration Area in the RDDLP: mixed use scheme - capacity to be assessed.

Clandown Scrapyard: capacity to be assessed.

Land at Cautletts Close: capacity to be assessed.

R1 Settlements

Further land at Paulton Printing Factory: amendment to GDS.1/V3 subject to provision of employment related scheme - additional 200 dwellings.

Land between Wellow Lane and the bypass, Peasedown St John: 90 dwellings.

School Playing Field, Peasedown St John: investigate availability and need for recreational use; capacity to be assessed.

Coal Yard and Woolhouse, Peterside, Temple Cloud: capacity to be assessed.

R5.19 Following the assessment by the Council of the additional sites, a Table of Residential Allocations be prepared in accordance with the recommendation following paragraph 5.22 above. The Table to list the sites selected to make up the housing land supply for the plan period.

R5.20 Modify the plan by deleting paragraphs B7.45A & B.

R5.21 Modify Policy HG.4 by deleting the existing text and inserting:

“Residential development in Bath, Keynsham, Norton Radstock and those villages defined in Policy SC.1 as R.1 and R.2 settlements will be permitted if:

- i) it is within the built up area of Bath or within the defined housing development boundary; or
- ii) it forms an element of

- a) a comprehensive scheme for a major mixed use site defined in Policy GDS.1; or
- b) a scheme coming forward under Policy ET.3(3);
- iii) and it is appropriate to the scale of the settlement in terms of the availability of facilities and employment opportunities and accessibility to public transport."

R5.22 Modify the plan by deleting the heading and paras B7.56 – B75.7 and substituting:

"Urban areas and R.1 and R.2 Settlements

The allowance for windfall development to meet the strategic housing requirement is based on the redevelopment of previously developed land in accordance with Government advice. However, windfalls may also occur on sites which were not previously developed, subject to the other policies of the plan which seek to protect greenfield sites which are, for example, needed for recreational uses, or which are of townscape or nature conservation importance. Large site opportunities are most likely to emerge in Bath but some may also arise in Keynsham and Norton Radstock and the 13 R.1 villages identified in policy SC.1. Opportunities are likely to be more limited in the 8 villages identified as R.2 settlements.

Windfall developments in the R.1 and R.2 villages may help to maintain the social and economic vitality of the rural areas and contribute towards meeting affordable housing needs. However, the scale and location of such schemes is critical to ensure that they can be satisfactorily integrated into the pattern of the settlement, taking account of local character and distinctiveness. To ensure that any windfall development is in keeping with the character of the settlement, and to prevent unsustainable patterns of development, a scheme will not be permitted unless it is appropriate to the scale of the settlement in terms of the availability of facilities and employment opportunities, and accessibility to public transport."

R5.23 Modify para B7.59 by inserting "and R.2" after "R.1".

R5.24 Housing Development Boundaries should be retained in this plan but the Council should consider the use of settlement boundaries in the LDF.

R5.25 The Proposals Map be modified to include the following sites in the HDBs:

Norton Radstock - the garden of 43 Bath Road, Clandown together with the dwellings and their curtilages to the north west; and any land allocated for residential development at Coomb End or at Clandown scrapyard.

Peasedown St John - any land allocated for residential development at Wellow Lane.

Whitchurch - to follow the boundary of the Green Belt and to include land to the south east.

R5.26 The Proposals Map be modified to include Lays Farm, Keynsham within the Green Belt (the boundary to follow the HDB).

R5.27 Modify the plan by deleting Policy HG.5 and paragraph B7.61.

R5.28 Modify Policy HG.6 by deleting criterion i).

R5.29 Modify the plan by deleting Policies HG.7 and HG.7A and inserting a new policy as follows:

“Residential development will only be permitted where the maximum density compatible with the site, its location, its accessibility and its surroundings is achieved. Densities in excess of 30 dwellings per hectare will be expected in order to maximise the use of housing sites.

Densities in excess of 50 dwellings per hectare will be expected in and around existing town centres and in locations well served by public transport.”

R5.30 Modify the plan by deleting Quick Guide 13 and by incorporating its contents in a new paragraph in the explanatory text before the policy.

R5.31 Modify paragraphs B7.14 to B7.16, as set out in the inquiry changes version in Topic Paper 3.5, by rigorously editing them to make them consistent with the corrected WEHNAM assessed annual need and delete Quick Guide 12.

R5.32 Modify paragraphs B7.68 to B7.75 as set out in the inquiry changes version in Topic Paper 3.5, further amended as follows:

B7.70:- substitute “685” for “721” and rigorously edit the other figures and comments in paragraphs B7.70 to B7.75 and table 3A to ensure that they reflect this later correction rather than the figures in the inquiry changes.

B7.74:- change “houses” to “homes”.

R5.33 Modify paragraphs B7.76 to B7.82A as set out in the inquiry changes version in Topic Paper 3.5 as follows:

Retain paragraph B7.76, but amend the final sentence to read:

“.....sought where planning permission is sought for development including the provision of dwellings on any suitable sites in settlements identified within policy SC.1.”

Delete B7.77 to B7.82A and insert the follow:

“It would not be possible to provide 4795 additional affordable homes for the period 2002-2009 (the need suggested by WEHNAM) because this

represents substantially more than the residual housing requirement for the remainder of the plan period. It will therefore not be possible to meet the projected needs even allowing for registered social landlord provision through conversions or purchase of existing dwellings. However, the Council will seek to negotiate to ensure that 35% of all new permitted dwellings are within the affordable category. Developers are advised to take this level of provision into account in negotiating the purchase of sites for development. It will normally be considered that provision of affordable dwellings will be about 75% social rented and 25% intermediate forms of ownership. In certain cases a limited number of low-cost market homes for purchase may be appropriate, provided that there are mechanisms for preserving their affordability in perpetuity, but this will depend on the relationship between local house prices and local incomes of those in need of affordable housing

The 35% target will be regarded as an average proportion to be achieved across all sites granted permission from now until the end of the plan period. The Council will take account of any abnormal site costs associated with the development which may justify an upwards or downwards adjustment of the average. Standard development costs will not generally be considered as abnormal. Account will also be taken of the proximity of local services, and facilities, access to public transport, the distribution of need for affordable housing, and whether or not the provision of affordable housing would prejudice the realisation of other planning objectives that need to be given priority in a particular case. It will normally be expected that such affordable dwellings will be provided on-site in order to help create balanced communities, but in very exceptional circumstances the Council will consider provision in lieu through a financial contribution towards affordable housing on an alternative site within the District.

In view of the overall level of need for affordable housing in the District revealed by WEHNAM the Council considers it appropriate to seek the provision of affordable dwellings on any site where planning permission is sought for a minimum of 15 dwellings (or on a site of a minimum of 0.5ha) in Bath, Keynsham, Norton-Radstock, Saltford, Peasdown St John and Paulton.

For the same reason the Council considers it appropriate to seek the provision of affordable dwellings on any site where planning permission is sought for a minimum of 10 dwellings (or on a site of a minimum of 0.5ha) in all smaller villages with populations of fewer than 3000, including those not identified in policy SC.1.

It is expected that this policy will result in delivery of about affordable homes in Bath, in Keynsham,in Norton-Radstock and around in rural villages. [figures to be inserted by the Council].

Before granting planning permission for any affordable housing the Council will require suitable arrangements to be in place to secure the occupation of the dwellings both initially and in perpetuity by people with

a genuine need for such accommodation who are either already resident in the District or have strong connections with it, such as locally employed key workers. Some examples of appropriately secure arrangements are given at para.....below." [Council to insert appropriate reference from the supporting paragraphs to HG.9].

The Council will keep the need for affordable housing under review, together with the progress made towards achieving the level of provision expected under this policy. If justified by the evidence, an early review of the policy will be made with a view to introducing changes using the opportunities presented by the procedures for local development documents under the Planning and Compulsory Purchase Act 2004."

R5.34 Modify Policy HG.8 by deleting the existing wording and substituting:

"The Council will seek to secure the provision of 35% affordable housing before determining applications for planning permission in the following circumstances: -

- in Bath, Keynsham, Norton-Radstock, Saltford, Peasedown St John and Paulton where permission is sought for 15 dwellings or more or the site has an area of 0.5ha or more; and
- in settlements where the population is 3000 or below, where permission is sought for 10 dwellings or more or the site has an area of 0.5ha or more.

Higher or lower percentages may be sought in individual cases, taking account of:

[include existing criteria i) to iv)]

Before planning permission is granted under this policy secure arrangements will need to be in place to ensure that:

[include the existing second set of criteria (i) to (iii) but insert "such as local employment" at the end of (b) i)].

The Council will keep under review the need for affordable housing and the provision achieved under this policy and, if appropriate, will bring forward an early review of the matter."

R5.35 Modify Policy HG.9 by deleting the existing text and substituting:

"As an exception to the other housing policies of the plan, residential development of 100% affordable housing will be permitted on land outside the scope of those other policies if it will meet a particular demonstrable need for local affordable housing arising in an individual rural parish or group of parishes which cannot be met in any other way, provided that:

occupancy of the housing is restricted in perpetuity as being for the benefit of people in need of the accommodation because of their inability to complete successfully in the local housing market who are either:

as a first priority, currently living in the parish or group of parishes as long-standing residents and are in need of separate accommodation, or

as a second priority, not resident in the parish or group of parishes but have strong local connections with it/them; and

[include existing criteria iv) and v) and]

in the case of a proposed development at a Green Belt village, the site has been selected to cause the minimum possible harm to the openness and purposes of the Green Belt."

R5.36 Modify paragraphs B7.83 to B7.91 as follows:

"Recent amended advice in PPG3 is that all local authorities that include rural areas should include a 'rural exception site policy' in the relevant development plan document. This is to enable the allocation or release of small sites which would not otherwise be released for housing to provide affordable housing to meet local needs in perpetuity on sites within and adjoining existing small rural communities.

The Council recognises that there is only limited scope to satisfy rural-based needs for affordable housing through the operation of policy HG.8, yet WEHNAM identifies a need for [Council to insert edited figure based upon the final corrected District-wide total]. It will therefore give sympathetic consideration under policy HG.9 to schemes designed to meet local needs generated within rural communities under the terms of PPG3 and demonstrated to be required through specific needs data compiled in cooperation with the Council's Housing Services.

The definition of affordable housing for rural exceptions sites will be taken to be [incorporate italicised words at B7.87].

[Retain B7.90]

However, such schemes will be limited to villages classed R1, R2 and R3 under policy SC.1. Smaller settlements will be considered unsuitable on sustainability grounds. In considering any schemes within the Green Belt the Council will require sites to be selected that have the minimum possible impact on the purposes of the Green Belt.

[Retain B7.89]

[Retain B7.91]

As the potential for positive 'allocation' of such sites was introduced into PPG3 at a very late stage in the evolution of the local plan this possible

avenue of provision will not be considered until the affordable housing policies are reviewed through a local development document.”

R5.37 Modify Policy HG.10 by deleting “HG.4, 5 and 6” in the first line and substituting “HG.4, 6, and 9”.

R5.38 Modify Policy HG.14 by deleting “5” in the first line and criterion i) and by modifying criterion ii) by deleting “other” in line 2 and by not adopting PIC/B/44.

R5.39 Modify paragraph B7.122 by deleting the existing words and substituting:

“Proposals for permanent residential moorings will be subject to Policy HG (Council to insert number), and other relevant policies of the Local Plan.”

R5.40 Modify the plan by inserting new Policy HG. (Council to insert number), below paragraph B7.122 as follows:

“Residential moorings in Bath, Keynsham, Norton Radstock and those villages defined in policy SC.1 as R.1, R.2 and R.3 settlements will be permitted if the site is:

i) within the built up area of Bath or within a defined housing development boundary; or

ii) within an established boatyard or marina; and in all cases

provided the location has good access to services and facilities including employment opportunities and accessibility to public transport.”

R5.41 Modify Policy HG.16 as follows:

line 6 be amended to reflect the deletion of Policy HG.5;

criteria i)-vi) be deleted and replaced with

“i) the site has good access to local services, facilities and public transport;

ii) it has safe and convenient access to the road network;

iii) it is capable of being landscaped to ensure that it blends in with its surroundings;

iv) adequate services including foul and surface water drainage and waste disposal can be provided;

v) there would be no harmful impact on the amenities of local residents by reason of noise or fumes from business activities.”

R5.42 Modify Policy HG.17 as follows: -

in criterion (i) delete the existing wording and substitute “it is on previously developed land or other land allocated for the purpose”;

delete PIC/B/45 criterion iii)c) and insert new iii)c): “within the areas identified for development for student accommodation in the university master plan (see policy GDS.1/B11)”.

Not incorporate IC9.

Recommendations from Section 6 (Plan Chapter B8)

R6.1 Modify the plan by deleting paragraphs B8.4 to B8.20 (retain heading).

R6.2 Summarise in the following table the relevant information contained in the aforementioned paragraphs:

Current situation (2005*)				Predicted situation (to 2011*)	
Waste Type	Waste arising	Re-used and recovered	Landfilled	Waste Arising	Percentage increase
Council collected					
Commercial and industrial					
Construction and demolition					
Clinical and special					
TOTAL					

R6.3 Incorporate PIC/B/47 but reinstate the word “waste”.

R6.4 Modify Policy WM.1 by deleting all the existing text and substituting:

“Development of waste management facilities will only be permitted where they:

- (i) have regard for regional self-sufficiency, the proximity principle and the precautionary principle, and do not prejudice the management of waste via more sustainable methods;
- (ii) and do not have an unacceptable adverse impact on the environment or local amenities.”

R6.5 Modify paragraph B8.58 by deleting the last sentence.

R6.6 Modify paragraph B8.55 by deleting the second sentence.

R6.7 Modify paragraph B8.62 by deleting second sentence and inserting:

"Where a development is expected to generate significant volumes of waste through the development process by reason of (*examples, eg demolition, site clearance etc to be filled in by the council*), applicants for planning permission will be required to submit a waste audit with their planning applications."

R6.8 Modify Policy WM.3 by deleting the existing wording and substituting:

"Development proposals which are expected to generate significant volumes of waste through the development process itself will be required to submit, as part of the application detail, a waste audit to include the following:

1. the type and volume of waste that the development will generate; and
2. the steps to be taken to ensure the maximum amount of waste arising from the development process is incorporated within the new development; and
3. the steps to be taken to manage the waste that cannot be incorporated within the new development and, if disposed of elsewhere, the distance the waste will be transported.

The way in which the waste arisings identified in the waste audit are to be dealt with will be considered in the context of regional self-sufficiency, the proximity principle and the precautionary principle, and any prejudice to the management of waste via more sustainable methods."

R6.9 Modify paragraph B8.72 by deleting the final sentence.

R6.10 Modify Policy WM.6 as follows:

Delete after "permitted" and insert

"where:

- i) the development will not conflict with or unreasonably delay reclamation and restoration of the site;
- ii) the site is close to the markets to be supplied with the recovered material."

R6.11 Modify Policy WM.10 as follows:

Delete "with energy recovery" from first sentence.

Insert new criterion:

“i. provision is made for energy recovery;”

R6.12 Modify the plan by deleting Policy WM.11.

R6.13 Modify the plan by deleting paragraph B8.96.

R6.14 Modify Paragraph B8.106 by deleting the second bullet point.

Recommendations from Section 7 (Plan Chapter B9)

R7.1 Modify paragraph B9.2 by deleting the last sentence and inserting:

“As with all development proposals, planning applications for the development of the allocated sites will be assessed against all the Local Plan policies which are relevant to the scheme.”

R7.2 Modify the plan by deleting paragraphs B9.3 and B9.4.

R7.3 Modify Policy GDS.1 as follows:

Delete sections A and B.

Review the list of clauses in each allocation and delete requirements which are covered by policies elsewhere in the plan.

R7.4 Modify the plan by inserting edited paragraphs A4.26A – C under the heading “BATH” before policy B1.

R7.5 Modify Policy GDS.1/B1 as follows:

in 2 delete “800” and insert “450”.

delete clauses 2A and 2B.

add after 10: “There will be no requirement for existing businesses to be relocated during the plan period. Those business uses wishing to remain within the site and which are compatible with the redevelopment scheme, will either remain in their current locations or be relocated within or adjacent to the redeveloped area.”

Delete final sentence and insert: “Any planning application will need to demonstrate that it is consistent with and contributes to the comprehensive development of the whole site by reference to the Masterplan Supplementary Planning Document which accords with this policy.”

R7.6 Delete the Bath Press site and the area which includes the Renrod sites from the BWR allocation on the Proposal Map.

R7.7 Review the need to include Sainsbury's and Homebase within the BWR allocation on the Proposals Map.

R7.8 Retain the established Green Belt boundary at Newbridge as shown on the Proposals Map of the DDLP.

R7.9 Modify Policy GDS.1/B1A as follows:

amend site area to that of the land north of the A36.

delete 2.

delete 13.

R7.10 Modify the plan by deleting policy GDS.1/B2 and from the Proposals Map.

R7.11 Modify the policy to provide an indication of the community facilities required under 3 if known.

R7.12 Review the allocation if the base date of the plan is amended.

R7.13 The Council should reconsider whether the property known as Avonside should be included within the Southgate allocation on the Proposals Map.

R7.14 Review the allocation if the base date of the plan is amended

R7.15 Review the allocation if the base date of the plan is amended.

R7.16 That the Council consider the reinstatement of GDS.1/B7.

R7.17 That the Council reconsider the allocation of the site for housing, subject to any need for its use as allotments.

R7.18 Modify B12 as follows:

correct the site area from 7.2 ha to 7.05 ha;

in 2 amend 75 to 50 and add after "dwellings" "during the plan period";

delete 2A.

R7.19 Review the inclusion of the Unite site within the boundaries of the allocation as part of the process of master planning.

R7.20 Review the allocation if the base date of the plan is amended.

R7.21 Modify Policy GDS.1/K1 by deleting clause 13.

R7.22 Policy GDS.1/K2 be reinstated from the DDLP, with clause 1 amended to "About 700 dwellings."

R7.23 Modify Policy GDS.1/K4 by deleting clauses 4, 8, 13, 14 and 15.

R7.24 Modify GDS.1/NR2 as follows:

Delete clauses 1, 2, 3, 4 and 5

Insert new clauses:

- “1. Residential development with retail and office uses within or adjacent to the Town Centre, with community facility and local nature reserve.
2. About 50 dwellings in the period to 2011.
3. Provision for safe movement of public transport service vehicles in and around the site.”

Modify clause 6 by adding at the end:

“where this is compatible with the safeguarding of the trackbed which is of significant nature conservation value.”

Add new clause:

“Identification of areas of significant nature conservation interest to be retained, with a scheme for their management and the mitigation of any effects of development; together with a programme for compensation where the loss of areas of ecological importance cannot be avoided.”

Retain clauses 8, 9 and 10.

Add new clause:

“Retention (with relocation if necessary) within the site of engine shed and nearby turntable.”

R7.25 Modify Policy GDS.1/NR4 as follows:

insert in clause 1 before “Development” “Mixed use” and after “for” “residential and”;

insert new clause 2 “About xx houses can be accommodated, with xx before 2011”;

delete clauses 3 and 8.

R7.26 Modify Policy GDS.1/NR5 by deleting “About” in clause 1 and insert “at least”.

R7.27 Review the allocation if the base date of the plan is amended.

R7.28 Review the allocation if the base date of the plan is amended.

R7.29 Review the allocation if the base date of the plan is amended.

R7.30 Modify GDS.1/V3 as follows:

delete clause 1 and insert:

“Development for residential and business use. Residential development beyond the south eastern part of the site to take place only as part of a mixed use scheme which includes employment development.”

delete clause 11 and insert:

“Some 350 dwellings to be accommodated within the factory site, with no more than 150 to be constructed unless linked to a scheme for the development of employment floorspace.”

The Council to review the detail of the remaining clauses in the policy and amend where necessary to reflect the change in the allocation.

R7.31 Modify the plan by deleting Policy GDS.1/V4.

R7.32 Modify the plan by deleting Policy GDS.1/V5.

R7.33 The Council consider the reinstatement of this allocation having regard to flood risk, access, and any impact on the adjoining school.

Recommendations from Section 8 (Alternatives sites)

R8.1 Modify Policy GDS.1 by adding a new site in Bath as follows:

“BEECHEN CLIFF SCHOOL, GREENWAY LANE – site area 0.4 ha.

Development requirements:

- 1 About 18 dwellings.
- 2 Safe and adequate highway access to be provided from Greenway Lane.
- 3 Any planning permission to be linked to a legal agreement for improvements to educational and sports facilities, including shared community use of the sports facilities.
- 4 Provision for the accommodation of public rights of way within the site.”

R8.2 Modify the Proposal Map to accord with new allocation.

R8.3 The Council to consider any need for the reinstatement of the site to allotment use; if not required then consideration be given to development of the site for housing.

R8.4 That the Council assess the potential for the residential allocation of the area designated as a Regeneration Area in the RDDLP at Coomb End, Radstock for mixed use development with its capacity for housing to be assessed.

R8.5 The Council consider Clandown Scrapyard for residential allocation in the plan.

R8.6 The Council review the status of the site to determine whether any development of the site for housing would fall to be assessed under recommended Policy ET.3(3), or whether it would be appropriate to modify the HDB to incorporate the site.

R8.7 The Council consider the potential for the residential development of the Welton Packaging site as part of a mixed use scheme.

R8.8 That the Council consider land at Wellow Lane, Peasedown St John for residential allocation in the Local Plan.

Recommendations from Section 9 (Green Belt)

R9.1 Modify the plan by deleting paragraph C1.3.

R9.2 Modify paragraph C1.8 as follows:

reinstate sentence beginning "At Keynsham" from the DDLP;

delete from "These proposed" to "Newbridge";

insert "and at";

reinstate "at" and "in Bath --- proposed";

delete ().

R9.3 Modify the plan by deleting paragraphs C1.10A – E and inserting:

"Provision is made for a new park and ride facility at Newbridge which could incorporate a transport interchange for a future rapid transit system. The park and ride will be at ground level only, and with appropriate layout and landscaping it will not affect the openness of the Green Belt. Any built infrastructure necessary to support the transport interchange would be carefully designed to sit within the site to minimise its effect on openness. It will not be necessary to change the boundary of the Green Belt in order to accommodate this scheme."

R9.4 Modify paragraphs B3.54 to B3.55 of the plan by:

- i) substituting the following after "include" in the third sentence of B3.54:- "university-related non-residential development for uses including learning, research and allied business incubation and

knowledge transfer, conferences, university administration and IT and sports, health, creative arts, social, recreational and catering purposes and additional student residential accommodation." and

- ii) amending the second sentence of B3.54A to read "Therefore policy GDS.1/B11 allows for further development on the campus including some development on land now to be excluded from the Green Belt.", and deleting the fourth sentence.

R9.5 Modify paragraphs B7.132 to B7 134A by replacing paragraphs B7.134 and B7.134A as follows: -

"...The university has identified a need for a further 2000 bedspaces of student accommodation to be provided on campus during the plan period. Policy GDS.1 makes an allocation to meet that need, together with the academic needs of the university."

R9.6 Modify Policy HG.17 as follows:

in criterion (i) delete the existing wording and substitute "it is on previously developed land or other land allocated for the purpose";

delete PIC/B/45 criterion iii)c) and insert new iii)c): "within the areas identified for development for student accommodation in the university master plan (see policy GDS.1/B11)".

R9.7 Modify paragraphs C1.10F to C1.10K by replacing them as follows:

"C1.10F Changes to the Green Belt boundary are also proposed at the campus of the University of Bath at Claverton Down. The Green Belt boundary here will be redefined to exclude two areas of land. The larger area is to the east of Convocation Avenue, consisting of the buildings and enclosed outdoor facilities of the English Institute of Sport and some grass pitches to the east of them. The grass pitches make some contribution towards Green Belt purposes 1 and 3 (contributing to checking the unrestricted sprawl of large built-up areas and assisting in safeguarding the countryside from encroachment) but are not considered to serve any meaningful role in meeting purposes 2, 4 and 5. The smaller area mainly comprises enclosed tennis courts to the west of Norwood Avenue which also make a limited contribution to Green Belt purposes 1 and 3.

C1.10G However, the Council considers that there are exceptional circumstances which warrant excluding these areas from the Green Belt. Briefly, these result from Government priorities for the development of higher education and the opportunity for Bath, as a leading research-intensive university with particular strengths in the fields of science and technology, to contribute towards the aims of increasing participation, supporting growth in science, innovation and knowledge transfer.

C1.10H The University has identified a substantial requirement for additional accommodation to meet a wide range of needs as summarised in policy GDS.1/B11. This amounts to some 43,250 sq.m for non

residential floorspace and 40,000 sq.m of student accommodation. It is expected that this new development will need to be provided over a 10 year timescale to 2015, extending beyond the plan period. It is also considered highly desirable and more sustainable to concentrate and consolidate this growth at the existing campus rather than seeking to disperse it across a variety of sites in the city. In any case, the main development sites in the city outside the campus are more suited to meeting other important local needs and have been allocated accordingly.

C1.10I While a substantial amount of this development can be accommodated within the present non-Green Belt areas of the campus, not all can be met in this way without unacceptable encroachment on the important green heart of the campus or skyline views.

C1.10J Weighing the limited harm that would be caused to Green Belt purposes against the above exceptional circumstances, the Council has concluded that the Green Belt boundary should be redrawn in two places: (a) to exclude land to the north side of The Avenue as far as the edge of the campus and then along the boundary between the campus and the adjoining land at Bushey Norwood and (b) to exclude land west of Norwood Avenue between Claverton Down Road and The Avenue.”

R9.8 Modify the Proposals Map to:

exclude the land north of The Avenue and west of Norwood Avenue from the Green Belt as well as from coverage by policies SR.1A and BH.15; and include the whole of the university campus within the GDS.1 allocation.

R9.9 Modify Policy GDS.1/B11 by deleting the existing wording and inserting:

“B11 University of Bath Campus, Claverton Down – site area [insert entire campus area]

Development Requirements

A comprehensive scheme expressed within a university-wide master plan providing for:

- a. approx 43,250 sq.m of additional university-related non-residential development for uses including learning, research and allied business incubation & knowledge transfer; conferences; university administration and IT; and sports, health, creative arts, social, recreational and catering purposes and
- b. approx 40,000sq.m (2000 bedrooms) of additional student residential accommodation.

Precise identification of a protected green heart to the campus (also to include St John's Field which is covered by Green Belt designation) and other visually and ecologically important planted areas and landscape screens

Adequate and suitable replacement on or off-site of any displaced existing sports pitches.

On and off-site transport infrastructure necessary to deliver an integrated transport solution.

High quality design and landscaping that responds positively and sensitively to the Cotswolds AONB designation and ensures that development on the campus has an appropriate and much-improved visual and landscape relationship with neighbouring land, particularly Bushey Norwood."

R9.10 Modify paragraphs C1.19 and C1.20 by reinstating the wording in the DDLP.

R9.11 Modify the plan by deleting paragraph C1.21.

R9.12 Modify the Green Belt boundary to reinstate GDS.1/K2 as shown on the Proposals Map in the DDLP.

R9.13 Modify the Proposals Map in accordance with PIC/C/2.

R9.14 The Council consider the introduction of a new policy to deal with future development of the racecourse at Bath.

R9.15 Modify the plan by deleting heading "Farmborough" and paragraph C1.44.

R5.16 Modify Policy GB.4 by deleting "and Farmborough".

Recommendations from Section 10 (Natural Environment)

R10.1 Modify paragraph C2.11 to make clear that the Landscape Character Assessment SPG will be used to assess the effect of proposals on landscape character and local distinctiveness when applying Policy NE.1 to particular proposals.

R10.2 Modify Policy NE.2 by:

deleting the 2nd paragraph and criteria (i)-(iii); and

substituting "Major development within an AONB or outside it which would harm the designated area will be determined on the basis of the advice in PPS7."

R10.3 Modify the plan by deleting Policy NE.3, paragraphs C2.18 - C2.20 and the Important Hillside notation from the Proposals Map.

R10.4 Modify the plan by deleting Quick Guide 13A.

R10.5 Modify paragraph C2.25 by inserting a reference to the protection afforded to trees in conservation areas and where further information can be found.

R10.6 Modify Policy NE.5 by deleting criterion ii and substituting

“ii) does not conflict with the local strategies of the Forest Plan and has regard to its aims in the layout of development, including landscaping” (or, if the Council is about to publish SPG “Planning and the Forest of Avon” - reference should be made to that document instead).

R10.7 Delete Policy NE.6 and amend the text of the plan to explain why a specific policy in the plan for European sites is unnecessary.

R10.8 Delete QG 14 and reference to it in paragraph C2.33. Refer to the B&NES Biodiversity Action Plan 2000 at the end of paragraph C2.33.

R10.9 Subject to the Council being satisfied that the feeding grounds and landscape features used by Bechstein’s Bats overlap with those of Horseshoe Bats, delete Policy NE.7. (If not, retain the policy for Bechstein Bats only without reference to bat protection zones).

R10.10 Delete the Bat Protection Zones from the Proposals Map.

R10.11 Modify paragraph C2.40A to reflect the above changes.

R10.12 Consider including bat protection zones and further information on the assessment of development proposals on bats in SPD (such as that on habitats and species which the Council propose to prepare).

R10.13 Modify Policy NE.8 by adding “adversely” before “affect” in the first sentence.

R10.14 Delete Quick Guide 15 and add to the text: an explanation of where the selection criteria and confirmation process for SNCIs is set out; where the description of each SNCI and large scale plan of their boundaries can be found; and to highlight that further SNCIs may be identified and confirmed which are not shown on the Proposals Map.

R10.15 Modify Policy NE.9 by:

inserting after “indirectly”, “the nature conservation value of”; and

inserting in criterion i after “biological”, “geological/geomorphological”.

R10.16 Delete QG 15A.

R10.17 Modify paragraph C.248 to explain how species of local importance will be identified and to make reference to the proposed SPD on Priority Species and Habitats (if the Council intend to produce such SPD in the near future).

R10.18 Modify paragraph C2.52 to refer to the proposed SPD on Priority Species and Habitats (if the Council intend to produce such SPD in the near future).

R10.19 Modify paragraph C2.58A by reference to the importance of Flood Risk Assessments being prepared and submitted with planning applications within indicative floodplains and to the advice on their preparation at Annex F of PPG25.

R10.20 Modify paragraph C2.59 by the addition of IC17.

R10.21 Modify Policy NE.14 by deleting criterion ii; and adding at the end of the policy:

“all planning applications located within an indicative floodplain shown on the Proposals Map or where there is other evidence that it is at risk from flooding should be accompanied by a Flood Risk Assessment.”

R10.22 Modify the Proposals Map:

in accordance with IC19 (floodplain boundaries at Bath Western Riverside) and to take account of any other revisions to the EAs indicative floodplain maps;

by adding “indicative” before “flood plain” on the Key.

by deleting the Protected Overland Flood Paths (PIC/C/30) (unless the plan is modified to explain their purpose and what policy criteria apply to them).

R10.23 Delete the existing wording of Policy NE.16 and substitute:

“Development which would result in the loss of the best and most versatile agricultural land will not be permitted unless sustainability considerations are sufficient to override the protection afforded to the agricultural value of the land. Development should be directed towards the lowest grade agricultural land except where sustainability considerations indicate otherwise.”

R10.24 Modify paragraph 2.66 to refer to the comparative accessibility/sustainability of land of different agricultural value as one of the factors to be taken into account in determining where necessary development on agricultural land should take place.

Recommendations from Section 11 (Built and Historic Environment)

R11.1 Modify paragraph 3.6 by:

deleting the phrase added in the RDDLP “plus a further two criteria that all sites have to fulfil”;

deleting the 2 mandatory criteria;

adding at the end: "The City also meets the two further criteria required of all WHS, namely, authenticity and legislative protection."

R11.2 Modify paragraph C3.10 by deleting the reference to DOE Circular 7/94 and substituting "Circular 02/99 Environmental Impact Assessment".

R11.3 Modify paragraph 3.12 by explaining the position of the boundary and the importance of the Local Plan in defining a boundary for the WHS.

R11.4 Modify Policy BH.1 by deleting the text and substituting: "Development which would harm the qualities which justified the designation of Bath as a WHS will not be permitted."

R11.5 Modify paragraph C3.17 by deleting "all original and later".

R11.6 Modify Policy BH.4 by inserting after "originally designed" "(except where policy ET.2(2) – as recommended in this report - also applies)".

R11.7 Modify policy BH.5 by deleting "adversely" in the first line.

R11.8 Delete QG17 and insert the selection criteria under paragraph C3.30.

R11.9 Modify paragraph C3.40 by highlighting that conservation area appraisals will assist in the application of the policy because they identify what makes an area special and what detracts from it. Insert a cross reference to where existing and proposed appraisals are listed in the plan.

R11.10 Modify Policy BH.7 by inserting at the end: "or iv) the proposed development would make a significantly greater contribution to the conservation area than the building to be lost."

R11.11 Delete Quick Guide 18.

R11.12 Modify paragraph C3.45 by deleting the last 2 sentences.

R11.13 Modify paragraph C3.46 by deleting the last sentence.

R11.14 Modify the Proposals Map by deleting all Parks and Gardens of Local Historic Interest.

R11.15 Modify the plan by deleting Policy BH.10.

R11.16 Modify Policy BH.9 by deleting the text and substituting: "Development which adversely affects sites on English Heritage's Register of Historic Parks and Gardens or their settings will not be permitted".

R11.17 Modify paragraphs C3.54-C3.56 to reflect the above modifications.

(R11.18 and R11.19 below are alternatives)

Either:

R11.18 The Council assemble a set of defined criteria against which to evaluate undeveloped sites within built up areas and carry out an assessment of sites identified in the RDDLP as VIOS against those criteria. Sites which accord with the criteria may then be identified with explicit reasons for the inclusion of sites within the VIOS designation; and

modify the Proposals Map in accordance with that site selection process; and

modify Policy BH.15 to relate directly to the criteria for the selection of sites and the contribution the site makes to the character of the settlement.

Or:

R11.19 Delete Policy BH.15 and delete the VIOS designation from the Proposals Map.

R11.20 Modify the plan by deleting paragraphs C3.73 and C3.74, Policy BH.16 and the village buffers from the Proposals Map.

R11.21 Modify the plan by deleting all that part of paragraph C3.80 from "All directional signs" to the end.

Recommendations from Section 12 (Minerals)

R12.1 Modify Policy M1 to accord with the proposed changes set out in the Council's response to objection 3202/B2.

R12.2 Paragraphs C4.5 to C4.58 be deleted and replaced with the following:

"Limestone is the principal commercial mineral worked in the plan area. Current reserves are in the order of 600,000 tonnes, according to 2001 estimates. Fuller's Earth and coal were extracted from sites within the District up to 1979 and 1973 respectively. However, whilst reserves still exist in the area the extraction of these minerals is not considered to be economically attractive and is unlikely to resume in the District.

There are currently three sites active in the District: two surface mineral workings and one underground mine. Stowey Quarry near Bishop Sutton, produces white lias and blue lias limestones for use as building and walling stone and also for aggregate purposes. Upper Lawn Quarry at Combe Down produces the Combe Down variety of Bath Stone for building, refurbishment, restoration and walling purposes; and Hayes Wood Mine at Limpley Stoke produces some 9-11,000 tonnes of stone each year.

There are also a further three sites which are currently inactive but with extant planning permissions. The Table below provides a summary of the mineral reserves and registered planning permissions at the six sites."

Table 4.1 (*to be completed by the Council*)

	Name	Description, i.e.location, area etc.	Extent of mineral reserve and type	Planning Permissions
Active sites				
Inactive sites				

R12.3 PIC/C/38 be deleted.

R12.4 Modify the plan by deleting paragraph C4.60 and Policy M.3.

R12.5 Modify the plan by deleting paragraph C4.62.

R12.6 Modify Policy M4 criterion (i) as follows:

delete "satisfactorily" before "restored" and "regenerated"

insert after "tip" "where it would cause significant harm"

delete "of value"

insert "or" after "landscape".

R12.7 Delete Policy M.5.

R12.8 Modify the plan by deleting paragraph C4.74.

R12.9 Modify paragraph C4.75 by deleting the second sentence and "M3" in the last sentence.

R12.10 Modify paragraph C4.76 by deleting the first sentence; deleting "therefore" and inserting after "forward" "from the MWALP".

R12.11 Modify the plan by deleting paragraph C4.78.

R12.12 Modify paragraph C4.79 by deleting from "Proposals for further" to "rise to complaints."

R12.13 Modify the plan by deleting paragraph C4.80.

R12.14 Modify paragraph C4.83 by deleting the second sentence; deleting “will be resisted until” and inserting after “site” “should be phased to accord with the completion of”; deleting “have reached an advanced stage”.

Recommendations from Section 13 (Access)

R13.1 Modify the plan by deleting paragraphs D1.1 and D1.4.

R13.2 Modify the plan by deleting Table 6B and all references to it in the text.

R13.3 Modify Diagram 17A and B by updating with 2001 census data.

R13.4 Modify the plan by inserting a new Diagram to show inward commuting.

R13.5 Modify paragraph D2.3 by updating the reference to the Strategic Rail Authority.

R13.6 Modify paragraph D3.4 bullet point 6 by inserting after “school” “through the Safe Routes to Schools Scheme”.

R13.7 Modify the plan by deleting Policies T3 and T4 and inserting a new policy:

“To promote walking and the use of public transport, the Council will seek the provision of safe, convenient and pleasant facilities for pedestrians and the mobility impaired, including the extension of a network of pedestrian routes. These requirements should be incorporated in all new developments including traffic management and transport infrastructure schemes.”

R13.8 Modify Paragraph D3.6 in accordance with Inquiry Change IC13.

R13.9 Modify Policy T.5 by deleting “or seek funding for”.

R13.10 Modify the plan by incorporating Inquiry Change (IC13).

R13.11 Modify Policy T.8 by deleting “seek funding for”.

R13.12 Modify the plan by deleting QG 19.

R13.13 Modify the plan by deleting paragraph D5.3.

(See also recommendation under Policy T.11 below.)

R13.14 Modify Policy T.10 by deleting 1).

R13.15 Modify the plan by deleting the heading “Rapid Transit” and paragraphs D6.1 to D6.3.

R13.16 Review all the Sustainable Transport Routes to ensure they do not include land which has been redeveloped and is in beneficial use.

R13.17 Modify the plan by deleting Policy T.17 and Paragraph D9.3.

R13.18 The Council to consider whether it is necessary to retain Policy T.18, or whether its wording could be used to replace much of the preceding text in paragraphs D10.1 – D10.4.

R13.19 Modify the plan by deleting Policy T.21.

R13.20 Modify Policy T.22 by inserting at beginning:

“The Council will safeguard land shown on the Proposals Map for Park and Ride purposes at Lambridge, Bath, adjacent the A4.”

R13.21 Modify Paragraph D11.1 by adding at the end:

“This includes uses which might increase the risk of collision between aircraft and birds. Applicants should consult the Council about the current extent of the safeguarded areas because they are reviewed and amended from time to time by the CAA”

R13.22 Modify Policy T.23 deleting “shown on the Proposals Map” and inserting “as defined by the CAA”.

R13.23 Modify Policy T.24 by deleting criterion 6.

R13.24 Review the residential parking standards (C3) set down in the schedule to Policy T.26 to ensure they comply with national standards of, on average, no more than 1.5 spaces per dwelling.

R13.25 Modify paragraph D12.4 by deleting the final sentence.

R13.26 Modify Policy T.26 criterion (i) by deleting after “Council”.

R13.27 Replace all references in the text to “Supplementary Planning Guidance” with “Supplementary Planning Document”.

R13.28 Modify the Glossary in accordance with IC20.

Recommendations from Section 14 (Omission of policies)

No changes

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