

<b>Respondent Details</b>	<b>Summary of Comment</b>	<b>Proposed Response</b>	<b>Change</b>
<b>Ref:</b> 3126/J181 /s <b>Location</b> (None)	Strongly support the vision that re-use and recycling are the primary goals of waste policy. Where "residual" waste is discussed, it should be seen as a diminishing phenomena.	Support noted.	No change.
<b>Ref:</b> 3948/J25 <b>Location</b> (None)	1. In order to allow the Inspector's amendment of "residual waste", the line above should refer to "potential waste" thus making implicit the concept of a reusable or recyclable element which is not technically "waste" but "awaiting reclamation". Although a fine distinction, it will make the set of Waste Management policies easier to interpret in the light of the ambiguities in the DEFRA guidance.  2. Change "re-use of waste" to "re-use of potential waste".	The modification relates to the deletion of the words "and re-use of waste" and the word "waste" has been added in order for the sentence to be grammatically correct therefore the objector's comment does not technically relate to a modification. The paragraph is setting the context for the review of the Council's Waste Management Plan and its wording does not relate to policy formulation in the Local Plan.	No change.

### **Modification: M/B8/27 - Policy WM.1**

<b>Ref:</b> 1427/J242 /s <b>Location</b> (None)	The Environment Agency supports the re-draft of this Policy.	Support noted.	No change.
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## **Chapter B9. General Development Sites**

### **Modification: M/B9/4 - Deletion of overlap with other policies from Policy GDS.1**

<b>Ref:</b> 3004/J25 <b>Location</b> (None)	<ol style="list-style-type: none"> <li>1. Renrod support the deletion of Policy GDS.1 which represented an unnecessary repetition of other policies within the Local Plan.</li> <li>2. The removal is consistent with other Modifications which helpfully seek to reduce the amount of text within the document and make it easier for the Plan user.</li> <li>3. It is evident from the Inspector's conclusions in respect of this policy that she was content that there are a group of policies which are to be applied to all development sites and, that the Local Plan should be read in its entirety which provides the basis for the control of development and the allocation of land.</li> <li>4. In other Representations Renrod have objected to the failure of the Plan to be modified to exclude their sites on the Lower Bristol Road in accordance with the Inspector's recommendation.</li> <li>5. Part of the Council's reasons for rejecting the Inspector's recommendation suggest that any sites excluded from the Western Riverside area would not be the subject of sufficient planning control in the event that they were to come forward for redevelopment.</li> <li>6. Manifestly, this is not the case. As the Council note in accepting the Inspector's recommendations in relation to GDS.1, the Plan must be read in its entirety and, there are a host of policies which seek to control development elsewhere within the Plan.</li> </ol>	Support noted for modification to Policy GDS.1. See also Council's responses under representations 3004/J20, J21, J22 and J23. The Council has accepted that there are generic policy requirements such as affordable housing, transport, design etc which apply to all proposals coming forward for development on both allocated & windfall sites. It is these policy requirements that have therefore been removed in response to the recommendation of the Inspector. Where policy requirements relate specifically to a site and are needed in order to make the development acceptable, then these have been retained within Policy GDS.1. The Council considers that the Renrod sites are functionally and spatially integral to the BWR scheme and their exclusion would militate against the delivery of a comprehensive scheme on BWR. These requirements are not covered by the generic policies.	NO change.
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### **Modification: M/B9/5 - General Development Sites**

<b>Ref:</b> 3004/J20	MODIFICATION M/B9/5 - A4/26A	This modification is a non-material reOction of the para. The policy approach relating to existing business within the BWR site are dealt with in the Council's response to reresentation 3004/J21	No change.
<b>Location</b> (None)	<p>1. Renrod Limited object to the failure of the Local Plan to add additional text at M/B9/5 in relation to other key objectives for the Western Riverside area.</p> <p>2. In other Representations Renrod have set out that their existing businesses, together with others located close to the redevelopment area should be excluded from it. The Inspector fully recognised in her report that existing businesses should be allowed to remain and should be safeguarded.</p> <p>3. The text at M/B9/5 should be amended to include reference to the retention of existing businesses as part of a series of changes required to bring the Local Plan into line with the Inspector's comprehensive recommendations.</p>		

### Modification: M/B9/6 - Modifications to BWR policy

<b>Ref:</b> 1984/J13	Inspector's Recommendation: Modify the contribution to housing land supply in the period to 2011 from the following allocations: GDS.1/B1 Bath Western Riverside: 450 dwellings	This is a key development site in Bath & North East Somerset and therefore the Council is seeking to facilitate its implementation. The Inspector highlighted the complexities in bringing the site forward such as site constraints, abnormal costs of development, form of development on different parts of the site, level of contributions, the need for a comprehensive approach, land acquisition/potential acquiring the site and securing planning permission. She therefore advocated a cautious approach and recommended that the Local Plan should rely on no more than 450 dwellings being built before 2011 as opposed to the 800 proposed in the Local Plan.	No change.
<b>Location</b> Bath Western Riverside <b>Bath</b>	<p>Council's decision and reasons; Agree that capacities for the Plan period should be modified and increased to 600 units within the Plan period</p> <p>National Grid Property representations: In the original Deposit Draft Local Plan 2003 it was proposed that 900 units should be delivered from the Western Riverside development during the Plan period. Subsequent amendments reduced this figure to 800 units, then 450 units within the Plan period. Although the Council is "moving in the right direction" in increasing the number of units to delivered from 450 to 600 units, it is still the view of National Grid Property that, if the land at Western Riverside is brought forward in phases, there is capacity to deliver in excess of 900 units during the plan period.</p> <p>It is in the best interests of the Council to support the delivery of Western Riverside in every way and seeking to restrict its ability to deliver much needed housing supply could ultimately smother the delivery of the development and threaten its ability to be delivered successfully. National Grid Property request the Council reconsiders the capacity of the development during the Plan period and promotes a higher number of units.</p>		
		<p>In responding to the Inspector's recommendation, the Council undertook further analysis of the BWR programme, looking closely at the delivery path of the scheme and the market considerations in relation to the start date &amp; build rate. This assessment generally corroborates the inspector's conclusions. Nevertheless there has been considerable progress since the Local Plan Inquiry (LPI). Work on the BWR Supplementary Planning Document (SPD) was approved for Development Control purposes in 2006 with technical adoption pending adoption of the Local Plan. The SPD addresses some of the concerns raised by the Inspector including spatial masterplanning, the assessment of costs and a contributions strategy. In addition, close working with a key developer has enabled progress. Subject to expeditious progress, an earlier start date than that considered by the Inspector is conceivable which might enable up to 600 dwellings to be completed during the Plan period.</p> <p>It was accepted that the Inspector's cautions should</p>	

Respondent Details	Summary of Comment	Proposed Response	Change
<p><b>Ref:</b> 1984/J14</p> <p><b>Location</b> Bath Western Riverside</p> <p><b>Bath</b></p>	<p>Inspector's Recommendation: Modify Policy GDS.1/BI as follows; In delete "800" and insert "450."</p> <p>Council's decision and reasons; Agree, however, 450 to 600 dwellings should be anticipated on the site during the Plan period since considerable progress has been made since the Local Plan Inquiry. Work on the Bath Western Riverside Supplementary Planning Document (BWR SPD) which addresses some of the concerns raised by the Inspector including spatial masterplanning, the assessment of costs and a contributions strategy is advancing and is programmed for adoption this year.</p> <p>In addition, close working with a key developer has enabled progress. Subject to expeditious progress, an earlier start date than that considered by the Inspector is conceivable which might enable up to 600 dwellings to be completed during the plan period.</p> <p>National Grid Property representations relating to the Proposed Modifications to the Local Plan National Grid Property object to the Proposed Modification to the Local Plan;</p> <p>In the original Deposit Draft Local Plan 2003 it was proposed that 900 units should be delivered from the Western Riverside development during the Plan period. Subsequent amendments reduced this figure to 800 units, then 450 units within the Plan period.</p> <p>Although the Council is "moving in the right direction" in increasing the number of units to delivered from 450 to 600 units, it is still the view of National Grid Property that, if the land at Western Riverside is brought forward in phases, there is capacity to deliver in excess of 900 units during the plan period.</p> <p>It is in the best interests of the Council to support the delivery of Western Riverside in every way and seeking to restrict its ability to deliver much needed housing supply could ultimately smother the delivery of the development and threaten its ability to be delivered successfully.</p> <p>National Grid Property request the Council reconsiders the capacity of the development during the Plan period and promotes a higher number of units.</p>	<p>be heeded but allowance was also be made for the opportunity for more rapid progress. Therefore the Local Plan was proposed to be modified to allow for a range of between 450 to 600 dwellings during the Plan period on Bath Western Riverside. It is therefore considered that the anticipated that the anticipated housing contribution from BWR for the Plan period is robust but it is stressed that this range in no way imposes a limit on the progression of the scheme and the revised wording of Policy GDS1 will not seek to impose a limit on completion rates by 2011.</p> <p>See response to Rep 1984/I13</p>	<p>No change.</p>
<p><b>Ref:</b> 1984/J15</p> <p><b>Location</b> Bath Western Riverside</p> <p><b>Bath</b></p>	<p>Inspector's Recommendation : Add after 10: 'There will be no requirement for existing business 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.'</p>	<p>The Council did not fully accept this part of the Inspector's recommendation. The Council's response was,</p> <p>"Whilst it is accepted that clarity for existing businesses would be beneficial, the form of wording</p>	<p>No change.</p>

Council's decision and reasons: Agree with recommendation and to modify the Local Plan accordingly.

National Grid Property object to the Proposed Modification to the Local Plan. Given the proposals for the Western Riverside development are evolving, National Grid Property are not clear as to how the Council can state that no business will require relocation during the Plan period.

As part of a phased approach to delivery, it could be possible to deliver a large proportion of the Western Riverside development within the Plan period and therefore there could be a requirement to relocate existing uses and businesses. It is not in the best interests of the Council or the Western Riverside development to have such a restrictive policy. The deletion of this policy would allow a flexible approach to the development and thus maximise its prospect for success.

recommended by the Inspector is not accurate as it may be that some existing businesses will need to be relocated during the life of the Plan. It is therefore recommended that the Inspector's wording is modified as follows, "Existing businesses wishing to remain within the site and which are compatible with the SPD will either remain in their current locations or be relocated within or adjacent to the redeveloped area or elsewhere if appropriate"

The Local Plan and the SPD together set out the principles for the redevelopment of the site and they do not seek to restrict or delay development.

<b>Ref:</b>	3004/J21	MODIFICATION MIB9/6 - POLICY GDS.1/B1, WESTERN RIVERSIDE		
<b>Location</b>	Bath Western Riverside <b>Bath</b>	<p>1. Renrod Limited object to the Policy GDS.1 in relation to Western Riverside. It is fundamentally flawed in its approach to existing businesses.</p> <p>2. Renrod have set out in other Representations that their desired approach is to be excluded from the Western Riverside area in line with the Bath Press site, and in line with the Inspector's clear recommendations on the matter.</p> <p>3. Notwithstanding this, it is considered that Policy GDS.1 related to the Western Riverside is flawed if such sites do remain. It simply states that existing businesses wishing to remain within the site which are compatible with the SPD will remain in their current locations or be relocated within or adjacent to the redevelopment area or elsewhere if appropriate.</p> <p>4. This raises a whole series of questions, and demonstrates the incompatibility of the policy with the published draft SPD for the site and, the ongoing process and negotiation on the three Crest Nicholson planning applications related to the land.</p> <p>5. In the first instance, it is unclear from the policy which businesses it refers to? Is it intended that this applies to Renrod's sites on the Lower Bristol Road?</p> <p>6. What judgment is to be applied in terms of judging their compatibility with the SPD? Are the Renrod sites deemed to be compatible or, is the intention of the Local Plan that these be removed despite the fact that they are thriving businesses and, contrary to the clear recommendations of the Inspector?</p> <p>7. How would the Local Plan work in relation to locating sites within or adjacent to the redeveloped area or, elsewhere if appropriate? It is evident from the SPD that no sites are identified within or adjacent to the area for potential relocation and, it is noteworthy that nowhere else within the Local Plan are any sites allocated for uses specifically related to relocations from the Western Riverside area.</p> <p>8. It is further evident from the various Crest planning applications that no sites are being made available within the Western Riverside area for existing businesses.</p>	<p>The Local Plan sets out the broad policy requirements for the site and these are elaborated in some detail in the SPD which has undergone extensive public consultation and has been amended as a consequence. This provides a robust basis for the determination of planning applications within the BWR area. The Policy sets out the requirements for any business wishing to remain within the site. As stated in the policy, any planning application [including on the Renrod site] will need to demonstrate that it is, inter alia, consistent with the detailed guidance set out in the SPD. The assessment of compliance will need to be determined through the development control process.</p> <p>The proposed wording of the policy, in conjunction with the SPD, builds on the approach recommended by the Inspector and establishes the principles of the approach to be taken in respect of existing sites and provides the necessary guidance for prospective applicants.</p>	No change.
<b>Ref:</b>	3279/J40	While Sainsbury's Supermarkets Ltd is not objecting to the proposed modifications to this policy, it wishes to draw the Council's attention to the continuing uncertainties associated with the future of the Sainsbury's foodstore at Green Park Station brought about by the failure of Policy GDS. 1/B.1 and the supplementary planning guidance set out in the recently adopted SPD for BWR to establish a clear and deliverable policy framework for this part of BWR.		
<b>Location</b>	Bath Western Riverside <b>Bath</b>	<p>In many respects the comments below amplify those objections made by Sainsbury's Supermarkets Ltd to the BWR SPD.</p> <p>The Local Plan Inspector recommended that the Council carefully reconsiders</p>	<p>The Retail Strategy, currently under preparation, will enable the Council to address the options for the eastern part of BWR and enter into detailed discussions relevant parties.</p>	No change.

whether it is appropriate to include the Sainsbury's and Homebase sites in the BWR area, in the light of other recommendations relating to the deletion of proposals for major retail development at BWR. Having carried out this reappraisal, the Council has decided to keep the Sainsbury's and Homebase sites in the BWR allocation on the basis that they are essential to achieving an integrated relationship between BWR and the City Centre. In the light of this decision, it is reasonable to conclude that relocation of Sainsbury's and Homebase is prerequisite to delivering the Council's regeneration aspirations for BWR, including stated development requirements outlined in Policy GDS. 1/B.1.

it is also clear from the SPD that in order to meet certain development objectives for BWR (i.e.. The plaza to the west of Green Park Station, the potential landmark cultural facility close to the river, and accommodating the proposed bus-based Rapid Transit System), it will be necessary for the Sainsbury's foodstore to relocate. Of particular note, the Rapid Transit System is a development requirement set out in Policy GDS. 1/B.1. The need for Sainsbury's to relocate is specifically identified at paragraphs 2.5.9 and 2.12.3 of the SPD, although the SPD does not go as far as identifying a relocation site for the Sainsbury's foodstore either within the BWR area or beyond.

Until the issue of the relocation of the Sainsbury's foodstore is properly planned for, and found to be viable, serious doubts must remain over the prospects of delivery of some of the key objectives and aspirations for the eastern end of BWR. As it stands, some of the stated objectives for BWR can be considered as no more than aspirational.

Given that not all the development requirements set out in the Policy GDS. 1/B.1 are founded on any clear basis for delivery, concerns must be raised over the soundness of this policy. In this respect, it is important to recognise that government guidance on spatial planning advocates the 'plan-led approach', and puts a strong emphasis on planning policies being explicit, deliverable, and creating certainty.

Sainsbury's Supermarkets Ltd recommends that further detailed consideration is given to the future of the Sainsbury's site in the context of the stated development requirements and objectives for BWR. If it is necessary for the Sainsbury's foodstore to relocate, as the SPD indicates, this should be incorporated into the development requirements of Policy GDS. 1/B.1. Otherwise, further consideration should be given to the removal of the Sainsbury's site from the BWR area, as recommended by the Local Plan Inspector.

**Ref:** 3611/J4

**Location** Bath Western  
Riverside  
**Bath**

My clients objection relates to the proposed change to the text of Policy GDS.1/B1 and the new sentence inserted after the bullet points. This change does not accord with the Inspectors recommendation and my clients are firmly of the view that the latter is preferred and should remain. It would appear that the Inspector was led to believe that there would be no need to relocate any existing business within the Plan period (to 2011). In its Statement of Decisions' the Council merely indicates that this was not accurate and that there 'may' be a need to relocate some businesses during the life of the Plan. In our view, the Council's proposed change is unacceptable in that:

- it repeats the errors and shortcomings of the Deposit Plan by leaving existing businesses completely in the dark as to what they might expect from the BWR proposals.
- There remains no indication or explanation as to which businesses might be affected and if so where they are likely to be relocated to and when.
- The PM (as well as the approved SPD) make no allocations either within the BWR

The needs of existing businesses have not been ignored as the Local Plan has been modified, taking account of the Inspector's recommendations, to add an overarching approach in Policy GDS.1/B1 in relation to existing businesses within BWR. In some cases more detailed guidance is included in the SPD. The Retail Strategy currently underway will enable the Council to address the options for the eastern part of BWR and enter into detailed discussions relevant parties.

No change.

Respondent Details	Summary of Comment	Proposed Response	Change
<b>Ref:</b> 2310/J22	<p>area or outside the area for any existing businesses to relocate.</p> <ul style="list-style-type: none"> <li>• The PM (as well as the approved SPD) continue to ignore current and future requirements of existing well-established and thriving businesses within the BWR. We would request that the proposed change be deleted and replaced by the Inspectors recommendation (R7. 4-7 refers). Also, that as a matter of urgency the Council give a firm commitment to review the requirements of existing businesses within the BWR, including possible relocation options and to enter into detailed discussion with the relevant parties.</li> </ul>	Disagree that that the Council has taken an inconsistent approach regarding the 2 sites.	No change.
<b>Location</b> Cautletts Close <b>Norton Radstock</b>	<p>1. We object on the grounds that the plan should only be modified in line with the Inspector's recommendation that the site will deliver 450 dwellings, instead of 450 - 600 dwellings proposed by the Council.</p> <p>Justification</p> <p>On an unconstrained Green Belt site at S.W Keynsham, the Council accept that only 500 dwellings will be developed in the plan period. Western Riverside is a constrained site where existing users may choose to remain so development is unlikely to be carried out at a faster rate than that assumed by the Council for S.W Keynsham.</p> <p>The council's response to the Inspector's report is therefore inconsistent with its approach to S.W. Keynsham</p>	<p>These are two very different sites. BWR is a longstanding proposal which has been worked up in detail via an SPD. Many of the implementation issues have been addressed and part of the site now has a resolution to grant an outline permission. SWK has been re-instated via the modifications and a Masterplan is being worked up. The housing supply figures are not intended to be a limit but are those which the Council can robustly rely on for the Local Plan period in order to ensure sufficient land is made available to meet housing need.</p> <p>In relation to BWR, in light of the complexities in bringing the site forward, the Inspector advocated a cautious approach and recommended that the Local Plan should rely on no more than 450 dwellings being built before 2011 as opposed to the 800 proposed in the Local Plan.</p> <p>In responding to the Inspector's recommendation, the Council undertook further analysis of the BWR programme, looking closely at the delivery path of the scheme and the market considerations in relation to the start date &amp; build rate. This assessment generally corroborates the inspector's conclusions. Nevertheless there has been considerable progress since the Local Plan Inquiry (LPI). Work on the BWR Supplementary Planning Document (SPD) was approved for Development Control purposes in 2006 with technical adoption pending adoption of the Local Plan. The SPD addresses some of the concerns raised by the Inspector including spatial masterplanning, the assessment of costs and a contributions strategy. In addition, close working with a key developer has enabled progress. Subject to expeditious progress, an earlier start date than that considered by the Inspector is conceivable which might enable up to 600 dwellings to be completed during the Plan period.</p>	

It was accepted that the Inspector's cautions should be heeded but allowance was also be made for the opportunity for more rapid progress. Therefore the Local Plan was proposed to be modified to allow for a range of between 450 to 600 dwellings during the Plan period on Bath Western Riverside. In order to ensure housing provision for the Plan period is not prejudiced, the Local Plan makes provision to meet the slower rate of development ie 450 dwellings. If development proceeds at a faster rate then this will contribute to the longer term RSS housing land requirements and may also be taken into consideration in the determination of windfall housing proposals in Bath & elsewhere in the District.

Whilst South West Keynsham is a green field site on which the Inspector recommends inclusion for up to 700 dwellings, the Council considers that in order to bring forward a robust, co-ordinated and suitable scheme for the site through a masterplanning exercise, the Local Plan should rely on about 500 houses to be delivered in the Plan period although this is in no way intended to be a limit. Again if development does proceed at a faster rate, then this will contribute to RSS housing requirements.

### Modification: M/B9/7 - Deletion of Bath Press from BWR site

<b>Ref:</b>	1984/J17 /s	Inspector's Recommendation Delete the Bath Press site and the area which included the Renrod sites from the BWR allocation on the Proposal Map.	Support noted.	No change.
<b>Location</b>	Bath Western Riverside <b>Bath</b>	Council's decision and reasons Agree with removal of Bath Press as it is different from the rest of the site as highlighted in the Inspectors reasoning but disagree with the Inspector with regard to Renrod Site.  National Grid Property representations relating to the Proposed Modifications to the Local Plan National Grid Property supports the Council in its Proposed Modification to the Local Plan.		
<b>Ref:</b>	1984/J19 /s	Policy GDS.1 I Bi Western Riverside Mod. No Mf69/7 Inspector Recommendation Review the need to include Sainsbury and Homebase within the BWR allocation on the Proposals Map. Council's decision and reasons Further consideration concludes that this eastern part of the site is an integral part of the allocation as it connects the western part of the site through to the City	Support noted.	No change.
<b>Location</b>	Bath Western Riverside <b>Bath</b>			

centre.  
National Grid Property representations relating to the Proposed Modifications to the Local Plan  
National Grid Property support the Council in requiring the development to be linked to the City centre.

<b>Ref:</b> 3004/J22	<p>MODIFICATION M/B917- CHANGES TO PROPOSALS MAP</p> <p>Whilst Renrod note and welcome the exclusion of the Bath Press site from the Riverside area, fundamental objection is raised to the failure of the Council to follow the Inspector's clear recommendation in relation to the Renrod sites on Lower Bristol Road.</p> <p>2. The Council's approach to this matter is flawed. The Statement of Decisions fails to give an adequate reason for the Council's decisions and is based on a series of incorrect assumptions.</p> <p>3. In particular as set out at R7.6 (page 99) of the Statement:</p> <ul style="list-style-type: none"> <li>• There is no difference between the Bath Press site and Renrod sites. Such is made clear in the findings of the Inspector's report. She fully weighed the comprehensive cases made on behalf of both parties at the Inquiry and found no difference between the two.</li> <li>• The Inspector concluded that both physically and functionally the Renrod sites were not part of the Western Riverside area and should remain in place. There is no explanation given as to why the Council considers the Inspector's clear recommendations on this point to be inaccurate.</li> <li>• There is further reference to one of the Inspector's conclusions being "inaccurate" in relation to comprehensively of the development. Again, no reason is given as to why the Inspector's findings are inaccurate given that she weighed carefully a series of detailed arguments put in relation to the Renrod land.</li> <li>• Simply stating that removal of the site would leave them not the subject of the SPD is not in itself a justification for sites to remain. The Inspector fully considered this point in her report. It was evident she was content that there are other policies within the Local Plan which would control development or redevelopment of these sites and that they do not need to be a part of the Riverside proposal.</li> <li>• The issue of precedent is not relevant. The Inspector's recommendations were clear in respect of the Renrod sites which she considered in detail having regard to plans, policies, precedent etc. It is noted and welcomed however that the Council recognised that Renrod is a "thriving business."</li> <li>• It is incompatible for the Council to exclude the Bath Press site and not Renrod. Quite clearly, the assumption is that the Bath Press site, if it were to come forward for redevelopment, could be judged against other policies in the Local Plan. This is exactly the same situation with regard to Renrod, as the Inspector found.</li> <li>• The Statement of Decisions does not give an adequate response to the Inspector's clear findings having heard detailed arguments. Simply referring to the Inspector's other conclusions in respect of other sites and businesses is not a reason for rejecting the findings in relation to Renrod. The Council are promoting relocation in some cases, but there is nothing within the Local Plan that deals with this issue.</li> </ul> <p>4. The Renrod site should be excluded from the Western Riverside development area in accordance with the Inspector's recommendations. The Modifications in relation to the site should be amended accordingly.</p> <p>9. In fact, both the SPG and the Crest planning applications and their supporting masterplans are predicated on the basis that all existing businesses will be removed without any identification of alternative sites either within the development area or, elsewhere.</p>	<p>The Inspector distinguishes between the Bath Press &amp; Renrod sites in terms of the location on different sides of the Lower Bristol Road In para 7.27 of her report, the Inspector notes that " the Bath Press site is separated from the main BWR site by the Lower Bristol Road" &amp; that there is a 'physical separation' of the Bath Press site from the remainder of the BWR area and its location 'away' from the main BWR site. The Inspector does not make similar descriptions of the Renrod sites. In its response to recommendation R7.6, the Council sets out why it has distinguished between the 2 areas - "Unlike Bath Press, this part of the site is an integral part of BWR both physically and functionally. Its inclusion contributes to the BWR design and townscape objectives". The Bath Press site does not share the Renrod sites integral relationship with the rest of BWR.</p> <p>As set out in the response to recommendation, the Council does not accept the argument that if the site was excluded from the development, there are other policies in the Plan which would ensure that they would play their role in realising a comprehensive development of BWR. The other policies in the plan are generic and apply to any development coming forward within the District. Exclusion of Renrod from the BWR site would exclude it from the particular requirements of the SPD and Policy GDS.1/B1.</p> <p>The Inspector's recommendation for existing businesses within BWR (as described in the response to recommendation R7.6) proposes 2 potentially conflicting approaches of excluding some businesses from the site as well as providing policy guidance for their retention or relocation out of the site. The SPD does not require all business along the Lower Bristol Road to be removed. Indeed the policy context enables some of the existing uses to remain where they are and even expand as illustrated by the planning application agreed on 17th January 2007. The Local Plan builds on the Inspector's recommendations and provides a consistent approach for all businesses within the Plan area.</p>	No change.
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10. The policy as drafted is completely incompatible with the Inspector's recommendations which advocated the simple approach of excluding existing businesses from the development area.

11. It is noted that the final paragraph of the policy refers to the Riverside SPD and that it "accords with this policy." It is evident, by reference to the SPD that existing businesses along the Lower Bristol Road are simply expected to be removed and that there is nothing within it related to relocation of identification of sites.

12. In simple terms, the SPD is not compatible with the policy from which it is derived.

13. Finally, it is unclear why the reference to the Plan period has been removed from the text. It is quite clear, even having regard to Crest Nicholson's planning applications for the site that existing businesses along the Lower Bristol Road will not be required for redevelopment pre 2011. Such is set out clearly in the supporting application document.

14. The reference to the Plan period should be reinstated in line with the Inspector's recommendations.

The reference in the recommended wording to 'plan period' (R7.5) was removed as the Council cannot guarantee that there will not be a need for existing businesses to be relocated before 2011.

### Modification: M/B9/8 - Deletion of Newbridge P&R policy

<b>Ref:</b>	3901/J4 /s	CPRE is keen to avoid proliferation and expansion of Park and Ride schemes where these have an adverse effect on our countryside. However it is recognised that the removal of para C1.10A (which referred to a proposed alteration to the Green Belt boundary at Newbridge) and GDS.1/B1A are to be welcomed. Concern is however expressed at the proposed expansion of the existing park and ride facility at Newbridge, the proposals for which will be reviewed when available. The reasoning behind Park and Ride expansion has been overtaken by developments in national transport policy towards demand management including road user charging which will necessitate the review of the local authority's Park and Ride policy.	Support noted.	No change.
<b>Location</b>	Newbridge (land at) <b>Bath</b>			
<b>Ref:</b>	686/J211 /s	The council has accepted the deletion of its application to consider a Park and Ride, and a civic amenity in the Green Belt at Lambridge. The trust commends the Council for agreeing to the Inspector's recommendation.	Support noted.	No change.
<b>Location</b>	Lambridge Park and Ride <b>Newton St. Loe</b>			

### Modification: M/B9/9 - Deletion of Newbridge P&R from Proposals Map

<b>Ref:</b>	3948/J19 /s	I fully support this recommendation. There never was a specific need to change the Green Belt boundary, and as the inspector points out: "Land should only be removed from the Green Belt where there are exceptional circumstance to justify its release."	Support noted.	No change.
<b>Location</b>	(None)			

### Modification: M/B9/10 - MoD Foxhill - Removal of housing contribution for Plan period

<b>Ref:</b>	2310/J23	We object on the grounds that the Inspector recommended the deletion of this site as a housing allocation as there was no evidence that the land would be released for development. PPS 3 requires land allocated for housing to be deliverable within the plan period. On the Council's own agreement that the site will not provide any housing in the plan period, the site cannot be allocated for housing if it is to comply	In response the Council would reiterate its response to the Inspector's recommendation R5.16. Whilst it is accepted that site can no longer be relied on to make a contribution to the housing needs during the Plan period, complete deletion of the site from the	No change.
<b>Location</b>	MoD Foxhill <b>Bath</b>			

with PPS 3.

Plan will mean that should this significant site come forward during the plan period there will be no policy to guide its development. It is therefore recommended that whilst no housing contribution for the Plan period is included, the site is retained in the Local Plan as an allocation to guide development proposals that may come forward before 2011.

### Modification: M/B9/16 - General Development Sites

<b>Ref:</b>	3201/J10 /s	Proposed Modification M/B9/5 and M/B9/6 - Western Riverside (support) The South West RDA have reviewed the changes made in relation to Western Riverside and support the approach taken by the Council.	Support noted.	No change.
<b>Location</b>	Bath Western Riverside <b>Bath</b>			

### Modification: M/B9/17 - GDS.B7 (r/o 89-123 Englishcombe Lane)

<b>Ref:</b>	2118/J5	I wish to object to the Inspector's recommendation to re-instate this land for proposed housing development on the following summary grounds: 1. Inadequate consideration of the hydrographic and hydrologic impact, with particular reference to ground stability, flash flooding and drainage. 2. Inadequate consideration of the loss of a green field site, wildlife and conservation impact and loss of amenity. 3. Poorly and inadequately reasoned rejection of locally agreed alternatives. 4. Incorrect and illegal advice concerning the extension of the plan period, resulting in an incorrect calculation of housing provision requirements. The site has been the subject of constant discussion, inspection and examination of its hydrology for over thirty years. Every study conducted has shown that the site is very difficult to develop, and local experience continues to support this with constant flooding of Englishcombe Lane from run-off and flash-floods. Planning Policy Guidance 25 para 30. issued in 2001 places an obligation on the authority as follows: When allocating land in development plans or deciding applications for development at any particular location, those responsible for the decision would be expected to demonstrate that there are no reasonable options available in a lower-risk category' The site is on a steep slope falling an average 10m over a 60m span, rendering the top of the site visible from the city centre. Previous objection 3232/B1 describes this situation expertly and I do not propose to restate those arguments here, which have not changed, other than to give an illustration of the problems and potential problems. 1. Inadequate consideration of the hydrographic and hydrologic impact. On 29 May 1999, some 50mm of rain fell in the area in one hour on top of already sodden ground. As is usual, flood debris quickly blocked all the drains in the part of Englishcombe lane adjacent to the site. This time the deluge was so intense that water was forced along the road into the field above Moorlands Junior School. The subsequent torrent of water cascaded down the hill sweeping more debris before it. Moorlands Junior school forms a crescent at a natural lull in the hill. Water and debris slammed into the glass external classroom and assembly hall doors rising to a depth of 3 feet before running through the building and flooding it completely.	Land rear of 89-123 Englishcombe Lane was previously allocated for residential development in the Deposit Draft Local Plan and prior to that, in the Bath Local Plan. The Inspector considered the issues of housing supply again in detail at the Local Plan Inquiry and recommended that the Council should reinvestigate this site in order to meet the identified shortfall in housing in the District. The identification of sites reflects the locational sequence established in the Structure Plan: that is first Bath, then Keynsham, then Norton-Radstock and then the larger villages. Account has already been taken of the Brownfield site redevelopment opportunities. In light of the Government's priority on deliverability, the Inspector has emphasized that the sites should be both suitable for development and able to deliver housing by 2011. These options have been investigated taking into account the inspector's reasoning and recommendations, site constraints, the local plan strategy, corporate objectives, sustainability criteria and national planning advice, demand for alternative uses etc. As a result of the Council's investigations it was concluded that land rear of 89-123 Englishcombe Lane should be reinstated for residential development. Although not implemented planning permission was granted for a residential development on this site in August 1986.  The Council's highway engineer has confirmed that the site can be suitably and safely accessed. Issues of highway safety, increases in traffic generated by	No change.
<b>Location</b>	Englishcombe Lane (land rear of 89-123 ) <b>Bath</b>			

Cellars and boiler room were flooded to a depth of several feet. Fortunately this event occurred on a Bank Holiday Saturday when the school was empty. It takes little imagination to see what will happen in the future with the additional run-off from the developed site. The flooding will be much more severe, the force of the water much greater and it will be a matter of chance as to how many children are injured or worse. Bath will have its own Aberfan. Of course these problems can be prevented. But will they?

The inspector merely states that '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'. No reference or evidence from the Environment Agency is quoted rendering the comment meaningless. If E.A. studies have been undertaken they should be published and properly assessed.

#### 2. Inadequate consideration of the loss of a green field site

The issue of Greenfield sites within urban Bath is keenly felt by all citizens. The unique vistas presented on the hillsides to the centre give the City its backdrop and its context and is in no small part the reason why Bath is a World Heritage Site. The protection of these sites is not simply a matter for local residents but for all our citizens, visitors and businesses. It is therefore striking to see that one of the original objectors to the development of this site is Persimmon Homes, a major house builder, on the grounds that 'the residential development of this site would also affect the value of the adjacent Nature Conservation Site (Policy NE.9) and will be adjacent to a designated important hillside (Policy NE.3). The site is also located in a Conservation Area (Policy BH.6-8) and therefore will erode the character of the area.' (Objection reference 3278/B20).

The Inspector has paid no heed to this particular objection in relation to this site, nor has she recognised anywhere within the report the special nature of Green field sites within urban Bath, regarding them only as 'amenities of the area' (presumably in the same manner as waste recycling and swimming pools:<).

Due to the sloping nature of this site facing the city centre it will be very difficult to achieve the level of housing proposed without impacting the green vista. 2 storey dwellings will either be visible from the centre, or will be placed to severely overlook existing properties at upper storey bedroom and roof level.

It is also ironic that the Chief Executive is currently (Dec 2006 ) conducting an advertising campaign using public money against the development of a private recycling facility at the former Fuller's Earth works site on the grounds of 'loss of green field amenities, destruction of wildlife habitats and effect on local residents'.

#### 3. Poorly and inadequately reasoned rejection of locally agreed alternatives.

Following initial and constructive discussions on this matter, the Authority came to the conclusion that Green Field land within the urban area of the city is a precious commodity that should be preserved wherever possible. Consequently, the alternative provisions identified were promoted and accepted as a reasonable compromise, locally discussed, locally decided and locally accepted.

The first draft of the inspector's report, subsequently withdrawn, stated that the objections to development of this site were 'only local'. Precisely. This would seem to be the point of a Local Plan. The inspector has ignored or dismissed local representations as unworthy of consideration, in rejecting the alternatives has implied that local officers are incompetent or liars, and has unilaterally decided the course, implementation and imposition of National policy as overriding and inviolable.

She states that 'these sites are subject to a number of objections mainly from

the site and impact on junctions would need to be mitigated by way of contributions secured through a legal agreement.

The geotechnical survey was undertaken on behalf of the Council during 2006. Previous geotechnical surveys were undertaken in the 1980s which concluded the site was capable of being developed. The 2006 survey also indicates that development can be achieved without significant geotechnical constraints. Successful development of the site would depend on the submission of an appropriate scheme which takes account of the identified geotechnical constraints (Policy ES.14). Issues such as design, capacity, density, layout, dwelling type and impact on the surroundings will also be addressed in detail at the planning application stage.

As the site lies over a Major Aquifer appropriate pollution prevention measures will be required under Policy ES.9. The Environment Agency has no objection to development of this site in principle but would require a Flood risk Assessment to accompany any planning application (which is now a requirement of Policy NE.14) although the site is located outside the floodplain as a site of this size can generate significant volumes of surface water.

Although the site is not designated a site of nature conservation interest there is evidence of species and habitats of local ecological importance which would be safeguarded under Policy NE.11. Similarly Policy NE.12 seeks to protect natural features such as trees, hedgerows, stone walls and watercourses from the adverse effects of development. Should the proposal potentially cause harm to biodiversity and other natural features, mitigation and compensatory measures would be determined as part of any planning application. The retention of hedgerows is a development requirement as stipulated under Policy GDS.1/B7.

The objection raises no new issues warranting a further modification.

nearby residents'. The number was 20, including 19 residents directly affected and one housebuilder. Since these representations were made as individuals acting on behalf of households, this figure represents 75% of the households with adjacent boundaries to the site. Subsequent canvassing has confirmed that of the 38 properties adjoining the site all are against the development as currently proposed. Additional objections have been voiced from residents within the immediate vicinity. No residents are in favour of the development.

#### 4. Advice concerning duration of the plan.

The inspector comments in her letter to the Chief Executive "However, by taking a pragmatic approach to the availability of housing sites and recommending the higher rate of housing land supply implied by RPGIO, my recommendations aim to ensure the plan provides at least a five year supply of developable land which is suitable, viable and available." While the inspector may regard her approach as 'pragmatic' this is irrelevant since the requirement on the Authority is to provide a plan covering the legal plan period only. Other considerations should be ignored and the Authority is under no obligation to accept a higher level of provision during this period. Since this higher level of provision forms the whole basis of her argument for 're-instating' this land for development it is critical that this assertion is challenged. Undoubtedly this will form the basis of any forthcoming judicial review of the inspector's report and authority's response.

It is worth noting that Wendy Burden's previous incompetence led to an incorrect ruling on the Bear Flat transmitter planning application resulting once again in local representations being overruled.

#### Conclusion

There is widespread distrust of the planning system in Bath & North-East Somerset. It is seen as secretive, poorly administered and unresponsive to local concerns.

Comments range from those residents who believe that the system is incompetent to those who firmly believe it is corrupt. It is incumbent on the Authority to show real leadership, transparency and imagination in the planning controls over such an important city as Bath and to rebuild the trust that is so manifestly lacking.

In conclusion, the inspector's recommendation to overrule the recommendations of local Officers, the wishes of local residents and the principle of local determination by local consultation should be resisted and we urge the authority to reject recommendation R5.17.

**Ref:** 2357/J2

**Location** Englishcombe Lane (land rear of 89-123 )  
**Bath**

The main objection to the proposed modification is the amount of extra traffic this will introduce to Englishcombe Lane. Due to the number of properties proposed this will generate a huge increase in the volume of traffic.

The nature of our driveway means that we have to reverse onto a downhill slope from the main road. If there is a large volume of traffic and there are vehicles parked outside of our property we have to pull in before our property, where there is a space, and then wait for a gap in the traffic before pulling across the road and reversing into the driveway.

If there are no vehicles parked outside of our property we can pull up outside and reverse in when there is a gap in the traffic or when there is nothing coming the other way (so that the oncoming traffic can pull over in the road to avoid the front of the car as it reverses) We often have to wait for some time to do so, especially in view of the speed and flow of traffic along Englishcombe Lane. Although there is a 30 mph speed limit this is not adhered to by a large majority of the traffic. It is also difficult to pull out of the driveway when there is a large volume of traffic.

If there is a road more or less opposite our property with cars pulling out of the same this will make the manoeuvre even more difficult than it is already, and we

Land rear of 89-123 Englishcombe Lane was previously allocated for residential development in the Deposit Draft Local Plan and prior to that, in the Bath Local Plan. The Inspector considered the issues of housing supply again in detail at the Local Plan Inquiry and recommended that the Council should reinvestigate this site in order to meet the identified shortfall in housing in the District. The identification of sites reflects the locational sequence established in the Structure Plan: that is first Bath, then Keynsham, then Norton-Radstock and then the larger villages. Account has already been taken of the Brownfield site redevelopment opportunities. In light of the Government's priority on deliverability, the Inspector has emphasized that the sites should be both suitable for development and able to deliver housing by 2011. These options

No change.

would suggest that it would actually make it dangerous.

have been investigated taking into account the inspector's reasoning and recommendations, site constraints, the local plan strategy, corporate objectives, sustainability criteria and national planning advice, demand for alternative uses etc. As a result of the Council's investigations it was concluded that land rear of 89-123 Englishcombe Lane should be reinstated for residential development. Although not implemented planning permission was granted for a residential development on this site in August 1986.

The Council's highway engineer has confirmed that the site can be suitably and safely accessed. Issues of highway safety, increases in traffic generated by the site and impact on junctions would need to be mitigated by way of contributions secured through a legal agreement.

The geotechnical survey was undertaken on behalf of the Council during 2006. Previous geotechnical surveys were undertaken in the 1980s which concluded the site was capable of being developed. The 2006 survey also indicates that development can be achieved without significant geotechnical constraints. Successful development of the site would depend on the submission of an appropriate scheme which takes account of the identified geotechnical constraints (Policy ES.14). Issues such as design, capacity, density, layout, dwelling type and impact on the surroundings will also be addressed in detail at the planning application stage.

As the site lies over a Major Aquifer appropriate pollution prevention measures will be required under Policy ES.9. The Environment Agency has no objection to development of this site in principle but would require a Flood risk Assessment to accompany any planning application (which is now a requirement of Policy NE.14) although the site is located outside the floodplain as a site of this size can generate significant volumes of surface water.

Although the site is not designated a site of nature conservation interest there is evidence of species and habitats of local ecological importance which would be safeguarded under Policy NE.11. Similarly Policy NE.12 seeks to protect natural features such as trees, hedgerows, stone walls and watercourses from the adverse effects of development. Should

Respondent Details	Summary of Comment	Proposed Response	Change
<p><b>Ref:</b> 2552/J2</p> <p><b>Location</b> Englishcombe Lane (land rear of 89-123 )</p> <p><b>Bath</b></p>	<p>The field at the back of Stirtingale Road and Englishcombe Lane will flood very easily and any alteration to this field will lead to flooding in other areas. All trees and shrubs are helping to stop this situation. The proposed new entrance into the field and exit to Englishcombe Lane is dangerous, onto a very crowded road.</p> <p>The junction at the top of Oak Avenue and Stirtingale Road will not be able to handle more traffic or pedestrians. It is dangerous now.</p> <p>The land at the proposed site has an increased wildlife population, which none of us must put in danger.</p>	<p>the proposal potentially cause harm to biodiversity and other natural features, mitigation and compensatory measures would be determined as part of any planning application. The retention of hedgerows is a development requirement as stipulated under Policy GDS.1/B7.</p> <p>The objection raises no new issues warranting a further modification.</p> <p>Land rear of 89-123 Englishcombe Lane was previously allocated for residential development in the Deposit Draft Local Plan and prior to that, in the Bath Local Plan. The Inspector considered the issues of housing supply again in detail at the Local Plan Inquiry and recommended that the Council should reinvestigate this site in order to the meet the identified shortfall in housing in the District. The identification of sites reflects the locational sequence established in the Structure Plan: that is first Bath, then Keynsham, then Norton-Radstock and then the larger villages. Account has already been taken of the Brownfield site redevelopment opportunities. In light of the Government's priority on deliverability, the Inspector has emphasized that the sites should be both suitable for development and able to deliver housing by 2011. These options have been investigated taking into account the inspector's reasoning and recommendations, site constraints, the local plan strategy, corporate objectives, sustainability criteria and national planning advice, demand for alternative uses etc. As a result of the Council's investigations it was concluded that land rear of 89-123 Englishcombe Lane should be reinstated for residential development. Although not implemented planning permission was granted for a residential development on this site in August 1986.</p> <p>The Council's highway engineer has confirmed that the site can be suitably and safely accessed. Issues of highway safety, increases in traffic generated by the site and impact on junctions would need to be mitigated by way of contributions secured through a legal agreement.</p> <p>The geotechnical survey was undertaken on behalf of the Council during 2006. Previous geotechnical surveys were undertaken in the 1980s which concluded the site was capable of being developed. The 2006 survey also indicates that development can be achieved without significant geotechnical</p>	No change.

constraints. Successful development of the site would depend on the submission of an appropriate scheme which takes account of the identified geotechnical constraints (Policy ES.14). Issues such as design, capacity, density, layout, dwelling type and impact on the surroundings will also be addressed in detail at the planning application stage.

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The objection raises no new issues warranting a further modification.

<b>Ref:</b>	2624/J2	Object strongly for environmental reasons.	Land rear of 89-123 Englishcombe Lane was previously allocated for residential development in the Deposit Draft Local Plan and prior to that, in the Bath Local Plan. The Inspector considered the issues of housing supply again in detail at the Local Plan Inquiry and recommended that the Council should reinvestigate this site in order to meet the identified shortfall in housing in the District. The identification of sites reflects the locational sequence established in the Structure Plan: that is first Bath, then Keynsham, then Norton-Radstock and then the larger villages. Account has already been taken of the Brownfield site redevelopment opportunities. In light of the Government's priority on deliverability, the Inspector has emphasized that the sites should be both suitable for development	No change.
<b>Location</b>	Englishcombe Lane (land rear of 89-123 )	Destruction of wildlife habitat. Erosion of Green Belt. Creation of more traffic pollution.		
<b>Bath</b>		No development on the proposed site at all!		

and able to deliver housing by 2011. These options have been investigated taking into account the inspector's reasoning and recommendations, site constraints, the local plan strategy, corporate objectives, sustainability criteria and national planning advice, demand for alternative uses etc. As a result of the Council's investigations it was concluded that land rear of 89-123 Englishcombe Lane should be reinstated for residential development. Although not implemented planning permission was granted for a residential development on this site in August 1986.

The Council's highway engineer has confirmed that the site can be suitably and safely accessed. Issues of highway safety, increases in traffic generated by the site and impact on junctions would need to be mitigated by way of contributions secured through a legal agreement.

The geotechnical survey was undertaken on behalf of the Council during 2006. Previous geotechnical surveys were undertaken in the 1980s which concluded the site was capable of being developed. The 2006 survey also indicates that development can be achieved without significant geotechnical constraints. Successful development of the site would depend on the submission of an appropriate scheme which takes account of the identified geotechnical constraints (Policy ES.14). Issues such as design, capacity, density, layout, dwelling type and impact on the surroundings will also be addressed in detail at the planning application stage.

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		<p>from the adverse effects of development. Should the proposal potentially cause harm to biodiversity and other natural features, mitigation and compensatory measures would be determined as part of any planning application. The retention of hedgerows is a development requirement as stipulated under Policy GDS.1/B7.</p> <p>The objection raises no new issues warranting a further modification.</p>	
<p><b>Ref:</b> 2645/J2</p> <p><b>Location</b> Englishcombe Lane (land rear of 89-123 ) <b>Bath</b></p>	<p>1. Traffic We are already concerned about the volume and speed of traffic using Englishcombe Lane. This is a very busy road, and having lived on Englishcombe Lane for the past 20 years we can attest to the large increase in traffic and also on-street parking. An additional building development with associated access road will greatly increase the risk of accidents which sadly have already been seen on more than one occasion. Many children walk to and from school along Englishcombe Lane, and the additional access road will add risk to their journey. There is also a lot of traffic to and from the Baskerville Gym and Dorothy Colbourne dance school. Many drivers treat Englishcombe Lane as a racetrack; it is not uncommon to see cars speeding and overtaking along the lane most days. If any such development were to go ahead, we would expect that traffic calming measures would be needed and the speed limit lowered and enforced to reduce the risk of more accidents. We have no confidence that this would happen, and so would object to any development on these grounds also.</p> <p>The number of cars parked on Englishcombe Lane has increased in the past few years, which leads to greater risks for those entering and exiting driveways as visibility is reduced. It would be a requirement that adequate off-road parking must be provided in any development so as not to compound this problem.</p> <p>2. Environment The field to the rear of Englishcombe Lane has many natural springs and is frequently boggy. The area directly behind our property often resembles a small pond, and we have experienced a waterlogged lawn as a direct result. We are concerned that any development in the area could have a detrimental effect on the water flows down the hill, with possible increases to risks of flooding of properties and buildings. We have personally observed changes in the water flows from time to time over the past years, and they are by their nature unpredictable.</p> <p>We are also puzzled as to why the soil samples that were taken were done during the driest period of the year, when the field is normally sodden for the other nine months. This does not give a representative picture of the state of the water flows in the field.</p> <p>Surveys have been taken several times while we have lived here, and have always shown that the site is not suitable for building without substantial investment in water course management. Nothing has changed in this regard.</p> <p>3. Wildlife The field provides a natural habitat for a wealth of wildlife. It is not uncommon to see badgers, foxes and deer enjoying the green field site, and owls and bats have also been spotted. This is one of the few areas of unspoilt land in our city, and should be left as such. The skyline of Bath is a precious asset.</p> <p>4. Impact on existing properties The type and quantity of housing development being proposed would lead to noise</p>	<p>Land rear of 89-123 Englishcombe Lane was previously allocated for residential development in the Deposit Draft Local Plan and prior to that, in the Bath Local Plan. The Inspector considered the issues of housing supply again in detail at the Local Plan Inquiry and recommended that the Council should reinvestigate this site in order to meet the identified shortfall in housing in the District. The identification of sites reflects the locational sequence established in the Structure Plan: that is first Bath, then Keynsham, then Norton-Radstock and then the larger villages. Account has already been taken of the Brownfield site redevelopment opportunities. In light of the Government's priority on deliverability, the Inspector has emphasized that the sites should be both suitable for development and able to deliver housing by 2011. These options have been investigated taking into account the inspector's reasoning and recommendations, site constraints, the local plan strategy, corporate objectives, sustainability criteria and national planning advice, demand for alternative uses etc. As a result of the Council's investigations it was concluded that land rear of 89-123 Englishcombe Lane should be reinstated for residential development. Although not implemented planning permission was granted for a residential development on this site in August 1986.</p> <p>The Council's highway engineer has confirmed that the site can be suitably and safely accessed. Issues of highway safety, increases in traffic generated by the site and impact on junctions would need to be mitigated by way of contributions secured through a legal agreement.</p> <p>The geotechnical survey was undertaken on behalf of the Council during 2006. Previous geotechnical surveys were undertaken in the 1980s which concluded the site was capable of being developed. The 2006 survey also indicates that development</p>	<p>No change.</p>

disturbance from both people and traffic, spoiling what is currently an almost rural peace. Should any development go ahead, our property would be subject to being overlooked, as well as possible overshadowing and loss of light. We have concerns about the loss of value to our property should any development go ahead and would be interested to hear the council’s plans to compensate all the residents affected.

In the “Local Plan Deposit Draft Jan 2002”, Section B7, “Quick Guide 11”, two of the three “housing strategy objectives” are stated as “A healthier and safer community”, and “Improving the quality and life and the environment”. Not only will these not be met if the land is developed behind Englishcombe Lane, but in fact the proposals would have the exact opposite effect.

5. Other

We are already concerned about the amount of building on this side of Bath, with the developments at Moorfields, on Englishcombe Lane (Sabin Court), Rush Hill (old Clarks factory) and St Martins’ hospital. The Hayesfield School playing field site is also due to be built on. The infrastructure and shopping facilities are not keeping pace with development, causing more traffic and congestion, and increasing the environmental damage.

We understand that a much larger number of houses have been withdrawn from the Western Riverside development proposal, which seems ridiculous in view of the small size of the potential development behind Englishcombe Lane. Surely these houses could be absorbed back into the former development without any impact, allowing the Englishcombe Lane site to remain in its natural green field site.

We also wish to state our frustration that our locally elected council’s decision in September 2003 NOT to proceed with the development has apparently been overturned by a government official with no local knowledge or connection. To quote from the council’s response to our previous objection: “The increased housing capacity of brown field sites in the District can accommodate the remaining housing requirement almost entirely, and in light of this and the Government advice (which seeks to minimize the use of green field sites and places a priority on the development of brown field sites over green field sites), it is proposed to delete (this site)”. What has changed?

In conclusion we trust that the council will reconsider this ill-advised plan. We would suggest that the site should be reallocated as green belt land, and incorporated into the surrounding conservation area for future generations of Bath citizens to enjoy.

can be achieved without significant geotechnical constraints. Successful development of the site would depend on the submission of an appropriate scheme which takes account of the identified geotechnical constraints (Policy ES.14). Issues such as design, capacity, density, layout, dwelling type and impact on the surroundings will also be addressed in detail at the planning application stage.

As the site lies over a Major Aquifer appropriate pollution prevention measures will be required under Policy ES.9. The Environment Agency has no objection to development of this site in principle but would require a Flood risk Assessment to accompany any planning application (which is now a requirement of Policy NE.14) although the site is located outside the floodplain as a site of this size can generate significant volumes of surface water.

Although the site is not designated a site of nature conservation interest there is evidence of species and habitats of local ecological importance which would be safeguarded under Policy NE.11. Similarly Policy NE.12 seeks to protect natural features such as trees, hedgerows, stone walls and watercourses from the adverse effects of development. Should the proposal potentially cause harm to biodiversity and other natural features, mitigation and compensatory measures would be determined as part of any planning application. The retention of hedgerows is a development requirement as stipulated under Policy GDS.1/B7.

The objection raises no new issues warranting a further modification.

**Ref:** 2969/J2

**Location** Englishcombe Lane (land rear of 89-123 )  
**Bath**

1/ Proposed site is routinely soaked in Winter/Spring with water flowing from the Spring(s). The recent ground testing was done in the driest spell for years and can have little or no relevance to normal conditions.

2/ Proposal can only add to the already very busy traffic on Englishcombe lane. Proposed access site is sited close to the crossing for access to children's play ground.

3/ The cost of installing a drainage system for the site will be exorbitant. What will be the consequences of such works on the properties concerned and what guarantees will be given to cover eventualities.

4/ The site offers a haven for diverse wild-life including foxes, pheasants, badgers, deer and a wide range of birds, and should be preserved as such.

Land rear of 89-123 Englishcombe Lane was previously allocated for residential development in the Deposit Draft Local Plan and prior to that, in the Bath Local Plan. The Inspector considered the issues of housing supply again in detail at the Local Plan Inquiry and recommended that the Council should reinvestigate this site in order to the meet the identified shortfall in housing in the District. The identification of sites reflects the locational sequence established in the Structure Plan: that is first Bath, then Keynsham, then Norton-Radstock and then the larger villages. Account has already been taken of the Brownfield site redevelopment opportunities. In light of the Government’s priority on deliverability, the Inspector has emphasized that

No change.

the sites should be both suitable for development and able to deliver housing by 2011. These options have been investigated taking into account the inspector's reasoning and recommendations, site constraints, the local plan strategy, corporate objectives, sustainability criteria and national planning advice, demand for alternative uses etc. As a result of the Council's investigations it was concluded that land rear of 89-123 Englishcombe Lane should be reinstated for residential development. Although not implemented planning permission was granted for a residential development on this site in August 1986.

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Respondent Details	Summary of Comment	Proposed Response	Change
<p><b>Ref:</b> 3125/J2</p> <p><b>Location</b> Englishcombe Lane (land rear of 89-123 )</p> <p><b>Bath</b></p>	<p>With Regard to Modifications to the Local Plan, GDS.1B7 R/O 89-123 Englishcombe Lane</p> <p>It is with concern that I am writing to express my concerns and objection to the proposed modifications to the above plan and I would like you to take the following issues into consideration:</p> <ol style="list-style-type: none"> <li>1. When previously proposed, given its geology this site has been considered unsuitable due to the considerable cost and practice of providing suitable drainage. On this occasion have these factors been carefully considered or put second in the drive to meet the demand for housing?</li> <li>2. Has the council considered the major disruption to the local residents over the substantial period of time that this development will take to complete?</li> <li>3. Englishcombe Lane is already a busy 'through fare' and has experienced a number of serious traffic accidents in recent years. Is the current access route to the proposed site suitable or will the risk to both motorists and pedestrians be enhanced?</li> <li>4. If the current availability of access is not considered suitable, will further compulsory purchases be necessary?</li> <li>5. In my objection to the previous proposal I expressed my concern about the impact on the local environment. This site is home to a variety of wild life which would be destroyed by the proposed development.</li> <li>6. In my previous objection I also pointed out the impact of the proposed site on the view from the other side of the city. The proposed site is clearly visible from Lansdown and attractions such as the Royal Crescent and the surrounding parkland.</li> <li>7. Surely a relatively low number of houses would be more economically located into the more central 'brown field' sites available?</li> </ol> <p>In conclusion I would like to strongly object to this proposed modification to the local plan. Taking into account the cost of making this site safe and suitable for the proposed development, coupled with its physical and visual impact on both the local community and the city of Bath, surely necessitates the need to reconsider. I would like to suggest that the council looks for other more suitable and economically viable locations to develop and that once again this site is deleted from the RDDLP.</p> <p>I also wish to raise a concern about the lack of communication that I have received relating to this proposal. I was notified in the spring about a revised proposal. The next correspondence I received was a letter dated 1/12/06 which informed me that I had 14 days to locate and respond to the proposed policy. I was under the impression from the original notification that further communication would be received in September if any proposals were likely to affect my property.</p>	<p>as trees, hedgerows, stone walls and watercourses from the adverse effects of development. Should the proposal potentially cause harm to biodiversity and other natural features, mitigation and compensatory measures would be determined as part of any planning application. The retention of hedgerows is a development requirement as stipulated under Policy GDS.1/B7.</p> <p>The objection raises no new issues warranting a further modification.</p> <p>Land rear of 89-123 Englishcombe Lane was previously allocated for residential development in the Deposit Draft Local Plan and prior to that, in the Bath Local Plan. The Inspector considered the issues of housing supply again in detail at the Local Plan Inquiry and recommended that the Council should reinvestigate this site in order to meet the identified shortfall in housing in the District. The identification of sites reflects the locational sequence established in the Structure Plan: that is first Bath, then Keynsham, then Norton-Radstock and then the larger villages. Account has already been taken of the Brownfield site redevelopment opportunities. In light of the Government's priority on deliverability, the Inspector has emphasized that the sites should be both suitable for development and able to deliver housing by 2011. These options have been investigated taking into account the inspector's reasoning and recommendations, site constraints, the local plan strategy, corporate objectives, sustainability criteria and national planning advice, demand for alternative uses etc. As a result of the Council's investigations it was concluded that land rear of 89-123 Englishcombe Lane should be reinstated for residential development. Although not implemented planning permission was granted for a residential development on this site in August 1986.</p> <p>The Council's highway engineer has confirmed that the site can be suitably and safely accessed. Issues of highway safety, increases in traffic generated by the site and impact on junctions would need to be mitigated by way of contributions secured through a legal agreement.</p> <p>The geotechnical survey was undertaken on behalf of the Council during 2006. Previous geotechnical surveys were undertaken in the 1980s which concluded the site was capable of being developed.</p>	No change.

Respondent Details	Summary of Comment	Proposed Response	Change
<p><b>Ref:</b> 3150/J2</p> <p><b>Location</b> Englishcombe Lane (land rear of 89-123 )</p> <p><b>Bath</b></p>	<p>A) This land is an important part of the "green lung" of Bath.</p> <p>B) The land supports a significant variety of wildlife.</p> <p>C) The land contains springs which make it waterlogged throughout the Autumn, Winter and Spring. The land has previously been surveyed and found to be unsuitable for building on, for this reason.</p> <p>D) The proposed development would increase the already high volume of traffic on a residential road.</p>	<p>The 2006 survey also indicates that development can be achieved without significant geotechnical constraints. Successful development of the site would depend on the submission of an appropriate scheme which takes account of the identified geotechnical constraints (Policy ES.14). Issues such as design, capacity, density, layout, dwelling type and impact on the surroundings will also be addressed in detail at the planning application stage.</p> <p>As the site lies over a Major Aquifer appropriate pollution prevention measures will be required under Policy ES.9. The Environment Agency has no objection to development of this site in principle but would require a Flood risk Assessment to accompany any planning application (which is now a requirement of Policy NE.14) although the site is located outside the floodplain as a site of this size can generate significant volumes of surface water.</p> <p>Although the site is not designated a site of nature conservation interest there is evidence of species and habitats of local ecological importance which would be safeguarded under Policy NE.11. Similarly Policy NE.12 seeks to protect natural features such as trees, hedgerows, stone walls and watercourses from the adverse effects of development. Should the proposal potentially cause harm to biodiversity and other natural features, mitigation and compensatory measures would be determined as part of any planning application. The retention of hedgerows is a development requirement as stipulated under Policy GDS.1/B7.</p> <p>The objection raises no new issues warranting a further modification.</p>	<p>No change.</p>

on deliverability, the Inspector has emphasized that the sites should be both suitable for development and able to deliver housing by 2011. These options have been investigated taking into account the inspector's reasoning and recommendations, site constraints, the local plan strategy, corporate objectives, sustainability criteria and national planning advice, demand for alternative uses etc. As a result of the Council's investigations it was concluded that land rear of 89-123 Englishcombe Lane should be reinstated for residential development. Although not implemented planning permission was granted for a residential development on this site in August 1986.

The Council's highway engineer has confirmed that the site can be suitably and safely accessed. Issues of highway safety, increases in traffic generated by the site and impact on junctions would need to be mitigated by way of contributions secured through a legal agreement.

The geotechnical survey was undertaken on behalf of the Council during 2006. Previous geotechnical surveys were undertaken in the 1980s which concluded the site was capable of being developed. The 2006 survey also indicates that development can be achieved without significant geotechnical constraints. Successful development of the site would depend on the submission of an appropriate scheme which takes account of the identified geotechnical constraints (Policy ES.14). Issues such as design, capacity, density, layout, dwelling type and impact on the surroundings will also be addressed in detail at the planning application stage.

As the site lies over a Major Aquifer appropriate pollution prevention measures will be required under Policy ES.9. The Environment Agency has no objection to development of this site in principle but would require a Flood risk Assessment to accompany any planning application (which is now a requirement of Policy NE.14) although the site is located outside the floodplain as a site of this size can generate significant volumes of surface water.

Although the site is not designated a site of nature conservation interest there is evidence of species and habitats of local ecological importance which would be safeguarded under Policy NE.11. Similarly

Respondent Details	Summary of Comment	Proposed Response	Change
<p><b>Ref:</b> 3199/J2</p> <p><b>Location</b> Englishcombe Lane (land rear of 89-123 ) <b>Bath</b></p>	<p>Loss of green area and damage to the environment. More traffic pollution.</p> <p>Loss of wildlife - deer, badgers, pheasants. Concerns regarding drainage in field to houses in Englishcombe Lane re: subsidence.</p>	<p>Policy NE.12 seeks to protect natural features such as trees, hedgerows, stone walls and watercourses from the adverse effects of development. Should the proposal potentially cause harm to biodiversity and other natural features, mitigation and compensatory measures would be determined as part of any planning application. The retention of hedgerows is a development requirement as stipulated under Policy GDS.1/B7.</p> <p>The objection raises no new issues warranting a further modification.</p> <p>Land rear of 89-123 Englishcombe Lane was previously allocated for residential development in the Deposit Draft Local Plan and prior to that, in the Bath Local Plan. The Inspector considered the issues of housing supply again in detail at the Local Plan Inquiry and recommended that the Council should reinvestigate this site in order to meet the identified shortfall in housing in the District. The identification of sites reflects the locational sequence established in the Structure Plan: that is first Bath, then Keynsham, then Norton-Radstock and then the larger villages. Account has already been taken of the Brownfield site redevelopment opportunities. In light of the Government's priority on deliverability, the Inspector has emphasized that the sites should be both suitable for development and able to deliver housing by 2011. These options have been investigated taking into account the inspector's reasoning and recommendations, site constraints, the local plan strategy, corporate objectives, sustainability criteria and national planning advice, demand for alternative uses etc. As a result of the Council's investigations it was concluded that land rear of 89-123 Englishcombe Lane should be reinstated for residential development. Although not implemented planning permission was granted for a residential development on this site in August 1986.</p> <p>The Council's highway engineer has confirmed that the site can be suitably and safely accessed. Issues of highway safety, increases in traffic generated by the site and impact on junctions would need to be mitigated by way of contributions secured through a legal agreement.</p> <p>The geotechnical survey was undertaken on behalf of the Council during 2006. Previous geotechnical surveys were undertaken in the 1980s which</p>	<p>No change.</p>

Respondent Details	Summary of Comment	Proposed Response	Change
<p><b>Ref:</b> 3232/J2</p> <p><b>Location</b> Englishcombe Lane (land rear of 89-123 ) <b>Bath</b></p>	<p>Re: Objection Modifications to the Local Plan, B7. RIO 89 Englishcombe Lane Further to the Schedule of Proposed Modifications to the Proposals Map being approved for public consultation by the Council on the 12th October 2006, we write with the following representations and objections to the proposed modifications to the Local Plan for the re-inclusion of the development proposal in respect of the land to the rear of numbers 89-123 Englishcombe Lane, Bath.</p> <p>We make reference to the inspectors report within chapter B9 — Policy GDS.B7 and note that the issues raised through consultation were noted as follows:</p> <ol style="list-style-type: none"> <li>1, Would the development of the site result in an unacceptable environmental impact?</li> <li>2, Whether adequate access and surface water drainage could be provided to the site.</li> </ol>	<p>concluded the site was capable of being developed. The 2006 survey also indicates that development can be achieved without significant geotechnical constraints. Successful development of the site would depend on the submission of an appropriate scheme which takes account of the identified geotechnical constraints (Policy ES.14). Issues such as design, capacity, density, layout, dwelling type and impact on the surroundings will also be addressed in detail at the planning application stage.</p> <p>As the site lies over a Major Aquifer appropriate pollution prevention measures will be required under Policy ES.9. The Environment Agency has no objection to development of this site in principle but would require a Flood risk Assessment to accompany any planning application (which is now a requirement of Policy NE.14) although the site is located outside the floodplain as a site of this size can generate significant volumes of surface water.</p> <p>Although the site is not designated a site of nature conservation interest there is evidence of species and habitats of local ecological importance which would be safeguarded under Policy NE.11. Similarly Policy NE.12 seeks to protect natural features such as trees, hedgerows, stone walls and watercourses from the adverse effects of development. Should the proposal potentially cause harm to biodiversity and other natural features, mitigation and compensatory measures would be determined as part of any planning application. The retention of hedgerows is a development requirement as stipulated under Policy GDS.1/B7.</p> <p>The objection raises no new issues warranting a further modification.</p> <p>Land rear of 89-123 Englishcombe Lane was previously allocated for residential development in the Deposit Draft Local Plan and prior to that, in the Bath Local Plan. The Inspector considered the issues of housing supply again in detail at the Local Plan Inquiry and recommended that the Council should reinvestigate this site in order to the meet the identified shortfall in housing in the District. The identification of sites reflects the locational sequence established in the Structure Plan: that is first Bath, then Keynsham, then Norton-Radstock and then the larger villages. Account has already been taken of the Brownfield site redevelopment</p>	No change.



The inspectors reasoning was noted under item 7.73 and stated:

7.73 This site has been deleted from the RDDLP but in view of the shortfall in the housing land supply which was identified in Section 5 of the inspectors report, it was recommended that the Council reconsider it for allocation. The inspector appreciated the concerns raised by local residents, but felt 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.

The inspectors' recommendation therefore reported as R7.16 was That the Council consider the reinstatement of GDS.11B7

In our consideration of the inspectors report and the modified plan, the following points are Engineering and Planning issues that would appear to have been overlooked by BANES in accepting the Inspectors reasoning and recommendation and therefore represent our renewed and reasoned objection to the proposal.

Policy GDS.1

In considering our objections reference has been made to the Policy GDS.1 which is contained within the proposal titled General Site Requirements for all sites'. The following relevant extracts from this document clearly define the planning considerations that need to be taken into account for any such development:

1. Public transport services and infrastructure provision where current levels are insufficient to meet the needs of the site
3. To facilitate ease of movement, and to improve access to surrounding facilities and services, developments should be integrated and well connected to their surroundings. A choice of pedestrian, cycle and vehicular routes should be provided which create safe, secure and attractive environments.
4. Building orientation to maximise solar gain
5. Sensitive building design and layout with appropriate landscape design and planting that responds to the physical context of the development.
6. Taking account of archaeological and nature conservation interests on or near the site

The revised Proposed Modification to the Revised Deposit Draft Local Plan reference no M/B9/17 and M/B9/18 relating to 67 RIO 89-123 Englishcombe Lane —site area 1.4 ha to which we originally objected stated: Development Requirement:

- 1, About 45 dwellings
- 2, Retention of existing hedgerows along site boundary
- 3, Access from between no's 87-89 Englishcombe Lane retaining existing trees where possible
- 4, Stabilisation of ground conditions both on and adjoining the site to ensure safe development.
- 5, Measures to minimise ecological impacts and compensatory measures.
- 6, No adverse impacts on the hydrology of the site and the adjoining land.
- 7, Space within the site for planting of large trees.
- 8, Pedestrian access from Stirtingale.

We note with interest that the modified proposal strikes out items 4, 5 & 6 from the development requirements which we are most surprised about considering even the inspectors reasoning indicates that the Council will need to further investigate these issues. Presumably this will be undertaken and demonstrated to the public at large before the site is re-allocated, otherwise the development requirements must not

opportunities. In light of the Government's priority on deliverability, the Inspector has emphasized that the sites should be both suitable for development and able to deliver housing by 2011. These options have been investigated taking into account the inspector's reasoning and recommendations, site constraints, the local plan strategy, corporate objectives, sustainability criteria and national planning advice, demand for alternative uses etc. As a result of the Council's investigations it was concluded that land rear of 89-123 Englishcombe Lane should be reinstated for residential development. Although not implemented planning permission was granted for a residential development on this site in August 1986.

The Council's highway engineer has confirmed that the site can be suitably and safely accessed. Issues of highway safety, increases in traffic generated by the site and impact on junctions would need to be mitigated by way of contributions secured through a legal agreement.

The geotechnical survey was undertaken on behalf of the Council during 2006. Previous geotechnical surveys were undertaken in the 1980s which concluded the site was capable of being developed. The 2006 survey also indicates that development can be achieved without significant geotechnical constraints. Successful development of the site would depend on the submission of an appropriate scheme which takes account of the identified geotechnical constraints (Policy ES.14). Issues such as design, capacity, density, layout, dwelling type and impact on the surroundings will also be addressed in detail at the planning application stage.

As the site lies over a Major Aquifer appropriate pollution prevention measures will be required under Policy ES.9. The Environment Agency has no objection to development of this site in principle but would require a Flood risk Assessment to accompany any planning application (which is now a requirement of Policy NE.14) although the site is located outside the floodplain as a site of this size can generate significant volumes of surface water.

Although the site is not designated a site of nature conservation interest there is evidence of species and habitats of local ecological importance which

be removed.

The following objections to the development proposal demonstrate, in my opinion, that insufficient consideration has been given to the nature of the site and the planned development in the context of the above guidelines in a drive to meet housing numbers with no or little consideration for the future of what is constantly quoted as a World Heritage City. We have re indicated the 6 areas which, we feel, do not comply with the stated intention of the proposal and therefore wish them to be lodged as an objection or at the very least addressed publicly to the local residents. The most serious still relate to the site access and hydrology as we believe through our own consultations with the Council that information has either been confused or misrepresented.

Objection to Item 1,

It would appear that the stated area is incorrect when compared with the measured area on the OS plan. The area measures nearer 2ha rather than the stated 1.4ha, allowing for the land required for the proposed site access road. If indeed the site were to be developed the stated number of units does not then comply with the Density policies set out in B7 Housing statement 67.64 and B7.66 which require maximum number of units to be built of between 30 to 50 units/ha.

B7.64 also encourages authorities to avoid inefficient use of land whilst encouraging housing development which makes more efficient use of development site. The stated number of dwellings is too vague as it does not comply with this requirement. Before this proposal can be properly considered we need to be sure how many units will be built and up to what fixed maximum.

B7.66 states that, in all cases, density should inform and be an outcome of design and should take account of those factors and issues which compose local context such as, character, landscape, views of site and local distinctiveness.

The location of the proposed site fails to take into consideration these points. The field in question is currently rented from the Council and is used as grazing land for horses. The second field adjacent to and above the one proposed for development is, we believe, nominated Greenbelt. The hillside between Englishcombe Lane and Bloomfield (Stirtingale Farm) is predominantly covered by shrub, trees and bushes; the proposed Greenfield development is on one of only two grassed fields clearly visible on the Bloomfield/Stirtingale Farm escarpment from the City Centre and North/Lansdown/Camden/Fairfield side of Bath. In our opinion, it is surely important to maintain the natural heritage of Bath and its surrounding countryside by preserving these fields.

We contend that this proposal should be treated as ridge line development, as it will affect panoramic views from the City and North Bath and again remove an area of open space. Given the eventual allocation of housing within the Western River Side proposals, shouldn't the brown field site be brought into development first? What Heritage are we leaving for the future residents of Bath.

Objection to item 2,

Given the proposed housing mix we are concerned that the protection of the existing hedgerows along the site boundary will be difficult to maintain; this function is currently performed by the tenant. See below for further comments concerning boundaries on Englishcombe Lane.

Objection to item 3,

We continue to contend that the proposed site access located between numbers 87-89 Englishcombe Lane has insufficient land available given highway requirements and will require third party land, When scaled from an OS plan the width available for the proposed access junction between property boundaries is approximately 8

would be safeguarded under Policy NE.11. Similarly Policy NE.12 seeks to protect natural features such as trees, hedgerows, stone walls and watercourses from the adverse effects of development. Should the proposal potentially cause harm to biodiversity and other natural features, mitigation and compensatory measures would be determined as part of any planning application. The retention of hedgerows is a development requirement as stipulated under Policy GDS.1/B7.

The area of the site has been checked and is correct. Items 4, 5 and 6 from the Development Requirements were deleted in response to the Inspector's recommendation (R7.3) to review the development requirements of all the allocated sites under Policy GDS.1 to ensure there was no unnecessary duplication with other policies in the Local Plan.

The objection raises no new issues warranting a further modification.

Metres. The old 'Residential Roads In Avon (second edition)' design guide which, we believe, is still used by BANES or even DB 32, indicates that a 5.5 metre road with 2 number 2 metre footpaths is required for a cul-de-sac access. In addition to this 9.5m width requirement and in order to provide the 6 metre radius bellmouth to form the junction, additional land will be required. It is evident that not enough land exists to form the junction without acquiring additional land from the adjoining properties. We note that some land has been previously acquired by the Council for visibility splays on the junction but again we question if sufficient land is available. It is understood that the Council will, no doubt, apply the required highway design standards for this junction and will not try to circumvent the requirements imposed on other developers. In which case, can the Council confirm whether additional land has indeed been acquired from the adjoining properties or whether a Compulsory Purchase Order will be served on them to provide the land required to form a safe access without which this development cannot be accessed. Have the occupiers of 87 and 89 been contacted?

We are also concerned about the Visibility Line required on the junction, particularly because Englishcombe Lane is a major distributor road. Given that a 4.5 Metre by 70 metre forward visibility splay will be required due to the current 30 mile an hour speed restriction on Englishcombe Lane, additional land will be needed over and above that identified above. This sight line will possibly require land from the property front boundaries to numbers 83 to 95. These boundaries are currently a mixture of established hedge rows, trees and brick retaining walls. Again, have the occupiers been contacted regarding the possible impact of sight lines? And land that may not be controlled by the Council to construct retaining features behind the line of any reserved sight line visibility splays.

It would appear that an adequate junction cannot be provided for the development, unless the additional land has been secured or further land is to be made available. Indeed earlier this year and having made a separate enquiry of the Bath and North East Somerset Council's highways department with regard to the consultation response following the revised plan, we were issued by e-mail with a copy of the following consultation response statement that we have on record but do not believe was made publicly known during the consultation process and we believe requires a more detailed explanation to be given to the general public if the site is to be allocated by BANES. The response to our enquiry and we believe the planners consultation is as follows:

Land to the rear of 89 to 123 Englishcombe Lane. (45 dwellings)

Mitigation of any impact created by traffic to be by way of contribution to the Bath Package.

In essence an adequate access could be achieved but it would rely on significant third party property! land ownership being acquired i.e. number 89 Englishcombe Lane.

Emergency/ secondary means of access via Stirlingale Road , between numbers 29 and 39. This involves highway land I enclose details for you. There is intervening land which may be Somer, but also third party between the southern end of the site and the Somer land. Contributions towards Bath Package.

Unfortunately we do not have access to the details enclosed with the response.

If the above is a true record of the situation and third party land is required to be purchased in order to allow the development of the site then surely a ransom strips exist that could prevent the land being brought into the development plan and therefore meeting the Inspectors recommendation and intended housing allocation.

It would therefore appear that the Council has not understood the situation

correctly and has unwittingly by not following a consultation process not made the situation known to the Inspector, Councillors or the public.

Given the wide-spread confusion in the local area over this matter we question if anyone from the Council has approached any of the 3i party land holders who may have a ransom strip. Obviously as a third party land owner there may be a possible legal claim in line with Stokes v Cambridge which, if successful could, leave any land owner with a claim in the order of one third (33%) of the development value, as was settled in the above case. Has this been considered in the assessment of the viability of providing so called affordable housing and the associated cost of developing the site?

We are also concerned at the increased level of traffic that will be added to the existing Englishcombe Lane traffic flow as well as the additional on road parking that will result.

The Moorland Infants and Junior School, Baskervilles Gym and the Dorothy Claybourne School of Dance are all accessed from Englishcombe Lane. All these facilities are used by families with young children some of whom live on Englishcombe Lane and have to cross the already very busy road to gain access. We witnessed a young child knocked down on Englishcombe Lane in 2001 as a result of on road parking blocking visibility for both pedestrians and drivers, together with subsequent numerous road accidents during the last five years along an already busy road.

We assume that adequate off street parking will be a requirement, in the unlikely event of the development proposal proceeding, as well as traffic calming measures and parking restrictions along the whole of Englishcombe Lane. It will obviously be necessary to reduce speed and risk of accident from the increased traffic levels for both pedestrians crossing and cars exiting their drives onto the main road.

Objection to item 4 & 5,

In addition to our comments in our objection to Item 1, it is also to be noted that the current ecology of the proposed site is under threat. The fields play host to diverse wildlife which uses the natural stream crossing the site and the pond to the south of the site in the wooded hillside. It has been known for frogs and newts to be present and to migrate across the field. Fallow deer, badgers and foxes have also been evident together with an abundance of bird life and bats. Indeed only last year we had slow worms living in the compost waste to the rear of our property and dead grass land within the fields and our neighbour has reportedly seen them over many years.

This natural ecology, in an already well developed area, will certainly be damaged, if not destroyed, in view of the engineering works which will be required to regrade and define the gradient of the field slope. The landscaping, retaining features and cut and fill works required to build the roads and foundations of the proposed estate, will cause further disruption to the wildlife and existing residents and users of Englishcombe Lane together with creating a greater health & safety risk due to construction activities.

Has an ecological survey been undertaken of the development in line with PPG9 (soon to be PPS9) and will an Biodiversity Action Plan be prepared? It is difficult to understand how the site can be re-allocated on the inspectors comment that the Council CONSIDER its re-allocation only..

After further investigation and following a telephone conversation with Mr Newell of BANES (Tel 477966) who has organised the recent geological site investigations carried out this summer (dry period whiter investigation should also be undertaken) and who is promoting the development on behalf of the Council, we understand

that the geology and gradient of the site is not unsuitable for development on the lower lying land and that there has been evidence of mud slips plains in the past but none recent. Mr Newel was of the opinion that additional development costs above those experienced on flatter residential sites will need to be expended due to the geology, but that these were not necessarily prohibitive of development. We have no indication of what these costs might be but again, and granted that these may alone not unduly make the site undevelopable given the additional factors of drainage, highway land and associated costs is this a viable alternative site? We would suggest not and request some further information with regard to the geology and the estimated costs of developing the site before it is allocated.

Objection to Item 6,

We note the Environment Agency comments but would state that their comment to most applications is based upon green field run off retention and attenuation methods which can be engineered. However given PPG 25 Flood Risk Assessments and the emerging legislation and the need to demonstrate over ground flood water routes, that in the event of drainage failures, prevent down stream flooding of property. It is difficult without a full hydrological report or Flood Risk Assessment to see how this site at the top of the hill and upstream of existing urban development will achieve this.

As previously stated the impact on the hydrology of the site and adjoining land needs a great deal of further investigation before the proposal should be considered within the modified plan. We continue to be concerned that the amount of onsite storage required to limit the discharge of surface water run off into the Wessex Water Sewers will cause a flooding risk, especially given the geological nature of the site. Currently the site drains naturally and, in line with Environment Agency controls for a green field run off, any discharge would need to be limited to that of a permeable nature at 1.5 to 2 litres per second per hectare. In the event that the field is developed the permeable nature of the site will alter due to roofs, roads, drives and paths etc. making the site at least 50% impermeable. Without doing detailed storm analysis at this stage, we would expect to see a discharge from the developed site of 60 litres per second per hectare. Given the above Environment Agency restrictions and that of PPG25 Planning Policy Guidance on Development and Flood Risk, storage of some 55 litres per second would be required during a storm period. The above figures would typically represent a one in one year storm and not reflect the storm run off required for retention which would be significantly higher, given, say, a one in thirty year storm over a 30—60 minute duration. Bearing in mind the well reported increases in climate change and rain fall intensity in the British Isles, what are the Council's exact proposals for dealing with retention/storage of surface water run off or are they proposing that this becomes the developers problem? Again this impacts on the cost of developing this site especially given the 100 year climate change design requirements, which given the amount of rainfall recorded this month alone in parts of the Country gives me concerns of flooding if any further up stream development were to be allocated. Whilst Wessex Water have been consulted concerning the discharge of rainwater and have agreed to accept a discharge given an on site attenuation system subject to Environment Agency approval, have they consented or been consulted with regard to the discharge of the stream that crosses the site and any naturally occurring springs. These would have to be drained by BANES under the Land Drainage Act and would need to be maintained by BANES or any future land owner. Has any consideration to the drainage routes been given? Again the inspector has reasoned that the council are to investigate this point further and we would like the

findings made public prior to the allocation of the site.

In the event that an on site attenuation system is constructed, there is no guarantee that flooding will not occur should the system block, this would in all probability lead to an increased flood risk to the lower lying existing properties along Englishcombe Lane and possibly the Moorlands area. These properties do not currently suffer from a flood risk and as such the Council are putting the safety of the properties and their occupants at risk and will be open to possible Land Compensation charges should flooding occur.

Objection to item 8,

The pedestrian access via Stirtingale remains unclear, is it the Councils intention to secure a route through the upper field of Stirtingale Farm and access via the existing foot fronting numbers 29-41 Stirtingale Road. It was our understanding that this was within the greenbelt and therefore should not be included within the development brief for this proposal. How does the Council propose to make the footpath connection without crossing greenbelt land? Also with reference to 3 party land has the Council clearly identified ownership?

In Summary

In conclusion, we suggest that the proposed development site does not meet the requirements of guideline GDS.1, also, the main Policy statement within the draft, HG8. HG8 requires that the provision of affordable dwellings should be measured against abnormally high costs associated with the development of the site. The cost of developing this site for affordable and low cost housing will incur abnormal costs given the nature of cut and fill, retaining structures, drainage, access problems, land acquisition (Possible ransom strips), third party rites and traffic calming on Englishcombe Lane. Not to mention the possible costs associated with any successful claim under the Land Compensation Act for loss in value to existing property value and any future insurance claims should flooding occur.

We again suggest that the site be dedicated Greenbelt to safeguard its environmental nature and green prominence on the Bath sky-line and maintain a heritage for future generations. It should be noted that the inspectors comments are for consideration and not an instruction, we believe the Council should maintain its earlier decision following public consultation and remove the site from the current plan given the reasons above.

We trust that the above clearly sets out our objections to the modified plan. We shall copy this letter to the residents of Englishcombe Lane/Stirtingale, and local Councillors for their information, comment and action.

On another matter we must lodge a complaint that we have received no consultation from the Council by post since notification that the revised plan had been issued early in the year and that we need do no more until consulted in September 2006, please note that although we are temporarily out of our property due to fire damage and rebuilding works we have redirected our post through the royal mail, have an answer service on the same telephone number with contact details and have received no correspondence or notice of consultation in the lead up to the meeting on the 12th October 2006 and as such register our complaint with regard to the Councils public consultation/notification process.

Should you have any queries, or wish to discuss the above, please do not hesitate to contact us either by email or at the above address (the post will be redirected to our current address).

<b>Ref:</b> 3685/J1	Objection to loss of green belt land, loss of views, loss of wildlife activity.	This site was previously allocated in the 2002 Deposit Draft Plan as it was not required at the time to contribute to the overall supply of housing. The Inspector considered the issues of housing supply again in detail at the Local Plan Inquiry and recommended that the Council should reinvestigate this site in order to the meet the identified shortfall in housing in the District. The identification of sites reflects the locational sequence established in the Structure Plan: that is first Bath, then Keynsham, then Norton-Radstock and then the larger villages. In light of the Government's priority on deliverability, the Inspector has emphasized that the sites should be both suitable for development and able to deliver housing by 2011. These options have been investigated taking into account the inspector's reasoning and recommendations, site constraints, the local plan strategy, corporate objectives, sustainability criteria and national planning advice, demand for alternative uses etc. As a result of the Council's investigations it was concluded that the land of 89-123 Englishcombe Lane should be allocated for residential development. The objection raises no new issues warranting a further modification.	No change.
<b>Location</b> Englishcombe Lane (land rear of 89-123 ) <b>Bath</b>			
<b>Ref:</b> 3779/J1	We do not object to the provision of homes on this site. We object to the projected numbers. Too many will harm the present infrastructure. A sensible number may enhance the area.	Land rear of 89-123 Englishcombe Lane was previously allocated for residential development in the Deposit Draft Local Plan and prior to that, in the Bath Local Plan. The Inspector considered the issues of housing supply again in detail at the Local Plan Inquiry and recommended that the Council should reinvestigate this site in order to the meet the identified shortfall in housing in the District. The identification of sites reflects the locational sequence established in the Structure Plan: that is first Bath, then Keynsham, then Norton-Radstock and then the larger villages. Account has already been taken of the Brownfield site redevelopment opportunities. In light of the Government's priority on deliverability, the Inspector has emphasized that the sites should be both suitable for development and able to deliver housing by 2011. These options have been investigated taking into account the inspector's reasoning and recommendations, site constraints, the local plan strategy, corporate objectives, sustainability criteria and national planning advice, demand for alternative uses etc. As a result of the Council's investigations it was concluded that land rear of 89-123 Englishcombe Lane should be reinstated for residential development. Although not implemented planning	No change.
<b>Location</b> Englishcombe Lane (land rear of 89-123 ) <b>Bath</b>			

permission was granted for a residential development on this site in August 1986.

The Council's highway engineer has confirmed that the site can be suitably and safely accessed. Issues of highway safety, increases in traffic generated by the site and impact on junctions would need to be mitigated by way of contributions secured through a legal agreement.

The geotechnical survey was undertaken on behalf of the Council during 2006. Previous geotechnical surveys were undertaken in the 1980s which concluded the site was capable of being developed. The 2006 survey also indicates that development can be achieved without significant geotechnical constraints. Successful development of the site would depend on the submission of an appropriate scheme which takes account of the identified geotechnical constraints (Policy ES.14). Issues such as design, capacity, density, layout, dwelling type and impact on the surroundings will also be addressed in detail at the planning application stage.

As the site lies over a Major Aquifer appropriate pollution prevention measures will be required under Policy ES.9. The Environment Agency has no objection to development of this site in principle but would require a Flood risk Assessment to accompany any planning application (which is now a requirement of Policy NE.14) although the site is located outside the floodplain as a site of this size can generate significant volumes of surface water.

Although the site is not designated a site of nature conservation interest there is evidence of species and habitats of local ecological importance which would be safeguarded under Policy NE.11. Similarly Policy NE.12 seeks to protect natural features such as trees, hedgerows, stone walls and watercourses from the adverse effects of development. Should the proposal potentially cause harm to biodiversity and other natural features, mitigation and compensatory measures would be determined as part of any planning application. The retention of hedgerows is a development requirement as stipulated under Policy GDS.1/B7.

The objection raises no new issues warranting a further modification.



<b>Ref:</b> 3845/J1	We object most strongly to the land at the rear of Englishcombe Land and Stirtingale Road being used for the building of houses.	Land rear of 89-123 Englishcombe Lane was previously allocated for residential development in the Deposit Draft Local Plan and prior to that, in the Bath Local Plan. The Inspector considered the issues of housing supply again in detail at the Local Plan Inquiry and recommended that the Council should reinvestigate this site in order to meet the identified shortfall in housing in the District.	No change.
<b>Location</b> Englishcombe Lane (land rear of 89-123 ) <b>Bath</b>	<p>Previous surveys on this land have found the site unsuitable for building — so what's changed. The survey this time was carried out during the hottest, driest summer we have had in years, so its accuracy should be called into question. The site is waterlogged for the most part of the year, so what effect would re-routing water have on our properties. I understand that steep land backing on to the site suffered a landslide some years ago.</p> <p>We already have a new build of houses along Englishcombe Lane, and the potential for even more traffic will surely be increased if this site is used. Englishcombe Lane already has a heavy traffic problem with speeding making it quite dangerous to cross the road or access the road from your house by car.</p> <p>The site is a haven for wild life such as foxes, deer, badgers, owls, bats etc. Build on it and what effect will it have on them.</p> <p>Whilst we appreciate that anybody faced with the prospect of this work being carried out so close to their property would say "not on our doorstep". We can't help thinking there must be far more suitable sites for development than a relatively small field in an area already densely populated and totally unsuitable.</p>	<p>The identification of sites reflects the locational sequence established in the Structure Plan: that is first Bath, then Keynsham, then Norton-Radstock and then the larger villages. Account has already been taken of the Brownfield site redevelopment opportunities. In light of the Government's priority on deliverability, the Inspector has emphasized that the sites should be both suitable for development and able to deliver housing by 2011. These options have been investigated taking into account the inspector's reasoning and recommendations, site constraints, the local plan strategy, corporate objectives, sustainability criteria and national planning advice, demand for alternative uses etc. As a result of the Council's investigations it was concluded that land rear of 89-123 Englishcombe Lane should be reinstated for residential development. Although not implemented planning permission was granted for a residential development on this site in August 1986.</p> <p>The Council's highway engineer has confirmed that the site can be suitably and safely accessed. Issues of highway safety, increases in traffic generated by the site and impact on junctions would need to be mitigated by way of contributions secured through a legal agreement.</p> <p>The geotechnical survey was undertaken on behalf of the Council during 2006. Previous geotechnical surveys were undertaken in the 1980s which concluded the site was capable of being developed. The 2006 survey also indicates that development can be achieved without significant geotechnical constraints. Successful development of the site would depend on the submission of an appropriate scheme which takes account of the identified geotechnical constraints (Policy ES.14). Issues such as design, capacity, density, layout, dwelling type and impact on the surroundings will also be addressed in detail at the planning application stage.</p>	

Respondent Details	Summary of Comment	Proposed Response	Change
<p><b>Ref:</b> 3846/J1</p> <p><b>Location</b> Englishcombe Lane (land rear of 89-123 )</p> <p><b>Bath</b></p>	<p>We object most strongly to the land at the rear of Englishcombe Land and Stirtingale Road being used for the building of houses.</p> <p>Previous surveys on this land have found the site unsuitable for building — so what's changed. The survey this time was carried out during the hottest, driest summer we have had in years, so its accuracy should be called into question. The site is waterlogged for the most part of the year, so what effect would re-routing water have on our properties. I understand that steep land backing on to the site suffered a landslide some years ago.</p> <p>We already have a new build of houses along Englishcombe Lane, and the potential for even more traffic will surely be increased if this site is used. Englishcombe Lane already has a heavy traffic problem with speeding making it quite dangerous to cross the road or access the road from your house by car.</p> <p>The site is a haven for wild life such as foxes, deer, badgers, owls, bats etc. Build on it and what effect will it have on them.</p> <p>Whilst we appreciate that anybody faced with the prospect of this work being carried out so close to their property would say "not on our doorstep". We can't help thinking there must be far more suitable sites for development than a relatively small field in an area already densely populated and totally unsuitable.</p>	<p>As the site lies over a Major Aquifer appropriate pollution prevention measures will be required under Policy ES.9. The Environment Agency has no objection to development of this site in principle but would require a Flood risk Assessment to accompany any planning application (which is now a requirement of Policy NE.14) although the site is located outside the floodplain as a site of this size can generate significant volumes of surface water.</p> <p>Although the site is not designated a site of nature conservation interest there is evidence of species and habitats of local ecological importance which would be safeguarded under Policy NE.11. Similarly Policy NE.12 seeks to protect natural features such as trees, hedgerows, stone walls and watercourses from the adverse effects of development. Should the proposal potentially cause harm to biodiversity and other natural features, mitigation and compensatory measures would be determined as part of any planning application. The retention of hedgerows is a development requirement as stipulated under Policy GDS.1/B7.</p> <p>The objection raises no new issues warranting a further modification.</p> <p>Land rear of 89-123 Englishcombe Lane was previously allocated for residential development in the Deposit Draft Local Plan and prior to that, in the Bath Local Plan. The Inspector considered the issues of housing supply again in detail at the Local Plan Inquiry and recommended that the Council should reinvestigate this site in order to meet the identified shortfall in housing in the District. The identification of sites reflects the locational sequence established in the Structure Plan: that is first Bath, then Keynsham, then Norton-Radstock and then the larger villages. Account has already been taken of the Brownfield site redevelopment opportunities. In light of the Government's priority on deliverability, the Inspector has emphasized that the sites should be both suitable for development and able to deliver housing by 2011. These options have been investigated taking into account the inspector's reasoning and recommendations, site constraints, the local plan strategy, corporate objectives, sustainability criteria and national planning advice, demand for alternative uses etc. As a result of the Council's investigations it was concluded that land rear of 89-123 Englishcombe Lane should be reinstated for residential</p>	<p>No change.</p>

development. Although not implemented planning permission was granted for a residential development on this site in August 1986.

The Council's highway engineer has confirmed that the site can be suitably and safely accessed. Issues of highway safety, increases in traffic generated by the site and impact on junctions would need to be mitigated by way of contributions secured through a legal agreement.

The geotechnical survey was undertaken on behalf of the Council during 2006. Previous geotechnical surveys were undertaken in the 1980s which concluded the site was capable of being developed. The 2006 survey also indicates that development can be achieved without significant geotechnical constraints. Successful development of the site would depend on the submission of an appropriate scheme which takes account of the identified geotechnical constraints (Policy ES.14). Issues such as design, capacity, density, layout, dwelling type and impact on the surroundings will also be addressed in detail at the planning application stage.

As the site lies over a Major Aquifer appropriate pollution prevention measures will be required under Policy ES.9. The Environment Agency has no objection to development of this site in principle but would require a Flood risk Assessment to accompany any planning application (which is now a requirement of Policy NE.14) although the site is located outside the floodplain as a site of this size can generate significant volumes of surface water.

Although the site is not designated a site of nature conservation interest there is evidence of species and habitats of local ecological importance which would be safeguarded under Policy NE.11. Similarly Policy NE.12 seeks to protect natural features such as trees, hedgerows, stone walls and watercourses from the adverse effects of development. Should the proposal potentially cause harm to biodiversity and other natural features, mitigation and compensatory measures would be determined as part of any planning application. The retention of hedgerows is a development requirement as stipulated under Policy GDS.1/B7.

The objection raises no new issues warranting a

Respondent Details	Summary of Comment	Proposed Response	Change
<p><b>Ref:</b> 3847/J1</p> <p><b>Location</b> Englishcombe Lane (land rear of 89-123 ) <b>Bath</b></p>	<p>We object most strongly to the land at the rear of Englishcombe Land and Stirtingale Road being used for the building of houses.</p> <p>Previous surveys on this land have found the site unsuitable for building — so what's changed. The survey this time was carried out during the hottest, driest summer we have had in years, so its accuracy should be called into question. The site is waterlogged for the most part of the year, so what effect would re-routing water have on our properties. I understand that steep land backing on to the site suffered a landslide some years ago.</p> <p>We already have a new build of houses along Englishcombe Lane, and the potential for even more traffic will surely be increased if this site is used. Englishcombe Lane already has a heavy traffic problem with speeding making it quite dangerous to cross the road or access the road from your house by car.</p> <p>The site is a haven for wild life such as foxes, deer, badgers, owls, bats etc. Build on it and what effect will it have on them.</p> <p>Whilst we appreciate that anybody faced with the prospect of this work being carried out so close to their property would say "not on our doorstep". We can't help thinking there must be far more suitable sites for development than a relatively small field in an area already densely populated and totally unsuitable.</p>	<p>further modification.</p> <p>Land rear of 89-123 Englishcombe Lane was previously allocated for residential development in the Deposit Draft Local Plan and prior to that, in the Bath Local Plan. The Inspector considered the issues of housing supply again in detail at the Local Plan Inquiry and recommended that the Council should reinvestigate this site in order to meet the identified shortfall in housing in the District. The identification of sites reflects the locational sequence established in the Structure Plan: that is first Bath, then Keynsham, then Norton-Radstock and then the larger villages. Account has already been taken of the Brownfield site redevelopment opportunities. In light of the Government's priority on deliverability, the Inspector has emphasized that the sites should be both suitable for development and able to deliver housing by 2011. These options have been investigated taking into account the inspector's reasoning and recommendations, site constraints, the local plan strategy, corporate objectives, sustainability criteria and national planning advice, demand for alternative uses etc. As a result of the Council's investigations it was concluded that land rear of 89-123 Englishcombe Lane should be reinstated for residential development. Although not implemented planning permission was granted for a residential development on this site in August 1986.</p> <p>The Council's highway engineer has confirmed that the site can be suitably and safely accessed. Issues of highway safety, increases in traffic generated by the site and impact on junctions would need to be mitigated by way of contributions secured through a legal agreement.</p> <p>The geotechnical survey was undertaken on behalf of the Council during 2006. Previous geotechnical surveys were undertaken in the 1980s which concluded the site was capable of being developed. The 2006 survey also indicates that development can be achieved without significant geotechnical constraints. Successful development of the site would depend on the submission of an appropriate scheme which takes account of the identified geotechnical constraints (Policy ES.14). Issues such as design, capacity, density, layout, dwelling type and impact on the surroundings will also be addressed in detail at the planning application stage.</p>	No change.

Respondent Details	Summary of Comment	Proposed Response	Change
<p><b>Ref:</b> 3879/J1</p> <p><b>Location</b> Englishcombe Lane (land rear of 89-123 )</p> <p><b>Bath</b></p>	<p>The key reason for our objection to the proposed building of 45 dwellings on land behind 89-123 Englishcombe Lane is the springs that run through/under this land. The recent survey was carried out during the hottest summer on record and there appears to be no information as to how accurate that survey is?</p> <p>The land is waterlogged during autumn, winter and spring. There appears to be no evidence of where the springs are sourced or where they run to (the site is in direct line with spring water on Monksdale Rd allotments and Sandpits playground) and the steep land backing on to the site suffered a landslide some years ago. Therefore, where and how will this water be redirected?</p> <p>At best, natural sources of water are unpredictable. With environmental issues topping the global agenda and the weather in the UK becoming increasingly unpredictable, how can you or any developer be sure that these springs will not be disrupted by building works? What steps would be taken to guarantee homeowners in the region that the land is safe to build on and the impact to our home negligible? As it stands, we believe that our home would be at risk of flood and the safety of our child compromised. Can you confirm otherwise?</p> <p>In addition, this land is home to owls, foxes, badgers, deer and bats — where will they go? Or are you planning to re-house them?!</p> <p>The road is already extremely busy, utilised as a cut-through at all times of day. With another 45 dwellings on top of the new housing development further up the road, the volume of traffic will be increased even further. What plans will be in place to assist with the volume of traffic and safe exits from junctions such as Stirtingale Road?</p> <p>Whilst not an expert, common sense suggests that it would be a costly exercise to</p>	<p>As the site lies over a Major Aquifer appropriate pollution prevention measures will be required under Policy ES.9. The Environment Agency has no objection to development of this site in principle but would require a Flood risk Assessment to accompany any planning application (which is now a requirement of Policy NE.14) although the site is located outside the floodplain as a site of this size can generate significant volumes of surface water.</p> <p>Although the site is not designated a site of nature conservation interest there is evidence of species and habitats of local ecological importance which would be safeguarded under Policy NE.11. Similarly Policy NE.12 seeks to protect natural features such as trees, hedgerows, stone walls and watercourses from the adverse effects of development. Should the proposal potentially cause harm to biodiversity and other natural features, mitigation and compensatory measures would be determined as part of any planning application. The retention of hedgerows is a development requirement as stipulated under Policy GDS.1/B7.</p> <p>The objection raises no new issues warranting a further modification.</p>	No change.

build upon this land and whilst we fully appreciate the Government guidelines regarding housing and the 2011 deadline, we do believe that there are more suitable sites than the land behind Englishcombe Lane and would like this site deleted from the plan.

Lane should be reinstated for residential development. Although not implemented planning permission was granted for a residential development on this site in August 1986.

The Council's highway engineer has confirmed that the site can be suitably and safely accessed. Issues of highway safety, increases in traffic generated by the site and impact on junctions would need to be mitigated by way of contributions secured through a legal agreement.

The geotechnical survey was undertaken on behalf of the Council during 2006. Previous geotechnical surveys were undertaken in the 1980s which concluded the site was capable of being developed. The 2006 survey also indicates that development can be achieved without significant geotechnical constraints. Successful development of the site would depend on the submission of an appropriate scheme which takes account of the identified geotechnical constraints (Policy ES.14). Issues such as design, capacity, density, layout, dwelling type and impact on the surroundings will also be addressed in detail at the planning application stage.

As the site lies over a Major Aquifer appropriate pollution prevention measures will be required under Policy ES.9. The Environment Agency has no objection to development of this site in principle but would require a Flood risk Assessment to accompany any planning application (which is now a requirement of Policy NE.14) although the site is located outside the floodplain as a site of this size can generate significant volumes of surface water.

Although the site is not designated a site of nature conservation interest there is evidence of species and habitats of local ecological importance which would be safeguarded under Policy NE.11. Similarly Policy NE.12 seeks to protect natural features such as trees, hedgerows, stone walls and watercourses from the adverse effects of development. Should the proposal potentially cause harm to biodiversity and other natural features, mitigation and compensatory measures would be determined as part of any planning application. The retention of hedgerows is a development requirement as stipulated under Policy GDS.1/B7.

Respondent Details	Summary of Comment	Proposed Response	Change
<p><b>Ref:</b> 3880/J1</p> <p><b>Location</b> Englishcombe Lane (land rear of 89-123 ) <b>Bath</b></p>	<p>1. Reasons for objecting</p> <p>ENVIRONMENT</p> <ul style="list-style-type: none"> <li>- Loss of environmentally valuable green area, important for wildlife.</li> <li>- Increased traffic in the area.</li> <li>- Possibility of more flooding in Englishcombe lane. This road is already prone to flooding. The new access road is likely to encourage the flow of water down the hill to Englishcombe Lane at this point, with the danger of flooding the road and running off into the properties opposite.</li> </ul> <p>SAFETY</p> <ul style="list-style-type: none"> <li>- A hazardous road junction would be created. The visibility at the exit of the new road into Englishcombe lane is likely to be poor (as the visibility from the current lane is). The new junction would therefore be potentially dangerous.</li> <li>- Access to the houses opposite would become difficult and dangerous.</li> <li>- With this number of houses, there would be an increase in traffic on an already busy road, where cars regularly exceed the speed limit. This would be particularly of concern at peak times.</li> </ul> <p>AMENDMENTS SOUGHT</p> <p>Preferably - Do not build on this green site OR if there is absolutely no alternative site for housing development:</p> <ul style="list-style-type: none"> <li>- Substantially reduce the number of houses built, thereby reducing the demand on the new junction and on Englishcombe lane, by traffic.</li> <li>- Ensure safe access to all neighbouring properties.</li> <li>- Ensure a safe exit from the new road.</li> <li>- Provide and maintain adequate drainage from the new development so that flooding does not occur.</li> </ul>	<p>The objection raises no new issues warranting a further modification.</p> <p>Land rear of 89-123 Englishcombe Lane was previously allocated for residential development in the Deposit Draft Local Plan and prior to that, in the Bath Local Plan. The Inspector considered the issues of housing supply again in detail at the Local Plan Inquiry and recommended that the Council should reinvestigate this site in order to meet the identified shortfall in housing in the District. The identification of sites reflects the locational sequence established in the Structure Plan: that is first Bath, then Keynsham, then Norton-Radstock and then the larger villages. Account has already been taken of the Brownfield site redevelopment opportunities. In light of the Government's priority on deliverability, the Inspector has emphasized that the sites should be both suitable for development and able to deliver housing by 2011. These options have been investigated taking into account the inspector's reasoning and recommendations, site constraints, the local plan strategy, corporate objectives, sustainability criteria and national planning advice, demand for alternative uses etc. As a result of the Council's investigations it was concluded that land rear of 89-123 Englishcombe Lane should be reinstated for residential development. Although not implemented planning permission was granted for a residential development on this site in August 1986.</p> <p>The Council's highway engineer has confirmed that the site can be suitably and safely accessed. Issues of highway safety, increases in traffic generated by the site and impact on junctions would need to be mitigated by way of contributions secured through a legal agreement.</p> <p>The geotechnical survey was undertaken on behalf of the Council during 2006. Previous geotechnical surveys were undertaken in the 1980s which concluded the site was capable of being developed. The 2006 survey also indicates that development can be achieved without significant geotechnical constraints. Successful development of the site would depend on the submission of an appropriate scheme which takes account of the identified geotechnical constraints (Policy ES.14). Issues such as design, capacity, density, layout, dwelling type and impact on the surroundings will also be addressed in detail at the planning application</p>	<p>No change.</p>

<p><b>Ref:</b> 3911/J1</p> <p><b>Location</b> Englishcombe Lane (land rear of 89-123 ) <b>Bath</b></p>	<p>I Ground stabilisation There are of number of watercourses running near and through this site, both above and below ground. If this site was developed, where would the water go, and would we end up being flooded? What effect would that have on the foundations of the houses in the longer term, possibly subsidence and or land slip? Already when sudden heavy rainfall occurs, Englishcombe Lane floods to a significant depth causing a traffic hazard. By developing the area there could be increased run-off down the hill causing the flooding to be worse.</p> <p>2 Environmental Impact There would be a significant effect on wildlife in the area. This area is home to many species and is part of a green corridor between Odd Down and Moorlands. There is a diverse animal and bird population that would be adversely affected. Among the species either living or using the site are: badgers, foxes, squirrels, hedgehogs, shrews, field mice, Bats, Little owls and Barn owls, magpies, woodpeckers, great and blue tits, bullfinches, chaffinches, common frogs and toads, as well as insect life including dragonflies and a variety of butterflies. It is hard to imagine that all these species would survive or successfully re-colonise if this area is developed. Having spoken to Avon Wild Life Trust, I understand that before the area could be developed, a survey would have to be done to assess the impact of such a development on the wildlife in the area.</p> <p>Residents of the houses in Stirtingale Road, which would be backing onto this proposed development currently have an excellent view over the city which would be lost if this development were to be allowed.</p> <p>3 Access Assuming vehicular access is going to be from Englishcombe Lane, although there is a thirty-mile an hour speed limit, traffic often exceeds this speed</p>	<p>stage.</p> <p>As the site lies over a Major Aquifer appropriate pollution prevention measures will be required under Policy ES.9. The Environment Agency has no objection to development of this site in principle but would require a Flood risk Assessment to accompany any planning application (which is now a requirement of Policy NE.14) although the site is located outside the floodplain as a site of this size can generate significant volumes of surface water.</p> <p>Although the site is not designated a site of nature conservation interest there is evidence of species and habitats of local ecological importance which would be safeguarded under Policy NE.11. Similarly Policy NE.12 seeks to protect natural features such as trees, hedgerows, stone walls and watercourses from the adverse effects of development. Should the proposal potentially cause harm to biodiversity and other natural features, mitigation and compensatory measures would be determined as part of any planning application. The retention of hedgerows is a development requirement as stipulated under Policy GDS.1/B7.</p> <p>The objection raises no new issues warranting a further modification.</p>	<p>No change.</p>
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(as a notable fatal traffic accident opposite the proposed site entrance proved). The proposed vehicular access is poorly sited and difficult to see when travelling from either direction along Englishcombe Lane. It is also nearly opposite one of the entrances to the Moorfields park which is heavily used by the parents and children travelling to Moorlands School. This already presents an especially hazardous combination at peak times, with pedestrian and vehicular school traffic, other traffic and residential parking along this stretch. Extra traffic using this entrance to the proposed site would only exacerbate the risks.

Assuming vehicular access is going to be from Stirtingale Road, the obvious route would be across the front of 29 and 31. The existing road at this point is narrow and on a curve and is also part of a bus route, extra traffic here would be detrimental to the bus service, which already has trouble getting round the corner due to parked cars. There have already been several accidents at this point. Extra traffic would increase the risk of more accidents. If the vehicle access is allowed this way it means that the occupiers of numbers 29 and 31 and the dwellings opposite would suffer a very substantial reduction in their quality of life due to large increases in traffic noise and exhaust fumes and loss of amenity due to a reduction in the green area in front of those properties with the attendant safety risks, particularly to young children, this being a popular play area.

If pedestrian access is proposed from Stirtingale Road and if there is insufficient parking available within the development, it could result in cars being left in Stirtingale Road by visitors who walk through to the new houses. This could increase problems with the already very limited parking space in Stirtingale Road which regularly sees cars being left on footpaths and blocking residents drives. The same problem could arise in Englishcombe lane. There could be an increase in noise, vandalism and other nuisance behaviour in Stirtingale Road as people use the new estate and the footpath as a short cut to and from Englishcombe Lane to Kingsway and beyond.

concluded that land rear of 89-123 Englishcombe Lane should be reinstated for residential development. Although not implemented planning permission was granted for a residential development on this site in August 1986.

The Council's highway engineer has confirmed that the site can be suitably and safely accessed. Issues of highway safety, increases in traffic generated by the site and impact on junctions would need to be mitigated by way of contributions secured through a legal agreement.

The geotechnical survey was undertaken on behalf of the Council during 2006. Previous geotechnical surveys were undertaken in the 1980s which concluded the site was capable of being developed. The 2006 survey also indicates that development can be achieved without significant geotechnical constraints. Successful development of the site would depend on the submission of an appropriate scheme which takes account of the identified geotechnical constraints (Policy ES.14). Issues such as design, capacity, density, layout, dwelling type and impact on the surroundings will also be addressed in detail at the planning application stage.

As the site lies over a Major Aquifer appropriate pollution prevention measures will be required under Policy ES.9. The Environment Agency has no objection to development of this site in principle but would require a Flood risk Assessment to accompany any planning application (which is now a requirement of Policy NE.14) although the site is located outside the floodplain as a site of this size can generate significant volumes of surface water.

Although the site is not designated a site of nature conservation interest there is evidence of species and habitats of local ecological importance which would be safeguarded under Policy NE.11. Similarly Policy NE.12 seeks to protect natural features such as trees, hedgerows, stone walls and watercourses from the adverse effects of development. Should the proposal potentially cause harm to biodiversity and other natural features, mitigation and compensatory measures would be determined as part of any planning application. The retention of hedgerows is a development requirement as stipulated under Policy GDS.1/B7.

Respondent Details	Summary of Comment	Proposed Response	Change
<p><b>Ref:</b> 3913/J1</p> <p><b>Location</b> Englishcombe Lane (land rear of 89-123 )</p> <p><b>Bath</b></p>	<p>I am objecting to the use of this land for building, on the grounds of it being unsuitable due to its changeable condition. I object also on the grounds that it would destroy a very rich wildlife habitat.</p> <p>There needs to be amendments both to protect the environment and the well being of local people.</p> <p>This land cannot be considered as good or suitable for building. This years test boring after a long, dry period cannot be regarded as accurate. Over the last 30+ years, numerous springs have appeared on this land after heavy periods of rain, somewhat randomly positioned. During very heavy rain water runs off the slopes above this site like a waterfall. In the past when three ponies were kept on this land during many Winters, it would be reduced to a few blades of grass and 1.4 hectares of mud.</p> <p>This bit of Baths green land becomes a feeding ground for some 40 species of bird, several reptiles, many insects, mammals; including deer, foxes and badgers. I must therefore object to the destruction of their habitat.</p> <p>Question 1 : Who pays if such development causes flooding to adjoining properties? Question 2 : Who pays if the successful bidder to develop the site finds the conditions do not match those specified?</p> <p>Amendments:</p> <ol style="list-style-type: none"> <li>1. A continuous wild life corridor should be maintained along the entire South and West sides of the site as a minimum requirement. This corridor should not be crossed by any form of man made construction.</li> <li>2. There should be no culverting or interference to the hydrology South of the Southern boundary. The hillside being maintained as it is in order to keep a continuous food and water supply for all plants and wildlife. Badgers and their habitat are protected.</li> <li>3. There should be no pedestrian access to and from Stirtingale road. The reasons for this being mainly: <ol style="list-style-type: none"> <li>A) Building and garden land would be wasted.</li> <li>B) This route would mainly be used as a rat walk by non residents.</li> <li>C) Yet another dog, dog mess and coke can alley would be created. Like many others, unloved, unserved and unmaintained due to costs etc.</li> <li>D) This path will create insecurity for local residents. From reports of similar alleys, it seems odd to produce a ready made crime scene.</li> <li>E) The path would become an ideal escape route for motorcycles on those legging it from burning out cars; not practical for policing.</li> <li>F) Creating a walkway with so few positive benefits would be very environmentally unfriendly.</li> <li>G) This site is North facing; frost and snow is very slow to thaw, making any pathway more dangerous than normal for walkers and people with pushchairs etc.</li> </ol> </li> </ol> <p>A. Cook</p>	<p>The objection raises no new issues warranting a further modification.</p> <p>Land rear of 89-123 Englishcombe Lane was previously allocated for residential development in the Deposit Draft Local Plan and prior to that, in the Bath Local Plan. The Inspector considered the issues of housing supply again in detail at the Local Plan Inquiry and recommended that the Council should reinvestigate this site in order to meet the identified shortfall in housing in the District. The identification of sites reflects the locational sequence established in the Structure Plan: that is first Bath, then Keynsham, then Norton-Radstock and then the larger villages. Account has already been taken of the Brownfield site redevelopment opportunities. In light of the Government's priority on deliverability, the Inspector has emphasized that the sites should be both suitable for development and able to deliver housing by 2011. These options have been investigated taking into account the inspector's reasoning and recommendations, site constraints, the local plan strategy, corporate objectives, sustainability criteria and national planning advice, demand for alternative uses etc. As a result of the Council's investigations it was concluded that land rear of 89-123 Englishcombe Lane should be reinstated for residential development. Although not implemented planning permission was granted for a residential development on this site in August 1986.</p> <p>The Council's highway engineer has confirmed that the site can be suitably and safely accessed. Issues of highway safety, increases in traffic generated by the site and impact on junctions would need to be mitigated by way of contributions secured through a legal agreement.</p> <p>The geotechnical survey was undertaken on behalf of the Council during 2006. Previous geotechnical surveys were undertaken in the 1980s which concluded the site was capable of being developed. The 2006 survey also indicates that development can be achieved without significant geotechnical constraints. Successful development of the site would depend on the submission of an appropriate scheme which takes account of the identified geotechnical constraints (Policy ES.14). Issues such as design, capacity, density, layout, dwelling type and impact on the surroundings will also be</p>	No change.

		<p>addressed in detail at the planning application stage.</p> <p>As the site lies over a Major Aquifer appropriate pollution prevention measures will be required under Policy ES.9. The Environment Agency has no objection to development of this site in principle but would require a Flood risk Assessment to accompany any planning application (which is now a requirement of Policy NE.14) although the site is located outside the floodplain as a site of this size can generate significant volumes of surface water.</p> <p>Although the site is not designated a site of nature conservation interest there is evidence of species and habitats of local ecological importance which would be safeguarded under Policy NE.11. Similarly Policy NE.12 seeks to protect natural features such as trees, hedgerows, stone walls and watercourses from the adverse effects of development. Should the proposal potentially cause harm to biodiversity and other natural features, mitigation and compensatory measures would be determined as part of any planning application. The retention of hedgerows is a development requirement as stipulated under Policy GDS.1/B7.</p> <p>The objection raises no new issues warranting a further modification.</p>	
<p><b>Ref:</b> 3915/J1</p> <p><b>Location</b> Englishcombe Lane (land rear of 89-123 )</p> <p><b>Bath</b></p>	<p>1. Oldfield Park is now one of the most overcrowded wards in Bath, additional housing is eroding into what is left of the green space inside this very busy ward.</p> <p>2. Englishcombe lane is now used as a rat run to avoid Odd Down. Junctions onto Englishcombe Lane are dangerous, additional traffic from housing will only create additional pressure at these dangerous junctions. The road is dangerous due to the excessive speed especially at the access point to the proposed site, in fact there has been a fatal road accident yards from this proposed development some years ago.</p> <p>3. There is considerable development within 2 miles of this site, Pulteney View, Rush Hill, and St Martins. The Peasedown development over the past 10 years has increased thru traffic in the BA2 area, combined with these new developments the area is reaching saturation point. Additional housing will only cause more problems as people look to find rat runs.</p> <p>4. Environmental Impact, the obvious loss of Green space will also destroy local wildlife and increase pollution. Rainwater and natural springs may cause localised flooding due to the loss of surface area for natural drainage.</p> <p>Due to the above reasons we propose that the local plan is amended to show this site as somewhere that is protected from any kind of development and the current plan is rejected.</p>	<p>Land rear of 89-123 Englishcombe Lane was previously allocated for residential development in the Deposit Draft Local Plan and prior to that, in the Bath Local Plan. The Inspector considered the issues of housing supply again in detail at the Local Plan Inquiry and recommended that the Council should reinvestigate this site in order to the meet the identified shortfall in housing in the District. The identification of sites reflects the locational sequence established in the Structure Plan: that is first Bath, then Keynsham, then Norton-Radstock and then the larger villages. Account has already been taken of the Brownfield site redevelopment opportunities. In light of the Government's priority on deliverability, the Inspector has emphasized that the sites should be both suitable for development and able to deliver housing by 2011. These options have been investigated taking into account the inspector's reasoning and recommendations, site constraints, the local plan strategy, corporate objectives, sustainability criteria and national planning advice, demand for alternative uses etc.</p>	<p>No change.</p>

As a result of the Council's investigations it was concluded that land rear of 89-123 Englishcombe Lane should be reinstated for residential development. Although not implemented planning permission was granted for a residential development on this site in August 1986.

The Council's highway engineer has confirmed that the site can be suitably and safely accessed. Issues of highway safety, increases in traffic generated by the site and impact on junctions would need to be mitigated by way of contributions secured through a legal agreement.

The geotechnical survey was undertaken on behalf of the Council during 2006. Previous geotechnical surveys were undertaken in the 1980s which concluded the site was capable of being developed. The 2006 survey also indicates that development can be achieved without significant geotechnical constraints. Successful development of the site would depend on the submission of an appropriate scheme which takes account of the identified geotechnical constraints (Policy ES.14). Issues such as design, capacity, density, layout, dwelling type and impact on the surroundings will also be addressed in detail at the planning application stage.

As the site lies over a Major Aquifer appropriate pollution prevention measures will be required under Policy ES.9. The Environment Agency has no objection to development of this site in principle but would require a Flood risk Assessment to accompany any planning application (which is now a requirement of Policy NE.14) although the site is located outside the floodplain as a site of this size can generate significant volumes of surface water.

Although the site is not designated a site of nature conservation interest there is evidence of species and habitats of local ecological importance which would be safeguarded under Policy NE.11. Similarly Policy NE.12 seeks to protect natural features such as trees, hedgerows, stone walls and watercourses from the adverse effects of development. Should the proposal potentially cause harm to biodiversity and other natural features, mitigation and compensatory measures would be determined as part of any planning application. The retention of hedgerows is a development requirement as

Respondent Details	Summary of Comment	Proposed Response	Change
<p><b>Ref:</b> 3948/J21</p> <p><b>Location</b> Englishcombe Lane (land rear of 89-123 )</p> <p><b>Bath</b></p>	<p>1. This inclusion is in direct conflict with Policy CF.1 as amended by M/B3/9, which I think should provide precedence as there is no other convenient community land of this type (as opposed to other open space) in this densely built up area. The inspector's recommendation R7.16 only asks the council to CONSIDER this land, and the conflict with other parts of the councils policy statements is therefore telling.</p> <p>2. Delete the policy.</p>	<p>stipulated under Policy GDS.1/B7.</p> <p>The objection raises no new issues warranting a further modification.</p>	No change.
<p><b>Ref:</b> 3956/J1</p> <p><b>Location</b> Englishcombe Lane (land rear of 89-123 )</p> <p><b>Bath</b></p>	<p>I object to the reinstatement of the land to the rear of 89-123 Englishcombe Lane for additional housing.</p> <p>I suggest that this additional allocation of 45 units of housing be added to the allocation for the Bath Western Riverside site to off set the potential loss of housing on this site.</p> <p>The reasons for my opposition are outlined below:</p> <ul style="list-style-type: none"> <li>• The general unsuitability of the proposed site;</li> <li>• Adverse geological and hydrographic conditions (springs, etc);</li> <li>• The need for a comprehensive traffic impact assessment for Englishcombe Lane (traffic speed, volume and congestion on Englishcombe Lane);</li> <li>• The conflict with the emerging Council Open Space Strategy;</li> <li>• No prior consultation with local residents adjacent to this site;</li> <li>• Conflict with the Council's policy on protection Visually Important Open Space which makes a contribution to the character of the settlement or locality;</li> <li>• Adverse impact on the wildlife in the area such as deer, badgers, foxes and owls.</li> </ul>	<p>Land rear of 89-123 Englishcombe Lane was previously allocated for residential development in the Deposit Draft Local Plan and prior to that, in the Bath Local Plan. The Inspector considered the issues of housing supply again in detail at the Local Plan Inquiry and recommended that the Council should reinvestigate this site in order to the meet the identified shortfall in housing in the District. The identification of sites reflects the locational sequence established in the Structure Plan: that is first Bath, then Keynsham, then Norton-Radstock and then the larger villages. Account has already been taken of the Brownfield site redevelopment opportunities. In light of the Government's priority on deliverability, the Inspector has emphasized that the sites should be both suitable for development and able to deliver housing by 2011. These options have been investigated taking into account the inspector's reasoning and recommendations, site constraints, the local plan strategy, corporate objectives, sustainability criteria and national planning advice, demand for alternative uses etc. As a result of the Council's investigations it was concluded that land rear of 89-123 Englishcombe Lane should be reinstated for residential development. Although not implemented planning permission was granted for a residential development on this site in August 1986.</p> <p>The Council's highway engineer has confirmed that the site can be suitably and safely accessed. Issues of highway safety, increases in traffic generated by the site and impact on junctions would need to be mitigated by way of contributions secured through a legal agreement.</p> <p>The geotechnical survey was undertaken on behalf of the Council during 2006. Previous geotechnical surveys were undertaken in the 1980s which</p>	No change.

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<p><b>Ref:</b> 3964/J1</p> <p><b>Location</b> Englishcombe Lane (land rear of 89-123 ) <b>Bath</b></p>	<p>We are objecting to building on this land. We bought our house to have a nice outlook to the rear. We did not want to have to look at houses at front and rear. The field is a haven for wildlife, like the bats that roost in the trees. The field has a couple of streams that run through it. If it is houses the access into them will be very dangerous. Strongly object to more traffic using Englishcombe Lane and Stirtingale Road. Leave the field as it is for the wildlife.</p>	<p>concluded the site was capable of being developed. The 2006 survey also indicates that development can be achieved without significant geotechnical constraints. Successful development of the site would depend on the submission of an appropriate scheme which takes account of the identified geotechnical constraints (Policy ES.14). Issues such as design, capacity, density, layout, dwelling type and impact on the surroundings will also be addressed in detail at the planning application stage.</p> <p>As the site lies over a Major Aquifer appropriate pollution prevention measures will be required under Policy ES.9. The Environment Agency has no objection to development of this site in principle but would require a Flood risk Assessment to accompany any planning application (which is now a requirement of Policy NE.14) although the site is located outside the floodplain as a site of this size can generate significant volumes of surface water.</p> <p>Although the site is not designated a site of nature conservation interest there is evidence of species and habitats of local ecological importance which would be safeguarded under Policy NE.11. Similarly Policy NE.12 seeks to protect natural features such as trees, hedgerows, stone walls and watercourses from the adverse effects of development. Should the proposal potentially cause harm to biodiversity and other natural features, mitigation and compensatory measures would be determined as part of any planning application. The retention of hedgerows is a development requirement as stipulated under Policy GDS.1/B7.</p> <p>The objection raises no new issues warranting a further modification.</p>	<p>No change.</p>

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The Council's highway engineer has confirmed that the site can be suitably and safely accessed. Issues of highway safety, increases in traffic generated by the site and impact on junctions would need to be mitigated by way of contributions secured through a legal agreement.

The geotechnical survey was undertaken on behalf of the Council during 2006. Previous geotechnical surveys were undertaken in the 1980s which concluded the site was capable of being developed. The 2006 survey also indicates that development can be achieved without significant geotechnical constraints. Successful development of the site would depend on the submission of an appropriate scheme which takes account of the identified geotechnical constraints (Policy ES.14). Issues such as design, capacity, density, layout, dwelling type and impact on the surroundings will also be addressed in detail at the planning application stage.

As the site lies over a Major Aquifer appropriate pollution prevention measures will be required under Policy ES.9. The Environment Agency has no objection to development of this site in principle but would require a Flood risk Assessment to accompany any planning application (which is now a requirement of Policy NE.14) although the site is located outside the floodplain as a site of this size can generate significant volumes of surface water.

Although the site is not designated a site of nature conservation interest there is evidence of species and habitats of local ecological importance which

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<p><b>Ref:</b> 3965/J1</p> <p><b>Location</b> Englishcombe Lane (land rear of 89-123 )</p> <p><b>Bath</b></p>	<p>1. Previous surveys found the site to be unsuitable for housing as this site has a natural spring running through it. This recent bore test was carried out during a very hot and dry summer. How accurate can the result information be? If the spring is re-routed, what effect will this have on our properties?</p> <p>2. The land is quite steep and I believe there has in the past been a landslide - this could also be due to the amount of flowing spring water in the wettest of seasons. During periods of heavy rain, even Englishcombe Lane itself becomes flooded with water, sometimes spreading across the whole width of the road. Englishcombe Lane is a very busy commuter route and already has quite a lot of exits and entries onto it. There have been many accidents along the length of the road, including one with fatalities. There is increased parking on the road making it difficult to see the traffic at some of the junctions (Stirtingale Road being one of the most dangerous). Do we really need another? I attended a meeting some years ago where the local residents were trying to get speed restrictions in place along Englishcombe Lane. This was attended by representatives from the local emergency services who all stated that this was not possible due to "shout" limes being delayed if either roundabouts or "sleeping policemen" were installed. I, for one, have been overtaken on this road because I was travelling at the speed Englishcombe Lane has already had a small development we don't need another one to add to the amount of traffic along its length.</p> <p>There is the issue of wildlife. I have seen foxes, bats and others animals within this field. What will happen to their habitat?</p> <p>Finally I would take issue with the council's idea of "affordable housing". Affordable to whom? Someone has been quoted as saying that the average salary for working residents of Bath is £28,000. All I can say is there must be quite a few millionaires in Bath to make this average possible. I have two sons whose combined salary does not equate to this. How on earth are they ever going to afford a property in Bath? They will have to wait until I "pop my clogs" before that will happen.</p>	<p>would be safeguarded under Policy NE.11. Similarly Policy NE.12 seeks to protect natural features such as trees, hedgerows, stone walls and watercourses from the adverse effects of development. Should the proposal potentially cause harm to biodiversity and other natural features, mitigation and compensatory measures would be determined as part of any planning application. The retention of hedgerows is a development requirement as stipulated under Policy GDS.1/B7.</p> <p>The objection raises no new issues warranting a further modification.</p> <p>Land rear of 89-123 Englishcombe Lane was previously allocated for residential development in the Deposit Draft Local Plan and prior to that, in the Bath Local Plan. The Inspector considered the issues of housing supply again in detail at the Local Plan Inquiry and recommended that the Council should reinvestigate this site in order to meet the identified shortfall in housing in the District. The identification of sites reflects the locational sequence established in the Structure Plan: that is first Bath, then Keynsham, then Norton-Radstock and then the larger villages. Account has already been taken of the Brownfield site redevelopment opportunities. In light of the Government's priority on deliverability, the Inspector has emphasized that the sites should be both suitable for development and able to deliver housing by 2011. These options have been investigated taking into account the inspector's reasoning and recommendations, site constraints, the local plan strategy, corporate objectives, sustainability criteria and national planning advice, demand for alternative uses etc. As a result of the Council's investigations it was concluded that land rear of 89-123 Englishcombe Lane should be reinstated for residential development. Although not implemented planning permission was granted for a residential development on this site in August 1986.</p> <p>The Council's highway engineer has confirmed that the site can be suitably and safely accessed. Issues of highway safety, increases in traffic generated by the site and impact on junctions would need to be mitigated by way of contributions secured through a legal agreement.</p> <p>The geotechnical survey was undertaken on behalf of the Council during 2006. Previous geotechnical</p>	No change.



			<p>surveys were undertaken in the 1980s which concluded the site was capable of being developed. The 2006 survey also indicates that development can be achieved without significant geotechnical constraints. Successful development of the site would depend on the submission of an appropriate scheme which takes account of the identified geotechnical constraints (Policy ES.14). Issues such as design, capacity, density, layout, dwelling type and impact on the surroundings will also be addressed in detail at the planning application stage.</p> <p>As the site lies over a Major Aquifer appropriate pollution prevention measures will be required under Policy ES.9. The Environment Agency has no objection to development of this site in principle but would require a Flood risk Assessment to accompany any planning application (which is now a requirement of Policy NE.14) although the site is located outside the floodplain as a site of this size can generate significant volumes of surface water.</p> <p>Although the site is not designated a site of nature conservation interest there is evidence of species and habitats of local ecological importance which would be safeguarded under Policy NE.11. Similarly Policy NE.12 seeks to protect natural features such as trees, hedgerows, stone walls and watercourses from the adverse effects of development. Should the proposal potentially cause harm to biodiversity and other natural features, mitigation and compensatory measures would be determined as part of any planning application. The retention of hedgerows is a development requirement as stipulated under Policy GDS.1/B7.</p> <p>The objection raises no new issues warranting a further modification.</p>	
<b>Ref:</b>	3966/J1	I have recently become aware of the proposed development on Englishcombe Lane, Bath (Modification No M/B9/18; Plan Reference R5. 17-R7. 16).	Land rear of 89-123 Englishcombe Lane was previously allocated for residential development in the Deposit Draft Local Plan and prior to that, in the Bath Local Plan. The Inspector considered the issues of housing supply again in detail at the Local Plan Inquiry and recommended that the Council should reinvestigate this site in order to meet the identified shortfall in housing in the District. The identification of sites reflects the locational sequence established in the Structure Plan: that is first Bath, then Keynsham, then Norton-Radstock and then the larger villages. Account has already	No change.
<b>Location</b>	Englishcombe Lane (land rear of 89-123 ) <b>Bath</b>	I am a Senior Flood Risk Engineer at a reputable multi engineering consultancy. My job entails the undertaking of flood risk assessments, analysis of flooding and hydraulic modelling, drainage design and environmental restoration. I have numerous years of experience of flooding and flood risk issues and have worked extensively in the Bath and surrounding areas. I am also a Chartered Member of the Institute of Water and Environmental Management. Throughout my work I have been exposed to many development sites throughout the UK and abroad and have produced flood risk assessment to accompany planning applications for many of these projects, including some of the most prestigious development of the 21st century (including Bath Western Riverside, Bath South		

Quays, Wembley Stadium, the Olympics development and Lansdowne Road Stadium, to name but a few).

I am writing to express my extreme objection to the proposed development for the following reasons:

1. The development is proposed on Greenfield site, which is contrary to the Governments proposals to preferentially develop Brownfield sites, as outlined in PPG2, PPS3 and PPG25.
2. In my professional opinion, development of this site will lead to the increase of flood risk for the following reasons, relating closely to the groundwater character of the proposed development site, and changes to the hydrogeology of the region:
  - a. There is an almost constant flow from spring fed sources across the fields at present. This is a natural process and the field's acts as a flood plain to the area and facilitate retention of the spring water through its permeable characteristics.
  - b. The need for the retention properties of this field are exacerbated by the forecasted climate change impacts on the weather patterns of the UK, and in particular the south west region.
  - c. The introduction of foundations will certainly lead to the displacement of groundwater laterally towards Stirtingale Road and Englishcombe Lane. This will increase the flood risk to these properties because of the loss of storage within the soil and within the field.
  - d. The risk of flooding will be particularly high during any construction phase because of the vegetation removal. This will increase runoff from the field to the adjacent properties as well as increase flooding to Englishcombe Lane, which already experiences a high level of road flooding due to overland flow from the fields and surrounding areas. This often creates a pond across the road which is both a driving hazard and inconvenience to pedestrians.
  - e. Changes to the water table within the area, because of the development, will lead to alterations in the water table level in the adjacent properties on Englishcombe Lane and Stirtingale Road. Depending on this change, it is almost certain that this will affect the foundations of these properties and cause subsidence or heave of the soils and hence structural damage to the properties.
3. The development site forms part of an extensive green belt, which within an urban setting such as Bath, is extremely beneficiary for habitat and ecology. I have personally seen many species of wildlife within the fields including birds of prey, deer, foxes and evidence of badgers. This habitat will be lost with the introduction of a residential area.

Having been involved in the Bath Western Riverside development and having produced the river engineering support and flood risk assessment for the two outline planning applications and the detailed planning application which were submitted earlier this year, I am intimately aware of the housing schedules and development proposals within Bath. This proposed development seeks to redevelop a Brownfield site and improve the area by betterment of surface water runoff, providing local amenity, affordable housing and improved infrastructure for Bath. This approach to providing housing should be commended. Development of Greenfield sites should be avoided at all costs and a more appropriate site should be sought. I have also been involved in the preliminary discussions for the South Quays development in Bath (which covers the Avon Street car park and coach park) and have help to guide the outline development concepts, hence am aware of the proposed housing schedules with further Brownfield site. Again this development should be considered more appropriate because of the regeneration to Bath city and avoidance of developing Greenfield sites.

been taken of the Brownfield site redevelopment opportunities. In light of the Government's priority on deliverability, the Inspector has emphasized that the sites should be both suitable for development and able to deliver housing by 2011. These options have been investigated taking into account the inspector's reasoning and recommendations, site constraints, the local plan strategy, corporate objectives, sustainability criteria and national planning advice, demand for alternative uses etc. As a result of the Council's investigations it was concluded that land rear of 89-123 Englishcombe Lane should be reinstated for residential development. Although not implemented planning permission was granted for a residential development on this site in August 1986.

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As the site lies over a Major Aquifer appropriate pollution prevention measures will be required under Policy ES.9. The Environment Agency has no objection to development of this site in principle but would require a Flood risk Assessment to accompany any planning application (which is now a requirement of Policy NE.14) although the site is located outside the floodplain as a site of this size can generate significant volumes of surface water.

Although the site is not designated a site of nature conservation interest there is evidence of species

I believe that application for this site has already been denied twice on previous occasions, because of the risk of flooding.  
As already stated, I would like to register my absolute objection to the proposed development in Englishcombe Lane, and will be actively involved in support of this objection.

and habitats of local ecological importance which would be safeguarded under Policy NE.11. Similarly Policy NE.12 seeks to protect natural features such as trees, hedgerows, stone walls and watercourses from the adverse effects of development. Should the proposal potentially cause harm to biodiversity and other natural features, mitigation and compensatory measures would be determined as part of any planning application. The retention of hedgerows is a development requirement as stipulated under Policy GDS.1/B7.

The objection raises no new issues warranting a further modification.

**Ref:** 4025/J1

**Location** Englishcombe Lane (land rear of 89-123 )  
**Bath**

1. My objections are based on the need to keep the Bath sky line as green and uncluttered as possible.
2. There are signs that the hillside has been slipping in the past. May this not cause great expense for housing?
3. There are occasions when the rain water run off from the field is substantial . This would become a serious problem with run off due to houses and roads.

Land rear of 89-123 Englishcombe Lane was previously allocated for residential development in the Deposit Draft Local Plan and prior to that, in the Bath Local Plan. The Inspector considered the issues of housing supply again in detail at the Local Plan Inquiry and recommended that the Council should reinvestigate this site in order to meet the identified shortfall in housing in the District. The identification of sites reflects the locational sequence established in the Structure Plan: that is first Bath, then Keynsham, then Norton-Radstock and then the larger villages. Account has already been taken of the Brownfield site redevelopment opportunities. In light of the Government's priority on deliverability, the Inspector has emphasized that the sites should be both suitable for development and able to deliver housing by 2011. These options have been investigated taking into account the inspector's reasoning and recommendations, site constraints, the local plan strategy, corporate objectives, sustainability criteria and national planning advice, demand for alternative uses etc. As a result of the Council's investigations it was concluded that land rear of 89-123 Englishcombe Lane should be reinstated for residential development. Although not implemented planning permission was granted for a residential development on this site in August 1986.

No change.

The Council's highway engineer has confirmed that the site can be suitably and safely accessed. Issues of highway safety, increases in traffic generated by the site and impact on junctions would need to be mitigated by way of contributions secured through a legal agreement.

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			<p>of the Council during 2006. Previous geotechnical surveys were undertaken in the 1980s which concluded the site was capable of being developed. The 2006 survey also indicates that development can be achieved without significant geotechnical constraints. Successful development of the site would depend on the submission of an appropriate scheme which takes account of the identified geotechnical constraints (Policy ES.14). Issues such as design, capacity, density, layout, dwelling type and impact on the surroundings will also be addressed in detail at the planning application stage.</p> <p>As the site lies over a Major Aquifer appropriate pollution prevention measures will be required under Policy ES.9. The Environment Agency has no objection to development of this site in principle but would require a Flood risk Assessment to accompany any planning application (which is now a requirement of Policy NE.14) although the site is located outside the floodplain as a site of this size can generate significant volumes of surface water.</p> <p>Although the site is not designated a site of nature conservation interest there is evidence of species and habitats of local ecological importance which would be safeguarded under Policy NE.11. Similarly Policy NE.12 seeks to protect natural features such as trees, hedgerows, stone walls and watercourses from the adverse effects of development. Should the proposal potentially cause harm to biodiversity and other natural features, mitigation and compensatory measures would be determined as part of any planning application. The retention of hedgerows is a development requirement as stipulated under Policy GDS.1/B7.</p> <p>The objection raises no new issues warranting a further modification.</p>	
<b>Ref:</b>	4031/J1	<ol style="list-style-type: none"> <li>1. Steep land backing onto the site suffered a landslide some years ago. What threat to our properties if you develop the site.</li> <li>2. The land is waterlogged and feeds the sand pits spring which many children play in, will this be affected?</li> <li>3. Traffic on the lane is very busy and we have had bad accidents resulting in deaths, is it use to increase the traffic even more with this development, or is the council going to slow traffic down along the lane?</li> <li>4. Parking in the area is becoming a problem, more houses means more cars and more problems.</li> <li>5. The site is home to badgers, foxes, owls, deer, bats and a wide selection of birds. If you build, all of this will be lost. Do these creatures not have the right to</li> </ol>	<p>Land rear of 89-123 Englishcombe Lane was previously allocated for residential development in the Deposit Draft Local Plan and prior to that, in the Bath Local Plan. The Inspector considered the issues of housing supply again in detail at the Local Plan Inquiry and recommended that the Council should reinvestigate this site in order to the meet the identified shortfall in housing in the District. The identification of sites reflects the locational sequence established in the Structure Plan: that is first Bath, then Keynsham, then Norton-Radstock</p>	No change.
<b>Location</b>	Englishcombe Lane (land rear of 89-123 ) <b>Bath</b>			

live in their natural habitat?

6. The access to the site is insufficient to put two footpaths and a road.

7. Visibility is poor and with Moorlands Infant School and Baskerville Gym plus Dorothy Claybourne School of Dance just along the road, which all attract young children, many who walk this way. Why create another hazard for them?

8. Part of the development is on Green Belt land.

9. One line in the Bath Chronicle to inform residence of the meeting to put our points of view seems an under hand way of sneaking this development through with the least opposition.

and then the larger villages. Account has already been taken of the Brownfield site redevelopment opportunities. In light of the Government's priority on deliverability, the Inspector has emphasized that the sites should be both suitable for development and able to deliver housing by 2011. These options have been investigated taking into account the inspector's reasoning and recommendations, site constraints, the local plan strategy, corporate objectives, sustainability criteria and national planning advice, demand for alternative uses etc. As a result of the Council's investigations it was concluded that land rear of 89-123 Englishcombe Lane should be reinstated for residential development. Although not implemented planning permission was granted for a residential development on this site in August 1986.

The Council's highway engineer has confirmed that the site can be suitably and safely accessed. Issues of highway safety, increases in traffic generated by the site and impact on junctions would need to be mitigated by way of contributions secured through a legal agreement.

The geotechnical survey was undertaken on behalf of the Council during 2006. Previous geotechnical surveys were undertaken in the 1980s which concluded the site was capable of being developed. The 2006 survey also indicates that development can be achieved without significant geotechnical constraints. Successful development of the site would depend on the submission of an appropriate scheme which takes account of the identified geotechnical constraints (Policy ES.14). Issues such as design, capacity, density, layout, dwelling type and impact on the surroundings will also be addressed in detail at the planning application stage.

As the site lies over a Major Aquifer appropriate pollution prevention measures will be required under Policy ES.9. The Environment Agency has no objection to development of this site in principle but would require a Flood risk Assessment to accompany any planning application (which is now a requirement of Policy NE.14) although the site is located outside the floodplain as a site of this size can generate significant volumes of surface water.

Although the site is not designated a site of nature

Respondent Details	Summary of Comment	Proposed Response	Change
<p><b>Ref:</b> 4032/J1</p> <p><b>Location</b> Englishcombe Lane (land rear of 89-123 ) <b>Bath</b></p>	<p>Additional traffic generated. The area is the only open area available for local badger and deer population. Plenty of Brown Field sites available in Bath.</p>	<p>conservation interest there is evidence of species and habitats of local ecological importance which would be safeguarded under Policy NE.11. Similarly Policy NE.12 seeks to protect natural features such as trees, hedgerows, stone walls and watercourses from the adverse effects of development. Should the proposal potentially cause harm to biodiversity and other natural features, mitigation and compensatory measures would be determined as part of any planning application. The retention of hedgerows is a development requirement as stipulated under Policy GDS.1/B7.</p> <p>The objection raises no new issues warranting a further modification.</p> <p>Land rear of 89-123 Englishcombe Lane was previously allocated for residential development in the Deposit Draft Local Plan and prior to that, in the Bath Local Plan. The Inspector considered the issues of housing supply again in detail at the Local Plan Inquiry and recommended that the Council should reinvestigate this site in order to meet the identified shortfall in housing in the District. The identification of sites reflects the locational sequence established in the Structure Plan: that is first Bath, then Keynsham, then Norton-Radstock and then the larger villages. Account has already been taken of the Brownfield site redevelopment opportunities. In light of the Government's priority on deliverability, the Inspector has emphasized that the sites should be both suitable for development and able to deliver housing by 2011. These options have been investigated taking into account the inspector's reasoning and recommendations, site constraints, the local plan strategy, corporate objectives, sustainability criteria and national planning advice, demand for alternative uses etc. As a result of the Council's investigations it was concluded that land rear of 89-123 Englishcombe Lane should be reinstated for residential development. Although not implemented planning permission was granted for a residential development on this site in August 1986.</p> <p>The Council's highway engineer has confirmed that the site can be suitably and safely accessed. Issues of highway safety, increases in traffic generated by the site and impact on junctions would need to be mitigated by way of contributions secured through a legal agreement.</p>	<p>No change.</p>

The geotechnical survey was undertaken on behalf of the Council during 2006. Previous geotechnical surveys were undertaken in the 1980s which concluded the site was capable of being developed. The 2006 survey also indicates that development can be achieved without significant geotechnical constraints. Successful development of the site would depend on the submission of an appropriate scheme which takes account of the identified geotechnical constraints (Policy ES.14). Issues such as design, capacity, density, layout, dwelling type and impact on the surroundings will also be addressed in detail at the planning application stage.

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Although the site is not designated a site of nature conservation interest there is evidence of species and habitats of local ecological importance which would be safeguarded under Policy NE.11. Similarly Policy NE.12 seeks to protect natural features such as trees, hedgerows, stone walls and watercourses from the adverse effects of development. Should the proposal potentially cause harm to biodiversity and other natural features, mitigation and compensatory measures would be determined as part of any planning application. The retention of hedgerows is a development requirement as stipulated under Policy GDS.1/B7.

The objection raises no new issues warranting a further modification.

**Ref:** 4033/J1

**Location** Englishcombe Lane (land rear of 89-123 )  
**Bath**

1. - Spring waters run through this site and the recent survey was carried out during the driest Summer we have had in years. The site is water logged during Autumn, Winter and Spring. I think that a further survey should be carried out during another Season.
2. Re-routing the springs could cause problems elsewhere (the site is in direct line with the spring water at Monksdale Rd allotments and Sandpits playground, is there a link?)
3. Land backing onto the site suffered a landslide some years ago, has this been investigated?
4. Previous survey found the site unsuitable for building, what has changed since

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No change.

then?

5. Englishcombe Lane has seen a big increase in traffic over recent years. The Stirtingale Road junction is notoriously dangerous. There has also been a substantial increase in parked cars and vans.

6. Large numbers of pedestrians use Englishcombe Lane, including many School children. More development will only make it more hazardous.

7. There is already a new build of housing along Englishcombe Lane.

8. The site is a haven for wildlife such as deer, owls, foxes, badgers, bats etc. If the land is built on there will be no where in this area for such wildlife to exist.

first Bath, then Keynsham, then Norton-Radstock and then the larger villages. Account has already been taken of the Brownfield site redevelopment opportunities. In light of the Government's priority on deliverability, the Inspector has emphasized that the sites should be both suitable for development and able to deliver housing by 2011. These options have been investigated taking into account the inspector's reasoning and recommendations, site constraints, the local plan strategy, corporate objectives, sustainability criteria and national planning advice, demand for alternative uses etc. As a result of the Council's investigations it was concluded that land rear of 89-123 Englishcombe Lane should be reinstated for residential development. Although not implemented planning permission was granted for a residential development on this site in August 1986.

The Council's highway engineer has confirmed that the site can be suitably and safely accessed. Issues of highway safety, increases in traffic generated by the site and impact on junctions would need to be mitigated by way of contributions secured through a legal agreement.

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Respondent Details	Summary of Comment	Proposed Response	Change
<p><b>Ref:</b> 4265/J1</p> <p><b>Location</b> Englishcombe Lane (land rear of 89-123 ) <b>Bath</b></p>	<p>We bought our property February 6th of this year. We thought long and hard about where we wanted to live. This house fitted everything we wanted. When we had our searches done this never came up about building on the field behind our house. We are DEVASTATED and the extra traffic with all those houses would be terrible. The people who live around the field are so upset could you PLEASE rethink this and find somewhere else that would not make so many people so unhappy.</p>	<p>Although the site is not designated a site of nature conservation interest there is evidence of species and habitats of local ecological importance which would be safeguarded under Policy NE.11. Similarly Policy NE.12 seeks to protect natural features such as trees, hedgerows, stone walls and watercourses from the adverse effects of development. Should the proposal potentially cause harm to biodiversity and other natural features, mitigation and compensatory measures would be determined as part of any planning application. The retention of hedgerows is a development requirement as stipulated under Policy GDS.1/B7.</p> <p>The objection raises no new issues warranting a further modification.</p> <p>Land rear of 89-123 Englishcombe Lane was previously allocated for residential development in the Deposit Draft Local Plan and prior to that, in the Bath Local Plan. The Inspector considered the issues of housing supply again in detail at the Local Plan Inquiry and recommended that the Council should reinvestigate this site in order to meet the identified shortfall in housing in the District. The identification of sites reflects the locational sequence established in the Structure Plan: that is first Bath, then Keynsham, then Norton-Radstock and then the larger villages. Account has already been taken of the Brownfield site redevelopment opportunities. In light of the Government's priority on deliverability, the Inspector has emphasized that the sites should be both suitable for development and able to deliver housing by 2011. These options have been investigated taking into account the inspector's reasoning and recommendations, site constraints, the local plan strategy, corporate objectives, sustainability criteria and national planning advice, demand for alternative uses etc. As a result of the Council's investigations it was concluded that land rear of 89-123 Englishcombe Lane should be reinstated for residential development. Although not implemented planning permission was granted for a residential development on this site in August 1986.</p> <p>The Council's highway engineer has confirmed that the site can be suitably and safely accessed. Issues of highway safety, increases in traffic generated by the site and impact on junctions would need to be mitigated by way of contributions secured through a legal agreement.</p>	<p>No change.</p>

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<p><b>Ref:</b> 4270/J1</p> <p><b>Location</b> Englishcombe Lane (land rear of 89-123 )</p> <p><b>Bath</b></p>	<p>Before any objection can be made to the proposed development and its effect on the environment, complete details of the development is required, namely number and density of dwellings, proposed height and scale of buildings. Are the buildings to be blocks of flats, terraced houses or semi-detached houses. Access roads and parking facilities. What work will be undertaken to avoid flash flooding in what is an extremely waterlogged area. Furthermore, what consideration will be given to the local landscape. Will there be any consultation period for this development.</p>	<p>Land rear of 89-123 Englishcombe Lane was previously allocated for residential development in the Deposit Draft Local Plan and prior to that, in the Bath Local Plan. The Inspector considered the issues of housing supply again in detail at the Local Plan Inquiry and recommended that the Council should reinvestigate this site in order to meet the identified shortfall in housing in the District. The identification of sites reflects the locational</p>	<p>No change.</p>

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Respondent Details	Summary of Comment	Proposed Response	Change
<p><b>Ref:</b> 4294/J1</p> <p><b>Location</b> Englishcombe Lane (land rear of 89-123 ) <b>Bath</b></p>	<p>We object to the inclusion of the land on the South side of Englishcombe Lane being included in the plan for building houses on it. Our objections are as follows...</p> <ol style="list-style-type: none"> <li>1. One of the entrances/exits to the proposed site is directly opposite our house and we would see a significant increase of danger in the already dangerous operation of driving in and out of our driveway.</li> <li>2. The proposed site, if built on, will increase the volume of traffic on this dangerous stretch of road and will increase the probability of more accidents. Englishcombe Lane has seen regular accidents over the years and in our time of living on the Lane there has been a catalogue of accidents ranging in severity, including a triple fatality. The road is particularly busy in the mornings and afternoons during school term time. There are many children of all ages with some quite young children on their own going to and from the local primary school, others with their Mothers often with pushchairs and dogs on their leads and a range of older children often messing about dangerously on the pavement or sometimes in the road. Additionally, the risk for an accident is greatly increased at certain times of the year by the effect of the sun either rising or setting when it shines directly into the eyes of on coming drivers. We have experienced very severe restriction of visibility at these times in the immediate vicinity of the entrance/exit of the proposed site. The undoubted extra traffic that the proposed site will produce will increase both the pedestrian and motor traffic volumes at a strategically very dangerous part of the road, raising greatly the probability of more injury to people, vehicles and property.</li> <li>3. Englishcombe lane is a route used regularly by the emergency services. The extra traffic volume from the proposed site will both restrict the emergency services vehicles passage along Englishcombe Lane and increase the risk of further accidents.</li> <li>4. The proposed site has significant water issues that will compromise any building project on this site. The water table in such that there are multiple water springs in the field in question producing very wet ground conditions and water run off issues. We understand that a water survey was made in the Summer of 2006 of the proposed site and was performed in and after a long period of particularly dry weather. We expect the results to be bias to dry conditions. The wetter part of the</li> </ol>	<p>Although the site is not designated a site of nature conservation interest there is evidence of species and habitats of local ecological importance which would be safeguarded under Policy NE.11. Similarly Policy NE.12 seeks to protect natural features such as trees, hedgerows, stone walls and watercourses from the adverse effects of development. Should the proposal potentially cause harm to biodiversity and other natural features, mitigation and compensatory measures would be determined as part of any planning application. The retention of hedgerows is a development requirement as stipulated under Policy GDS.1/B7.</p> <p>The objection raises no new issues warranting a further modification.</p> <p>Land rear of 89-123 Englishcombe Lane was previously allocated for residential development in the Deposit Draft Local Plan and prior to that, in the Bath Local Plan. The Inspector considered the issues of housing supply again in detail at the Local Plan Inquiry and recommended that the Council should reinvestigate this site in order to the meet the identified shortfall in housing in the District. The identification of sites reflects the locational sequence established in the Structure Plan: that is first Bath, then Keynsham, then Norton-Radstock and then the larger villages. Account has already been taken of the Brownfield site redevelopment opportunities. In light of the Government's priority on deliverability, the Inspector has emphasized that the sites should be both suitable for development and able to deliver housing by 2011. These options have been investigated taking into account the inspector's reasoning and recommendations, site constraints, the local plan strategy, corporate objectives, sustainability criteria and national planning advice, demand for alternative uses etc. As a result of the Council's investigations it was concluded that land rear of 89-123 Englishcombe Lane should be reinstated for residential development. Although not implemented planning permission was granted for a residential development on this site in August 1986.</p> <p>The Council's highway engineer has confirmed that the site can be suitably and safely accessed. Issues of highway safety, increases in traffic generated by the site and impact on junctions would need to be mitigated by way of contributions secured through a</p>	No change.

year would have produced more appropriate results for decisions to be made on the suitability for development of the proposed site.

5. We at No 96 Englishcombe Lane have experienced the effects of water run off from the proposed site during particularly heavy periods of rainfall, which has resulted in our garage and garden flooding on several occasions, as have our immediate neighbours. These conditions have occurred more regularly more recently and by developing the proposed site the water run off from the entrance/exit will be increased and present us with a greater flooding problem. We believe the liability of damage to properties as a result of developing the proposed site will fall on those who decided to either allow development and/or develop the proposed site.

Developing the proposed site will result in significantly more water run off from the site and add to the more frequent flooding conditions experienced and mentioned above.

6. The proposed site provides an environment that maintains a surprising wealth and diversity of wildlife, We have seen families of foxes with fox cubs, badgers, deer and a wide variety of birdlife living on the proposed site. The abundant birdlife supported by the proposed site includes frequently spotted birds as follows:-

long tailed tits

Blue tits

Great tits

Black cops

Tree Creepers

Green Woodpeckers

Pheasant

Warblers

Stirlings

Gold Finches

Bull Finches

Nightingales

Wrens

Jays and many more.

legal agreement.

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### Modification: M/B9/18 - Site r/o 89-123 Englishcombe Lane added to Proposals Map

**Ref:** 2079/J2

In addition to my comments on the standard form of response, I would like to make the following points:

**Location** Englishcombe Lane (land rear of 89-123 )

- The field is currently waterlogged and yet the survey was carried out during the hottest month of the driest summer we have had in years. I am curious how can anyone make an informed judgement about its suitability for development when

Land rear of 89-123 Englishcombe Lane was previously allocated for residential development in the Deposit Draft Local Plan and prior to that, in the Bath Local Plan. The Inspector considered the issues of housing supply again in detail at the Local

No change.

**Bath**

the field resembles a swamp during the autumn and winter months? Also, will you be making the results of the survey public?

- does the government inspector who effectively overturned your previous decision realise how dangerous this stretch of road is? The proposed entrance to the development is possibly one of the fastest stretches of "30 mph" road in Bath — in fact, it's the exact spot which witnessed a triple fatality a few years ago and several near misses since. The pavement is also used extensively by the pupils and parents of Beechen Cliff and Moorlands schools as well as being a key route for the emergency services
- we already have a new build of houses on Englishcombe Lane ( next to the now disused petrol station); why another, when the proposed 45 could easily be accommodated on the former Stothert and Pitt site?
- doesn't the interference of a CENTRAL government employee — "the inspector" - make the LOCAL aspect of the plan redundant?
- the field is a haven for several types of wildlife — e.g. foxes, badgers, deer, owls and bats. Where will these animals relocate to and does "the inspector" understand the impact of his / her decision on the local fauna? The destruction of this habitat would also contradict your commitment to protect local wildlife and its habitat ( see you're A to Z guide of local services!)
- when will the council finally call a halt to yet another piece of green land being developed?

In short, we would like you to reject the inspector's proposal and DELETE the land from the local plan.

Plan Inquiry and recommended that the Council should reinvestigate this site in order to meet the identified shortfall in housing in the District. The identification of sites reflects the locational sequence established in the Structure Plan: that is first Bath, then Keynsham, then Norton-Radstock and then the larger villages. Account has already been taken of the Brownfield site redevelopment opportunities. In light of the Government's priority on deliverability, the Inspector has emphasized that the sites should be both suitable for development and able to deliver housing by 2011. These options have been investigated taking into account the inspector's reasoning and recommendations, site constraints, the local plan strategy, corporate objectives, sustainability criteria and national planning advice, demand for alternative uses etc. As a result of the Council's investigations it was concluded that land rear of 89-123 Englishcombe Lane should be reinstated for residential development. Although not implemented planning permission was granted for a residential development on this site in August 1986.

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		<p>accompany any planning application (which is now a requirement of Policy NE.14) although the site is located outside the floodplain as a site of this size can generate significant volumes of surface water.</p> <p>Although the site is not designated a site of nature conservation interest there is evidence of species and habitats of local ecological importance which would be safeguarded under Policy NE.11. Similarly Policy NE.12 seeks to protect natural features such as trees, hedgerows, stone walls and watercourses from the adverse effects of development. Should the proposal potentially cause harm to biodiversity and other natural features, mitigation and compensatory measures would be determined as part of any planning application. The retention of hedgerows is a development requirement as stipulated under Policy GDS.1/B7.</p> <p>The objection raises no new issues warranting a further modification.</p>	
<p><b>Ref:</b> 2358/J2</p> <p><b>Location</b> Englishcombe Lane (land rear of 89-123 ) <b>Bath</b></p>	<p>The land holds excessive water due to springs. There is an abundance of wildlife. Over the years, traffic has increased an access is on a vulnerable spot, and to find a spot of green land that has not been spoiled in this city is very rare.</p>	<p>Land rear of 89-123 Englishcombe Lane was previously allocated for residential development in the Deposit Draft Local Plan and prior to that, in the Bath Local Plan. The Inspector considered the issues of housing supply again in detail at the Local Plan Inquiry and recommended that the Council should reinvestigate this site in order to meet the identified shortfall in housing in the District. The identification of sites reflects the locational sequence established in the Structure Plan: that is first Bath, then Keynsham, then Norton-Radstock and then the larger villages. Account has already been taken of the Brownfield site redevelopment opportunities. In light of the Government's priority on deliverability, the Inspector has emphasized that the sites should be both suitable for development and able to deliver housing by 2011. These options have been investigated taking into account the inspector's reasoning and recommendations, site constraints, the local plan strategy, corporate objectives, sustainability criteria and national planning advice, demand for alternative uses etc. As a result of the Council's investigations it was concluded that land rear of 89-123 Englishcombe Lane should be reinstated for residential development. Although not implemented planning permission was granted for a residential development on this site in August 1986.</p> <p>The Council's highway engineer has confirmed that</p>	<p>No change.</p>

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Although the site is not designated a site of nature conservation interest there is evidence of species and habitats of local ecological importance which would be safeguarded under Policy NE.11. Similarly Policy NE.12 seeks to protect natural features such as trees, hedgerows, stone walls and watercourses from the adverse effects of development. Should the proposal potentially cause harm to biodiversity and other natural features, mitigation and compensatory measures would be determined as part of any planning application. The retention of hedgerows is a development requirement as stipulated under Policy GDS.1/B7.

The objection raises no new issues warranting a further modification.



<b>Ref:</b> 4002/J1	<p>We object to the proposed development of the above land on the basis of density and the affect that such a large development will have on our property in respect of traffic usage. The proposal of 45 dwellings at that location is in our view over development of the land involved.</p> <p>The field in question has a history of being wet with a number of underground springs which if developed on this scale may have an unfortunate affect on the adjoining land.</p> <p>Development on such a large scale will change the character of the area. If development is to be contemplated then it should be much more sympathetic to the surrounding properties.</p>	<p>Land rear of 89-123 Englishcombe Lane was previously allocated for residential development in the Deposit Draft Local Plan and prior to that, in the Bath Local Plan. The Inspector considered the issues of housing supply again in detail at the Local Plan Inquiry and recommended that the Council should reinvestigate this site in order to the meet the identified shortfall in housing in the District. The identification of sites reflects the locational sequence established in the Structure Plan: that is first Bath, then Keynsham, then Norton-Radstock and then the larger villages. Account has already been taken of the Brownfield site redevelopment opportunities. In light of the Government's priority on deliverability, the Inspector has emphasized that the sites should be both suitable for development and able to deliver housing by 2011. These options have been investigated taking into account the inspector's reasoning and recommendations, site constraints, the local plan strategy, corporate objectives, sustainability criteria and national planning advice, demand for alternative uses etc. As a result of the Council's investigations it was concluded that land rear of 89-123 Englishcombe Lane should be reinstated for residential development. Although not implemented planning permission was granted for a residential development on this site in August 1986.</p> <p>The Council's highway engineer has confirmed that the site can be suitably and safely accessed. Issues of highway safety, increases in traffic generated by the site and impact on junctions would need to be mitigated by way of contributions secured through a legal agreement.</p> <p>The geotechnical survey was undertaken on behalf of the Council during 2006. Previous geotechnical surveys were undertaken in the 1980s which concluded the site was capable of being developed. The 2006 survey also indicates that development can be achieved without significant geotechnical constraints. Successful development of the site would depend on the submission of an appropriate scheme which takes account of the identified geotechnical constraints (Policy ES.14). Issues such as design, capacity, density, layout, dwelling type and impact on the surroundings will also be addressed in detail at the planning application stage.</p>	No change.
<b>Location</b> Englishcombe Lane (land rear of 89-123 ) <b>Bath</b>			

Respondent Details	Summary of Comment	Proposed Response	Change
<p><b>Ref:</b> 4009/J1</p> <p><b>Location</b> Englishcombe Lane (land rear of 89-123 )</p> <p><b>Bath</b></p>	<p>In 19 years living at 83, the habitat that has established along the belt of land behind properties on this side of Eng Lane is significant, both flora and fauna. This is placed at risk and would be destroyed by development of the site. Species include, deer, badgers, foxes, slow worms, toads and frogs, newts, bats and birds, including tawny owls. We recognise the need to increase housing stock in Bath but believe that brown field sites should be fully utilised before consideration is given to green field locations. The riverside area needs to be developed before precious urban countryside is used. We are concerned about increased traffic in the Lane, already a fast road with a park and schools in the vicinity and a history sadly of serious accidents. Substantial improvements in traffic control and calming would be required. We are concerned about light pollution from such a development. We are concerned about increased noise. The Lane is noisy enough at the front from traffic however at the back of our homes there is peace and tranquillity, we would not want this to be compromised. We are concerned about any development that involves higher rise properties, above two storeys which would alter the character of the Lane, especially in such a prominent elevated position. We are concerned about run off in sudden wet weather. Access routes opposite the park currently cause flooding of the road. Prior to buying our home in 1988, the council purchased a small strip of our front garden from the previous owners as part of a plan to improve visibility to a road providing access to the land behind 89 —123. We are concerned additional land may be required in any new access arrangements and would want a full consultation before any proposal as we are directly affected.</p>	<p>As the site lies over a Major Aquifer appropriate pollution prevention measures will be required under Policy ES.9. The Environment Agency has no objection to development of this site in principle but would require a Flood risk Assessment to accompany any planning application (which is now a requirement of Policy NE.14) although the site is located outside the floodplain as a site of this size can generate significant volumes of surface water.</p> <p>Although the site is not designated a site of nature conservation interest there is evidence of species and habitats of local ecological importance which would be safeguarded under Policy NE.11. Similarly Policy NE.12 seeks to protect natural features such as trees, hedgerows, stone walls and watercourses from the adverse effects of development. Should the proposal potentially cause harm to biodiversity and other natural features, mitigation and compensatory measures would be determined as part of any planning application. The retention of hedgerows is a development requirement as stipulated under Policy GDS.1/B7.</p> <p>The objection raises no new issues warranting a further modification.</p>	<p>No change.</p>

development. Although not implemented planning permission was granted for a residential development on this site in August 1986.

The Council's highway engineer has confirmed that the site can be suitably and safely accessed. Issues of highway safety, increases in traffic generated by the site and impact on junctions would need to be mitigated by way of contributions secured through a legal agreement.

The geotechnical survey was undertaken on behalf of the Council during 2006. Previous geotechnical surveys were undertaken in the 1980s which concluded the site was capable of being developed. The 2006 survey also indicates that development can be achieved without significant geotechnical constraints. Successful development of the site would depend on the submission of an appropriate scheme which takes account of the identified geotechnical constraints (Policy ES.14). Issues such as design, capacity, density, layout, dwelling type and impact on the surroundings will also be addressed in detail at the planning application stage.

As the site lies over a Major Aquifer appropriate pollution prevention measures will be required under Policy ES.9. The Environment Agency has no objection to development of this site in principle but would require a Flood risk Assessment to accompany any planning application (which is now a requirement of Policy NE.14) although the site is located outside the floodplain as a site of this size can generate significant volumes of surface water.

Although the site is not designated a site of nature conservation interest there is evidence of species and habitats of local ecological importance which would be safeguarded under Policy NE.11. Similarly Policy NE.12 seeks to protect natural features such as trees, hedgerows, stone walls and watercourses from the adverse effects of development. Should the proposal potentially cause harm to biodiversity and other natural features, mitigation and compensatory measures would be determined as part of any planning application. The retention of hedgerows is a development requirement as stipulated under Policy GDS.1/B7.

The objection raises no new issues warranting a

Ref:	Summary of Comment	Proposed Response	Change
<p>4010/J1</p> <p>Englishcombe Lane (land rear of 89-123 )</p> <p>Bath</p>	<p>With regard to the * proposal we strongly object on the grounds of:</p> <p>1) ACCESS-The traffic in Englishcombe Lane has increased dramatically over recent years. The speed at which some motorists travel are extremely dangerous. We have had three fatalities, lots of minor accidents and also a young boy was knocked down trying to cross the road between parked cars at the other dangerous junction where Stirtingale Road crosses over to Oak Avenue, at the Oval. It is such a long road that sometimes it is used as a race track. Several years ago the residents had a meeting with the police in this connection at Moorlands Junior School. Bollards were put into try and stow the traffic to no avail. Some cars even think it's clever to overtake on the other side of the bollards. It is also a main link for the emergency vehicles so other slowing measures would not be viable. Access to the site will be between No's 87-89 Englishcombe Lane. The access was not wide enough The Council compulsory purchased several frontages some years ago. Will this be sufficient or will more houses be affected in order for this proposed access to be deemed safe. Has consideration been taken into account regarding the number of children who walk to Moorlands Infant/Junior schools and Beechen Cliff School. There is also Baskervilles Gym &amp; Dorothy Colbourn Dancing school further along the road. Increased traffic along this road would be horrendous.</p> <p>2)THE SPRINGS-There are a vast amount of springs coming down off the hills into this field Summer/Winter it is always boggy. Some years ago the council dug several trenches, filled them with large stones. but the water still runs over them. We are told that our winters will be wetter. What concerns us also is the levelling of the gradient of the field it is on quite a steep incline and the bills behind are very steep, bearing in mind we were told years ago of a landslide. If the land isn't levelled will the houses be visible from the north of the city as Stirtingale Farm is an important green vista and forms part of the skyline.</p> <p>3) THE NATURAL WILDLIFE HABITAT There is an abundance of wildlife in this field, which includes foxes, badgers, pheasants, Owls, Field mice, Hedgehogs, Bats, Deer' s &amp; many more. The field has a very important food chain. Several people have ponds in their gardens which attracts frogs, toads, dragonflies, &amp; newts which also come into our garden. Has consideration been made for the protection of these species. We understand there are laws to protect wildlife under the Countryside Act 1981. In the A-Z of the Council services on page 74" the council is committed to the protection and conservation of wildlife and its habitats". Building on this piece of land would cause great disturbance to this wonderful wildlife habitat and change the total look of this area. There are a lot of changes taking place on the Southside of the city; the Rush Hill development on the old Clarks factory site, St Martins' hospital site, the proposed Hayes field playing Fields, the houses in process of being built behind Hillrise garage in Englishcombe Lane. It seems all the green open spaces are quickly disappearing. How many more must go? It's all very well for the government minister to keep pressing the council to build affordable housing. It is not affordable. There are two universities in Bath and a great problem with property's being bought for student housing. There are a lot of young people who were born and bred in Bath and have to live at home with their parents because they cannot get a first step on the housing ladder. In our family we have a 31 year old daughter who certainly doesn't earn the £28,000 banded by the chronicle as the average wage which makes the ministers remarks about helping young people to get a step</p>	<p>further modification.</p> <p>Land rear of 89-123 Englishcombe Lane was previously allocated for residential development in the Deposit Draft Local Plan and prior to that, in the Bath Local Plan. The Inspector considered the issues of housing supply again in detail at the Local Plan Inquiry and recommended that the Council should reinvestigate this site in order to the meet the identified shortfall in housing in the District. The identification of sites reflects the locational sequence established in the Structure Plan: that is first Bath, then Keynsham, then Norton-Radstock and then the larger villages. Account has already been taken of the Brownfield site redevelopment opportunities. In light of the Government's priority on deliverability, the Inspector has emphasized that the sites should be both suitable for development and able to deliver housing by 2011. These options have been investigated taking into account the inspector's reasoning and recommendations, site constraints, the local plan strategy, corporate objectives, sustainability criteria and national planning advice, demand for alternative uses etc. As a result of the Council's investigations it was concluded that land rear of 89-123 Englishcombe Lane should be reinstated for residential development. Although not implemented planning permission was granted for a residential development on this site in August 1986.</p> <p>The Council's highway engineer has confirmed that the site can be suitably and safely accessed. Issues of highway safety, increases in traffic generated by the site and impact on junctions would need to be mitigated by way of contributions secured through a legal agreement.</p> <p>The geotechnical survey was undertaken on behalf of the Council during 2006. Previous geotechnical surveys were undertaken in the 1980s which concluded the site was capable of being developed. The 2006 survey also indicates that development can be achieved without significant geotechnical constraints. Successful development of the site would depend on the submission of an appropriate scheme which takes account of the identified geotechnical constraints (Policy ES.14). Issues such as design, capacity, density, layout, dwelling type and impact on the surroundings will also be addressed in detail at the planning application stage.</p>	<p>No change.</p>

on the property ladder meaningless. All the houses being built are definitely not affordable! We are told 400 MOD staff maybe coming to Bath will more open spaces be housed over?

Earlier this summer a ground survey was undertaken. We understand from Mr Newell that part of the land is usable and part is unusable whatever that may mean. We urge the council to take this land out of the proposed local plan and designate it green belt, to protect this field for the future generations to come. Because of the cost of the land and all the groundwork associated with this proposed development would make these houses unaffordable'

Finally we would like to say we were unaware of the Southside committee meeting held recently at St Phillips Primary school. We only knew because it was reported in the chronicle under Odd Down. A few lines appertaining to the land behind Englishcombe Lane. Having spoken to other neighbours they told us they would have found the meeting useful if they had known about it.

Again I urge the council to protect this field.

As the site lies over a Major Aquifer appropriate pollution prevention measures will be required under Policy ES.9. The Environment Agency has no objection to development of this site in principle but would require a Flood risk Assessment to accompany any planning application (which is now a requirement of Policy NE.14) although the site is located outside the floodplain as a site of this size can generate significant volumes of surface water.

Although the site is not designated a site of nature conservation interest there is evidence of species and habitats of local ecological importance which would be safeguarded under Policy NE.11. Similarly Policy NE.12 seeks to protect natural features such as trees, hedgerows, stone walls and watercourses from the adverse effects of development. Should the proposal potentially cause harm to biodiversity and other natural features, mitigation and compensatory measures would be determined as part of any planning application. The retention of hedgerows is a development requirement as stipulated under Policy GDS.1/B7.

The objection raises no new issues warranting a further modification.

### Modification: M/B9/21 - Modifications to GDS.1/B11 - University of Bath

<b>Ref:</b>	120/J388	Objection in support of the objection made by Claverton Down/ Beech Avenue Residents association (Chris Beezley).	Noted. See response to 3343/J94/s.	No change.
<b>Location</b>	University of Bath <b>Bath</b>			
<b>Ref:</b>	3343/J94 /s	1. I agree that all the University's claimed requirements for additional accommodation must be expressed within a new University-wide master plan and that St John's field must be included in the precise identification of a protected green heart to the campus	Support noted.	No change.
<b>Location</b>	University of Bath <b>Bath</b>	2. (None)		
<b>Ref:</b>	3901/J2	The area being removed from the Green Belt is large at over 50 acres and is adjacent to Bushey Norwood. We note the conditions in GDS.1/B11 p174 re the development on this land and would welcome assurances as to how these conditions will be enforced.	A full and detailed assessment of the appropriate development capacity of the campus, including the land to be excluded from the Green Belt, will be undertaken a part of a Masterplan which will developed within the scope of Policy GDS.1/B11. Development will not permitted unless it conforms with the development requirements which relate to the whole campus not just the land proposed to be	No change.
<b>Location</b>	University of Bath <b>Bath</b>			

removed from the Green Belt.

### Modification: M/B9/22 - Modifications to University of Bath GDS site on Proposals Map

<b>Ref:</b>	3343/J93	1. Wrongly referenced Inspector's recommendation 2. Under 'Council's reasons for modification' substitute R9.8 for R9.9	Error noted.	No change.
<b>Location</b>	University of Bath <b>Bath</b>			
<b>Ref:</b>	3343/J95	1. Recommendation R9.8 does not propose deletion of the SR.IA designation as shown on proposals map page 35. It relates only to land North of the Avenue and West of Norwood Avenue.  2. Delete "Delete policy SR.IA Designation' from page 35 of proposed modifications to the proposals map.	Noted. However this sports ground is still afforded protection under the terms of Policy SR.1A without it needing to be identified on the Proposals Map. The provision of playing fields to meet the future needs of the University will be addressed as part of the Master Plan. The development requirements in GDS.1/B11 stipulate the adequate and suitable replacement on or off-site of any displaced existing pitches.	No change.
<b>Location</b>	University of Bath <b>Bath</b>			

### Modification: M/B9/23 - Modifications to GDS.1/B12 - Lower Bristol Road

<b>Ref:</b>	3004/J23	1. Whilst the changes to the policy related to Lower Bristol Road are generally welcomed, it is noted that reference is still retained to the need for a comprehensive mixed use scheme. 2. The Inspector's report in relation to the recent George Yeo site appeal (Redrow Homes) found that that site could come forward for development as an individual phase without prejudice to achieving the wider redevelopment objectives set within Policy B12. 3. Whilst the Inspector ultimately rejected the appeal on design grounds, there was no issue in principle with it coming forward for residential development within the context of the policy. 4. Given this is the case, it is considered that Policy B12 should be amended to remove the reference to comprehensive development and, instead, refer to the development of the site in a series of linked phases, setting out that development will be allowed to proceed providing that it does not prejudice implementation of other phases of development.	Comments noted. The Council does not object to sites coming forward in phases provided they reflect the requirements of Policy GDS.1/B12. Progression of the site will take place through the Council's Development Team process and no longer through an SPD.	No change.
<b>Location</b>	Lower Bristol Road <b>Bath</b>			
<b>Ref:</b>	3276/J17	The general observation of the Inspector is that this previously developed allocation site is in a suitable location for comprehensive mixed use development including high density residential development (Para 5.81, Inspectors Report). Perceived obstacles to delivery within the remaining plan period led her to review the wording of the policy. In the absence of a formal debate over the deliverability of mixed use development during earlier stages of the local plan inquiry and related implementation strategies, we make several observations on the emerging situation at Lower Bristol Road. To this point B&NES Council have taken a formal stance that planning applications for 'mixed use' development within the GDS.1/B12 allocation site would ostensibly be dealt with as premature to the outcome of the local plan proceedings. This is evidenced by appeal procedures on the Unite site. Furthermore Council	Comments noted. However the Council considers that requirements of Policy GDS.1/B12 provide a flexible enough framework to allow for proposals to come forward as part of a comprehensive scheme. Progression of the site will take place through the Council's Development Team process and no longer through an SPD.	No change.
<b>Location</b>	Lower Bristol Road <b>Bath</b>			

representatives confirmed at the local plan proceedings that extensive work had been undertaken by appointed consultants to assess urban capacity of the allocation. The outcome of this assessment work is relied upon by the Inspector in her reasoning (Para 5.81, Inspectors Report). Council also confirmed to the Inspector that urban design consultants have been commissioned by the Council to draw up a Masterplan Framework to inform detailed planning guidance on the redevelopment of the site (Para 5.79, Inspectors Report).

In these circumstances many landowners within Lower Bristol Road have chosen to await the outcome of the plan-led process before submitting specific regeneration proposals. Since consultations on the local plan review began in early 2002 and preliminary allocation was made in 2003, the situation at Lower Bristol Road has not however remained static.

Landowners within the defined allocation area have monitored the local plan process and reviewed their future options in the context of the Council's objectives for the area within the envisaged timeframe of the development plan. Whilst significant areas of the site are in active commercial uses, many businesses have reviewed their future aspirations in the context of a comprehensive redevelopment of the allocation site for employment, residential and other uses. Options for accommodating mixed use development on land and buildings that are vacant and derelict as well as land that is currently in use but has potential for re development have been considered.

Third parties have monitored the high priority placed by Government on land allocated in local plans being available for development. In these circumstances options have been formulated for mixed use development over consolidated land ownerships. This has incorporated a review of site-specific factors and related environmental studies, relevant guidance and standards, market demand and masterplanning options. Statutory consultees have also commented upon the site specific proposals. This preparatory work has been framed in the context of Council's policy wording (Criteria 1-6), your own conclusions over urban capacity and the wider objectives for regeneration to enable all sites the benefit of regeneration. These proposals have recently been reviewed in the context of the key principles underpinning PPS1 Delivering Sustainable Development and PPS3 Housing including the effective use of land and existing infrastructure.

The main implication of the above relates to timing, delivery and certainty. The likely scenario is that whilst the reallocation is unlikely to have an immediate effect upon sites in active use, a range of larger sites are deemed likely to be immediately deliverable (i.e. likely to contribute at the point envisaged in the plan). The wording of this policy requires that proposals demonstrate comprehensive redevelopment and preparatory work has therefore focussed upon options for mixed use development over consolidated landownerships. This has removed much of the uncertainty regarding delivery. It follows that the scenario of planning approval being granted for a limited number of larger consolidated sites would lead to the release a significant amount of mixed-use land. Based on this basic assumption, the quantum of housing delivery envisaged in Modification No. MIB9/23 (Policy GDS.1/B12 Criteria 2) would be exceeded in accordance with your preliminary estimates of the overall urban capacity of the site. Given that the practical obstacles to effective implementation is formal adoption of the local plan and the completion of related work by council to provide planning guidance on the redevelopment of the site, we highlight this scenario in the context of future development control decision making.

In view of the above an allowance should be included in the wording of the

allocation to reflect the defined potential of this existing allocation site for employment regeneration, the provision of community infrastructure and housing within the plan period. We would be happy to liaise with Council over the full details of this representation.

<b>Ref:</b> 3627/J5	<p>The general observation of the Inspector is that this previously developed allocation site is in a suitable location for comprehensive mixed use development including high density residential development (Para 5.81, Inspectors Report). Perceived obstacles to delivery within the remaining plan period led her to review the wording of the policy.</p> <p>In the absence of a formal debate over the deliverability of mixed use development during earlier stages of the local plan inquiry and related implementation strategies, we make several observations on the emerging situation at Lower Bristol Road.</p> <p>To this point B&amp;NES Council have taken a formal stance that planning applications for 'mixed use' development within the GDS.1/B12 allocation site would ostensibly be dealt with as premature to the outcome of the local plan proceedings. This is evidenced by appeal procedures on the Unite site. Furthermore Council representatives confirmed at the local plan proceedings that extensive work had been undertaken by appointed consultants to assess urban capacity of the allocation. The outcome of this assessment work is relied upon by the Inspector in her reasoning (Para 5.81, Inspectors Report). Council also confirmed to the Inspector that urban design consultants have been commissioned by the Council to draw up a Masterplan Framework to inform detailed planning guidance on the redevelopment of the site (Para 5.79, Inspectors Report).</p> <p>In these circumstances many landowners within Lower Bristol Road have chosen to await the outcome of the plan-led process before submitting specific regeneration proposals. Since consultations on the local plan review began in early 2002 and preliminary allocation was made in 2003, the situation at Lower Bristol Road has not however remained static.</p> <p>Landowners within the defined allocation area have monitored the local plan process and reviewed their future options in the context of the Council's objectives for the area within the envisaged timeframe of the development plan. Whilst significant areas of the site are in active commercial uses, many businesses have reviewed their future aspirations in the context of a comprehensive redevelopment of the allocation site for employment, residential and other uses. Options for accommodating mixed use development on land and buildings that are vacant and derelict as well as land that is currently in use but has potential for re development have been considered.</p> <p>Third parties have monitored the high priority placed by Government on land allocated in local plans being available for development. In these circumstances options have been formulated for mixed use development over consolidated land ownerships. This has incorporated a review of site-specific factors and related environmental studies, relevant guidance and standards, market demand and masterplanning options. Statutory consultees have also commented upon the site specific proposals. This preparatory work has been framed in the context of Council's policy wording (Criteria 1-6), your own conclusions over urban capacity and the wider objectives for regeneration to enable all sites the benefit of regeneration. These proposals have recently been reviewed in the context of the key principles underpinning PPS1 Delivering Sustainable Development and PPS3 Housing including the effective use of land and existing infrastructure.</p> <p>The main implication of the above relates to timing, delivery and certainty. The</p>	<p>Comments noted. However the Council considers that requirements of Policy GDS.1/B12 provide a flexible enough framework to allow for proposals to come forward as part of a comprehensive scheme. Progression of the site will take place through the Council's Development Team process and no longer through an SPD.</p>	No change.
<b>Location</b> Lower Bristol Road <b>Bath</b>			



likely scenario is that whilst the reallocation is unlikely to have an immediate effect upon sites in active use, a range of larger sites are deemed likely to be immediately deliverable (i.e. likely to contribute at the point envisaged in the plan). The wording of this policy requires that proposals demonstrate comprehensive redevelopment and preparatory work has therefore focussed upon options for mixed use development over consolidated landownerships. This has removed much of the uncertainty regarding delivery. It follows that the scenario of planning approval being granted for a limited number of larger consolidated sites would lead to the release a significant amount of mixed-use land. Based on this basic assumption, the quantum of housing delivery envisaged in Modification No. MIB9/23 (Policy GDS.1/B12 Criteria 2) would be exceeded in accordance with your preliminary estimates of the overall urban capacity of the site. Given that the practical obstacles to effective implementation is formal adoption of the local plan and the completion of related work by council to provide planning guidance on the redevelopment of the site, we highlight this scenario in the context of future development control decision making.

In view of the above an allowance should be included in the wording of the allocation to reflect the defined potential of this existing allocation site for employment regeneration, the provision of community infrastructure and housing within the plan period. We would be happy to liaise with Council over the full details of this representation.

**Ref:** 3628/J7

**Location** Lower Bristol Road  
**Bath**

The general observation of the Inspector is that this previously developed allocation site is in a suitable location for comprehensive mixed use development including high density residential development (Para 5.81, Inspectors Report). Perceived obstacles to delivery within the remaining plan period led her to review the wording of the policy.

In the absence of a formal debate over the deliverability of mixed use development during earlier stages of the local plan inquiry and related implementation strategies, we make several observations on the emerging situation at Lower Bristol Road.

To this point B&NES Council have taken a formal stance that planning applications for 'mixed use' development within the GDS.1/B12 allocation site would ostensibly be dealt with as premature to the outcome of the local plan proceedings. This is evidenced by appeal procedures on the Unite site. Furthermore Council representatives confirmed at the local plan proceedings that extensive work had been undertaken by appointed consultants to assess urban capacity of the allocation. The outcome of this assessment work is relied upon by the Inspector in her reasoning (Para 5.81, Inspectors Report). Council also confirmed to the Inspector that urban design consultants have been commissioned by the Council to draw up a Masterplan Framework to inform detailed planning guidance on the redevelopment of the site (Para 5.79, Inspectors Report).

In these circumstances many landowners within Lower Bristol Road have chosen to await the outcome of the plan-led process before submitting specific regeneration proposals. Since consultations on the local plan review began in early 2002 and preliminary allocation was made in 2003, the situation at Lower Bristol Road has not however remained static.

Landowners within the defined allocation area have monitored the local plan process and reviewed their future options in the context of the Council's objectives for the area within the envisaged timeframe of the development plan. Whilst significant areas of the site are in active commercial uses, many businesses have reviewed their future aspirations in the context of a comprehensive redevelopment

Comments noted. However the Council considers that requirements of Policy GDS.1/B12 provide a flexible enough framework to allow for proposals to come forward as part of a comprehensive scheme. Progression of the site will take place through the Council's Development Team process and no longer through an SPD.

No change.

of the allocation site for employment, residential and other uses. Options for accommodating mixed use development on land and buildings that are vacant and derelict as well as land that is currently in use but has potential for re development have been considered.

Third parties have monitored the high priority placed by Government on land allocated in local plans being available for development. In these circumstances options have been formulated for mixed use development over consolidated land ownerships. This has incorporated a review of site-specific factors and related environmental studies, relevant guidance and standards, market demand and masterplanning options. Statutory consultees have also commented upon the site specific proposals. This preparatory work has been framed in the context of Council's policy wording (Criteria 1-6), your own conclusions over urban capacity and the wider objectives for regeneration to enable all sites the benefit of regeneration. These proposals have recently been reviewed in the context of the key principles underpinning PPS1 Delivering Sustainable Development and PPS3 Housing including the effective use of land and existing infrastructure.

The main implication of the above relates to timing, delivery and certainty. The likely scenario is that whilst the reallocation is unlikely to have an immediate effect upon sites in active use, a range of larger sites are deemed likely to be immediately deliverable (i.e. likely to contribute at the point envisaged in the plan). The wording of this policy requires that proposals demonstrate comprehensive redevelopment and preparatory work has therefore focussed upon options for mixed use development over consolidated landownerships. This has removed much of the uncertainty regarding delivery. It follows that the scenario of planning approval being granted for a limited number of larger consolidated sites would lead to the release a significant amount of mixed-use land. Based on this basic assumption, the quantum of housing delivery envisaged in Modification No. MIB9/23 (Policy GDS.1/B12 Criteria 2) would be exceeded in accordance with your preliminary estimates of the overall urban capacity of the site. Given that the practical obstacles to effective implementation is formal adoption of the local plan and the completion of related work by council to provide planning guidance on the redevelopment of the site, we highlight this scenario in the context of future development control decision making.

In view of the above an allowance should be included in the wording of the allocation to reflect the defined potential of this existing allocation site for employment regeneration, the provision of community infrastructure and housing within the plan period. We would be happy to liaise with Council over the full details of this representation.

<b>Ref:</b>	4853/J1	The general observation of the Inspector is that this previously developed allocation site is in a suitable location for comprehensive mixed use development including high density residential development (Para 5.81, Inspectors Report). Perceived obstacles to delivery within the remaining plan period led her to review the wording of the policy.	Comments noted. However the Council considers that requirements of Policy GDS.1/B12 provide a flexible enough framework to allow for proposals to come forward as part of a comprehensive scheme. Progression of the site will take place through the Council's Development Team process and no longer through an SPD.	No change.
<b>Location</b>	Lower Bristol Road <b>Bath</b>	In the absence of a formal debate over the deliverability of mixed use development during earlier stages of the local plan inquiry and related implementation strategies, we make several observations on the emerging situation at Lower Bristol Road. To this point B&NES Council have taken a formal stance that planning applications for 'mixed use' development within the GDS.1/B12 allocation site would ostensibly be dealt with as premature to the outcome of the local plan proceedings. This is evidenced by appeal procedures on the Unite site. Furthermore Council		

representatives confirmed at the local plan proceedings that extensive work had been undertaken by appointed consultants to assess urban capacity of the allocation. The outcome of this assessment work is relied upon by the Inspector in her reasoning (Para 5.81, Inspectors Report). Council also confirmed to the Inspector that urban design consultants have been commissioned by the Council to draw up a Masterplan Framework to inform detailed planning guidance on the redevelopment of the site (Para 5.79, Inspectors Report).

In these circumstances many landowners within Lower Bristol Road have chosen to await the outcome of the plan-led process before submitting specific regeneration proposals. Since consultations on the local plan review began in early 2002 and preliminary allocation was made in 2003, the situation at Lower Bristol Road has not however remained static.

Landowners within the defined allocation area have monitored the local plan process and reviewed their future options in the context of the Council's objectives for the area within the envisaged timeframe of the development plan. Whilst significant areas of the site are in active commercial uses, many businesses have reviewed their future aspirations in the context of a comprehensive redevelopment of the allocation site for employment, residential and other uses. Options for accommodating mixed use development on land and buildings that are vacant and derelict as well as land that is currently in use but has potential for re development have been considered.

Third parties have monitored the high priority placed by Government on land allocated in local plans being available for development. In these circumstances options have been formulated for mixed use development over consolidated land ownerships. This has incorporated a review of site-specific factors and related environmental studies, relevant guidance and standards, market demand and masterplanning options. Statutory consultees have also commented upon the site specific proposals. This preparatory work has been framed in the context of Council's policy wording (Criteria 1-6), your own conclusions over urban capacity and the wider objectives for regeneration to enable all sites the benefit of regeneration. These proposals have recently been reviewed in the context of the key principles underpinning PPS1 Delivering Sustainable Development and PPS3 Housing including the effective use of land and existing infrastructure.

The main implication of the above relates to timing, delivery and certainty. The likely scenario is that whilst the reallocation is unlikely to have an immediate effect upon sites in active use, a range of larger sites are deemed likely to be immediately deliverable (i.e. likely to contribute at the point envisaged in the plan). The wording of this policy requires that proposals demonstrate comprehensive redevelopment and preparatory work has therefore focussed upon options for mixed use development over consolidated landownerships. This has removed much of the uncertainty regarding delivery. It follows that the scenario of planning approval being granted for a limited number of larger consolidated sites would lead to the release a significant amount of mixed-use land. Based on this basic assumption, the quantum of housing delivery envisaged in Modification No. MIB9/23 (Policy GDS.1/B12 Criteria 2) would be exceeded in accordance with your preliminary estimates of the overall urban capacity of the site. Given that the practical obstacles to effective implementation is formal adoption of the local plan and the completion of related work by council to provide planning guidance on the redevelopment of the site, we highlight this scenario in the context of future development control decision making.

In view of the above an allowance should be included in the wording of the

allocation to reflect the defined potential of this existing allocation site for employment regeneration, the provision of community infrastructure and housing within the plan period. We would be happy to liaise with Council over the full details of this representation.

<b>Ref:</b> 4854/J1	<p>The general observation of the Inspector is that this previously developed allocation site is in a suitable location for comprehensive mixed use development including high density residential development (Para 5.81, Inspectors Report). Perceived obstacles to delivery within the remaining plan period led her to review the wording of the policy.</p> <p>In the absence of a formal debate over the deliverability of mixed use development during earlier stages of the local plan inquiry and related implementation strategies, we make several observations on the emerging situation at Lower Bristol Road.</p> <p>To this point B&amp;NES Council have taken a formal stance that planning applications for 'mixed use' development within the GDS.1/B12 allocation site would ostensibly be dealt with as premature to the outcome of the local plan proceedings. This is evidenced by appeal procedures on the Unite site. Furthermore Council representatives confirmed at the local plan proceedings that extensive work had been undertaken by appointed consultants to assess urban capacity of the allocation. The outcome of this assessment work is relied upon by the Inspector in her reasoning (Para 5.81, Inspectors Report). Council also confirmed to the Inspector that urban design consultants have been commissioned by the Council to draw up a Masterplan Framework to inform detailed planning guidance on the redevelopment of the site (Para 5.79, Inspectors Report).</p> <p>In these circumstances many landowners within Lower Bristol Road have chosen to await the outcome of the plan-led process before submitting specific regeneration proposals. Since consultations on the local plan review began in early 2002 and preliminary allocation was made in 2003, the situation at Lower Bristol Road has not however remained static.</p> <p>Landowners within the defined allocation area have monitored the local plan process and reviewed their future options in the context of the Council's objectives for the area within the envisaged timeframe of the development plan. Whilst significant areas of the site are in active commercial uses, many businesses have reviewed their future aspirations in the context of a comprehensive redevelopment of the allocation site for employment, residential and other uses. Options for accommodating mixed use development on land and buildings that are vacant and derelict as well as land that is currently in use but has potential for re development have been considered.</p> <p>Third parties have monitored the high priority placed by Government on land allocated in local plans being available for development. In these circumstances options have been formulated for mixed use development over consolidated land ownerships. This has incorporated a review of site-specific factors and related environmental studies, relevant guidance and standards, market demand and masterplanning options. Statutory consultees have also commented upon the site specific proposals. This preparatory work has been framed in the context of Council's policy wording (Criteria 1-6), your own conclusions over urban capacity and the wider objectives for regeneration to enable all sites the benefit of regeneration. These proposals have recently been reviewed in the context of the key principles underpinning PPS1 Delivering Sustainable Development and PPS3 Housing including the effective use of land and existing infrastructure.</p> <p>The main implication of the above relates to timing, delivery and certainty. The</p>	<p>Comments noted. However the Council considers that requirements of Policy GDS.1/B12 provide a flexible enough framework to allow for proposals to come forward as part of a comprehensive scheme. Progression of the site will take place through the Council's Development Team process and no longer through an SPD.</p>	No change.
<b>Location</b> Lower Bristol Road <b>Bath</b>			

likely scenario is that whilst the reallocation is unlikely to have an immediate effect upon sites in active use, a range of larger sites are deemed likely to be immediately deliverable (i.e. likely to contribute at the point envisaged in the plan). The wording of this policy requires that proposals demonstrate comprehensive redevelopment and preparatory work has therefore focussed upon options for mixed use development over consolidated landownerships. This has removed much of the uncertainty regarding delivery. It follows that the scenario of planning approval being granted for a limited number of larger consolidated sites would lead to the release a significant amount of mixed-use land. Based on this basic assumption, the quantum of housing delivery envisaged in Modification No. MIB9/23 (Policy GDS.1/B12 Criteria 2) would be exceeded in accordance with your preliminary estimates of the overall urban capacity of the site. Given that the practical obstacles to effective implementation is formal adoption of the local plan and the completion of related work by council to provide planning guidance on the redevelopment of the site, we highlight this scenario in the context of future development control decision making.

In view of the above an allowance should be included in the wording of the allocation to reflect the defined potential of this existing allocation site for employment regeneration, the provision of community infrastructure and housing within the plan period. We would be happy to liaise with Council over the full details of this representation.

**Ref:** 4855/J1

**Location** Lower Bristol Road  
**Bath**

The general observation of the Inspector is that this previously developed allocation site is in a suitable location for comprehensive mixed use development including high density residential development (Para 5.81, Inspectors Report). Perceived obstacles to delivery within the remaining plan period led her to review the wording of the policy.

In the absence of a formal debate over the deliverability of mixed use development during earlier stages of the local plan inquiry and related implementation strategies, we make several observations on the emerging situation at Lower Bristol Road.

To this point B&NES Council have taken a formal stance that planning applications for 'mixed use' development within the GDS.1/B12 allocation site would ostensibly be dealt with as premature to the outcome of the local plan proceedings. This is evidenced by appeal procedures on the Unite site. Furthermore Council representatives confirmed at the local plan proceedings that extensive work had been undertaken by appointed consultants to assess urban capacity of the allocation. The outcome of this assessment work is relied upon by the Inspector in her reasoning (Para 5.81, Inspectors Report). Council also confirmed to the Inspector that urban design consultants have been commissioned by the Council to draw up a Masterplan Framework to inform detailed planning guidance on the redevelopment of the site (Para 5.79, Inspectors Report).

In these circumstances many landowners within Lower Bristol Road have chosen to await the outcome of the plan-led process before submitting specific regeneration proposals. Since consultations on the local plan review began in early 2002 and preliminary allocation was made in 2003, the situation at Lower Bristol Road has not however remained static.

Landowners within the defined allocation area have monitored the local plan process and reviewed their future options in the context of the Council's objectives for the area within the envisaged timeframe of the development plan. Whilst significant areas of the site are in active commercial uses, many businesses have reviewed their future aspirations in the context of a comprehensive redevelopment

Comments noted. However the Council considers that requirements of Policy GDS.1/B12 provide a flexible enough framework to allow for proposals to come forward as part of a comprehensive scheme. Progression of the site will take place through the Council's Development Team process and no longer through an SPD.

No change.

of the allocation site for employment, residential and other uses. Options for accommodating mixed use development on land and buildings that are vacant and derelict as well as land that is currently in use but has potential for re development have been considered.

Third parties have monitored the high priority placed by Government on land allocated in local plans being available for development. In these circumstances options have been formulated for mixed use development over consolidated land ownerships. This has incorporated a review of site-specific factors and related environmental studies, relevant guidance and standards, market demand and masterplanning options. Statutory consultees have also commented upon the site specific proposals. This preparatory work has been framed in the context of Council's policy wording (Criteria 1-6), your own conclusions over urban capacity and the wider objectives for regeneration to enable all sites the benefit of regeneration. These proposals have recently been reviewed in the context of the key principles underpinning PPS1 Delivering Sustainable Development and PPS3 Housing including the effective use of land and existing infrastructure.

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<b>Ref:</b> 4856/J1	The general observation of the Inspector is that this previously developed allocation site is in a suitable location for comprehensive mixed use development including high density residential development (Para 5.81, Inspectors Report). Perceived obstacles to delivery within the remaining plan period led her to review the wording of the policy.	Comments noted. However the Council considers that requirements of Policy GDS.1/B12 provide a flexible enough framework to allow for proposals to come forward as part of a comprehensive scheme. Progression of the site will take place through the Council's Development Team process and no longer through an SPD.	No change.
<b>Location</b> Lower Bristol Road <b>Bath</b>	In the absence of a formal debate over the deliverability of mixed use development during earlier stages of the local plan inquiry and related implementation strategies, we make several observations on the emerging situation at Lower Bristol Road. To this point B&NES Council have taken a formal stance that planning applications for 'mixed use' development within the GDS.1/B12 allocation site would ostensibly be dealt with as premature to the outcome of the local plan proceedings. This is evidenced by appeal procedures on the Unite site. Furthermore Council		

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In view of the above an allowance should be included in the wording of the

allocation to reflect the defined potential of this existing allocation site for employment regeneration, the provision of community infrastructure and housing within the plan period. We would be happy to liaise with Council over the full details of this representation.

### Modification: M/B9/28 - General Development Sites

<b>Ref:</b> 3126/J211	Object to 1. The energy wasted in demolition of the Podium unnecessarily. 2. Replacement car parking should not be at the same level but more restricted - in line with the emerging vision for Bath. 3. Vista east of Saracen Street is vital to open onto the view. We urge that the hotel either relocate to Avon Street Car Park, or is built to North of and respecting this Vista. Remove "comprehensive & points 1 & 2 & 4. Add (following M/B9/55, p 188): Creation of views across the site to Bathampton Down. Development designed to relate well to the open countryside to the East.	The Inspector has endorsed the Council's Further Pre-Inquiry Change to allocate The Podium/Cattlemarket area for a comprehensive mixed use scheme including retail floorspace and other comparable city centre uses. Any forthcoming scheme would need to adhere to the development requirements set out in GDS.1/B16. Within this context the precise details of a proposal would be determined through a planning application at which stage issues such as design and layout its relationship with its surroundings will also be addressed.	No change.
<b>Location</b> (None)			

### Modification: M/B9/32 - GDS.1/K1/ - Somerdale

<b>Ref:</b> 3126/J212	Object in that clause 2 needs more strength: 2. About 50 dwellings during the plan period, as the initial phase of a high-density development built to 'BREEAM excellent standard'. Reason: If there is development on Green Land then it must be in the most sustainable locations, such as here and this high density to prevent sprawl and encroachment elsewhere. This is consistent with BFOE representation into RSS where we supported at least 200 homes here.	Disagree. Issues relating to density, design and layout will be dealt with as part of the comprehensive development of the site.	No change.
<b>Location</b> (None)			
<b>Ref:</b> 3238/J17	We object to the proposed allocation of about 50 dwellings on the site, on the basis that the site is capable of accommodating a greater level of housing. This is supported by the informal Masterplan Framework which has been prepared for the site and discussions which have taken place with BANES.  This approach also complies with the Inspector's Report which acknowledged that the site is in a sustainable location and could accommodate a higher capacity of development, subject to demonstrating how the site could be brought forward.	The anticipated dwelling capacity is about 50 dwellings during the Plan period although the actual dwelling capacity of the site will be determined through a planning application as will other issues such as density, design, layout, impact on the surroundings and dwelling type.	No change.
<b>Location</b> Somerdale <b>Keynsham</b>			

### Modification: M/B9/33 - GDS.1/K2 - Land at South West Keynsham

<b>Ref:</b> 72/J6	I don't think all 700 of the required houses should be built in one part of south Keynsham.	The Inspector considered the issues of housing supply again in detail at the Local Plan Inquiry and recommended that the Council should reinvestigate this site in order to meet the identified shortfall in housing in the District. The identification of sites reflects the locational sequence established in the Structure Plan: that is first Bath, then Keynsham, then Norton-Radstock and then the larger villages. Account has already been taken of the Brownfield site redevelopment opportunities. In light of the	No change.
<b>Location</b> SW Keynsham <b>Keynsham</b>			