

Statement of Decisions in Response to the Inspector's Report

November 2006

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

Planning Services



BATH & NORTH EAST SOMERSET



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

STATEMENT OF DECISIONS IN RESPONSE TO THE INSPECTOR'S REPORT

PREFACE

A Public Local Inquiry (PLI) into the Bath & North East Somerset Local Plan was held between 8th February and 6th May 2005. The Inspector's Report on objections to the Local Plan was received in April and published by the Council on 17th May 2006 and informed all objectors and others of its publication. Two Addendum Reports were subsequently received to clarify the Inspector's recommendations in respect of South West Keynsham and Hayesfield School Playing Field/St Martin's Garden Primary School.

This **Statement of Decisions** sets out the Council's response to the Inspector's Report into objections made to the Bath & North East Somerset Local Plan. It identifies where the Council proposes modifications to the Local Plan as well as giving full reasons for not accepting the any of the Inspector's recommendations. The Proposed Modifications to the Local Plan were approved for public consultation by the Council on 12th October 2006 and are published in a separate document as are the Proposed Modifications to the Proposals Map.

Consultation on the Local Plan

The Bath & North East Somerset Local Plan was originally placed on deposit for a period of six weeks ending 29 February 2002. The revised deposit plan was placed on deposit for a period of six weeks ending on the 11 December 2003. Pre-Inquiry Changes (PICs) to the Local Plan were placed on deposit for a six week period ending 30 September 2004, and Further Pre-Inquiry Changes (FPICs) were placed on deposit for a six week period ending 20 January 2005. Twenty-two changes were put forward as Inquiry Changes (ICs) under delegated authority and as agreed with the Executive Member for Sustainability and the Environment and some comments on these were received during the inquiry. The Inspector has had regard to all these changes in the consideration of the objections.

Inspector's Report

In the Report the Inspector considers 2379 outstanding duly made objections and 663 outstanding duly made supports to the Deposit Draft Local Plan (DDLDP). 1607 outstanding duly made objections and 1125 outstanding duly made supports to the Revised Deposit Draft Local Plan (RDDLP). 175 outstanding duly made objections and 86 outstanding duly made supports to the PICs. 133 outstanding duly made objections and 12 outstanding duly made supports to the FPICs. In total there were some 176 conditional withdrawals of representations.

In general the Inspector supports the overall direction and strategy of the Plan and, subject to recommended modifications to detailed wording, the majority of its policies and detailed site proposals.

Format of the Statement of Decisions

This document is set out in the same chapter order as that in the Local Plan and that in the Inspector's Report. The Inspector's Recommendation number is indicated in the first column (left) and recorded sequentially with the related policy, paragraph or proposal in the second column. Each of the Inspector's recommendation has been replicated in full in the third column with the Council's response to individual recommendations set out in the final column.

David Davies
Head of Planning Services

ABBREVIATIONS

AONB	Area of Outstanding Natural Beauty	NPFA	National Playing Fields Association
B&NES	Bath & North East Somerset Council	PCC	Parochial Church Council
BLRS	Business Location Requirements Study	PIC	Pre-Inquiry Change
BPEO	Best Practicable Environmental Option	PPA	Playing Pitch Assessment
BWR	Bath Western Riverside	PPG	Planning Policy Guidance Note
C&TCS	City and Town Centre Study (retail)	PPS	Planning Policy Statement
CA	Conservation Area	PROW	Public Right of Way
CAA	Civil Aviation Authority	QG	Quick Guide
DDLDP	Deposit Draft Local Plan	RDDLDP	Revised Deposit Draft Local Plan
DETR	Department of the Environment, Transport and the Regions	RIGS	Regionally Important Geological Site
DPD	Development Plan Document	RJ	Reasoned Justification
DTLR	Department of Transport, Local Government and the Regions	RPG	Regional Planning Guidance
FPIC	Further Pre-Inquiry Change	RSS	Regional Spatial Strategy
GDS	General Development Site	SAC	Special Area of Conservation
GOSW	Government Officer for the South West	SNCI	Site of Nature Conservation Importance
GSS	Green Space Strategy	SPD	Supplementary Planning Document
HDB	Housing Development Boundary	SPG	Supplementary Planning Guidance
HERS	Heritage and Economic Regeneration Scheme	SRA	Strategic Rail Authority
HRIA	Health Radiation Impact Assessment	SSSI	Site of Special Scientific Interest
IC	Inquiry Change	SUDS	Sustainable Underground Drainage Systems
JRSP	Joint Replacement Structure Plan	SWK	South West Keynsham
LAP	Local Area for Play	SWMA	Strategic Waste Management Assessment 2000 (Environment Agency)
LDF	Local Development Framework	SWRDA	South West Regional Development Agency
LDS	Local Development Scheme	TPO	Tree Preservation Order
LEAP	Local Equipped Area for Play	UHCS	Urban Housing Capacity Study
LTP	Local Transport Plan	UNESCO	United Nations Educational, Scientific and Cultural Organisation
MoD	Ministry of Defence	VIOS	Visually Important Open Space
MPA	Minerals Planning Authority	WENHAM	West of England Housing Need and Affordability Model
MPG	Mineral Planning Guidance	WHS	World Heritage Site
MWALP	Mineral Working in Avon Local Plan	WPA	Waste Planning Authority
NEAP	Neighbourhood Equipped Area for Play		

OMISSIONS

REC. NO.	POLICY/ PARA	INSPECTOR'S RECOMMENDATION	COUNCIL'S DECISION AND REASONS	MOD NO.
	Omissions	No change	Agree with recommendation	-

CHAPTER A1 - INTRODUCTION

REC. NO.	POLICY/ PARA	INSPECTOR'S RECOMMENDATION	COUNCIL'S DECISION AND REASONS	MOD NO.
-	General	No change.	Agree with recommendation	-
R1.1	Para A1.1 & Quick Guide 1	Modify the plan by deleting paragraph A1.1 and Quick Guide 1.	Agree with recommendation and to modify the Local Plan accordingly	M/A1/1
R1.2	Paras A1.5 – A1.11	The Council to consider whether there is any need to retain sections A1.5-A1.11. If paragraph A1.10 is retained, the cross-reference at the end of the final sentence should be replaced with “(see Section A2)”.	Agree with recommendation and to modify the Local Plan accordingly. Retain para A1.10 (as recommended to be amended) as this refers to the fact there has been public involvement in the preparation of the Plan as well as providing a link to Section 2 where the policy context is discussed in more detail.	M/A1/2 - M/A1/7 7, M/A1/9
R1.3	Para A1.20	The Council to update population figures (such as in paragraph A1.20).	Agree with recommendation and to modify the Local Plan accordingly	M/A1/10 - M/A1/12 M/B2/6 M/B7/99

CHAPTER A2 - THE POLICY CONTEXT

REC. NO.	POLICY/ PARA	INSPECTOR'S RECOMMENDATION	COUNCIL'S DECISION AND REASONS	MOD NO.
R1.4	Quick Guide 2 & Para A2.2	Modify the plan by deleting Quick Guide 2 and, if reference to the National Sustainable Development Objectives is to be retained, incorporate in paragraph A2.2.	Agree with recommendation and to modify the Local Plan accordingly and include the National Sustainable Development Objectives in para A2.2 for reference.	M/A2/1 - M/A2/2
R1.5	Para A2.3	Modify the plan by deleting paragraph A2.3.	Agree with recommendation and to modify the Local Plan accordingly	M/A2/3

CHAPTER A3 - VISION AND STRATEGY

REC. NO.	POLICY/ PARA	INSPECTOR'S RECOMMENDATION	COUNCIL'S DECISION AND REASONS	MOD NO.
-	General	No change.	Agree with recommendation	-
R1.6	Paras A3.1 – A3.4	Modify the plan by deleting paragraphs A3.1-A3.4 and, if possible, by inserting a clear, succinct vision relevant to the task of the Local Plan.	Agree with recommendation and to modify the Local Plan accordingly	M/A3/1 - M/A3/4
R1.7	Para A3.7 and the Key Objectives – Overall Strategy (OS.1-OS.3)	Modify the plan by deleting heading “Overall Strategy”, paragraph A3.7 and the Key Objectives – Overall Strategy (OS.1-OS.3).	Agree with recommendation and to modify the Local Plan accordingly	M/A3/5 - M/A3/6
R1.8	Quick Guide 4	Modify the plan by deleting Quick Guide 4.	Agree with recommendation and to modify the Local Plan accordingly	M/A3/7
-	Key Objectives L.1-L.14	No change.	Agree with recommendation	-
R1.9	Key Objective E.6	Modify objective E.6 by inserting “quantity and” after “improve the”.	Agree with recommendation and to modify the Local Plan accordingly	M/A3/8
-	Para A3.14 Key Objective T.1-T.4	No change.	Agree with recommendation	-
R1.10	Para A3.15 Policy 1	Modify the plan by deleting the heading “Sustainable Development Policy”, paragraph A3.15, and Policy 1.	Agree with recommendation and to modify the Local Plan accordingly	M/A3/10 - M/A3/11 M/C2/2
-	Para A3.16	No change.	Agree with recommendation	-
R1.11	Paras A3.17 & A3.17A	Modify the plan by deleting paragraphs A3.17 and A3.17A and substituting: “In order to maintain the character and setting of the City, consistent with its status as a World Heritage site and with the objectives of the Bristol/Bath Green Belt, the focus for development and change will	Agree with recommendation and to modify the Local Plan accordingly	M/A3/12 - M/A3/13

CHAPTER A3 - VISION AND STRATEGY

REC. NO.	POLICY/ PARA	INSPECTOR'S RECOMMENDATION	COUNCIL'S DECISION AND REASONS	MOD NO.
		be the existing built up area. The plan makes one change to the Green Belt boundary to allow for the expansion of the University of Bath".		
R1.12	Paras A3.18 & A3.18A	Modify the Plan by deleting paragraphs A3.18 and A3.18A from the RDDLP and reinstating paragraph A3.18 from the DDLP.	Agree with recommendation and to modify the Local Plan accordingly	M/A3/14 - M/A3/15
R1.13	Para A3.20	Modify the plan by deleting the text of paragraph A3.20 and substituting: "To create a sustainable pattern of development within Norton-Radstock, new residential development will be limited to that required to ensure the plan is able to provide an adequate supply of housing land within the plan period. Development will be mainly on brownfield sites, and will include mixed use schemes wherever appropriate in order to contribute to the provision of modern employment facilities."	Agree with recommendation and to modify the Local Plan accordingly	M/A3/16
-	Paras A3.26 – A3.31	No change.	Agree with recommendation	-

CHAPTER A4 - IMPLEMENTATION

REC. NO.	POLICY/ PARA	INSPECTOR'S RECOMMENDATION	COUNCIL'S DECISION AND REASONS	MOD NO.
-	General	No change (in accordance with my recommendation following Paragraphs A4.16 – A4.20)	Agree with recommendation	-
R1.14	Para A4.7	<p>Modify paragraph A4.7 by adding at the beginning:</p> <p>“Where the use of planning conditions would not be appropriate, planning obligations may be sought in order to make acceptable development proposals which would otherwise not be granted planning permission.”;</p> <p>by deleting: “Another method of securing such improvements is by mean of Planning Obligations” inserting “Planning obligations are” and removing the brackets around the rest of the sentence.</p>	Agree with recommendation and to modify the Local Plan accordingly	M/A4/1
R1.15	Policy IMP.1	<p>Modify Policy IMP.1 by deleting the text and substituting:</p> <p>“In determining planning applications, Planning Obligations under section 106 of the Town and Country Planning Act 1990 may be sought:</p> <ul style="list-style-type: none"> i) where a particular form of development is required to comply with policy; or ii) to provide compensatory provision for what is lost or damaged as a result of the development; or iii) to mitigate an otherwise unacceptable impact of the development on local facilities and infrastructure; or iv) to overcome any other identified harm which would make the development otherwise unacceptable. 	Agree with recommendation and to modify the Local Plan accordingly	M/A4/2
R1.16	Para A4.15	Modify paragraph A4.15 by deleting “thus possibly refusing the application” and inserting “resulting in the refusal of the application”.	Agree with recommendation and to modify the Local Plan accordingly	M/A4/3

CHAPTER A4 - IMPLEMENTATION

REC. NO.	POLICY/ PARA	INSPECTOR'S RECOMMENDATION	COUNCIL'S DECISION AND REASONS	MOD NO.
-	Paras A4.16 – A4.20	No change.	Agree with recommendation	-
R1.17	Para A4.23	Modify the plan by deleting paragraph A4.23 and substituting: “A new system of development plans has been introduced by the Planning and Compulsory Purchase Act 2004. As a result, this “old style” Local Plan will be saved for only three years from adoption. The Council’s Local Development Scheme sets out the timetable for the preparation of the documents forming the new Local Development Framework which will replace this Local Plan. The new system will provide greater flexibility for the review of policies and proposals as they become out of date.”	Agree with recommendation and to modify the Local Plan accordingly	M/A4/4
R1.18	Paras A4.26A, A4.26B & A4.26C	Modify the Plan by deleting: paragraph A4.26A; paragraph A4.26B after the 2 nd sentence; paragraph A4.26C; and by updating the remaining paragraphs as necessary.	Agree with recommendation and to modify the Local Plan accordingly	M/A4/7 - M/A4/8
R1.19	Para A4.26A	The Council to consider whether any of the points listed under Paragraph A4.26A should be incorporated into Chapter B9 under the heading “Bath” before Policy GDS.1/B1.	Agree with recommendation and to modify the Local Plan accordingly	M/A4/6 & M/B9/5
R1.20	Para A4.27	Modify paragraph A4.27 by: deleting first sentence and substituting: “Planning permission has been granted for the major redevelopment of the Southgate area of Bath city centre, and a Compulsory Purchase Order has been confirmed by the Secretary of State to enable the scheme to proceed.”	Agree with recommendation and to modify the Local Plan accordingly	M/A4/9

CHAPTER A4 - IMPLEMENTATION

REC. NO.	POLICY/ PARA	INSPECTOR'S RECOMMENDATION	COUNCIL'S DECISION AND REASONS	MOD NO.
		And deleting final sentence.		
R1.21	Paras A4.29- A4.31	Council to clarify the headings/sub headings to paragraphs A4.29- A4.31 (and more generally all those under "Promoting Development Projects") and update text in A4.29.	Agree with recommendation and to modify the Local Plan accordingly. The headings before paras A4.30 and A4.31 are not considered necessary and will be deleted in view of the heading before para A4.29. The heading before Para A4.37 'Environmental Partnerships' will be will be italicised and separated from the previous paragraph (A4.36) in the final version of the Plan to be consistent with the DDLP.	M/A4/11 - M/A4/13
-	Para A4.32	No change.	Agree with recommendation	-
-	Para A4.33	No change.	Agree with recommendation	-
R1.22	Para A4.40	Modify the plan by deleting paragraph A4.40 and the list of strategies.	Agree with recommendation and to modify the Local Plan accordingly	M/A4/14
-	Paras A4.41 and A4.43	No change.	Agree with recommendation	-
R1.23	Targets & Indicators	The Council reconsider the targets and indicators to ensure they are measurable; consistent with the objective of the policy the target is intended to measure; are based on indicators which will provide a clear indication of success or failure and measure what is important.	The Council has reconsidered the targets and indicators in accordance with the Inspector's recommendation.	M/A4/22, M/A4/23 M/A4/26 M/A4/28 M/A4/29
R1.24	Target 1 & 2, Indicators 1 & 2	Delete Targets 1 and 2 and Indicators 1 and 2.	Agree with recommendation and to modify the Local Plan accordingly	M/A4/15 - M/A4/16
R1.25	Target 3	Target 3 and its associated indicator be reviewed so as to relate to the development/implementation of permitted employment sites and	Agree with recommendation and amend Target 3 to read: "Development of all	M/A4/17

CHAPTER A4 - IMPLEMENTATION

REC. NO.	POLICY/ PARA	INSPECTOR'S RECOMMENDATION	COUNCIL'S DECISION AND REASONS	MOD NO.
		buildings.	allocated employment land within the Plan period". Amend Indicator 3 to read: "Proportion of allocated employment land developed within the Plan period".	
R1.25	Indicator 4	Indicator 4 be reviewed to identify a clear measure of success or failure or, alternatively, delete the target.	Agree with recommendation to delete Target and Indicator 4.	M/A4/18
R1.26	Target 5	Target 5 and the related Indicator be reviewed to more closely relate to policy or, alternatively, delete the target.	Agree with recommendation to delete Target and Indicator 5.	M/A4/19
-	Target 6 & 8	No change.	Agree with recommendation	-
R1.27	Target 10	Target 10 be modified by deleting the existing wording and substituting: "Make provision which will deliver 6,855 additional dwellings within the plan period."	Agree with recommendation and to modify the Local Plan accordingly	M/A4/20
R1.28	Target 11	Target 11 be modified to reflect Policy HG.8 as recommended to be modified.	Agree with recommendation and to modify the Local Plan accordingly	M/A4/21
R1.29	Target 14	The Council to reassess Target 14 to ensure that it is realistic in the light of experience to date and roll-forward the timescale.	Agree with recommendation and to modify Target 14 to read: "Recycle/compost at least 50% of household waste by 2009/10".	M/A4/22
R1.30	Target 13	Roll forward Target 13 if revised national targets for the period are available.	Agree with recommendation and delete Target 13 as revised national targets are not available.	M/A4/22
R1.31	Target 19	Modify the plan by deleting Target 19 and the corresponding indicator.	Agree with recommendation and to modify the Local Plan accordingly	M/A4/24
R1.32	Target 18	Modify the plan by identifying an indicator for Target 18 which better measures success in achieving the provision of additional planting.	Target 18 deleted following review in accordance with Inspector's recommendation R1.23	M/A4/23

CHAPTER A4 - IMPLEMENTATION

REC. NO.	POLICY/ PARA	INSPECTOR'S RECOMMENDATION	COUNCIL'S DECISION AND REASONS	MOD NO.
R1.33	Target 20	Modify Target 20 by deleting "60%" and inserting "50%"	Agree with recommendation and to modify the Local Plan accordingly	M/A4/25
R1.34	Target 23	Agree with recommendation and to modify the Local Plan accordingly	Agree with recommendation and to modify the Local Plan accordingly	M/A4/27
-	Target 25	No change.	In accordance with Recommendation R1.23 delete Target 25 because of the very low level of mineral activity in the District and the lack of sufficient information to monitor the target.	-
-	Target 26, 27 & 27A	No change.	Target 27 reviewed in accordance with Inspector's recommendation R1.23	-

REC. NO.	POLICY/ PARA	INSPECTOR'S RECOMMENDATION	COUNCIL'S DECISION AND REASONS	MOD NO.
-	General Urban Design Objectives Para A5.4-20	No change.	Agree with recommendation	-
R1.35	Policy D.1	Modify the plan by deleting Policy D.1.	Agree with recommendation and to modify the Local Plan accordingly	M/A5/4
R1.36	Policy D.2	Modify Policy D.2 by: deleting criteria d) and e); Reviewing the need for criterion h) and, if retained, specify more clearly what aspects of the living conditions of existing residents and the future residents of the proposed development are to be given consideration.	Agree with recommendation and to modify the Local Plan accordingly. The wording of criterion h) has been reviewed and modified along the lines recommended by the Inspector. Also in order to better reflect the content of this section of the Local Plan, the section title is modified to ' Design and Public Realm '.	M/A5/7 M/A5/5
R1.37	Para A5.32	Delete paragraph A5.32. (See also my recommendation under Policy D3).	Agree with recommendation and to modify the Local Plan accordingly	M/A5/6
R1.38	Policy D.3	Modify the plan by deleting Policy D.3.	Agree with recommendation and to modify the Local Plan accordingly	M/A5/8
R1.39	Policy D.2	Modify Policy D.2 by inserting the following additional criterion: "it provides for public art or otherwise contributes to a public realm which is attractive, enjoyable and legible."	Agree with recommendation and to modify the Local Plan accordingly	M/A5/7
R1.40	Policy D.4	Modify Policy D.4 by deleting the existing text and substituting: "Development will be permitted only where: a) it responds to the local context in terms of appearance, materials, siting, spacing and layout; reinforces or complements attractive qualities of local distinctiveness; or improves areas of poor design and layout;	Agree with recommendation and to modify the Local Plan accordingly	M/A5/17

REC. NO.	POLICY/ PARA	INSPECTOR'S RECOMMENDATION	COUNCIL'S DECISION AND REASONS	MOD NO.
		b) landscaping enhances the development and complements its surroundings; c) buildings and layouts are capable of adaptation; d) the appearance of extensions respect and complement their host building."		
R1.41	Para A5.60, Paras A5.61 & A5.62; Para A5.66, Para A5.70	Modify the supporting text to provide a reasoned justification for the policy by: <ul style="list-style-type: none"> – highlighting that the quality of the townscape and landscape varies and new development should complement what is attractive, but improve on what is poor; – referring to SPG/SPD where the attractive qualities and local distinctiveness of settlements is identified, such as conservation area appraisals and village design statements (and where such existing documents are listed); – deleting the last sentence of paragraph A5.60; – deleting the heading "Morphology" and the word in paragraphs A5.61 and 5.62 and amend the text to explain more straightforwardly what is being highlighted (such as "the pattern of streets, buildings and spaces") – deleting in paragraph A5.66 "without complete rebuilding" to the end of the sentence; – deleting paragraph A5.70 and adding at the end of paragraph A5.69: "Extensions should respect and complement their host building." 	Agree with recommendation and to modify the Local Plan accordingly Agree with recommendation and to modify the Local Plan accordingly Agree with recommendation and to modify the Local Plan accordingly Agree with recommendation and to modify the Local Plan accordingly Agree with recommendation and to modify the Local Plan accordingly	M/A5/9 M/A5/15 M/A5/11 M/A5/12 - M/A5/13 M/A5/14 M/A5/15 - M/A5/16
R1.42	Quick Guide 4A, 4B. Paras A5.74A & B, Para A5.74	Modify the plan by: <ul style="list-style-type: none"> deleting Quick Guide 4A, Quick Guide 4B and paragraphs A5.74A and B; deleting the reference to Quick Guide 4A in paragraph A5.74. 	Agree with recommendation and to modify the Local Plan accordingly. Other proposed modifications to Para A5.74 are to reflect the provisions of Circular 01/2006 effective from 10 August 2006	M/A5/3 M/A5/20 M/A5/22 - M/A5/24

CHAPTER A5 - DESIGN

REC. NO.	POLICY/ PARA	INSPECTOR'S RECOMMENDATION	COUNCIL'S DECISION AND REASONS	MOD NO.
R1.43	Policy D.5	Modify the plan by deleting Policy D5	Agree with recommendation and to modify the Local Plan accordingly	M/A5/21
R1.44	Para A5.73	Modify the plan by deleting the first sentence of paragraph A5.73 and substituting "Design statements should accompany all planning applications for new buildings and extensions."	Disagree. Since the receipt of the Inspector's Report, DCLG Circular 01/2006 'Guidance on Changes to the Development Control System' has been published. From 10 August 2006 there is a requirement for design and access statements to accompany applications for certain types of permission and consent. The Circular provides detailed advice on exemptions to this requirement and how to prepare a design and access statement. Para A5.73 will be modified to reflect this new requirement.	M/A53/

CHAPTER B1 – SETTLEMENT CLASSIFICATION

REC. NO.	POLICY/ PARA	INSPECTOR'S RECOMMENDATION	COUNCIL'S DECISION AND REASONS	MOD NO.
R2.1	Para B1.3	Modify Paragraph B1.3 by reinstating the final sentence deleted from the DDLP.	Agree with recommendation and to modify the Local Plan accordingly	M/B1/1
R2.2	Para B1.4	Modify Paragraph B1.4 by deleting the final sentence after "services" and adding: "and could accommodate mixed use development on some of the outdated employment sites. This would contribute to the housing land supply during the plan period, whilst contributing towards the development of a more balanced settlement in terms of homes and jobs."	Agree with recommendation and to modify the Local Plan accordingly	M/B1/2

CHAPTER B2 – ECONOMY, TOURISM & AGRICULTURE

REC. NO.	POLICY/ PARA	INSPECTOR'S RECOMMENDATION	COUNCIL'S DECISION AND REASONS	MOD NO.
R2.3	Para B2.1	Modify policies ET.1 to ET.3 and paragraphs B2.1 to B2.41 as follows: Paragraph B2.1 - modify the quotation from PPG1 to conform with paragraph 4 of PPS1	Agree with recommendation and to modify the Local Plan accordingly	M/B2/1
	Paras B2.2 to B2.4	paragraphs B2.2 to B2.4 - retain;	Agree with recommendation	-
	Para B2.5	delete paragraph B2.5 and insert: "A long term vision for the District's future is described in the Local Agenda 21 Strategy for Bath & North East Somerset, Change 21. Key points particularly relevant to the District's economy are" and set out the bullet points in Quick Guide 5;	Agree with recommendation and to modify the Local Plan accordingly	M/B2/2
	Quick Guide 5	delete Quick Guide 5	Agree with recommendation and to modify the Local Plan accordingly	M/B2/3
	Para B2.6	paragraph B2.6 - retain but replace the last sentence with "The strategy has four building blocks underpinned by the themes of sustainability, partnership and inclusion" and include the bullet points in Quick Guide 6	Agree with recommendation and to modify the Local Plan accordingly	M/B2/4
	Quick Guide 6	delete Quick Guide 6;	Agree with recommendation and to modify the Local Plan accordingly	M/B2/5
	Para B2.7 to B2.17	paragraphs B2.7 to B2.17 - retain as in the consolidated version of the plan;	Agree with recommendation and to modify the Local Plan accordingly	-
R2.4	Paras B2.18 - B2.41 (including Policies ET.1A-D & ET.3 & Quick Guides 6A and 6B)	delete paragraphs B2.18 to B2.41 (including Policies ET.1A-D and ET.3 and Quick Guides 6A and 6B) and insert the following text and policies: "The general approach to employment land The JRSP does not set out a target requirement for employment land in the District and Policy 31 seeks to limit the release of new	Agree with recommendation and to modify the Local Plan accordingly	M/B2/7 – M/B2/58 M/B7/106

CHAPTER B2 – ECONOMY, TOURISM & AGRICULTURE

REC. NO.	POLICY/ PARA	INSPECTOR'S RECOMMENDATION	COUNCIL'S DECISION AND REASONS	MOD NO.
		<p>greenfield sites for employment development. Consequently the local plan's starting point is to concentrate employment-related development on land already used for such purposes, including development undertaken as part of mixed use schemes, with greenfield employment land released only where necessary.</p> <p>The Local Plan aims to maintain and enhance the economic prosperity of the District by ensuring that sufficient employment land is always available to meet development needs so that a diverse and buoyant economy can be preserved. Employment generating development should take place in locations that best accord with sustainable development objectives such as reducing the need to travel (through proximity to public transport and potential walking/cycling routes) and moving towards 'balanced communities'.</p> <p>Forecast changes in demand for employment floorspace 2001-11</p> <p>The Business Location Requirements Study 2003 (BLRS) provides an analysis of local employment trends up to 2011, forecasting market demand for floorspace during the period 2001-11 within the District and its four sub-areas. The study forecasts the need for an increase in office floorspace (B1a&b), mainly in Bath, and a managed reduction of industrial-type floorspace (B1c/B2/B8). These forecasts are incorporated in policy ET.1 as indicative guidance on the scale of changes which would be appropriate in employment floorspace provision. The Council will carefully monitor progress being made towards these guidance figures as a means of informing future planning decisions.</p> <p>Policy ET.1 Employment land: overview</p> <p>During the period 2001-2011 the Council will seek (A) to achieve the following indicative increase in office floorspace</p>	<p>Agree with recommendation and to modify the Local Plan accordingly</p>	<p>M/B2/59 - M/B2/82</p>

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		<p>(Class B1a&b) and (B) to allow for the managed reduction in industrial-type floorspace (Class B1c/B2/B8):</p> <p>(A) a net increase in <u>office floorspace</u> (Class B1a&b) of approx 24,000sq.m distributed as follows:</p> <table border="0"> <thead> <tr> <th></th> <th style="text-align: center;">Total</th> <th style="text-align: center;">Annual</th> </tr> </thead> <tbody> <tr> <td>average</td> <td></td> <td></td> </tr> <tr> <td>Bath</td> <td style="text-align: center;">18,000 sq.m</td> <td style="text-align: center;">1,800 sq.m</td> </tr> <tr> <td>Keynsham</td> <td style="text-align: center;">No net change</td> <td style="text-align: center;">No net change</td> </tr> <tr> <td>Norton-Radstock</td> <td style="text-align: center;">2,000 sq.m</td> <td style="text-align: center;">200 sq.m</td> </tr> <tr> <td>Rural areas</td> <td style="text-align: center;">4,000 sq.m</td> <td style="text-align: center;">400 sq.m</td> </tr> <tr> <td>B&NES Total</td> <td style="text-align: center;">24,000 sq.m</td> <td style="text-align: center;">2,400 sq.m</td> </tr> </tbody> </table> <p>(B) a managed net reduction in floorspace for <u>industrial-type floorspace</u> (Class B1c/B2/B8) of approx -45,000 sq.m distributed as follows:</p> <table border="0"> <thead> <tr> <th></th> <th style="text-align: center;">Total</th> <th style="text-align: center;">Annual average</th> </tr> </thead> <tbody> <tr> <td>Bath</td> <td style="text-align: center;">-17,500 sq.m</td> <td style="text-align: center;">-1,750 sq.m</td> </tr> <tr> <td>Keynsham</td> <td style="text-align: center;">-3,500 sq.m</td> <td style="text-align: center;">-350 sq.m</td> </tr> <tr> <td>Norton-Radstock</td> <td style="text-align: center;">-14,000 sq.m</td> <td style="text-align: center;">-1,400 sq.m</td> </tr> <tr> <td>Rural areas</td> <td style="text-align: center;">-10,500 sq.m</td> <td style="text-align: center;">-1,050 sq.m</td> </tr> <tr> <td>B&NES Total</td> <td style="text-align: center;">-45,500 sq.m</td> <td style="text-align: center;">-4,550 sq.m</td> </tr> </tbody> </table> <p>However, as a means of increasing the self-sustainability of Keynsham, policy GDS.1/K1 makes provision for additional employment at the Somerdale site which will be considered as additional to the above.</p> <p>Information will be compiled and published annually, cataloguing</p>		Total	Annual	average			Bath	18,000 sq.m	1,800 sq.m	Keynsham	No net change	No net change	Norton-Radstock	2,000 sq.m	200 sq.m	Rural areas	4,000 sq.m	400 sq.m	B&NES Total	24,000 sq.m	2,400 sq.m		Total	Annual average	Bath	-17,500 sq.m	-1,750 sq.m	Keynsham	-3,500 sq.m	-350 sq.m	Norton-Radstock	-14,000 sq.m	-1,400 sq.m	Rural areas	-10,500 sq.m	-1,050 sq.m	B&NES Total	-45,500 sq.m	-4,550 sq.m		
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		<p>the net changes in the above types of floorspace resulting from new build developments, redevelopments and changes of use. This information will be used to provide an important input into a plan-monitor-manage approach to achieving the objectives of this policy, implemented through policies ET.2 and ET.3 below.</p> <p>Managing the indicative scales of change in demand for floorspace to 2011</p> <p>The Council will seek to work towards the indicative scales of change set out in policy ET.1 through a mix of new provision (see paragraphs below), safeguarding of sites defined as core employment sites (see paragraphs.....below) and the adoption of a criteria-based approach to proposals for change on other existing employment sites (see paragraphs....below).</p> <p>New employment floorspace provision</p> <p>The city of Bath is relatively self-contained from the employment standpoint, with 75% of residents employed locally. Opportunities to identify new employment land in the city are limited by environmental constraints such as topography, landscape and townscape considerations and the Green Belt. Nonetheless, some major redevelopment sites can make a significant contribution to retaining and stimulating employment growth during the plan period. These are listed under policy GDS.1 as Western Riverside (site B1), Lower Bristol Road (site B12), and Rush Hill, Odd Down (site B3).</p> <p>Bath is expected to be the main focus of office development. Policies ET.1, ET.2 and GDS.1 therefore make provision for significant new office development in the city. Western Riverside has the potential to provide large capacity extending well beyond the plan period, and there may also be long term potential at MOD Foxhill, but such schemes are unlikely to be achieved in the short to</p>		

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		<p>medium term. In the short term the supply of offices in Central Bath is likely to remain tight as there has been relatively little speculative office development in the past 10 years. It is therefore considered important to safeguard this supply against pressures for changes of use to other purposes until alternative developments become available. Policy ET.2 therefore defines a core office employment area in the city centre within which the loss of office floorspace will be resisted unless certain criteria are met.</p> <p>Keynsham has a high level of out-commuting with more than 79% of its employed residents travelling elsewhere to work in 1991. Therefore a key objective during the plan period will be to make the town more self-sustaining in terms of employment. Although demand for new office floorspace outside Bath is generally expected to be on a much smaller scale, the locational advantages of the allocated site at Somerdale in Keynsham (policy GDS1/K1) present the opportunity for a campus of high profile and quality which could attract demand from a wider area, helping to increase local jobs and reduce the high level of commuting from the town. The plan therefore promotes this development as a specific addition to the floorspace forecasts in policy ET.1.</p> <p>In Norton-Radstock the growth in employment opportunities has not kept pace with past rates of residential development, so that over 50% of the town's workforce commuted elsewhere to work in 1991. In addition, although numbers have fallen in recent years, around 5600 people (about 25% of the local workforce) are still employed in manufacturing sectors such as printing, packaging, engineering and electronics. In view of these factors, and in line with the JRSP, the employment strategy for this area focuses on regeneration, aiming to foster a range of new local employment opportunities. The Local Plan seeks to ensure that a variety of types and sizes of sites are available. Development at Westfield Industrial Estate is nearing completion and there is scope for a mixed use redevelopment of St Peter's factory at Westfield. A small site is</p>		

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		<p>also allocated at the former sewage works at Welton Hollow and provision is made for rounding-off Midsomer Norton Enterprise Park. Otherwise there is potential for a mixed use redevelopment at the Welton Bag factory and in the Coombe End area of Radstock. There is also potential for new employment development at the printing factory site in Paulton, near Midsomer Norton.</p> <p>In the rural areas there is planning permission for 11ha of employment land at Peasedown St John, part of which originated through a comprehensive development scheme. In addition there is a requirement for the provision of small scale employment premises as part of the former Radfords site at Chew Stoke, as described in paragraph C1.39. Office development in the rural areas is likely to be small scale, through conversions, rural diversification and redevelopment of existing sites.</p> <p>The key employment development opportunities described above, both those with planning permission and those allocated under policy GDS1 are shown on diagram 6.</p> <p>Safeguarding core employment areas</p> <p>As part of the process of managing an orderly planned reduction in industrial floorspace the Council has identified a number of core employment areas based on factors such as their location and environment, the concentration, range and quality of their existing premises, and the scope for further consolidation by development or redevelopment within their boundaries. The Council wishes to safeguard business premises within these areas against any pressures for redevelopment or change of use to other, often higher value, purposes as an important part of ensuring that there is sufficient accommodation to meet the demands of small and medium scale local businesses and prevent the loss of local employment activities and a possible increase in out-commuting.</p>		

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		<p>Policies ET.2 and ET.3 give effect to this.</p> <p>In Bath land is identified for this purpose at Locksbrook Road and Brassmill Lane. These areas are particularly important in providing accommodation for the types of businesses which, if forced out of Bath by higher land values and a shrinking supply of alternative premises, could find it difficult to find alternative affordable options in the city. It has been found that employment land allocations in Keynsham and Norton Radstock are unlikely to attract significant relocations from Bath and that closure of larger companies in Bath has seldom resulted in relocation to other parts of the District.</p> <p>Also in Bath, the Lower Bristol Road area has been considered for designation as a core employment area. However, this area has become run down over a long period of time and there is a need to regenerate derelict areas and older buildings through the provision of mixed use developments including the provision of offices, housing, spaces for non business activities and transport infrastructure. The area also presents an opportunity to enhance both the important A36 gateway route into the city and the riverside area. It has therefore been allocated for mixed use purposes under policy GDS.1/B12.</p> <p>In Keynsham, the Ashmead Park Industrial Estate provides the bulk of the town's floorspace in the industrial sector. The retention of this site is essential in the interests of preventing growth in the large scale of outward commuting from the town.</p> <p>At Norton-Radstock there remains a number of thriving and relatively modern trading estates, notably in the Westfield and Radstock Road areas. A number of larger industrial sites at Welton and Norton Hill retain significant employment at established companies. In order for the town to retain its employment base these areas need to be safeguarded.</p>		

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		<p>There is also significant employment in the industrial sector in the rural areas varying from large sites within or adjoining villages such as the printing works at Paulton, to freestanding industrial estates in the countryside such as Hallatrow and Burnett Business Parks and Clutton Hill Farm. Some result from conversions of buildings formerly in other uses while others are long-established industrial sites. They often provide relatively low-cost premises and make an important contribution to providing employment in rural areas.</p> <p>Changes within employment sites outside core employment areas</p> <p>There is a wide range of premises used for employment purposes outside the core employment areas. Many offer important opportunities for local employment. In particular, Bath is characterised by a pattern of mixed uses with residential uses intermingled with commercial and community uses. This juxtaposition of uses makes a significant contribution to the City's townscape character and economic and social vitality as well as facilitating shorter journeys to work. A number of employment sites have been lost to other uses in recent years and it is important that pressure to find land for housing does not prejudice the objective of balanced communities since, once lost, such local sites are rarely replaced.</p> <p>The Council will therefore strive to ensure that the managed reduction in industrial floorspace does not unduly erode the number of local employment premises which are still capable (or potentially capable) of offering viable accommodation to business occupiers in terms of location, condition, layout, vehicular access, accessibility to employees, environmental and "bad neighbour" issues, etc. Consideration will be given to the availability or otherwise of adequate alternative premises in the locality and, in Bath, particular consideration will be given to the need to retain an adequate supply of small units of 500sq.m or less. In appropriate circumstances the</p>		

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	Policy ET.2	<p>Council will consider whether it would be right to support mixed use redevelopments providing opportunities for continuing employment, subject to the criteria set out in policies ET.3 (3) and HG.4.</p> <p>Policy ET.2 Office development (class B1a & b):</p> <p><u>Bath City Centre core office employment area.</u> The following policies will apply within the area defined for this purpose on the Proposals Map:</p> <p>(1) Development for new office floorspace will be focused primarily on the sites identified for mixed use development in policy GDS.1. Subject to site-specific considerations new office floorspace will also be acceptable elsewhere in the defined core area as an element of mixed use developments.</p> <p>(2) Planning permission will not be granted for developments involving the loss of established office floorspace unless:</p> <p>(i) it can be demonstrated that the aims of policy ET.1(A) for an increase in office floorspace in Bath will be met without retention of the premises in question; or</p> <p>(ii) the site is no longer capable of offering office accommodation of adequate standard; or</p> <p>(iii) the proposal will secure suitable alternative employment opportunities of at least equivalent economic benefit to the city centre; or</p> <p>(iv) the proposal brings benefits to the city centre which assist the overall objectives of the plan and outweigh the loss of the office floorspace.</p>		

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	Policy ET.3	<p><u>Elsewhere in the District:</u></p> <p>(1) Proposals for net gains of office floorspace will be supported in principle provided that the site is (a) within a site identified for the purpose in policy GDS.1 or elsewhere in the plan, (b) part of a protected core business area identified in policy ET.3 below, (c) within or very closely associated with the central areas of Bath, Keynsham, Midsomer Norton and Radstock or (d) in villages in accordance with policy ET.4. In all cases sites must be accessible to a range of transport modes.</p> <p>(2) Proposals for net losses in stand-alone office floorspace will not be granted in the protected core business areas or within or very close to the central areas of Keynsham, Midsomer Norton and Radstock unless::</p> <p>(i) it can be demonstrated that the aims of policy ET.1(A) for an increase in office floorspace in the relevant sub-area will be met without retention of the premises in question; or</p> <p>(ii) the site is no longer capable of offering office accommodation of adequate standard; or</p> <p>(iii) the proposal will secure suitable alternative employment opportunities of at least equivalent economic benefit to the sub-area.</p> <p>Policy ET.3 Non-office business development (class B1c, B2 & B8)</p> <p>(1) Proposals for non-office development in the business use classes will be supported in principle within:</p> <p>(a) the following core employment areas identified on the</p>		

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		<p>Proposals Map:</p> <ul style="list-style-type: none"> • Brassmill Lane, Bath [NB: to be subdivided into two parts on the Proposals Map] • Locksbrook Road, Bath • <i>.....add others to be identified elsewhere in the District</i> <p>(b) sites identified for the purpose in GDS.1 or elsewhere in the plan, and</p> <p>(c) other appropriate sites currently or last used for such purposes, and</p> <p>(d) in villages in accordance with policy ET.4.</p> <p>(2) Planning permission will not be granted for proposals which would;</p> <p>(a) result in the loss of land or floorspace for non-office business use within the core employment areas identified on the Proposals Map or</p> <p>(b) run counter to the objectives of policy GDS.1 in cases where such uses are proposed.</p> <p>(3) In all other locations proposals for the loss of land and floorspace for the above uses will be judged against the extent of positive or negative progress being made in achieving a managed reduction in floorspace on the scale sought by policy ET.1(B) and against the following additional criteria;</p> <p>(i) whether the site is capable of continuing to offer adequate</p>		

CHAPTER B2 – ECONOMY, TOURISM & AGRICULTURE

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		<p>accommodation for potential business or other similar employment uses; or</p> <p>(ii) whether continued use of the site for business and similar purposes would perpetuate unacceptable environmental or traffic problems; or</p> <p>(iii) whether an alternative use or mix of uses offers community benefit outweighing the economic or employment advantages of retaining the site in business or other similar employment uses.</p> <p>In weighing the above criteria, particular consideration will be given to the need to ensure retention of a sufficient supply of small units of up to 500 sq.m, especially in the urban area of Bath."</p>		
R2.5	Policy ET.3A & Para B2.41A	Modify the plan by deleting policy ET.3A and paragraph B2.41A	Agree with recommendation and to modify the Local Plan accordingly. Preparation of DPD for the area to address the highway and environmental problems in the area will be considered in the review of the LDS. There are no areas considered suitable to designate as core business areas under new Policy ET.3 but, in response to R5.18, opportunities for residential development will be brought forward under Policy GDS.1. A DPD will help to address some of the long term problems of the area and difficult sites but in the meantime, the existing policy framework, particularly new Policies ET.3 & ET.4 and modified policy HG.4 will guide proposals for development.	M/B2/83 - M/B2/85

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REC. NO.	POLICY/ PARA	INSPECTOR'S RECOMMENDATION	COUNCIL'S DECISION AND REASONS	MOD NO.
R2.6	Policy ET.4	Modify Policy ET.4 by: inserting after "and B8)" "and small scale purpose built visitor accommodation"; and reinstating criterion a) from the DDLP.	Agree with recommendation and to modify the Local Plan accordingly	M/B2/88
R2.7	Policy ET.6	Modify Policy ET.6 by deleting all of the policy from (and including) "will only be permitted where" and substituting: "will have regard to the following: i) any adverse environmental impact (including any conflict with other policies in the plan); and ii) the adequacy of provision for the storage and disposal of animal waste; and iii) where there is harm or conflict with other policies in the plan, the need for, or the benefits to, the enterprise or the rural economy."	Agree with recommendation and to modify the Local Plan accordingly	M/B2/93
R2.8	Policy ET.7	Modify Policy ET.7 by: deleting part iii); deleting part iv).	Agree with recommendation and to modify the Local Plan accordingly	M/B2/94
R2.9	Para B2.54	Modify the plan by moving paragraph B2.54 to after paragraph B2.62 (but delete the last sentence).	Agree with recommendation and to modify the Local Plan accordingly	M/B2/99, M/B2/99
R2.10	Policy ET.9	Modify the plan by clarifying what constitutes farm diversification proposals for the purposes of Policy ET.9 (as opposed to other business proposals in the countryside).	Agree with recommendation and to modify the Local Plan accordingly	M/B2/96 - M/B2/97

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REC. NO.	POLICY/ PARA	INSPECTOR'S RECOMMENDATION	COUNCIL'S DECISION AND REASONS	MOD NO.
R2.11	Policy ET.8	<p>Modify Policy ET.8 as follows:</p> <p>delete criterion (i)</p> <p>delete criterion ii) and substitute "Existing buildings are used or replaced in accordance with the criteria in Policy ET.9"; and</p> <p>add: "iii) the development would not result in a dispersal of activity which prejudices town or village viability"</p> <p>Delete the last sentence and substitute "Where existing buildings cannot be reused in accordance with Policy ET.9, or replaced in accordance with Policy ET.5, new buildings will be permitted only where required for uses directly related to the use of, or products of, the associated landholding, are small in scale, well designed and grouped with existing buildings."</p>	<p>Agree with recommendation and to modify the Local Plan accordingly</p>	M/B2/98
R2.12	Policy ET.9	<p>Modify Policy ET.9 by:</p> <p>deleting in criterion 1 the words "local building styles and materials" and substituting "respect the style and materials of the existing building."</p> <p>deleting the first part of criterion 5a;</p> <p>inserting the following new criterion before the existing 6):</p> <p>"The development would result, or be likely to result, in replacement agricultural buildings or the outside storage of plant and machinery which would be harmful to visual amenity".</p>	<p>Agree with recommendation and to modify the Local Plan accordingly</p>	M/B2/100
R2.13	Para B2.54	<p>Modify the plan by inserting after paragraph B2.62 current paragraph B2.54 (deleting the last sentence). Update the text to reflect the advice in PPS7.</p>	<p>Agree with recommendation and to modify the Local Plan accordingly</p>	M/B2/99

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R2.14	Paras B2.63 & 2.64 & Policy ET.10	Modify the plan by deleting the sub-heading "Farm Shops", paragraphs B2.63 and 2.64 and Policy ET.10.	Agree with recommendation and to modify the Local Plan accordingly	M/B2/101 - M/B2/103
R2.15	Paras B2.65-B2.73, Quick Guide 7 & Policy ET.11	Modify the plan by deleting the heading "Tourism/Visitor Attractions", paragraphs B2.65-B2.73, QG7 and Policy ET.11.	Agree with recommendation and to modify the Local Plan accordingly	M/B2/104 - M/B2/114
R2.16	Policy ET.12	Modify the plan by deleting Policy ET.12. (See also my recommendations under Policy ET.4.)	Agree with recommendation and to modify the Local Plan accordingly	M/B2/118
R2.17	Paras B2.74 to B2.77	Modify the plan by deleting paragraphs B2.74-B2.77. (Consider editing and moving paragraphs B2.76-2.77 to supplement the reasoned justification to Policy ET.4)	Agree with recommendation and to modify the Local Plan accordingly	M/B2/86 - M/B2/87, M/B2/115 - M/B2/117
R2.18	Paras B2.78 - B2.84 & Policy ET.13	Modify the plan by deleting paragraphs B2.78-B2.84 and Policy ET.13.	Disagree with the Inspector and retain this section of the Plan because the Inspector's contention that its main aims are covered by other policies is not accepted. Policy HG.13 safeguards existing residential accommodation but permits proposals that meet the Policy ET.13 criteria as an exception. If ET.13 is deleted similar criteria would need to be added to HG.13. Contrary to the Inspector's view ET.13 and the supporting text do protect residential amenity by: <ul style="list-style-type: none"> - ensuring that permanent residents live in the property - addressing the issue of parking which can be very contentious; and - providing a basis on which to restrict the number of bedrooms used for visitor accommodation by condition. The Inspector claims that the treatment of parking is confused but it appears that	-

CHAPTER B2 – ECONOMY, TOURISM & AGRICULTURE

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			she did not see the Pre-Inquiry Changes which clarified this issue.	

CHAPTER B3 – COMMUNITY FACILITIES & SERVICES

REC. NO.	POLICY/ PARA	INSPECTOR’S RECOMMENDATION	COUNCIL’S DECISION AND REASONS	MOD NO.
-	Chapter B3	No change.	Agree with recommendation.	-
R3.1	Policy CF.1	Modify the plan by deleting the heading “Community Facilities in Bath and North East Somerset” and paragraphs B3.5-B3.10.	Agree with recommendation and to modify the Local Plan accordingly.	M/B3/1 - M/B3/6
R3.2	Para B3.12	Modify the plan by deleting the wording of paragraph B3.12 and substituting: “The Local Plan and its application in development control decisions can play only a limited role in ensuring the retention of needed community facilities and the services they provide. Whilst the plan can seek to prevent the loss of existing sites and premises from community use, it cannot ensure that any particular facility continues to be made available to the public or any particular service continues to be provided. The proposed loss of community facilities used for public services may be part of wider proposals to improve the provision of services. Health and Education Authorities have their own procedures for planning changes in the provision of facilities and consulting the public, often on a wider basis than any one local community. In the public interest, it is important to take into account changes that might have an overall, wider benefit. The policy thus sets out a variety of circumstances where the loss of a community facility would be acceptable.”	Agree with recommendation and to modify the Local Plan accordingly.	M/B3/8
R3.4	After Para B3.13	Modify the plan by inserting after paragraph B3.13 a list of community facilities to which the policy applies.	Agree with recommendation and to modify the Local Plan accordingly although the new paragraph will be inserted before amended para B3.12 to improve the order of text.	M/B3/7
R3.5	Policy CF.1	Modify Policy CF.1 by deleting the existing wording and substituting: “Development involving the loss of a site used, or last used, for community purposes will be permitted only where:	Agree with recommendation and to modify the Local Plan accordingly.	M/B3/9

CHAPTER B3 – COMMUNITY FACILITIES & SERVICES

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		i) there is adequate existing local provision of community facilities; or ii) there is a local need for additional community facilities, but the site is unsuitable to serve that need or there is no realistic prospect of it being used for that local need; or iii) alternative facilities of equivalent community benefit will be provided; or iv) the proposed loss is an integral part of changes by a public service provider which will improve the overall quality or accessibility of public services in the District."		
-	Policies CF.2 & CF.2/A and Para B3.16	No change.	Agree with recommendation.	-
R3.6	Policy CF.3	Modify Policy CF.3 by deleting the existing wording and substituting: "Where existing community facilities are inadequate to meet the needs of future residents of new development, planning permission will be refused unless additional provision, related in scale and in kind to the proposed development, to meet those needs is, or will be, made."	Agree with recommendation and to modify the Local Plan accordingly.	M/B3/10
R3.7	Policy CF.4 and Paras B3.22-B3.47	Modify the plan by deleting paragraphs B3.20-B3.46, including PIC/B/22.	Agree with recommendation and to modify the Local Plan accordingly.	M/B3/11 - M/B3/37
R3.8	Policy CF.5 and Paras B3.48-B3.62	Modify paragraphs B3.54 and B3.54A in accordance with the recommendation in Section 9 concerning paragraphs C1.10F-C1.10K:	Agree with recommendation and to modify the Local Plan accordingly.	M/B3/38 - M/B3/39

CHAPTER B3 – COMMUNITY FACILITIES & SERVICES

REC. NO.	POLICY/ PARA	INSPECTOR'S RECOMMENDATION	COUNCIL'S DECISION AND REASONS	MOD NO.
R3.9		Modify Policy CF.5 by: – deleting "2 St Johns RC Primary" and details of the allocations in accordance with IC6;	Agree with the recommendation to delete the safeguarded site on the Lymore Avenue Playing Field. However, disagree with the recommendation to delete the site at Oldfield Lane. Since evidence was presented at the Local Plan Inquiry in February 2005 a review of possible sites for the relocation of the school has been undertaken including the St Alphege's site. The rationale for revisiting the St Alphege's site was that the planned size of the school is smaller than before making this site a viable option again. An assessment of the possible sites was undertaken in April 2005 and presented to the Council Executive in June 2005 where it was resolved that the St Alphege's site would represent the Council's preferred option for the relocation of the school. On the basis of this change in circumstance, the Council proposes to reinstate the Policy CF.5 allocation at St Alphege's site which was previously deleted through Inquiry Change IC6.	M/B3/41 - M/B3/42
		– deleting "14 Pensford Primary" and details of the allocation.	Agree with recommendation and to modify the Local Plan accordingly.	M/B3/43
R3.10		Modify the Proposals Map to reflect the above.	Agree with recommendation to delete the safeguarded sites on the Lymore Avenue Playing Field and Pensford Primary School from the Proposals Map but to reinstate the site at Oldfield Lane for the reasons given in response to R3.9.	M/B3/42 - M/B3/43

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REC. NO.	POLICY/ PARA	INSPECTOR’S RECOMMENDATION	COUNCIL’S DECISION AND REASONS	MOD NO.
R3.11	Paras B3.63- B3.71	Modify the plan by deleting the heading “Health Facilities” and paragraphs B3.63 - B3.71.	Agree with recommendation and to modify the Local Plan accordingly.	M/B3/44 - M/B3/52
R3.12	Para B3.75	<p>Modify the plan by deleting in paragraph B3.75 all the text after “is not lost to another use(s)” and insert:</p> <p>“The following factors will be taken into account to assess whether a public house provides a valuable community facility: its size, layout, and facilities and thus its actual or potential for providing a useful and attractive place for local people to meet; its location and accessibility to the local community; the availability of other community facilities in the village or locality, including any other public houses and their suitability for serving the community. There is no benefit in a public house being protected from redevelopment if there is no realistic prospect of a public house being successfully and attractively operated from the premises. The policy thus allows for viability to be taken into account. Unsuccessful marketing will be one consideration in assessing viability. When this criterion applies, applicants will be expected to demonstrate that the marketing was undertaken in accordance with expert advice and effectively targeted at potential operators.”</p>	Agree with recommendation and to modify the Local Plan accordingly.	M/B3/54
R3.13	Policy CF.7	<p>Modify Policy CF.7 by deleting the existing text and inserting:</p> <p>“Planning permission will not be granted for the redevelopment or change of use of a public house which would result in the loss of premises which provide, or could provide, a needed community facility in that locality, unless:</p> <ul style="list-style-type: none"> i) the operation of a public house serving the local community is not viable and the premises have been effectively marketed as a public house without success; or ii) the development or change of use would result in the provision of alternative facilities of equivalent or greater benefit to the local community.” 	Agree with recommendation and to modify the Local Plan accordingly.	M/B3/55

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REC. NO.	POLICY/ PARA	INSPECTOR'S RECOMMENDATION	COUNCIL'S DECISION AND REASONS	MOD NO.
R3.14	B3.76 to B3.79	Modify paragraphs B3.76-B3.79 by editing and updating the text to reflect the assessment of allotment provision in the Council's Green Space Strategy.	Agree with recommendation and to modify paras B3.77 and B3.79 of the Local Plan accordingly.	M/B3/56 - M/B3/56
R3.15	Policy CF.8	<p>Modify the plan by deleting all of Policy CF.8 and substituting the following:</p> <p>“Development resulting in the loss of land used for allotments will not be permitted unless:</p> <p>(i) the importance of the development outweighs the community value of the site as allotments and suitable, equivalent and accessible alternative provision is made; or</p> <p>(ii) the site is allocated for another use in the Local Plan and suitable, equivalent and accessible alternative provision is made.</p> <p>Development resulting in the loss of vacant land last used for allotments will not be permitted unless the existing and foreseeable local demand for allotments can be met by existing suitable and accessible sites.</p> <p>New allotments will be permitted provided that they are accessible to the area they are intended to serve and suitable for productive use”.</p>	Agree with recommendation and to modify the Local Plan accordingly.	M/B3/58
R3.16	Policy CF.9	The Council to consider whether there is likely to be a need for additional burial space at St. Mary's Church, Claverton and whether an allocation to meet this need is required.	Whilst the Council has no objection to the Parochial Church Council (PCC) extending its burial ground, it can confirm that there is sufficient space at Haycombe Cemetery to accommodate future burial needs for Claverton if necessary. However tight time scales would prohibit a proper assessment as to whether they is a need for additional burial space at St.	-

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			<p>Mary's Church, Claverton and the suitability of any land adjacent to the burial ground for this purpose. Non allocation in the Local Plan should not prejudice any future proposal for this use. The existing burial ground is in the Green Belt and any proposal to extend it would, in principle, be considered appropriate development within the context of Policy GB.1 providing the provisions of other relevant policies were met.</p>	

CHAPTER B4 – SPORT & RECREATION

REC. NO.	POLICY/ PARA	INSPECTOR'S RECOMMENDATION	COUNCIL'S DECISION AND REASONS	MOD NO.
R3.17	General and Para B4.1	Modify the plan by deleting paragraphs B4.1, B4.2, B4.4, B4.6, B4.8 and QG 8.	Agree with recommendation and to modify the Local Plan accordingly.	M/B4/1 - M/B4/3 M/B4/5 - M/B4/7
R3.18	Paras B4.12, B4.12A and B4.12 and Diagram 6A	Modify the plan by deleting paragraphs B4.12, B4.12A and B4.12B and Diagram 6A and inserting a summary of the conclusions of the Green Space Strategy.	Although development of the Green Space Strategy (GSS) is at an advanced stage in its preparation it has not yet been formally adopted by the Council. It is therefore premature to modify the Local Plan to include a summary of conclusions of the GSS in the Local Plan as recommended by the Inspector. Instead reference will be made, as appropriate, to the GSS and its purpose in Chapter B4. Disagree with recommendation to delete Paras B4.12, B4.12A and B4.12B and Diagram 6A. This text incorporates a summary of the findings of the Playing Pitch Assessment (PPA). Whilst the PPA will form part of the GSS it will remain a discrete project with no changes being made to the results. Reference to the PPA findings should therefore remain unaltered in the Local Plan. However some existing text will be edited and/or relocated for the sake of clarity.	M/B4/4 M/B4/9 - M/B4/11
R3.19	Para B4.13	Modify paragraph B4.13 by deleting "formal" and "land" from the first sentence, and insert "open space" after "recreational" in the second line and by deleting the last sentence.	Agree with recommendation and to modify the Local Plan accordingly.	M/B4/8 M/B4/12
R3.20	Policy SR.1A,	Modify Policy SR.1A by: deleting "formal" and "land" and inserting "open space" after "recreational". deleting "prospect of demand" and inserting "evidence of future	Agree with recommendation and to modify the Local Plan accordingly.	M/B4/14

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		need" deleting "community" in criterion iv) and inserting after "benefit" "to the development of sport".		
R3.21	Policy SR.1A	Council to reconsider the SR.1A designation on the Proposals Map: either the notation should be deleted entirely, or the sites which have been identified should be given a different notation such as "Sites used as playing fields subject to Policy SR.1A".	Designation reconsidered and agree to proceed with the second option as recommended by the Inspector. The Council does not consider that the SR.1A designation should be deleted but retained and the notation sheet amended to refer to "Sites used as playing fields subject to Policy SR.1A" instead of "Protection of Land of Recreational Value (Policy SR.1)" to accord with the latter part of the recommendation.	M/B4/15
R3.22	Para B4.13A	Modify the plan by deleting the heading "Protection of Land Used for Informal Recreation and Play" and move paragraph B4.13A to before new policy SR.1A.	Agree with recommendation and to modify the Local Plan accordingly.	M/B4/18
R3.23	Policy SR.1B	Modify the plan by deleting Policy SR.1B.	Agree with recommendation and to modify the Local Plan accordingly.	M/B4/13 M/B4/19
R3.24	Quick Guide 9	Modify the plan by deleting Quick Guide 9.	Agree with recommendation and to modify the Local Plan accordingly.	M/B4/20
R3.25	Policy SR.2 and Paras B4.15 – B4.38	Modify paragraphs B4.15 - B4.38 by: deleting paragraphs B4.15, B4.23, B4.24, B4.26, B4.29, B4.33 and B4.34 and editing the remaining text in the light of the conclusions of the Green Space Strategy;	Agree with recommendation to delete Paras B4.15, B4.23, B4.24, B4.26, B4.29, B4.33 and B4.34. Although development of the Green Space Strategy (GSS) is at an advanced stage in its preparation it has not been formally adopted by the Council. It is therefore premature to modify the Local Plan in the light of the	M/B4/21 - M/B4/37

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		<p>deleting the first sentence of paragraph B4.30; and start the next sentence "In Keynsham";</p> <p>deleting the first sentence of paragraph B4.31 and move the second sentence to end of paragraph B4.32.</p>	<p>conclusions of the GSS in the Local Plan as recommended by the Inspector. Instead reference will be made, as appropriate, to the GSS and its purpose in Chapter B4.</p> <p>The remaining text incorporates a summary of the findings of the Playing Pitch Assessment (PPA). Whilst the PPA will form part of the GSS it will remain a discrete project with no changes being made to the results. Reference to the PPA findings should therefore remain unaltered in the Local Plan.</p> <p>Agree with recommendation and to modify the Local Plan accordingly</p> <p>Agree with recommendation and to modify the Local Plan accordingly</p>	
R3.26	Quick Guide 10	Modify the plan by deleting Quick Guide 10	Agree with recommendation and to modify the Local Plan accordingly.	M/B4/46
R3.27	Heading before Para B4.42	Replace the heading "Children's Playing Space and New Residential Development" with the heading "Provision of recreational facilities to meet the needs of new development" and move paragraphs B4.51 to B4.53 to immediately after paragraph B4.45.	Agree with recommendation and to modify the Local Plan accordingly.	M/B4/38, M/B4/43 - M/B4/45
R3.28	Paras B4.42 - B4.45 and B4.51 - B4.53	Modify by editing and updating paragraphs B4.42 – B4.45 and B4.51 to B4.53 to reflect the provision of a single policy; to take account of the conclusions of the Council's Green Space Strategy, to define all the types of recreational open space encompassed by the policy (to include allotments), to refer to further detail in forthcoming SPD (<i>if it remains the Council's intention to produce such a document soon after the adoption of the plan</i>) and consider what explanatory detail	Agree with recommendation to edit and update paras B4.42 – B4.45 and B4.51 to B4.53 to reflect the provisions of a single policy. The types of recreational open space encompassed by the policy are set out before Policy SR.1A with reference to the proposed SPD and cross referenced	M/B4/9, M/B4/39 - M/B4/42, M/B4/44 - M/B4/45

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REC. NO.	POLICY/ PARA	INSPECTOR'S RECOMMENDATION	COUNCIL'S DECISION AND REASONS	MOD NO.
		(such as buffer zones) should be incorporated in the SPD.	as appropriate in the remaining text. See response to R3.18 with regard to the current status of the GSS.	
R3.29	Policies SR.3 & SR.6 and Paras B4.42 & B4.43	<p>Delete Policies SR.3 and SR.6 and replace with the following new Policy:</p> <p>“Where new development generates a need for recreational open space and facilities which cannot be met by existing provision, the developer will be required to either provide for, or to contribute financially to, the provision of recreational open space and/or facilities to meet the need arising from the new development.</p> <p>Where the need is for children's play space, provision should be made on the basis of 0.8ha per 1,000 population in accordance with the standards set out in the accompanying schedule.</p> <p>Where the need is for outdoor and indoor sport facilities, provision should be made on the basis of 1.6-1.8ha for outdoor sports (of which 1.24ha is for pitch sports) and 0.77ha for indoor sports, per 1000 population, as set out in the accompanying schedule.</p> <p>The requirement for any other form of recreational open space or facilities will be assessed on a case by case basis (<i>or based on the evidence/ conclusions of the Green Space Strategy</i>)</p> <p>Where the development site is too small to justify or accommodate the provision of a facility, contributions will be sought either:</p> <ul style="list-style-type: none"> i. towards providing and securing new, conveniently located and safely accessible off-site provision; or ii. where the need is of a qualitative nature, towards the enhancement of existing facilities.” 	Agree with recommendation and to modify the Local Plan accordingly.	M/B4/47 - M/B4/48, M/B4/50

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REC. NO.	POLICY/ PARA	INSPECTOR'S RECOMMENDATION	COUNCIL'S DECISION AND REASONS	MOD NO.
R3.30	Policy SR.4 and Para B4.47	Modify Policy SR.4 by reinstating criterion ii) from the DDLP.	Agree with recommendation and to modify the Local Plan accordingly.	M/B4/49
-	Policy SR.5	No change.	Agree with recommendation.	-
R3.31	Policy SR.7 and Para B4.56	Modify paragraph B4.56A by deleting "to meet this scope" in accordance with Inquiry Change 14;	Agree with recommendation and to modify the Local Plan accordingly.	M/B4/53
R3.32	Policy SR.8 and Para B4.57	Modify the plan by deleting the heading Major Sports Stadium, paragraphs B4.57-B4.59 and Policy SR.8.	Agree with recommendation and to modify the Local Plan accordingly.	M/B4/54 - M/B4/57
R3.33	Policy SR.9 and Paras B4.61 - B4.65	Modify Policy SR.9 by deleting all of the text and substituting: "Development which adversely affects the recreational value and amenity of, or access to, public rights of way and other publicly accessible routes for walking, cycling and riding will not be permitted."	Agree with recommendation and amend Policy SR.9 as suggested by the Inspector to delete all recreational routes from the Proposals Map other than Riverside Walk, Bath (see Response to R3.34 below) .	M/B4/58 - M/B4/61
R3.34	New policy	Consider the need for a new policy on the provision of new infrastructure for recreational routes and the safeguarding of sites/routes for such infrastructure in the light of the conclusions of studies being undertaken by the Council.	The Riverside Walk in Bath between Cleveland & Pulteney Bridges is a longstanding Council objective and has been substantially implemented. A Study is due to report in December 2006 but early results confirm the feasibility of the completion of the scheme. The need to complete this scheme can be realised through an addition to Policy SR.9 rather than an entirely new policy. A more general policy in respect of new recreational routes is inappropriate in the absence of detailed proposals. Clarify this approach in the RJ.	M/B4/60
R3.35	Policy SR.9 Proposals Map	Modify the Proposals Map by deleting all the recreational routes.	Agree with recommendation and to modify the Local Plan accordingly other than The Riverside Walk in Bath (see	M/B4/62

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			response to R3.34).	
-	Policy SR.10 and Paras B4.71 – B4.81	No change.	Agree with recommendation.	-
-	Policy SR.12	No change.	Agree with recommendation.	-

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-	Paras B5.1 – B5.22 & Policy S1	No change	Agree with recommendation.	-
R4.1	Policy S.2	Modify Policy S.2 by deleting the existing wording and substituting: "Retail development within the shopping centres listed in policy S.1 and defined on the Proposals Map will be permitted where it is (i) of a scale and type consistent with the existing retail function of the centre and (ii) well integrated into the existing pattern of the centre."	Agree with recommendation and to modify the Local Plan accordingly.	
R4.2	Policy S.3	Modify Policy S.3 by deleting the existing wording and substituting: "Land is allocated for retail development (use class A1) at the following sites: In Bath: Southgate The Podium/Cattlemarket For convenience shopping only: Land currently occupied by St. Martin's Garden Primary School and Hayesfield School playing fields at Odd Down as part of a mixed development <i>Subject to detailed assessment by the Council, especially of local recreational needs.</i> In Keynsham: Land between St Johns Court & Charlton Rd".	Accept recommendation and allocate land currently occupied by St. Martin's Garden Primary School and Hayesfield School playing field at Odd Down for mixed development to include provision of convenience retail floorspace. Reference will be made to 'mixed use' development for reasons of clarity.	
R4.3	Policy S.4	Modify Policy S.4 by deleting the existing wording and substituting: "Subject to policy S.9, retail development (including extensions to existing retail units) outside the shopping centres identified in policy S.1 and defined on the Proposals Map will only be permitted where: i) there is a demonstrable quantitative and qualitative need for	Agree to modify Policy S.4 along the lines recommended by the Inspector. However, the modified policy at criterion iii) should read: "The proposal is located in accordance with the sequential approach such that:	

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		<p>the development;</p> <p>ii) the scale of the development relates to and complements the role and function of the centre;</p> <p>iii) the proposal is located in accordance with the sequential approach such that:</p> <p>an appropriate site cannot be made available within the city or town centre under policy S.2; or</p> <p>as a first preference alternative, the site is within an edge-of-centre location forming a natural, well-connected extension to the town centre; or</p> <p>as a second preference alternative, the site is within an out-of-centre location, is well-connected with it and provides for a high likelihood of linked shopping trips;</p> <p>iv) in the case of proposed developments within edge-of-centre and out-of-centre locations, there would be no unacceptable impact on the vitality and viability of other centres; and</p> <p>v) in all cases, the site is or will be accessible by a choice of means of transport (especially public transport, walking and cycling) and will not unacceptably rely on private transport or add unacceptably to traffic and congestion."</p>	<p>an appropriate site <u>or sites</u> cannot be made available within the city or town centre under policy S.2; <u>and</u> as a first preference...'</p> <p>This is necessary in order to be grammatically correct ('and' replacing 'or') and so that, where appropriate and in accordance with PPS6, flexibility can be sought in relation to retail format. This is particularly important in Bath where few 'large' sites will be available for retail development within the city centre that meet the requirements of some types of retailer.</p>	
R4.4	Paras B5.23 to B5.32X	<p>Modify paragraphs B5.23 to B5.32X by deleting the existing text and substituting:</p> <p>"NEW RETAIL DEVELOPMENT</p> <p>The C&TCS, as reviewed in 2004, identified a significant projected quantitative capacity for additional retail floorspace to 2011. That</p>	<p>Accept Inspector's recommendation but in modifying the Local Plan some minor amendments to the recommended wording are proposed.</p> <p>The paragraph relating to work on a retail strategy will be amended to reflect the</p>	

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		<p>growth could accommodate the levels of additional retail floorspace shown in tables 1 and 1B below, in addition to the floorspace gains arising from the redevelopment of Southgate in Bath, the proposed foodstore at Charlton Road, Keynsham and the proposed extension to Tesco at Old Mills, Paulton. However, the projections were made at the end of a long period of steady growth and optimism in retail markets and expenditure on retailing is subject to significant fluctuations as evidenced by the well-publicised downturn in retail performance and confidence after the spring of 2005. Moreover, the projections represent maximum capacity figures rather than a "needs" target which the plan should necessarily aim to meet because the impact of any scheme outside the city centre shopping area will need to be carefully assessed.</p> <p>The projections also separately identify "large format/retail warehouse" stores. This division of the comparison shopping element is based on the assumption made in the C&TCS that spending on DIY, hardware, furniture, floor coverings, carpets and electrical goods accounts for 35-40% of total national comparison goods expenditure. The report further assumes that as about half of the national spending in these categories takes place in retail warehouses up to 20% of total surplus comparison goods expenditure in B&NES could be accommodated in large format stores. However, it is not clear that this is necessarily an appropriate assumption as PPS6 requires consideration of whether there are constituent units on any proposed retail park on an edge-of-centre or out-of-centre site which could be accommodated on a sequentially preferable site. This is a matter that needs to be further explored in the course of the retail strategy discussed at paragraph.....below.</p> <p><i>[Insert tables 1 and 1B as in the corrected consolidated version of the plan but alter the title of 1B so that it uses the same terms as table 1 and replace "bulky goods" with "large format/retail</i></p>	<p>fact that work on the retail strategy is likely to commence prior to adoption of the Local Plan. In addition references to the preparation of a retail strategy DPD will be substituted with reference to retail strategy forming part of the Council's LDF as it still needs to be determined how this is best achieved. Finally, this paragraph will not refer to specific opportunities such as Avon Street Car Park as this prejudices the conclusion of the retail strategy work.</p> <p>In order to be grammatically correct the last sentence of the paragraph on comparison shopping in Keynsham, Midsomer Norton and Radstock should state: 'Proposals that come forward would be determined within the context of <u>policy S2</u> which is supportive of development in such locations'.</p> <p>In the second paragraph on convenience shopping reference to the particular circumstances of Bath justifying provision of a food store in southern Bath should be amended to refer to additional convenience shopping floorspace. This will give greater flexibility in meeting the need for convenience shopping.</p>	

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		<p><i>warehouse" stores.]</i></p> <p>Comparison shopping: Bath</p> <p>The majority of the forecast growth is focussed on Bath. However, in considering the extent to which new shopping floorspace should be allocated to meet this potential growth in expenditure to 2011 it is important to have regard to the unique characteristics of the core shopping centre, the contribution which will be made to the city centre by the Southgate redevelopment and its effect, and the timescale for the implementation of Southgate.</p> <p>Located as it is within the World Heritage Site, the city centre relies to a large extent on the success of its retail function to provide economic support to its historic buildings. Many of the shops in the historic centre are far from ideal to support modern retailing and therefore to ensure that its attraction to retailers is maintained, new development outside the core which could divert shoppers and therefore reduce the attraction of the core area should be avoided. The redevelopment of Southgate will provide modern shopping units within the core shopping area and therefore support the retail function of the city centre. It will be a development of high quality and its success will depend upon the attraction of retailers confident of a secure economic return. The forecast levels of retail expenditure will help to attract retailers to the new scheme but any competing scheme which is outside the main shopping centre could dilute the attraction of Southgate to retailers and put the implementation of the scheme at risk.</p> <p>Furthermore, with the completion of the Southgate scheme there will inevitably be some change within the historic core as retailers relocate into new units and older shops are left vacant. It is essential to the future health of the historic core that such units are quickly taken up by new occupants to safeguard the fabric of the</p>		

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		<p>buildings.</p> <p>The plan therefore takes a precautionary approach to the firm allocation of additional retail floorspace in the city centre during the period to 2011. Other than Southgate only the potential redevelopment of the city centre site at The Podium/Cattlemarket is identified for retail development during the plan period. This is likely to be a mixed use scheme providing for an increase in the quantity of comparison and convenience goods floorspace and a mix of other city centre uses including a replacement library and hotel as described in more detail in policy GDS.1/B16. No other sites are firmly identified at this time but any further proposals for retail consolidation within the defined city centre shopping area will be supported in principle and determined on their site-specific merits.</p> <p>The precautionary approach will also apply to the development of retail warehouses/large format stores in Bath. There may be some potential outside the city centre shopping area for retail warehouse developments of certain kinds but it is not expected that planning permission will be granted for large format stores selling clothing, fashion or sports goods, or variety goods of the kind typically found in the city centre. It is difficult to identify suitable edge-of-centre or out-of-centre sites for retail warehouses as this form of development is generally incompatible with the image, character and appearance of the WHS. While BWR represents a major brownfield opportunity, retail warehouse development surrounded by open car parking would not be appropriate for a site which should form an exemplary high-density, high-quality development area enhancing the character and status of the WHS. There is already some retail warehouse development along Lower Bristol Road and if further development of this kind is justified in terms of the sequential approach and the impact test it may be more appropriate to consolidate provision there. Suitable sites for this purpose will be examined in the course of future master-planning for the Lower Bristol Road area.</p>		

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		<p>After the adoption of the local plan the Council will commence work on a retail strategy for Bath to show how it will be developed to provide new shopping floorspace for the city following the completion of Southgate and a period of consolidation for the centre as a whole. This will be in the form of a Development Plan Document (DPD). The DPD will be firmly based on the sequential approach set out in PPS6 and will thoroughly explore opportunities for securing the best use of under-used central sites with the most to contribute to the city's retail offer and to the image, repair and conservation of the urban fabric at the heart of the World Heritage Site. At an appropriate date it may also aim to make the most of the retail potential of any suitable edge-of-centre sites such as Avon Street Car Park, provided that such sites form a natural extension of the city centre shopping area, can be truly integrated into it and do not have an adverse impact on its vitality and viability. The DPD will provide for commitments to be made in a series of well-defined steps, subject to (and preceded by) regular monitoring and review. It will also be backed by concerted and clearly identified measures to drive through and secure implementation, including the use of compulsory purchase powers to assemble sites if necessary.</p> <p>Comparison shopping: Keynsham, Midsomer Norton and Radstock</p> <p>Table 1B, taken from the C&TCS study, assesses that it is appropriate to distribute only a limited part of the projected quantitative capacity to these second tier town centres within the District's retail hierarchy. There are several opportunities within the defined town centres where this provision could be made and such development would contribute to the self sufficiency of these towns. However, it is not considered appropriate to allocate these sites. Proposals that come forward would be determined within the context of policies S2 which is supportive of development in such locations.</p>		

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		<p>Convenience shopping</p> <p>The C&TCS assessments found substantial scope for the development of new convenience floorspace in Bath and this is supported by the pressure commonly agreed to be experienced by the Sainsbury's store at Green Park. Some of this pressure and scope will be absorbed by the replacement convenience store at Southgate and by extension of the Waitrose store at The Podium. It would also be assisted by take-up of the allocation at Keynsham which would help to reduce the existing high level of convenience expenditure outflow from Keynsham to Bristol and increase the attractiveness of the town.</p> <p>Despite reservations about using the C&TCS projections as a basis for firm comparison retail allocations the above developments are unlikely to absorb even the minimum figure for the potential capacity for convenience shopping development to 2011. No other suitable sites have been identified within Bath city centre or at edge-of-centre sites <i>subject to Council's detailed assessment</i>: "and although PPS6 advises against out-of-centre shopping the particular circumstances of Bath justify the provision of a food store in the southern part of the densely-developed southern sector of the city where there is very little alternative provision at present. A site is therefore allocated for that purpose as part of a mixed use development at land currently occupied by St. Martin's Garden Primary School and Hayesfield School playing fields at Odd Down. This will take pressure off Sainsbury's and the congested road network around the city centre and provide good opportunities for travel to the store by bus, by cycle or on foot as well as by car."</p> <p>No firm allocations are made for further convenience floorspace in Midsomer Norton and Radstock but the projections suggest that there is scope for a small level of additional development of this kind during the plan period. Any proposals that come forward will be determined against policies S.2 and S.4 as appropriate."</p>		

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R4.5	Retail policy	<p>Develop retail policy beyond the plan as follows:</p> <p>1. Work up a shopping strategy for Bath City Centre in the form of an Area Action Plan, including clear measures for phased implementation. Based firmly on the sequential test, this would aim to (i) make the most of any under-used central sites with potential for adding to the city's retail offer and the image and conservation of the fabric of the WHS and (ii) to the extent justified, integrate into the city any edge-of-centre sites which can be closely incorporated into the pedestrian networks of the city.</p> <p>2. Consider work on DPDs for Keynsham, Midsomer Norton and Radstock town centres with the aim of securing, consolidating and strengthening their roles in retailing and other matters.</p>	<p>It is agreed that the Council should undertake work on a Shopping Strategy. This strategy will address the issues identified by the Inspector including the longer term phased growth of the Bath City centre retail core and consolidating and strengthening the roles of Keynsham, Midsomer Norton and Radstock town centres. The Retail Strategy will need to form part of the Council's Local Development Framework and further consideration is necessary to determine how this is best achieved.</p>	
R4.6	Para B5.43	<p>Modify paragraph B5.43 by inserting "too many" before "non-shop uses".</p>	<p>Disagree. The recommended modification does not help to clarify how policies S.5 and S.6 operate together as set out in the Inspector's reasoning (see Council's response to recommendation policy S.5 below). In addition it is not clear how and whether it can be determined when 'too many' non-shop uses have been introduced in to a primary retail frontage.</p>	
R4.7	Policy S.5	<p>Modify Policy S.5 by inserting at the start "Subject to policy S.6....."</p>	<p>Disagree. The Inspector considers that it is not clear how policies S.5 and S.6 operate together. The recommended modification would not only link the policies, but would significantly weaken protection of the primary shopping frontage in Bath (under policy S.5) and could suggest that policy S.6 overrides policy S.5. The Inspector does not refer to this in her reasoning and therefore, this is</p>	

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			not considered to be the intended effect. In order to clarify that policies S.5 and S.6 operate together a modification to policy S.6 is proposed (see response to recommendation R4.8 below).	
R4.8	Policy S.6	Modify Policy S.6 by deleting the existing text and substituting: "Proposals for A3 uses within and adjoining the city centre shopping area defined on the Proposals Map will be permitted, provided that (either singly or in cumulatively with other similar existing uses) they preserve or enhance the character or appearance of the relevant part of the Conservation Area and do not have an unacceptable impact on the retail viability and vitality of the centre or the amenity of local residents. This policy also covers proposals to vary existing consents."	Accept Inspector's recommendation and in modifying the Local Plan make additional modifications to this policy as set out below. The words 'Subject to policy S.5' will be inserted at the beginning of the policy to make it clear how policies S.5 and S.6 operate together (see also response to recommendation R4.7 above). Reference also needs to be added to use classes A4 and A5 in order to reflect revisions to the use classes order which came into effect in April 2005 after the Revised Deposit Draft Local Plan was approved.	
-	Policy 8 and Para B5.57	No change	Agree with recommendation.	-
R4.9	Paras B5.62 & B5.63	Modify the plan by deleting paragraphs B5.62 and B5.63 and inserting: "Outside the centres identified in policy S1 and on the Proposals Map there are many small shops spread throughout the District both within the urban areas and in villages. These can often serve day to day needs and offer valuable social and community benefits but a wide range of factors has contributed to a gradual reduction in the number of such units. While most of these factors are beyond the scope of planning powers the Council will seek to encourage the provision of new small shops in suitable cases and will resist the	Agree with recommendation and to modify the Local Plan accordingly.	

REC. NO.	POLICY/ PARA	INSPECTOR'S RECOMMENDATION	COUNCIL'S DECISION AND REASONS	MOD NO.
		change of use of units with the potential to provide continuing key retail services to their local residential communities. Examples could be a well-located village shop or a unit capable of serving a large residential area on the edge of a town."		
R4.10	Policy S.9	<p>Modify Policy S.9 by deleting the existing wording and substituting:</p> <p>"Outside the shopping centres defined on the Proposals Map the Council will:</p> <ul style="list-style-type: none"> a. grant planning permission for the development of appropriately located small-scale local shops within the settlements defined in policy SC.1 provided that there is no adverse effect on residential amenity; and b. refuse planning permission for the change of use of existing buildings in A1 use in cases where these have a realistic potential to perform a continuing key role in meeting the retail needs of the local area in a sustainable manner." 	Agree with recommendation and to modify the Local Plan accordingly.	

CHAPTER B6 – ENERGY, UTILITIES, HEALTH & SAFETY

REC. NO.	POLICY/ PARA	INSPECTOR’S RECOMMENDATION	COUNCIL’S DECISION AND REASONS	MOD NO.
R4.11	Para B6.6	Modify paragraph B6.6 by deleting the remainder of the first sentence from “although”.	Agree with recommendation and to modify the Local Plan accordingly	M/B6/1
R4.12	Para B6.6A	Modify paragraph B6.6A by inserting at the end: “Where there is the potential for adverse impacts, the significance of these will be weighed against the contribution that will be made to the regional target for renewable energy and the potential economic, social and environmental benefits of the proposed development.”	Agree with recommendation and to modify the Local Plan accordingly	M/B6/2
R4.13	Policy ES.1	Modify Policy ES.1 by deleting the existing text and substituting: “Developments that generate energy from renewable sources, including any ancillary infrastructure or buildings, will be assessed against the following criteria. i) any significant conflict with other policies in the plan; ii) the extent to which the design and siting of the development minimises any adverse impacts and, where there is harm and conflict with other policies, whether that harm can be removed at the end of the economic life of the development or when it ceases to be used for energy production; iii) the contribution that will be made to the regional target for renewable energy; iv) any wider environmental, social and economic benefits.”	Agree with recommendation and to modify the Local Plan accordingly	M/B6/3
R4.14	Para B6.8	Modify paragraph B6.8 by deleting the final sentence and substituting a reference to further guidance on energy efficiency in the design and layout of buildings being set out in the Design Guide SPD.	Agree with recommendation and to modify the Local Plan accordingly	M/B6/4

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REC. NO.	POLICY/ PARA	INSPECTOR’S RECOMMENDATION	COUNCIL’S DECISION AND REASONS	MOD NO.
R4.15	Policy ES.2	Modify Policy ES.2 by deleting the existing text and substituting: “Permission for new buildings will be granted only where, within the other constraints on the development, the design, orientation, and layout of the buildings and outside areas have taken into account the need to minimise energy consumption over the lifetime of the development.”	Agree with recommendation and to modify the Local Plan accordingly	M/B6/5
R4.16	Para B6.14	Modify paragraph B6.14 by deleting all of the last 2 sentences.	Agree with recommendation and to modify the Local Plan accordingly	M/B6/6
R4.17	Policy ES.3	Modify Policy ES.3 by: deleting the last paragraph; and inserting: “The potential dangers from existing gas and electricity infrastructure will be taken into account in determining applications for other developments. Development will not be permitted where it would increase the number of people exposed to unacceptable risks”.	Agree with recommendation and to modify the Local Plan accordingly	M/B6/7
-	Policy ES.4 & Para B6.16	No change.	Agree with recommendation	-
R4.18	Para B6.19	Modify paragraph B6.19 by deleting the 2nd sentence and substituting: “SUDs are designed to reduce the quantity and improve the quality of surface water at or close to source, prior to discharge. This minimises pollution discharged into watercourses, and reduces the volume of water discharged to sewers or outfalls, whilst increasing water infiltration to the ground and underlying aquifers. Such systems can thus control pollution, reduce flood risk and provide other benefits.”	Agree with recommendation and to modify the Local Plan accordingly	M/B6/8
R4.19	Policy ES.6 & Para B6.20	Modify the plan by deleting the heading “Water and Sewerage Infrastructure”, paragraph B6.20 and Policy ES.6.	Agree with recommendation and to modify the Local Plan accordingly	M/B6/9 - M/B6/10

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REC. NO.	POLICY/ PARA	INSPECTOR’S RECOMMENDATION	COUNCIL’S DECISION AND REASONS	MOD NO.
R4.20	Para B6.23	Modify paragraph B6.23 by deleting the last sentence.	Agree with recommendation and to modify the Local Plan accordingly	M/B6/11
R4.21	Para 6.25B	Modify paragraph 6.25B by deleting the sentence beginning “The only material consideration.	Agree with recommendation and to modify the Local Plan accordingly	M/B6/13
R4.22	Para B6.25C	Modify the plan by deleting the whole of paragraph B6.25C.	Agree with recommendation and to modify the Local Plan accordingly	M/B6/14
R4.23	Policy ES.7	<p>Modify Policy ES.7 by deleting the existing text and inserting:</p> <p>Telecommunications development which requires planning permission or prior approval will be permitted provided that:</p> <ul style="list-style-type: none"> i) the applicant has demonstrated a need for the development; ii) the installation has been sited and designed to minimise its environmental impact; iii) the application is accompanied by a certificate confirming that the proposed installation meets the emission guidelines of the International Commission on Non-Ionizing Radiation Protection; iv) where the development would result in harm or conflict with other policies, the applicant has demonstrated that there are no available alternatives which would be materially less harmful (to include consideration of mast or site sharing, the use of existing buildings or structures and streetworks installations). 	Agree with recommendation and to modify the Local Plan accordingly	M/B6/15
R4.24	Policy ES.8	Modify the plan by deleting Policy ES.8.	Agree with recommendation and to modify the Local Plan accordingly	M/B6/16

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REC. NO.	POLICY/ PARA	INSPECTOR'S RECOMMENDATION	COUNCIL'S DECISION AND REASONS	MOD NO.
-	Policy ES.10 & Para B6.31	No change.	Agree with recommendation	-
R4.25	Policy ES.11 & Para B6.32	Modify the plan by deleting the heading "Sewage Treatment Works"; paragraph B6.32; Policy ES.11; and the "Development Restraint Areas" on the Proposals Map	Agree with recommendation and to modify the Local Plan accordingly. NB Policy ES.11 relates to "Sewage Treatment Restraint Areas" not "Development Restraint Areas" as cited by the Inspector.	M/B6/17 - M/B6/19
-	Policy ES.12, Paras B6.33 & B6.34	No change.	Agree with recommendation	-
-	Policy ES.13 & Para B6.37	No change.	Agree with recommendation	-
-	Policy ES.14	No change.	Agree with recommendation	-

REC. NO.	POLICY/ PARA	INSPECTOR'S RECOMMENDATION	COUNCIL'S DECISION AND REASONS	MOD NO.
-	General	No Change	Agree with recommendation. <i>(Note: see Affordable Housing recommendation re. Housing Need & Affordability Model)</i>	-
R5.1	Policy HG.1	Modify Policy HG.1 by deleting "6,200" and inserting "6,855".	Agree with recommendation. Increased build rates resulting from adopting RPG10 based requirements represent first stage of increasing build rates towards even higher levels emerging through RSS process.	M/B7/4 - M/B7/5
R5.2	Policy HG.1 and Para B7.10	Subject to the priorities identified in the Local Development Scheme, the Council give priority to the preparation of a Development Plan Document to provide a ten year supply of housing land based on an annualised figure derived from RPG10.	Agree the need to direct resources into preparing a DPD as soon as possible to ensure 10 year housing land supply. This will entail an amendment to the LDS.	-
R5.3	Para B7.43	A table of allocated sites be prepared as in Appendix 3 to Topic Paper 2.3 with the addition of the location of the site, whether previously developed or greenfield, and the likely timetable for delivery. The new table to be inserted following the text in para B7.43, subject to the editing of that text to take into account changes in the sites to be allocated under Policy GDS.1.	Agree that table listing all allocations and their contribution towards meeting the dwelling requirement should be included, setting out recommended information except delivery timetable as this may change with the result that the Local Plan becomes quickly out of date. Some site specific text can also be deleted.	M/B7/37
R5.4	Para B7.17A	Modify the plan by deleting Paragraph B7.17A.	Agree with recommendation and to modify the Local Plan accordingly	M/B7/11
R5.5	Para B7.17B	Modify paragraph B7.17B by deleting the existing text and inserting: "There are significant numbers of elderly people within the District, especially those over 80 years of age. These numbers are projected to grow during the plan period. The mix of dwellings to be provided under Policy HG.1 should include accommodation to meet the needs of the elderly including sheltered housing, flats and bungalows."	Agree with recommendation and to modify the Local Plan accordingly	M/B7/12

REC. NO.	POLICY/ PARA	INSPECTOR'S RECOMMENDATION	COUNCIL'S DECISION AND REASONS	MOD NO.
R5.6	Para B7.17C	Modify the plan by deleting paragraph B7.17C.	Agree with recommendation and to modify the Local Plan accordingly	M/B7/13
R5.7	Para B7.17D	Modify paragraph B7.17D by deleting the existing text and inserting: "The increasing incidence of homelessness within the District will be addressed through the provision of a supply of housing in accordance with regional requirements. This will include a proportion of affordable housing through policies HG.8 and 9, together with residential accommodation over retail units through Policy HG.12. Proposals for temporary accommodation will be assessed against a range of policies in the Plan."	Agree, but clarify that Policy HG.9 operates as the exceptions site policy and therefore differs to Policy HG.8 which seeks a proportion of dwellings for affordable needs.	M/B7/14
R5.8	Para B7.18	Modify the plan by deleting the words in paragraph B7.18 from "Policy HG.2 acknowledges".	Agree with recommendation and to modify the Local Plan accordingly	M/B7/15
R5.9	Para B7.18A.	Modify the plan by deleting paragraph B7.18A.	Agree with recommendation and to modify the Local Plan accordingly	M/B7/16 - M/B7/17
R5.10	Policy HG.1	Modify Policy HG.1 (as recommended to be amended) by adding: "The provision will incorporate a mix of dwelling size, type, tenure and affordability to meet the needs of specific groups such as the elderly or first time buyers. New housing developments should avoid the creation of large areas of housing of similar characteristics."	Agree with recommendation and to modify the Local Plan accordingly	M/B7/5
R5.11	Policy HG.2	Modify the plan by deleting Policy HG.2	Agree with recommendation and to modify the Local Plan accordingly	M/B7/18
R5.12	Para B7.23	Modify Paragraph B7.23 by deleting "60%" in the penultimate line and inserting "50%".	Agree – re-estimate and amend brownfield target in light of revised contribution form brownfield allocations.	M/B7/21

REC. NO.	POLICY/ PARA	INSPECTOR'S RECOMMENDATION	COUNCIL'S DECISION AND REASONS	MOD NO.
R5.13	Para B7.25	<p>Modify Paragraph B7.25 by delete table and insert Table 1 from Topic Paper 2, subject to the following changes to Table 1:</p> <p>line 2 delete "750" and insert "690";</p> <p>line 3 delete "On large brownfield sites" and insert "From allocated sites listed in Table "; delete "1430" and insert "2115"</p> <p>line 7 delete</p> <p>line 8 delete "6300" insert "6855"</p> <p>line 10 delete "6270" insert "6825"</p>	<p>Agree – in order to ensure that table B7.25 reflects the amended overall requirement and re-assessed capacity of allocations and amended contribution of sites with planning permission (10% non-implementation allowance applied to dwellings on sites where construction had not started at 01/04/2004).</p>	M/B7/23
R5.14	Table B7.25	<p>Modify all references to figures in the Table in the reasoned justification in Chapter B7 to those in the modified Table set out in R5.13 and update figures where relevant.</p>	<p>Agree with recommendation – to ensure figures in table B7.25 and the Reasoned Justification are consistent.</p>	M/B7/19 - M/B7/20, M/B7/22 - M/B7/24 M/B7/27 - M/B7/29
R5.15	Paras B7.28 to B7.43	<p>Modify paragraphs B7.28 to B7.43 by editing the text to take out detailed references to sites which are covered within the table of allocations and subject to Policy GDS.1;</p> <p>delete "90" in B7.35 and insert "80".</p>	<p>Agree with recommendation and to modify the Local Plan accordingly</p>	M/B7/25 - M/B7/26 M/B7/30 - M/B7/36
R5.16	Para B7.28 to B7.43	<p>Modify the contribution to housing land supply in the period to 2011 from the following allocations:</p> <p>GDS.1/B1 Bath Western Riverside: 450 dwellings</p>	<p>Agree that the capacities for the Plan period should be modified (see below);</p> <p>Agree, however, 450 to 600 dwellings should be anticipated on the site during the Plan period since considerable progress made since the Local Plan Inquiry. Work on the Bath Western Riverside Supplementary Planning Document (BWR SPD) which addresses</p>	M/B9/6

REC. NO.	POLICY/ PARA	INSPECTOR'S RECOMMENDATION	COUNCIL'S DECISION AND REASONS	MOD NO.
		GDS.1/B2 MOD Foxhill: delete allocation	<p>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. 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>Partially agree. It is accepted that site can no longer be relied on to make a contribution to the housing needs during the Plan period. However complete deletion of the site from the 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.</p>	-
		GDS.1/B13 Lower Bristol Road: 50 dwellings	Agree with recommendation and to modify the Local Plan accordingly	M/B9/24
		GDS.1/K5 Cannocks Garage: 25 dwellings	Agree with recommendation and to modify the Local Plan accordingly	M/B9/37

REC. NO.	POLICY/ PARA	INSPECTOR'S RECOMMENDATION	COUNCIL'S DECISION AND REASONS	MOD NO.
		GDS.1/NR2 Radstock Railway Land: 50 dwellings	<p>The Inspector recognises the importance of the site for regeneration of Norton Radstock (para 5.94) but at the same time she recognises that the site is locally important for nature conservation (para 5.91). Probably because of the information available to her at the Inquiry, the Inspector does not recommend a dwelling capacity for the site. Instead she recommends that in order to avoid pressure for the achievement of high numbers of dwellings at the expense of the ecology of the site, that the site be expected to accommodate no more than 50 dwellings during the plan period. She therefore accepts that the site capacity is greater than 50 dwellings (para 5.95) and that the site should be allocated for mixed use development.</p> <p>The Inspector's recommended policy wording also acknowledges that the development is likely to give rise to an unavoidable impact on some areas of ecological importance but that this should be mitigated and compensated for.</p> <p>The development of this mixed-use site is integral to the regeneration of Radstock and entails significant development costs. The benefits and importance of this development are reflected in the Council's 'Radstock Regeneration Principles' approved in May 2006 and in the 'Brighter Futures Community Plan'. The local</p>	M/B9/38

REC. NO.	POLICY/ PARA	INSPECTOR'S RECOMMENDATION	COUNCIL'S DECISION AND REASONS	MOD NO.
			<p>ecological importance of the site is also recognised and well documented The existing ecological interest of the site will change in the long term, with certain species and habitats likely to decline unless supported by a management regime. It is likely however that the site could in future retain significant ecological value even without management, although this interest would be different to that currently present. The Inspector has explicitly adopted a precautionary approach in relation to housing provision on the basis of the need to resolve ecological issues. The Inspector states that 50 dwellings is not intended as an absolute limit on development capacity but explicitly recognises that the capacity of the site is higher.</p> <p>On this basis, it is proposed that the Inspector's recommendations are accepted but with the proviso in the policy which reflects the inspector's comments that the residential capacity of the site could be greater than 50 dwellings. Policy GDS.1/NR2 and the preamble in para B7.30 will be amended accordingly.</p> <p>This Council also disagrees with the Inspector's opinion (paragraph 5.92) that the Radstock Railway Land is, in effect, no longer a brownfield site but that PPG3 applies. In that context, any planning application submitted for this site should</p>	

REC. NO.	POLICY/ PARA	INSPECTOR'S RECOMMENDATION	COUNCIL'S DECISION AND REASONS	MOD NO.
		<p>GDS.1/V3 Paulton Printing Factory: 150 dwellings (100 included in sites with planning permission and 50 to be added to brownfield allocations).</p>	<p>be subject to a full capacity study to demonstrate that, whilst having regard to its nature conservation interest, any development proposals for this site maximise the use of brownfield land.</p> <p>Agree with recommendation and to modify the Local Plan accordingly. See also R7.30 under Policy GDS.1.</p>	<p>M/B9/55</p>
<p>R5.17</p>	<p>Para B7.28 to B7.43</p>	<p>That the following sites identified in the DDLP should be reconsidered as allocations for housing:</p> <p>GDS.1/B7 land at Englishcombe Lane, Bath: 45 dwellings</p> <p>GDS.1/B8 r/o 46-64 Bloomfield drive: subject to investigation of potential for allotment use: 13 dwellings.</p> <p>GDS.1/K2 land at South West Keynsham: 700 dwellings</p>	<p>The sites suggested by the Inspector have been investigated and the conclusions are as follows;</p> <p>Agree with recommendation and to modify the Local Plan accordingly (r/o 89-123 Englishcombe Lane)</p> <p>Investigations indicate that this small site is needed to meet allotment shortfall in this part of Bath. Therefore allocate under Policy CF.8 as allotment site.</p> <p>Agree. In light of the housing shortfall, it is necessary for this allocation to be re-instated. The site will be required even if rapid progress is made on BWR in the Plan period. This is a large site of around 20 ha and the site requirements will need to be reviewed. Further work has been undertaken on this site including assessments of transport implications and further investigations are underway on the programming of development which will clarify the housing contribution for the</p>	<p>M/B9/17 - M/B9/18</p> <p>M/B3/60</p> <p>M/B9/33 - M/B9/34</p>

REC. NO.	POLICY/ PARA	INSPECTOR'S RECOMMENDATION	COUNCIL'S DECISION AND REASONS	MOD NO.
		GDS.1/V9 land at Brookside Drive, Farmborough: 30 dwellings	<p>Plan period. It is proposed that the Local Plan should allow for at least 500 of the 700 dwellings to be completed before the end of the Plan period.</p> <p>Whilst the allocation of SWK entails a change to the Green Belt, it provides the opportunity to develop a new residential community which exemplifies high quality of design and sustainable development principles and complements the objectives of the emerging Keynsham Vision in supporting local services and supplying affordable housing.</p> <p>Investigations into the reinstatement of GDS.1/V9 Land at Brookside Drive, Farmborough concluded that the site is not needed to meet the housing land requirements. Therefore, it proposed that the site be retained Safeguarded Land under Policy GB.4 (see also R7.33 & R9.16).</p>	-
R5.18	Para B7.28 to B7.43	<p>That the following sites be considered by the Council for residential allocation in the Local Plan:</p> <p><u>Bath</u></p> <p>Land at Beechen Cliff School Greenway Lane, for 18 dwellings</p> <p>Hayesfield School Playing Field: investigate requirement for</p>	<p>Agree that further sites need to be allocated to meet the housing land supply. The sites suggested by the Inspector have been investigated and the conclusions are as follows:</p> <p>Disagree with the recommendation that this site should be allocated for development (see response to R8.1).</p> <p>Site investigated and needed for retail</p>	- M/B9/30 -

REC. NO.	POLICY/ PARA	INSPECTOR'S RECOMMENDATION	COUNCIL'S DECISION AND REASONS	MOD NO.
		<p>continued recreational use and if not needed assess capacity for residential development.</p> <p>Lansdown View: investigate requirement for reinstatement of allotment use and if not needed, assess capacity for residential development.</p> <p><u>Radstock/Midsomer Norton</u></p> <p>St Peter's Factory, Westfield together with land to the rear of Lincombe Road: mixed use scheme with 150 dwellings.</p> <p>Welton Bag Factory, Station Road: mixed use scheme – capacity to be assessed.</p> <p>Coomb End, Radstock: area designated as Regeneration Area in the RDDLP: mixed use scheme- capacity to be assessed.</p>	<p>uses (see response to R4.2).</p> <p>Investigations indicate that this small site is needed to meet allotment shortfall in this part of Bath. Therefore allocate under Policy CF.8 as allotment site (as per PIC/B/27).</p> <p>St Peters Factory was granted planning permission along with Jewsons site for 107 dwellings in April 2006 subject to a legal agreement. As the Jewson's site was included in the permission it will be included as part of the allocated site in the Local Plan.</p> <p>Agree to allocate Welton Packaging Factory for around 100 dwellings. This is an under-used factory site within a residential area and provides the opportunity for partial redevelopment providing employment benefits and improvements for the community.</p> <p>Investigations conclude that land at Coomb End, Radstock should be allocated to accommodate 30 dwellings. The allocation will be shown on the Proposals Map and the HDB amended accordingly. Preparation of DPD for the area to address the highway and environmental problems in the area will</p>	<p>M/B9/31</p> <p>M/B3/59</p> <p>M/B9/40 - M/B9/41</p> <p>M/B9/51 - M/B9/52</p> <p>M/B9/49 - M/B9/50</p>

REC. NO.	POLICY/ PARA	INSPECTOR'S RECOMMENDATION	COUNCIL'S DECISION AND REASONS	MOD NO.
		<p>Clandown Scrapyard: capacity to be assessed.</p> <p>Land at Cautletts Close: capacity to be assessed.</p> <p><u>R1 Settlements</u></p> <p>Further land at Paulton Printing Factory: amendment to GDS.1/V3 subject to provision of employment related scheme - additional 200 dwellings.</p>	<p>be considered in the review of the LDS. There are no areas considered suitable to designate as core business areas under new Policy ET.3 but, in response to R5.18, opportunities for residential development will be brought forward under Policy GDS.1. A DPD will help to address some of the long term problems of the area and difficult sites but in the meantime, the existing policy framework, particularly new Policies ET.3 & ET.4 and modified policy HG.4 will guide proposals for development.</p> <p>Although opportunities may exist at Clandown Scrapyard for limited residential development the likelihood of its contribution to the housing supply within the Plan period is hindered by complex highways and environmental difficulties. It may offer longer term development opportunities, but it cannot be relied upon. If it does come forward for development within the Plan period it can be assessed under the existing policy framework.</p> <p>Agree to allocate land at Cautletts Close for around 110 dwellings.</p> <p>Agree. 200 additional dwellings in the plan period. Since the inquiry closed the Paulton Printing Factory has become</p>	<p>-</p> <p>M/B9/53 - M/B9/54</p> <p>M/B9/55</p>

REC. NO.	POLICY/ PARA	INSPECTOR'S RECOMMENDATION	COUNCIL'S DECISION AND REASONS	MOD NO.
		<p>Land between Wellow Lane and the bypass, Peasedown St John: 90 dwellings.</p> <p>School Playing Field, Peasedown St John: investigate availability and need for recreational use; capacity to be assessed</p> <p>Coal Yard and Woolhouse, Peterside, Temple Cloud: capacity to be assessed.</p>	<p>disused and is considered the most sustainable and suitable location of all the village sites. In addition to the existing planning permission for the south east part of the site, there is further redevelopment potential for a mixed-use scheme which will bring forward some modern employment space during Plan period along the lines recommended by the inspector. This increased housing contribution from Paulton Printing Factory would meet the identified housing shortfall.</p> <p>Agree to allocate land between Wellow Lane and the bypass. Initial investigations indicate the site capacity is around 100 dwellings.</p> <p>Site not required as sufficient new sites have been identified to make up the shortfall.</p> <p>Site not required as sufficient new sites have been identified to make up the shortfall.</p>	<p>M/B9/60 - M/B9/61</p> <p>-</p> <p>-</p>
R5.19	Para B7.28 to B7.43	Following the assessment by the Council of the additional sites, a Table of Residential Allocations be prepared in accordance with the recommendation following paragraph 5.22 above. The Table to list the sites selected to make up the housing land supply for the plan period.	Agree that table listing all allocations and their contribution towards meeting the dwelling requirement should be included, setting out recommended information except delivery timetable (see response to R5.3). Some site specific text can also be deleted.	M/B7/37
R5.20	B7.45A & B	Modify the plan by deleting paragraphs B7.45A & B	Agree with recommendation and to modify the Local Plan accordingly	M/B7/38 - M/B7/39

REC. NO.	POLICY/ PARA	INSPECTOR'S RECOMMENDATION	COUNCIL'S DECISION AND REASONS	MOD NO.
R5.21	Policy HG.4	<p>Modify Policy HG.4 by deleting the existing text and inserting:</p> <p>"Residential development in Bath, Keynsham, Norton Radstock and those villages defined in Policy SC.1 as R.1 and R.2 settlements will be permitted if:</p> <p>i) it is within the built up area of Bath or within the defined housing development boundary; or</p> <p>it forms an element of</p> <p>a) a comprehensive scheme for a major mixed use site defined in Policy GDS.1; or</p> <p>b) a scheme coming forward under Policy ET.3(3);</p> <p>iii) and it is appropriate to the scale of the settlement in terms of the availability of facilities and employment opportunities and accessibility to public transport."</p>	Agree with recommendation and to modify the Local Plan accordingly	M/B7/43
R5.22	Paras B7.56 and B7.57	<p>Modify the plan by deleting the heading and paras B7.56 – B7.57 and substituting:</p> <p>"Urban areas and R.1 and R.2 Settlements</p> <p>The allowance for windfall development to meet the strategic housing requirement is based on the redevelopment of previously developed land in accordance with Government advice. However, windfalls may also occur on sites which were not previously developed, subject to the other policies of the plan which seek to protect greenfield sites which are, for example, needed for recreational uses, or which are of townscape or nature conservation importance. Large site opportunities are most likely to emerge in Bath but some may also arise in Keynsham and Norton Radstock and the 13 R.1 villages identified in policy SC.1. Opportunities are</p>	Agree with recommendation and to modify the Local Plan accordingly	M/B7/40 - M/B7/41

REC. NO.	POLICY/ PARA	INSPECTOR'S RECOMMENDATION	COUNCIL'S DECISION AND REASONS	MOD NO.
		likely to be more limited in the 8 villages identified as R.2 settlements. Windfall developments in the R.1 and R.2 villages may help to maintain the social and economic vitality of the rural areas and contribute towards meeting affordable housing needs. However, the scale and location of such schemes is critical to ensure that they can be satisfactorily integrated into the pattern of the settlement, taking account of local character and distinctiveness. To ensure that any windfall development is in keeping with the character of the settlement, and to prevent unsustainable patterns of development, a scheme will not be permitted unless it is appropriate to the scale of the settlement in terms of the availability of facilities and employment opportunities, and accessibility to public transport.”		
R5.23	B7.57	Modify para B7.59 by inserting “and R.2” after “R.1”	Agree with recommendation and to modify the Local Plan accordingly Accept (Flows from above)	M/B7/42
R5.24	HDBs	Housing Development Boundaries should be retained in this plan but the Council should consider the use of settlement boundaries in the LDF.	Agree with recommendation.	-
R5.25	Proposals Map HDBs	The Proposals Map be modified to include the following sites in the HDBs: Norton Radstock - the garden of 43 Bath New Road, Clandown together with the dwellings and their curtilages to the north west; any land allocated for residential development at Coomb End or at Clandown scrapyard.	Agree with recommendation and to modify the Local Plan accordingly Agree with recommendation to include land at Coomb End in the HDB. Clandown Scrapyard is not allocated for residential development. There may be opportunities for residential development could under Policy HG.4 (see response to R5.18).	M/B7/44 M/B7/45

REC. NO.	POLICY/ PARA	INSPECTOR'S RECOMMENDATION	COUNCIL'S DECISION AND REASONS	MOD NO.
		<p>Peasedown St John - any land allocated for residential development at Wellow Lane.</p> <p>Whitchurch - to follow the boundary of the Green Belt and to include land to the south east.</p>	<p>NB Regarding the Land to the NE of Five Acres in Radstock (objection ref 396/B4), there has been a material change in circumstance since the Local Inquiry. A Lawful Development Application for the use of storage and the overnight parking of a single HGV has been allowed on appeal, therefore the site is considered as 'previously developed land'. However, the Inspector's reasoning for not including this site within the HDB was its close relationship to the surrounding countryside and the openness to wide views. Therefore it is inappropriate to include the site within the HDB.</p> <p>Agree with recommendation and to modify the Local Plan accordingly</p> <p>Agree with recommendation and to modify the Local Plan accordingly. However. The Inspector also advises retention of the safeguarded land at Whitchurch and therefore the safeguarded land should remain outside the HDB for clarity of policy.</p>	<p>M/B7/47</p> <p>M/B7/48</p>
R5.26	Proposals Map HDB	The Proposals Map be modified to include Lays Farm, Keynsham within the Green Belt (the boundary to follow the HDB).	Agree with recommendation and to modify the Local Plan accordingly	M/C1/21
R5.27	Policy HG.5 Para B7.61	Modify the plan by deleting Policy HG.5 and paragraph B7.61.	Agree with recommendation and to modify the Local Plan accordingly	M/B2/100, M/B7/49 -

REC. NO.	POLICY/ PARA	INSPECTOR'S RECOMMENDATION	COUNCIL'S DECISION AND REASONS	MOD NO.
				M/B7/50
R5.28	Policy HG.6	Modify Policy HG.6 by deleting criterion i).	Agree with recommendation and to modify the Local Plan accordingly	M/B7/51
R5.29	Policies HG.7 and HG.7A	Modify the plan by deleting Policies HG.7 and HG.7A and inserting a new policy as follows: "Residential development will only be permitted where the maximum density compatible with the site, its location, its accessibility and its surroundings is achieved. Densities in excess of 30 dwellings per hectare will be expected in order to maximise the use of housing sites. Densities in excess of 50 dwellings per hectare will be expected in and around existing town centres and in locations well served by public transport."	Agree with recommendation and to modify the Local Plan accordingly	M/B7/53 - M/B7/54
R5.30	Quick Guide 13	Modify the plan by deleting Quick Guide 13 and by incorporating its contents in a new paragraph in the explanatory text before the policy.	Agree with recommendation and to modify the Local Plan accordingly (new Para B7.67A)	M/B7/52, M/B7/55
R5.31	Paras B7.14 to B7.16 Quick Guide 12	Modify paragraphs B7.14 to B7.16, as set out in the inquiry changes version in Topic Paper 3.5, by rigorously editing them to make them consistent with the corrected WEHNAM assessed annual need and delete Quick Guide 12.	Agree with recommendation and to modify the Local Plan accordingly	M/B7/6 - M/B7/10
R5.32	Paras B7.68 to B7.75	Modify paragraphs B7.68 to B7.75 as set out in the inquiry changes version in Topic Paper 3.5, further amended as follows: B7.70:- substitute "685" for "721" and rigorously edit the other figures and comments in paragraphs B7.70 to B7.75 and table 3A to ensure that they reflect this later correction rather than the figures in the inquiry changes.	Agree with recommendation and to modify the Local Plan accordingly	M/B7/56 - M/B7/63

REC. NO.	POLICY/ PARA	INSPECTOR'S RECOMMENDATION	COUNCIL'S DECISION AND REASONS	MOD NO.
		B7.74:- change "houses" to "homes".		
R5.33	Paras B7.76 to B7.82A	<p>Modify paragraphs B7.76 to B7.82A as set out in the inquiry changes version in Topic Paper 3.5 as follows:</p> <p>Retain paragraph B7.76, but amend the final sentence to read:</p> <p>".....sought where planning permission is sought for development including the provision of dwellings on any suitable sites in settlements identified within policy SC.1."</p> <p>Delete B7.77 to B7.82A and insert the follow:</p> <p>"It would not be possible to provide 4795 additional affordable homes for the period 2002-2009 (the need suggested by WEHNAM) because this represents substantially more than the residual housing requirement for the remainder of the plan period. It will therefore not be possible to meet the projected needs even allowing for registered social landlord provision through conversions or purchase of existing dwellings. However, the Council will seek to negotiate to ensure that 35% of all new permitted dwellings are within the affordable category. Developers are advised to take this level of provision into account in negotiating the purchase of sites for development. It will normally be considered that provision of affordable dwellings will be about 75% social rented and 25% intermediate forms of ownership. In certain cases a limited number of low-cost market homes for purchase may be appropriate, provided that there are mechanisms for preserving their affordability in perpetuity, but this will depend on the relationship between local house prices and local incomes of those in need of affordable housing</p> <p>The 35% target will be regarded as an average proportion to be achieved across all sites granted permission from now until the end of the plan period. The Council will take account of any abnormal</p>	Agree with recommendation and to modify the Local Plan accordingly	M/B7/64 - M/B7/79

REC. NO.	POLICY/ PARA	INSPECTOR'S RECOMMENDATION	COUNCIL'S DECISION AND REASONS	MOD NO.
		<p>site costs associated with the development which may justify an upwards or downwards adjustment of the average. Standard development costs will not generally be considered as abnormal. Account will also be taken of the proximity of local services, and facilities, access to public transport, the distribution of need for affordable housing, and whether or not the provision of affordable housing would prejudice the realisation of other planning objectives that need to be given priority in a particular case. It will normally be expected that such affordable dwellings will be provided on-site in order to help create balanced communities, but in very exceptional circumstances the Council will consider provision in lieu through a financial contribution towards affordable housing on an alternative site within the District.</p> <p>In view of the overall level of need for affordable housing in the District revealed by WEHNAM the Council considers it appropriate to seek the provision of affordable dwellings on any site where planning permission is sought for a minimum of 15 dwellings (or on a site of a minimum of 0.5ha) in Bath, Keynsham, Norton-Radstock, Salford, Peasdown St John and Paulton.</p> <p>For the same reason the Council considers it appropriate to seek the provision of affordable dwellings on any site where planning permission is sought for a minimum of 10 dwellings (or on a site of a minimum of 0.5ha) in all smaller villages with populations of fewer than 3000, including those not identified in policy SC.1.</p> <p>It is expected that this policy will result in delivery of about affordable homes in Bath, in Keynsham,in Norton-Radstock and around in rural villages. [figures to be inserted by the Council].</p> <p>Before granting planning permission for any affordable housing the Council will require suitable arrangements to be in place to secure the occupation of the dwellings both initially and in perpetuity by</p>		

REC. NO.	POLICY/ PARA	INSPECTOR'S RECOMMENDATION	COUNCIL'S DECISION AND REASONS	MOD NO.
		<p>people with a genuine need for such accommodation who are either already resident in the District or have strong connections with it, such as locally employed key workers. Some examples of appropriately secure arrangements are given at para.....below.” [Council to insert appropriate reference from the supporting paragraphs to HG.9].</p> <p>The Council will keep the need for affordable housing under review, together with the progress made towards achieving the level of provision expected under this policy. If justified by the evidence, an early review of the policy will be made with a view to introducing changes using the opportunities presented by the procedures for local development documents under the Planning and Compulsory Purchase Act 2004.”</p>		
R5.34	Policy HG.8	<p>Modify Policy HG.8 by deleting the existing wording and substituting:</p> <p>“The Council will seek to secure the provision of 35% affordable housing before determining applications for planning permission in the following circumstances:-</p> <ul style="list-style-type: none"> • in Bath, Keynsham, Norton-Radstock, Saltford, Peasedown St John and Paulton where permission is sought for 15 dwellings or more or the site has an area of 0.5ha or more; and • in settlements where the population is 3000 or below, where permission is sought for 10 dwellings or more or the site has an area of 0.5ha or more. <p>Higher or lower percentages may be sought in individual cases, taking account of:</p> <p>[include existing criteria i) to iv)]</p> <p>Before planning permission is granted under this policy secure</p>	Agree with recommendation and to modify the Local Plan accordingly	M/B7/80

REC. NO.	POLICY/ PARA	INSPECTOR'S RECOMMENDATION	COUNCIL'S DECISION AND REASONS	MOD NO.
		<p>arrangements will need to be in place to ensure that:</p> <p>[include the existing second set of criteria (i) to (iii) but insert "such as local employment" at the end of (b) i)].</p> <p>The Council will keep under review the need for affordable housing and the provision achieved under this policy and, if appropriate, will bring forward an early review of the matter."</p>		
R5.35	Policy HG.9	<p>Modify Policy HG.9 by deleting the existing text and substituting:</p> <p>"As an exception to the other housing policies of the plan, residential development of 100% affordable housing will be permitted on land outside the scope of those other policies if it will meet a particular demonstrable need for local affordable housing arising in an individual rural parish or group of parishes which cannot be met in any other way, provided that:</p> <p>occupancy of the housing is restricted in perpetuity as being for the benefit of people in need of the accommodation because of their inability to complete successfully in the local housing market who are either:</p> <p>as a first priority, currently living in the parish or group of parishes as long-standing residents and are in need of separate accommodation, or</p> <p>as a second priority, not resident in the parish or group of parishes but have strong local connections with it/them; and</p> <p>[include existing criteria iv) and v) and]</p> <p>in the case of a proposed development at a Green Belt village, the site has been selected to cause the minimum possible harm to the</p>	Agree with recommendation and to modify the Local Plan accordingly	M/B7/94

REC. NO.	POLICY/ PARA	INSPECTOR'S RECOMMENDATION	COUNCIL'S DECISION AND REASONS	MOD NO.
		openness and purposes of the Green Belt.		
R5.36	Paras B7.83 to B7.91	<p>Modify paragraphs B7.83 to B7.91 as set out in the consolidated version of the plan as follows:</p> <p>Recent amended advice in PPG3 is that all local authorities that include rural areas should include a 'rural exception site policy' in the relevant development plan document. This is to enable the allocation or release of small sites which would not otherwise be released for housing to provide affordable housing to meet local needs in perpetuity on sites within and adjoining existing small rural communities.</p> <p>The Council recognises that there is only limited scope to satisfy rural-based needs for affordable housing through the operation of policy HG8, yet WEHNAM identifies a need for [Council to insert edited figure based upon the final corrected District-wide total]. It will therefore give sympathetic consideration under policy HG9 to schemes designed to meet local needs generated within rural communities under the terms of PPG3 and demonstrated to be required through specific needs data compiled in cooperation with the Council's Housing Services.</p> <p>The definition of affordable housing for rural exceptions sites will be taken to be [incorporate italicised words at B7.87].</p> <p>[Retain B7.90]</p> <p>However, such schemes will be limited to villages classed R1, R2 and R3 under policy SC1. Smaller settlements will be considered unsuitable on sustainability grounds. In considering any schemes within the green belt the Council will require sites to be selected that have the minimum possible impact on the purposes of the green belt.</p>	Agree with recommendation and to modify the Local Plan accordingly	M/B7/81 - M/B7/93

REC. NO.	POLICY/ PARA	INSPECTOR'S RECOMMENDATION	COUNCIL'S DECISION AND REASONS	MOD NO.
		<p>[Retain B7.89]</p> <p>[Retain B7.91]</p> <p>As the potential for positive 'allocation' of such sites was introduced into PPG3 at a very late stage in the evolution of the local plan this possible avenue of provision will not be considered until the affordable housing policies are reviewed through a local development document.</p>		
R5.37	Policy HG.10	<p>Policy HG.10 be amended as follows:</p> <p>Outside the scope of policies HG.4, 6, and 9 new dwellings</p>	Agree with recommendation and to modify the Local Plan accordingly	M/B7/95
-	Policies HG.11 and HG.12	No change.	Agree with recommendation.	-
-	Policy HG.13 and Para B7.116	No change.	Agree with recommendation.	-
R5.38	Policy HG.14 and HG.15	Modify Policy HG.14 by deleting "5" in the first line and criterion i) and by modifying criterion ii) by deleting "other" in line 2 and by not adopting PIC/B/44.	Agree the deletion of criterion i) and delete the phrase "not be materially larger than" from criterion ii).	M/B7/98
R5.39	Para B7.122	<p>Modify paragraph B7.122 by deleting the existing words and substituting:</p> <p>"Proposals for permanent residential moorings will be subject to Policy HG.14A, and other relevant policies of the Local Plan."</p>	Agree with recommendation and to modify the Local Plan accordingly	M/B7/100
R5.40	New Policy HG.14A	<p>Modify the plan by inserting new Policy HG.14A, below paragraph B7.122 as follows:</p> <p>"Residential moorings in Bath, Keynsham, Norton Radstock and</p>	Agree with recommendation and to modify the Local Plan accordingly	M/B7/101

REC. NO.	POLICY/ PARA	INSPECTOR'S RECOMMENDATION	COUNCIL'S DECISION AND REASONS	MOD NO.
		<p>those villages defined in policy SC.1 as R.1, R.2 and R.3 settlements will be permitted if the site is:</p> <p>i) within the built up area of Bath or within a defined housing development boundary; or</p> <p>ii) within an established boatyard or marina; and in all cases provided the location has good access to services and facilities including employment opportunities and accessibility to public transport.”</p>		
-	Para B7.123	No change.	Agree with recommendation.	-
R5.41	Policy HG.16	<p>Modify Policy HG.16 as follows:</p> <p>Line 6 be amended to reflect the deletion of Policy HG.5.</p> <p>Criteria i)-vi) be deleted and replaced with:</p> <p>i) the site has good access to local services, facilities and public transport;</p> <p>ii) it has safe and convenient access to the road network;</p> <p>iii) it is capable of being landscaped to ensure that it blends in with its surroundings;</p> <p>iv) adequate services including foul and surface water drainage and waste disposal can be provided;</p> <p>v) there would be no harmful impact on the amenities of local residents by reason of noise or fumes from business activities.</p>	Agree with recommendation and to modify the Local Plan accordingly	M/B7/102
R5.42	Policy HG.17	<p>Modify Policy HG.17 as follows:-</p> <p>in criterion (i) delete the existing wording and substitute “it is on previously developed land or other land allocated for the purpose”;</p>	Accept, but to be up to date delete the word “College” from criterion iii)b and for clarity amend criterion iii)c to read “... in the University of Bath master plan.”	M/B7/103

REC. NO.	POLICY/ PARA	INSPECTOR'S RECOMMENDATION	COUNCIL'S DECISION AND REASONS	MOD NO.
		delete PIC/B/45 criterion iii)c) and insert new iii)c): "within the areas identified for development for student accommodation in the university master plan (see policy GDS.1/B11)" Not incorporate IC9.		

REC. NO.	POLICY/ PARA	INSPECTOR'S RECOMMENDATION	COUNCIL'S DECISION AND REASONS	MOD NO.																																										
R6.1	Paras B8.4 to B8.20	Modify the plan by deleting paragraphs B8.4 to B8.20 (retain heading).	Agree with recommendation and to modify the Local Plan accordingly.	M/B8/1 - M/B8/20																																										
R6.2	New Table	Summarise in the following table the relevant information contained in the aforementioned paragraphs: <table border="1" data-bbox="533 406 1355 805"> <thead> <tr> <th colspan="4">Current situation (2005*)</th> <th colspan="2">Predicted situation (to 2011*)</th> </tr> <tr> <th>Waste Type</th> <th>Waste arising</th> <th>Re-used and recovered</th> <th>Landfilled</th> <th>Waste Arising</th> <th>Percentage increase</th> </tr> </thead> <tbody> <tr> <td>Council collected</td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td>Commercial and industrial</td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td>Construction and demolition</td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td>Clinical and special</td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td>TOTAL</td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> </tbody> </table>	Current situation (2005*)				Predicted situation (to 2011*)		Waste Type	Waste arising	Re-used and recovered	Landfilled	Waste Arising	Percentage increase	Council collected						Commercial and industrial						Construction and demolition						Clinical and special						TOTAL						Agree with recommendation and to modify the Local Plan accordingly. In the absence of up to date data the base date in terms of the current situation will remain at 2000.	M/B8/21
Current situation (2005*)				Predicted situation (to 2011*)																																										
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-	Para B8.26 and B8.35 – B8.41	No change	Agree with recommendation.	-																																										
R6.3	Para B8.50	Incorporate PIC/B/47 but reinstate the word “waste”.	Agree with recommendation and to modify the Local Plan accordingly.	M/B8/22																																										
R6.4	Policy WM.1	Modify Policy WM.1 by deleting all the existing text and substituting: “Development of waste management facilities will only be permitted where they: i) have regard for regional self-sufficiency, the proximity principle and the precautionary principle, and do not prejudice the management of waste via more sustainable methods; ii) and do not have an unacceptable adverse impact on the environment or local amenities.”	Agree with recommendation and to modify the Local Plan accordingly.	M/B8/27																																										

CHAPTER B8 – WASTE

REC. NO.	POLICY/ PARA	INSPECTOR'S RECOMMENDATION	COUNCIL'S DECISION AND REASONS	MOD NO.
R6.5	Para B8.58	Modify paragraph B8.58 by deleting the last sentence.	Agree with recommendation and to modify the Local Plan accordingly.	M/B8/26
R6.6	Para B8.55	Modify paragraph B8.55 by deleting the second sentence.	Agree with recommendation and to modify the Local Plan accordingly.	M/B8/25
-	Policy WM.2	No change	Agree with recommendation.	-
R6.7	Para B8.62	Modify paragraph B8.62 by deleting second sentence and inserting: "Where a development is expected to generate significant volumes of waste through the development process by reason of (<i>examples, e.g. demolition, site clearance etc to be filled in by the council</i>), applicants for planning permission will be required to submit a waste audit with their planning applications."	Agree with recommendation and to modify the Local Plan accordingly.	M/B8/30
R6.8	Policy WM.3	Modify Policy WM.3 by deleting the existing wording and substituting: "Development proposals which are expected to generate significant volumes of waste through the development process itself will be required to submit, as part of the application detail, a waste audit to include the following: 1. the type and volume of waste that the development will generate; and 2. the steps to be taken to ensure the maximum amount of waste arising from the development process is incorporated within the new development; and 3. the steps to be taken to manage the waste that cannot be incorporated within the new development and, if disposed of elsewhere, the distance the waste will be transported.	Agree with recommendation and to modify the Local Plan accordingly.	M/B8/31

REC. NO.	POLICY/ PARA	INSPECTOR'S RECOMMENDATION	COUNCIL'S DECISION AND REASONS	MOD NO.
		The way in which the waste arisings identified in the waste audit are to be dealt with will be considered in the context of regional self-sufficiency, the proximity principle and the precautionary principle, and any prejudice to the management of waste via more sustainable methods."		
-	Policy WM.4 & Para B8.65	No change.	Agree with recommendation.	-
-	Policy WM.5	No change.	Agree with recommendation.	-
R6.9	Para B8.72	Modify paragraph B8.72 by deleting the final sentence.	Agree with recommendation and to modify the Local Plan accordingly.	M/B8/32
R6.10	Para B8.72 & Policy WM.6	Modify Policy WM.6 as follows: Delete after "permitted" and insert "where: i)the development will not conflict with or unreasonably delay reclamation and restoration of the site; ii)the site is close to the markets to be supplied with the recovered material."	Agree with recommendation and to modify the Local Plan accordingly.	M/B8/33
-	Policy WM.7 Para B8.73	No change.	Agree with recommendation.	-
-	Policy WM.8 Para B8.77	No change.	Agree with recommendation.	-
-	Policy WM.9	No change.	Agree with recommendation.	-
R6.11	Policy WM.10	Modify Policy WM.10 as follows: Delete "with energy recovery" from first sentence. Insert new criterion : "i. provision is made for energy recovery;"	Agree with recommendation and to modify the Local Plan accordingly.	M/B8/35
R6.12	Policy WM.11	Modify the plan by deleting Policy WM.11.	Agree with recommendation and to modify the Local Plan accordingly.	M/B8/36

CHAPTER B8 – WASTE

REC. NO.	POLICY/ PARA	INSPECTOR'S RECOMMENDATION	COUNCIL'S DECISION AND REASONS	MOD NO.
-	Policy WM.12, Paras B8.89 & B8.90	No change.	Agree with recommendation.	-
-	Policy WM.13, Paras B8.91 & B8.92	No change.	Agree with recommendation.	-
R7.13	Para B8.96	Modify the plan by deleting paragraph B8.96.	Agree with recommendation and to modify the Local Plan accordingly.	M/B8/37
R7.14	Para B8.106	Modify Paragraph B8.106 as follows: delete second bullet point.	Agree with recommendation and to modify the Local Plan accordingly.	M/B8/38

CHAPTER B9 – ALTERNATIVE SITES

REC. NO.	POLICY/ PARA	INSPECTOR'S RECOMMENDATION	COUNCIL'S DECISION AND REASONS	MOD NO.
-	General	No change.	Agree with recommendation.	-
-	Bath -Land at Wellsway	No change.	Agree with recommendation.	-
-	Bath - Twerton Football Ground	No change.	Agree with recommendation.	-
-	Bath -Land North of Bailbrook Lane	No change.	Agree with recommendation.	-
R8.1	Bath – Greenway Lane, Beechen Cliff School	<p>Modify Policy GDS.1 by adding a new site in Bath as follows: "BEECHEN CLIFF SCHOOL, GREENWAY LANE – site area 0.4 ha. Development requirements:</p> <ol style="list-style-type: none"> 1 About 18 dwellings. 2 Safe& adequate highway access to be provided from Greenway Lane. 3 Any planning permission to be linked to a legal agreement for improvements to educational& sports facilities, including shared community use of the sports facilities. 4 Provision for the accommodation of public rights of way within the site." 	<p>The Inspector recommends that this site is considered for allocated for a residential development of about 18 dwellings to meet housing needs within the Plan period. The Inspector has considered (paras 8.5 to 8.9 of her report) a broad range of issues including; the need for housing; the visual and environmental impacts in the locality and in wider views; effect on Conservation area; effect on open space provision; continued need for educational; recreational impacts & benefits; the public right of way; the nature of a scheme; highways issues; and design. She concludes there are benefits to the allocation of the site for housing and that much of the potential harm can be ameliorated. In particular she refers to the identification of the site by the Secretary of State for Education and Skills as surplus to the school's requirements (under the School</p>	-

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			<p>Standards and Framework Act 1998). Whilst this is not in itself justification for its development, the Inspector considers that as it is not currently in use by any other organisation and therefore its development would not represent a loss. The conditions set out by the Secretary of State for the disposal of the site require the provision of new all weather sports facilities elsewhere at the school which, in the Inspector's opinion, would be of greater recreational benefit to the school and the community in view of the potential for shared use than the retention of this narrow and sloping area of open space.</p> <p>Council Response <i>Highway Issues</i> The Council objected to the allocation of the site on the grounds of highway safety, narrowness of the lane and the poor junctions to either end, inter alia. In response to these issues the Inspector considers that 18 dwellings is unlikely to add significantly to the level of traffic using the lane and its junctions and this issue would need to be resolved in relation to any future planning application.</p> <p>However, since the Local Plan Inquiry, a comprehensive traffic survey has been commissioned by the Council in response to concerns expressed by local residents regarding the ongoing highway issues associated with Greenway Lane. An</p>	

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			<p>initial assessment of the impact of this additional number of dwellings on the immediate road network by the Council's Transportation and Highways Service indicates a different conclusion to that reached by the Inspector. This assessment indicates that existing traffic flows along Greenway Lane are 2800 vehicles in a 24 hour period. In terms of impact, the initial assessment suggests a development of 18 houses could generate approximately 150 vehicular movements a day (depending on the size of dwellings and mix) which equates to approx 15 vehicles during the peak hours.</p> <p>A 10% increase in existing flows on the network would normally be considered 'material' but in locations already considered to be at capacity, much less might be considered significant. Whilst the additional traffic generated by the development will add only 5.5% more vehicles, this is significant for this type of road i.e. rural aspect, no footpaths for a considerable length of Greenway Lane, the narrowness of the road and its varying width with bends and junctions with limited visibility, and the substandard junctions at both ends. The road is relatively busy for this type of road during peak times especially during the morning peak (8 am to 9 am) with 597 vehicles per hour (10 vehicles per minute) and any additional traffic during this period is</p>	

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			<p>considered undesirable. However, it is accepted that the traffic impacts could be addressed by a traffic management scheme.</p> <p>The original representation sought a scheme for sheltered housing (14 dwellings) which the objector argued would have a more limited traffic generation impact. Such a scheme would not be appropriate for allocation under policy GDS.1 as it would not meet general housing provision contributing to meeting the District's housing requirement. A sheltered housing scheme would be considered instead under Policy CF.6 (Community Care Facilities) of the Local Plan. Moreover, the Inspector has recommended consideration of a general housing scheme at a higher density and this has associated traffic impacts.</p> <p><i>Impact on Character:</i> Creating a safe access onto Greenway Lane from the proposed site will necessitate the introduction of a junction with correct radii and visibility splays, based on the speed of traffic along Greenway Lane. This will require the existing hedge/wall to be removed for a considerable distance and possibly road-widening thus changing the rural aspect of this section of Greenway Lane. A new wall and/or embankment will also be required to be constructed behind the</p>	

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R8.2		Modify the Proposal Map to accord with new allocation.	<p>visibility splay, within the site.</p> <p>Although the issue of detrimental impact of the development on the distinctive semi-rural character of this historic lane, not least the character of that part of the Conservation Area, was highlighted at the Local Plan Inquiry; it appears the Inspector underplayed this aspect of the case in her reasoning. Similarly the setting of the listed buildings at Devonshire Buildings would be irreparably harmed by the development of the site, a point not addressed by the Inspector. Therefore Council considers development of this site would be far more harmful to local character, the Conservation Area and the World Heritage Site than concluded by the Inspector.</p> <p>Whilst the Inspector recommends deletion of the open space designation, this is not because she considers these areas do not make an important contribution to the character of Bath, but because she considers there are other policies in the Local Plan which achieve these objectives</p> <p>For these reasons, it is concluded that the site at Beechen Cliff School Playing Fields, Greenway Lane should not be allocated for residential use.</p> <p>Disagree. See response to R8.1 above.</p>	-

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-	Bath – Land Rear of 64-92 London Road West	No change.	Agree with recommendation.	-
-		No change. Bath – Old Fosse Road, Weston Farm Lane, Off the Weal, Weston. Batheaston – Avondale, London Road East Batheaston – Poplar Nurseries Clutton – Maypole Close, Land North of Clutton Combe Hay – Land at Combe Hay Lane Farmborough – Land Between Manor Gardens& Tilley Close Farmborough – Land South of Lovers' Lane Odd Down, Bath – Land South of South Stoke Peasedown St John – Land Adjacent to Julian's Farm, Shoscombe Vale Saltford –Manor Road South Stoke – Land Between Packhouse Lane& Midford Road Whitchurch –Land Between Church Road& Maggs Lane	Agree with recommendation.	-
-	Bath – Weirside Works, Lower Bristol Road	No change.	Agree with recommendation.	-
-	Bath – Hampton Row	No change.	Agree with recommendation.	-
-	Bath – South of Bailbrook Lane	No change.	Agree with recommendation.	-
-	Bath – Gammon Plant Hire, Rock Hall Lane, Combe	No change.	Agree with recommendation.	-

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	Down			
R8.3	Bath – Lansdown View Allotments	The Council to consider any need for the reinstatement of the site to allotment use; if not required then consideration be given to development of the site for housing.	Council's review concludes that this small site is needed to meet allotment shortfall in this part of Bath. Therefore allocate under Policy CF.8 as allotment site (as per PIC/B/27) show on the Proposals Map.	M/B3/59
-	Bath – St Martin's Hospital	No change (as planning permission has been granted and the site is under construction).	Agree with recommendation (that site should remain allocated as it did not have planning permission at the Local Plan base date 1 April 2004)	-
-	Bath – Lower Bristol Road & Land Between Roseberry Road/River Avon & Unigate Land	No change.	Agree with recommendation (that site should remain allocated) A SPD is now programmed for the development of this site.	-
-	Batheaston – Northend joinery	No change.	Agree with recommendation.	-
-	Batheaston – Elmhurst, Catherine Way	No change.	Agree with recommendation.	-
-	Bathampton – Junction Bathampton Lane & Warminster Road	No change.	Agree with recommendation.	-
-	Charlcombe – Sites at	No change.	Agree with recommendation.	-

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	Lansdown			
-	Chew Stoke – Land North of Bowls Club, Wallycourt Road	No change.	Agree with recommendation.	-
-	East Harptree – Pinkers Farm	No change.	Agree with recommendation.	-
-	Hinton Blewett – Weathers Field House	No change.	Agree with recommendation.	-
-	Keynsham sites	No change. Keynsham –Withies Farm, Land east of Withies Farm, Land to Rear of 237 Bath Road, Manor Road, Uplands Farm, Lays Farm& Land to North& South, Homestead Estate, Hawkeswell	Agree with recommendation.	-
-	Keynsham – Former Nursery Site, High Street	No change.	Agree with recommendation.	-
-	Norton Radstock – Thicketmead Bridge	No change.	Agree with recommendation.	-
R8.4	Norton Radstock – Coomb End	That the Council assess the potential for the residential allocation of the area designated as a Regeneration Area in the RDDLP at Coomb End, Radstock for mixed use development with its capacity for housing to be assessed.	The Inspector recognises the longstanding environmental and highway problems in the area and recommends that these are addressed via the preparation of a Development Plan Document. She recommends deletion of the existing Regeneration Area designation for Coomb End in the Local Plan. Instead she advises that more	M/B2/83 – M/B2/85 M/B9/49 - M/B9/50

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			<p>specific proposals for the area could be worked up as a DPD. In the meantime she recommends that the Council identify areas for designation as Core Business Areas under Policy ET.3 and for housing under Policy GDS.1 for allocation in the Local Plan.</p> <p>In response to the Inspector's approach is accepted. The longstanding problems in the wider Coomb End area should best be addressed comprehensively through a Development Plan Document in the LDF. This can be considered in the review of the Local Development Scheme later 2006/early 2007. This will facilitate environmental & safety improvements and realise development opportunities. In the meantime, investigations conclude that land at Coomb End, Radstock should be allocated in the Local Plan to accommodate around 30 dwellings in the Plan period. The allocation will be shown on the Proposals Map and the HDB amended accordingly. There are no areas warranting designation as Core Business Areas under new Policy ET.3 In the meantime, the existing policy framework, particularly new Policies ET.3 and modified policy HG.4 will guide proposals for development.</p>	
R8.5	Norton Radstock – Clandown	The Council consider Clandown Scrapyard for residential allocation in the plan.	Opportunities may exist at Clandown Scrapyard for residential development but the likelihood of its contribution to the	-

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	Scrapyard		housing supply within the Plan period is hindered by the complex highways and environmental difficulties. It may offer longer term development opportunities, but it cannot be relied upon. If it does come forward for development within the Plan period it can be assessed under the modified policy framework.	
-	Norton Radstock – Whitelands & Old Tynning Pit Head	No change.	Agree with recommendation.	-
-	Norton Radstock – Land North of Tynning	No change.	Agree with recommendation.	-
-	Norton Radstock – Land West of Maple Heights, Writhlington	No change.	Agree with recommendation.	-
-	Norton Radstock – Land North of Maple Heights	No change.	Agree with recommendation.	-
R8.6	Norton Radstock – Land to Rear of 45 Millards Hill, Welton	The Council review the status of the site to determine whether any development of the site for housing would fall to be assessed under recommended Policy ET.3(3), or whether it would be appropriate to modify the HDB to incorporate the site.	The site been reviewed in accordance with the Inspector's recommendation and HDB is proposed to be modified on the Proposals Map to include the land to the R/O 45 Millards Hill.	M/B9/44
-	Norton Radstock –	No change.	Agree with recommendation.	-

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	Welton Vale			
-	Norton Radstock – The Grange	No change.	Agree with recommendation.	-
-	Norton Radstock – Charlton Lane, Westfield	No change.	Agree with recommendation.	-
-	Norton Radstock – Charlton's 'World of Wood' site - Rymans Engineering site	No change.	Agree with recommendation.	-
-	Norton Radstock – Somer Valley, Between Midsomer Norton Town Centre & Radstock Road	No change.	Agree with recommendation.	-
-	Norton Radstock – Land at Hazel Terrace /Old Pit Road	No change.	Agree with recommendation (that the site should remain allocated)	-
-	Norton Radstock –	No change.	Agree with recommendation.	-

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	Wheelers Hill			
-	Norton Radstock – Monger Lane	No change.	Agree with recommendation.	-
-	Norton Radstock – Knobsbury Lane & Frome Road	No change.	Agree with recommendation.	-
-	Norton Radstock – Manor Road, Writhlington	No change.	Agree with recommendation.	-
-	Norton Radstock – Land South of Old Road, Writhlington - Land West of Green Parlour Farm, Writhlington	No change.	Agree with recommendation.	-
-	Norton Radstock – Writhlington School	No change.	Agree with recommendation. Agree	-
R8.7	Norton Radstock – Welton Packaging, Station Road	The Council consider the potential for the residential development of the Welton Packaging site as part of a mixed use scheme.	The result of the review of the need for further housing sites concludes that this site should be allocated for development. It is an under-used factory site within a residential area and provides the opportunity for partial redevelopment providing employment benefits, residential and improvements for the community. The allocation will be shown on the	M/B9/51 - M/B9/52

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			Proposals Map.	
-	Norton Radstock – Jewsons Site	No change.	Planning permission was granted on this site, along with St Peters Factory site, April 2006, and therefore it will be allocated together under GDS and the allocation amended accordingly on the Proposals Map.	M/B9/40 - M/B9/41
-	Paulton – Old Mills Site	No change.	Agree with recommendation.	-
-	Paulton – Bath Road	No change.	Agree with recommendation.	-
-	Paulton – Ham Grove	No change.	Agree with recommendation.	-
-	Paulton – West of St Julian's Close	No change.	Agree with recommendation.	-
R8.8	Peasedown St John – Land at Wellow Lane	That the Council consider land at Wellow Lane, Peasedown St John for residential allocation in the Local Plan.	Agree to allocate land between Wellow Lane and the bypass for 100 dwellings. The allocation will be shown on the Proposals Map and HDB amended accordingly.	M/B9/60
-	Peasedown St John – Land off Church Road	No change.	Agree with recommendation.	-
-	Peasedown St John – Between Church Road & New Buildings	No change.	Agree with recommendation.	-

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-	Peasedown St John – East of Carlingcott Lane	No change.	Agree with recommendation.	-
-	Peasedown St John – Between Greenlands Road& Hillside View	No change.	Agree with recommendation.	-
-	Stowey Sutton – Land South of Stitchings Shords Lane - Land to West of Cappards Farm	No change.	Agree with recommendation.	-
-	Whitchurch – Haulage Yard, Staunton Lane	No change.	Agree with recommendation.	-
-	Outside Plan Area – Underhill Farm	No change.	Agree with recommendation.	-
-	Outside Plan Area – Land South of Fossefield Road	No change.	Agree with recommendation.	-

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R7.1	Para B9.2	Modify paragraph B9.2 by deleting the last sentence and inserting: "As with all development proposals, planning applications for the development of the allocated sites will be assessed against all the Local Plan policies which are relevant to the scheme."	Agree with recommendation and to modify the Local Plan accordingly.	M/B9/1
R7.2	Paras B9.3 and B9.4	Modify the plan by deleting paragraphs B9.3 and B9.4.	Agree with recommendation and to modify the Local Plan accordingly.	M/B9/2 - M/B9/3
R7.3	Policy GDS.1	Modify Policy GDS.1 as follows: Delete sections A and B. Review the list of clauses in each allocation and delete requirements which are covered by policies elsewhere in the plan.	Agree with recommendation and to modify the Local Plan accordingly. Agree with recommendation and to modify the Local Plan accordingly.	M/B9/4 M/B9/4
R7.4	Paras A4.26A -C	Modify the plan by inserting edited paragraphs A4.26A – C under the heading "BATH" before policy B1.	Agree with recommendation and to modify the Local Plan accordingly.	M/B9/5
R7.5	Policy GDS.1/B1 Western Riverside	Modify Policy GDS.1/B1 as follows: in 2 delete "800" and insert "450".	Agree, however, 450 to 600 dwellings should be anticipated on the site during the Plan period since considerable progress 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. In addition, close working with a key developer has enabled progress. Subject to expeditious progress, an earlier start	M/B9/6

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		<p>delete clauses 2A and 2B.</p> <p>add after 10: "There will be no requirement for existing businesses to be relocated during the plan period. Those business uses wishing to remain within the site and which are compatible with the redevelopment scheme, will either remain in their current locations or be relocated within or adjacent to the redeveloped area." Delete final sentence and insert: "Any planning application will need to demonstrate that it is consistent with and contributes to the comprehensive development of the whole site by reference to the Masterplan Supplementary Planning Document which accords with this policy."</p>	<p>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>Agree with recommendation and to modify the Local Plan accordingly.</p> <p>Whilst it is accepted that clarity for existing businesses would be beneficial, the form of wording 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"</p> <p>With regard to the Inspector's recommended clause in order to secure a comprehensive approach to development it is acknowledged this addition is necessary although it should more accurately read 'Any planning application will need to demonstrate that it is consistent with and contributes to the delivery of comprehensive development of the whole site by reference to the BWR Supplementary Planning Document which accords with this policy.'</p>	<p>M/B9/6</p> <p>M/B9/6</p>

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R7.6	Policy GDS.1/B1 Western Riverside	Delete the Bath Press site and the area which includes the Renrod sites from the BWR allocation on the Proposal Map.	Agree with removal of Bath Press as it is different from the rest of the site as highlighted in the Inspector's reasoning but disagree with the Inspector with regard to Renrod site. 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 Inspector's view that " <i>its exclusion would not compromise the achievement of a comprehensive scheme</i> ", is inaccurate as if removed from the site, it would not be subject to the requirements of the policy and its associated SPD. Furthermore, removal of this site might set a precedent for other thriving business to seek exclusion. The Inspector already accepts that the needs of existing businesses within the site can be accommodated and she proposes amendments to policy to provide the necessary clarity. The Proposals Map will be amended accordingly.	M/B9/7
R7.7	Policy GDS.1/B1 Western Riverside	Review the need to include Sainsbury's and Homebase within the BWR allocation on the Proposals Map.	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 centre. Its retention within the site is essential in order to achieve an integrated relationship with the City centre in terms of layout, design & transport links, for both pedestrians and public transport. It also contributes to realising the objective of taking full advantage of the river and it provides the opportunity for a high quality	-

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			waterfront open space along a key access route. The SPD clarifies the role that this part of the site plays within the comprehensive approach for the whole site.	
R7.8	Policy GDS.1/B1A Land at Newbridge	Retain the established Green Belt boundary at Newbridge as shown on the Proposals Map of the DDLP.	Agree with recommendation and modify the Local Plan accordingly (Proposed Modification in Chapter C1: Green Belt).	M/C1/17 M/B9/8 - M/B9/9
R7.9	Policy GDS.1/B1A Land at Newbridge	Modify Policy GDS.1/B1A as follows: amend site area to that of the land north of the A36. delete 2. (<i>Civic amenity facility</i>) delete 13 (<i>Replacement Playing fields etc</i>)	Since Inquiry, proposals have been superseded by proposal to expand existing Newbridge Park & Ride on A4. Therefore do not allocate site in the Green Belt north of the A36 & accept re-statement of Green Belt. Site GDS.1/B1A to be deleted and playing field protection under Policy SR.1A reinstated. The Proposals Map will be amended accordingly.	M/B9/8 - M/B9/9
R7.10	Policy GDS.1/B2 MOD Foxhill	Modify the plan by deleting policy GDS.1/B2 and from the Proposals Map.	Partially accept. It is accepted that site can no longer be relied on to make a contribution to the housing needs during the Plan period. However complete deletion of the site from the Plan will remove any guidance from the Council on the future of the site resulting in lack of clarity on this significant site in Bath. It is therefore recommended that whilst no housing contribution for the Plan period is included for the Plan period, the site is retained in the Local Plan as an allocation to guide development proposals that may come forward before 2011.	M/B9/10

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R7.11	Policy GDS.1/B3 Rush Hill	Modify the policy to provide an indication of the community facilities required under 3 if known.	Disagree, the site was granted planning permission in January 2004 and is now under construction.	M/B9/11
R7.12	Policy GDS.1/B3 Rush Hill	Review the allocation if the base date of the plan is amended.	Agree with recommendation. Planning permission granted in January 2004. The new base date is April 2004 and so the site should be shown as a planning permission & not an allocation	M/B9/12
R7.13	Policy GDS.1/B4 Southgate	The Council should reconsider whether the property known as Avonside should be included within the Southgate notation on the Proposals Map.	Avonside is included in the Railway Station Improvement Works through the s.106 agreement and therefore should be included as part of the allocation.	M/B9/13
R7.14	Policy GDS.1/B4 Southgate	Review the allocation if the base date of the plan is amended	Agree with recommendation. Planning permission granted in September 2003. The new base date is April 2004 and so the site should be shown as a planning permission & not an allocation	M/B9/14
R7.15	Policy GDS.1/B5 Land West of Swainswick Bypass	Review the allocation if the base date of the plan is amended.	Agree with recommendation. Planning permission granted for parts of the site in December 2003 and March 2004. The new base date is April 2004 and so the site should be shown as a planning permission & not an allocation	M/B9/15 - M/B9/16
-	Policy GDS.1/B6 Land North of Bailbrook Lane	No change.	Agree with recommendation.	-
R7.16	Policy GDS.1/B7 R/O 123	That the Council consider the reinstatement of GDS.1/B7.	Agree with recommendation and to modify the Local Plan accordingly	M/B9/17 - M/B9/18

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	English-combe Lane			
R7.17	Policy GDS.1/B8 R/O 46-64 Bloomfield Drive	That the Council reconsider the allocation of the site for housing, subject to any requirement for its reinstatement as allotments.	Investigations indicate that this small site is needed to meet allotment shortfall in this part of Bath. Therefore allocate under Policy CF.8 as allotment site.	M/B3/60
-	Policy GDS.1/B9 Windsor Castle Site	No change.	Agree with recommendation. Planning permission granted in October 2003. NB The new base date is April 2004 and so the site should be shown as a planning permission & not an allocation.	M/B9/19 - M/B9/
-	Policy GDS.1/B10 Beechen Cliff School Annex	No change.	Agree with recommendation.	-
-	Policy GDS.1/B11 Eastern Part of University of Bath Campus	See Section 9.	See Section 9.	M/B9/21 - M/B9/22
R7.18	Policy GDS.1/B12 Land at Lower Bristol Road	Modify B12 as follows: <ul style="list-style-type: none"> • correct the site area from 7.2 ha to 7.05 ha; • in 2 amend 75 to 50 and add after "dwellings" "during the plan period"; ▪ delete 2A. 	Agree with recommendation and to modify the Local Plan accordingly. Agree with recommendation and to modify the Local Plan accordingly. Agree with recommendation and to modify the Local Plan accordingly.	M/B9/23 M/B9/23 M/B9/23

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REC. NO.	POLICY/ PARA	INSPECTOR'S RECOMMENDATION	COUNCIL'S DECISION AND REASONS	MOD NO.
R7.19	Policy GDS.1/B12 Land at Lower Bristol Road	Review the inclusion of the Unite site within the boundaries of the allocation as part of the process of master planning.	The Unite site will be retained within the boundary of Site GDS.1/B12 and the fact that the site has been recently developed will be recognised in the comprehensive masterplan for the site.	-
-	Policy GDS.1/B13 St Martin's Hospital	No change.	Agree with recommendation	-
-	Policy GDS.1/B14 Former St. Mary's School	No change.	Agree with recommendation	-
R7.20	Policy GDS.1/B15 237 English-combe Lane	Review the allocation if the base date of the plan is amended.	Agree with recommendation. Planning permission granted in March 2004. NB The new base date is April 2004 and so the site should be shown as a planning permission & not an allocation.	M/B9/26
-	Policy GDS.1/B16 The Podium/ Cattle Market	No change.	Agree with recommendation	(M/B9/28)
-	Policy GDS.1/B17 Avon Street Car Park	No change.	Agree with recommendation	-
R7.21	Policy GDS.1/K1 Somerdale	Modify Policy GDS.1/K1 by deleting clause 13.	Agree with recommendation to delete clause 13. Also, in view of the Inspector's reasoning in paras 5.86 and 7.95 in respect of uncertainty over the site's ultimate capacity for residential development (refer also to Topic Paper	M/B9/32

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			2), clause 2 will be modified to reflect that the site could realistically accommodate about 50 dwellings during the Plan period.	
R7.22	Policy GDS.1/K2 South West Keynsham	Policy GDS.1/K2 be reinstated in the RDDLP, with clause 1 amended to "About 700 dwellings."	Agree with recommendation. In light of the housing shortfall, it is necessary for this allocation to be re-instated. The site will be required even if rapid progress is made on BWR in the Plan period. This is a large site of around 20 ha. Further work has been undertaken on this site including assessments of transport implications and further investigations are underway. It is proposed that the Local Plan should allow for at least 500 of the 700 dwellings to be completed before the end of the Plan period.	M/B9/33 - M/B9/34
R7.22.1 Addendum Report		<p>Amend the reinstated Policy GDS.1/K2 as follows:</p> <p>Delete in the second sentence from "only" to "including" and insert "and development of either site will only be allowed to proceed on the basis of a co-ordinated strategy for a mixed use development in accordance with the following principles:"</p> <p>Amend the clauses as follows:</p> <p>2 delete "retention" and insert "replacement"</p> <p>3 delete "St Clement's Road" and insert "Park Road"</p> <p>Insert new clause "A new pedestrian and cycle route to be provided along Parkhouse Lane. This will also serve as an emergency access."</p> <p>5 and 19 delete "Avon Forest" and insert "Woodland Trust"</p>	Agree with recommendation (NB the Inspector omitted to carry forward from her reasoning to her recommendation R7.22.1 to delete old clause 4 and 16 but nevertheless this has been reflected in the proposed modifications to the site requirements for GDS.1/K2)	M/B9/33 - M/B9/34

CHAPTER B9 – GENERAL DEVELOPMENT SITES

REC. NO.	POLICY/ PARA	INSPECTOR'S RECOMMENDATION	COUNCIL'S DECISION AND REASONS	MOD NO.
		<p>Delete 8 and 9 and replace with:</p> <p>“A contribution towards improvements to Keynsham railway station of an appropriate scale and kind.</p> <p>A contribution towards improvements to bus services between the two parts of the site, Keynsham Town Centre, Bristol and Bath of an appropriate scale and kind.”</p> <p>Delete 10 and replace with “Improvements to Castle Primary School to meet the demand arising from the K2 development.”</p> <p>Delete 20 and replace with “Incorporation into the layout of a scheme to accord with the Forest of Avon guidelines, to include the provision of on and off site planting.”</p>		
-	Policy GDS.1/K3 Broadmead Lane	No change.	Agree with recommendation	(M/B9/35)
R7.23	Policy GDS.1/K4 St John's Court/ Charlton Road	Modify Policy GDS.1/K4 by deleting clauses 4, 8, 13, 14 and 15	Agree with recommendation and to modify the Local Plan accordingly.	M/B9/36
-	Policy GDS.1/K5 Former Cannocks Garage	No change.	Agree with recommendation.	(M/B9/37)
-	Policy GDS.1/NR1 Charlton Park	No change.	Agree with recommendation	-

CHAPTER B9 – GENERAL DEVELOPMENT SITES

REC. NO.	POLICY/ PARA	INSPECTOR'S RECOMMENDATION	COUNCIL'S DECISION AND REASONS	MOD NO.
R7.24	Policy GDS.1/NR2 Radstock Railway Land	<p>Modify GDS.1/NR2 as follows: Delete clauses 1, 2, 3, 4 and 5 Insert new clauses: "1. Residential development with retail and office uses within or adjacent to the Town Centre, with community facility and local nature reserve. 2. About 50 dwellings in the period to 2011. 3. Provision for safe movement of public transport service vehicles in and around the site."</p> <p>Modify clause 6 by adding at the end: "where this is compatible with the safeguarding of trackbed which is of significant nature conservation value."</p> <p>Add new clause: "Identification of areas of significant nature conservation interest to be retained, with a scheme for their management and the mitigation of any effects of development; together with a programme for compensation where the loss of areas of ecological importance cannot be avoided."</p> <p>Retain clauses 8, 9 and 10.</p> <p>Add new clause: "Retention (with relocation if necessary) within the site of engine shed and nearby turntable."</p>	<p>The Inspector recognises the importance of the site for regeneration of Norton Radstock (para 5.94) but at the same time she recognises that the site is locally important for nature conservation (para 5.91). Probably because of the information available to her at the Inquiry, the Inspector does not recommend a dwelling capacity for the site. Instead she recommends that in order to avoid pressure for the achievement of high numbers of dwellings at the expense of the ecology of the site, that the site be expected to accommodate no more than 50 dwellings during the plan period. She therefore accepts that the site capacity is greater than 50 dwellings (para 5.95) and that the site should be allocated for mixed use development.</p> <p>The Inspector's recommended policy wording also acknowledges that the development is likely to give rise to an unavoidable impact on some areas of ecological importance but that this should be mitigated and compensated for.</p> <p>The development of this mixed-use site is integral to the regeneration of Radstock and entails significant development costs. The benefits and importance of this development are reflected in the Council's 'Radstock Regeneration Principles' approved in May 2006 and in the 'Brighter Futures Community Plan'. The local ecological importance of the site is also recognised and well documented The</p>	M/B9/38

CHAPTER B9 – GENERAL DEVELOPMENT SITES

REC. NO.	POLICY/ PARA	INSPECTOR'S RECOMMENDATION	COUNCIL'S DECISION AND REASONS	MOD NO.
			<p>existing ecological interest of the site will change in the long term, with certain species and habitats likely to decline unless supported by a management regime. It is likely however that the site could in future retain significant ecological value even without management, although this interest would be different to that currently present. The Inspector has explicitly adopted a precautionary approach in relation to housing provision on the basis of the need to resolve ecological issues. The Inspector states that 50 dwellings is not intended as an absolute limit on development capacity but explicitly recognises that the capacity of the site is higher.</p> <p>On this basis, it is proposed that the Inspector's recommendations are accepted but with the proviso in the policy which reflects the inspector's comments that the residential capacity of the site could be greater than 50 dwellings. Policy GDS.1/NR2 and the preamble in para B7.30 will be amended accordingly.</p> <p>This Council disagrees with the Inspector's opinion (paragraph 5.92) that the Radstock Railway Land is, in effect, no longer a brownfield site but that PPG3 applies. In that context, any planning application submitted for this site should be subject to a full capacity study to demonstrate that, whilst having regard to its nature conservation interest, any development proposals for this site</p>	

CHAPTER B9 – GENERAL DEVELOPMENT SITES

REC. NO.	POLICY/ PARA	INSPECTOR'S RECOMMENDATION	COUNCIL'S DECISION AND REASONS	MOD NO.
			maximise the use of brownfield land.	
-	Policy GDS.1/NR3 Former Sewage Works, Welton Hollow	No change.	Agree with recommendation	(M/B9/39)
R7.25	Policy GDS.1/NR4 St Peter's Factory, Westfield	Modify Policy GDS.1/NR4 as follows: insert in clause 1 before "Development" "Mixed use" and after "for" "residential and"; insert new clause 2 "About xx houses can be accommodated, with xx before 2011"; delete clauses 3 and 8	Agree with recommendation. Planning permission was granted on this site in April 2006 along with the Jewsons site to the north west. Therefore allocate these sites together. Agree with recommendation and to modify the Local Plan accordingly. Agree with recommendation. Insert new clause 2 "About 100 houses can be accommodated by 2011". Agree with recommendation and to modify the Local Plan accordingly.	M/B9/40 - M/B9/41
R7.26	Policy GDS.1/NR5 Mount Pleasant Hostel	Modify Policy GDS.1/NR5 by deleting "About" in clause 1 and insert "at least".	Agree with recommendation and to modify the Local Plan accordingly.	M/B9/42
-	Policy GDS.1/NR6 Former Coop, Tynning Hill	No change.	Agree with recommendation	-

CHAPTER B9 – GENERAL DEVELOPMENT SITES

REC. NO.	POLICY/ PARA	INSPECTOR'S RECOMMENDATION	COUNCIL'S DECISION AND REASONS	MOD NO.
R7.27	Policy GDS.1/NR7 R/O 63-101 Kilmersdon Road, Haydon	Review the allocation if the base date of the plan is amended.	Agree with recommendation. Outline permission granted in January 2004 and currently in progress for appeal. The new base date is April 2004 and so the site should be shown as a planning permission & not an allocation	M/B9/43 - M/B9/44
-	Policy GDS.1/NR8 Wellsway Colliery, Westfield	No change.	Agree with recommendation	-
R7.28	Policy GDS.1/NR9 Folly Hill, Chilcompton Lane	Review the allocation if the base date of the plan is amended.	Agree with recommendation. Planning permission granted for Phase 1 October 2001 and as the new base date is April 2004, that part of the site should be shown as a planning permission & not an allocation.	M/B9/45
-	Policy GDS.1/NR10 Gullocks Tynning/ Rackvernal Road	No change.	Agree with recommendation	-
R7.29	Policy GDS.1/NR11 Land at Hazel Terrace/ Old Pit Road	Review the allocation if the base date of the plan is amended.	Agree with recommendation. Planning permission granted in August 2003. NB The new base date is April 2004 and so the site should be shown as a planning permission & not an allocation.	M/B9/46 M/B9/47
-	Policy GDS.1/NR12 Land West of	No change.	Agree with recommendation	M/B9/48

CHAPTER B9 – GENERAL DEVELOPMENT SITES

REC. NO.	POLICY/ PARA	INSPECTOR'S RECOMMENDATION	COUNCIL'S DECISION AND REASONS	MOD NO.
	Midsomer Norton Enterprise Park			
-	Policy GDS.1/V1 SE of Bypass, Peasedown St John	No change.	Agree with recommendation	-
-	Policy GDS.1/V2 Belle Vue Farm, Peasedown St John	No change.	Agree with recommendation	-
R7.30	Policy GDS.1/V3 Paulton Printing Factory	<p>Modify GDS.1/V3 as follows: delete clause 1 and insert: "Development for residential and business use. Residential development beyond the south eastern part of the site to take place only as part of a mixed use scheme which includes employment development."</p> <p>delete clause 11 and insert: "Some 350 dwellings to be accommodated within the factory site, with no more than 150 to be constructed unless linked to a scheme for the development of employment floorspace"</p> <p>The Council to review the detail of the remaining clauses in the policy and amend where necessary to reflect the change in the allocation.</p>	<p>Agree with recommendation and to modify the Local Plan accordingly.</p> <p>Agree with recommendation and to modify the Local Plan accordingly.</p> <p>Agree with recommendation and to modify the Local Plan accordingly.</p>	M/B9/55
R7.31	Policy GDS.1/V4	Modify the plan by deleting Policy GDS.1/V4.	Disagree. Since the Local Plan Inquiry, there has been a significant loss of	M/B9/56

CHAPTER B9 – GENERAL DEVELOPMENT SITES

REC. NO.	POLICY/ PARA	INSPECTOR'S RECOMMENDATION	COUNCIL'S DECISION AND REASONS	MOD NO.
	Old Mills, Paulton		employment in the wider Norton Radstock area including the unanticipated closure of some of the largest employers in the area, specifically Paulton Printing Factory and the Alcan Factory at Norton Hill, Midsomer Norton. Further work undertaken by consultants on behalf of the Council has emphasized the over dependence of the economy in the south of the District on a few large employers in the declining printing and packaging sector. Low local employment and wage levels are masked by the high levels of outcommuting from the area. The Council is now considering an economic lead regeneration approach in the context of the Regional Spatial Strategy and this site is the only greenfield employment development opportunity left in Norton Radstock and its environs. Therefore the Old Mills business allocation should be retained under Policy GDS.1/V4.	
R7.32	Policy GDS.1/V5 Bannerdown Road, Batheaston	Modify the plan by deleting Policy GDS.1/V5.	Agree with recommendation and to modify the Local Plan accordingly.	M/B9/56 M/B9/57
-	Policy GDS.1/V6 Greenvale Drive, Timsbury	No change.	Agree with recommendation.	-
-	Policy GDS.1/V7	No change.	Agree with recommendation	-

CHAPTER B9 – GENERAL DEVELOPMENT SITES

REC. NO.	POLICY/ PARA	INSPECTOR'S RECOMMENDATION	COUNCIL'S DECISION AND REASONS	MOD NO.
	Goosard Lane, High Littleton			
-	Policy GDS.1/V8 Former Radford Retail System's Site, Chew Stoke	No change.	Agree with recommendation	M/B9/59
R7.33	Policy GDS.1/V9 Land West of Brookside Drive, Farmborough	The Council consider the reinstatement of this allocation having regard to floodrisk, access, and any impact on the adjoining school.	Investigations into the reinstatement of GDS.1/V9 Land at Brookside Drive, Farmborough concluded that the site is not needed to meet the housing land requirements. Therefore, it proposed that the site be retained Safeguarded Land under Policy GB.4 (see also R5.17 & R9.16).	-

CHAPTER C1 – GREEN BELT

REC. NO.	POLICY/ PARA	INSPECTOR'S RECOMMENDATION	COUNCIL'S DECISION AND REASONS	MOD NO.
R9.1	Para C1.3	Modify the plan by deleting paragraph C1.3.	Agree with recommendation and to modify the Local Plan accordingly.	M/C1/1
R9.2	Para C1.8	Modify paragraph C1.8 as follows: reinstatement sentence beginning "At Keynsham" from the DDLP; delete from "These proposed" to "Newbridge"; insert "and at"; reinstatement "at" and "in Bath --- proposed"; delete ().	Agree with recommendation and to modify the Local Plan accordingly. Agree with recommendation and to modify the Local Plan accordingly. Agree with recommendation and to modify the Local Plan accordingly. Agree with recommendation and to modify the Local Plan accordingly. Agree with recommendation and to modify the Local Plan accordingly.	M/C1/2 M/C1/2 M/C1/2 M/C1/2 M/C1/2
R9.3	Paras C1.10A - E	Modify the plan by deleting paragraphs C1.10A – E and insert: "Provision is made for a new park and ride facility at Newbridge which could incorporate a transport interchange for a future rapid transit system. The park and ride will be at ground level only, and with appropriate layout and landscaping it will not affect the openness of the Green Belt. Any built infrastructure necessary to support the transport interchange would be carefully designed to sit within the site to minimise its effect on openness. It will not be necessary to change the boundary of the Green Belt in order to accommodate this scheme."	Partially agree. The Green Belt boundary does not need to be changed at Newbridge and paragraphs C1.10A-E will be deleted. However, since the Inquiry, proposals have been superseded by plans to expand the existing Newbridge Park & Ride on the A4. Reference to this expansion in the 'Bath Inner Green Belt boundary' section of the Green Belt chapter is not appropriate as it does not necessitate a change to the Green Belt boundary.	M/C1/3 - M/C1/7
R9.4	Paras B3.54 to B3.55	Modify paragraphs B3.54 to B3.55 of the plan by : i) substituting the following after "include" in the third sentence of	Agree with recommendation and to modify the Local Plan accordingly.	M/B3/38 M/B3/39

REC. NO.	POLICY/ PARA	INSPECTOR'S RECOMMENDATION	COUNCIL'S DECISION AND REASONS	MOD NO.
		<p>B3.54:- "university-related non-residential development for uses including learning, research and allied business incubation and knowledge transfer, conferences, university administration and IT and sports, health, creative arts, social, recreational and catering purposes and additional student residential accommodation." And</p> <p>ii) amending the second sentence of B3.54A to read "Therefore policy GDS.1/B11 allows for further development on the campus including some development on land now to be excluded from the Green Belt.", and deleting the fourth sentence.</p>	<p>Additional modification to first sentence of para B3.54A is necessary to clarify reference to the University Masterplans (i.e. existing endorsed and future Revised Masterplan).</p>	
R9.5	Paras B7.132 to B7.134A	<p>Modify paragraphs B7.132 to B7.134A by replacing paragraphs B7.134 and B7.134A as follows:-</p> <p>"...The university has identified a need for a further 2000 bedspaces of student accommodation to be provided on campus during the plan period. Policy GDS.1 makes an allocation to meet that need, together with the academic needs of the university."</p>	<p>Partially agree.</p> <p>The requirement for 2,000 additional bedspaces set out by the University at the Local Plan Inquiry is based on projections of approximate growth in student numbers. Therefore, qualification of the figure in the modification to the Local Plan with the word 'approximately' is appropriate. Whilst this projected need relates to the period to 2010 development itself may extend beyond the plan period as reflected in Inspector's recommended paragraph C1.10H. Modification to the Local Plan will not refer to 'during the plan period'.</p>	M/B7/104 - M/B7/105 M/B7/107
R9.6	Policy HG.17	<p>Modify Policy HG.17 as follows:</p> <p>in criterion (i) delete the existing wording and substitute "it is on previously developed land or other land allocated for the purpose";</p> <p>delete PIC/B/45 criterion iii)c) and insert new iii)c): "within the areas</p>	<p>Agree with recommendation but for clarity modify criterion iii)c) to read "... in the University of Bath master plan (see policy GDS.1/B11)."</p>	M/B7/103

REC. NO.	POLICY/ PARA	INSPECTOR'S RECOMMENDATION	COUNCIL'S DECISION AND REASONS	MOD NO.
R9.7	Paras C1.10F to C1.10K	<p>identified for development for student accommodation in the university master plan (see policy GDS.1/B11)"</p> <p>Modify paragraphs C1.10F to C1.10K by replacing them as follows:</p> <p>"C1.10F Changes to the Green Belt boundary are also proposed at the campus of the University of Bath at Claverton Down. The Green Belt boundary here will be redefined to exclude two areas of land. The larger area is to the east of Convocation Avenue, consisting of the buildings and enclosed outdoor facilities of the English Institute of Sport and some grass pitches to the east of them. The grass pitches make some contribution towards Green Belt purposes 1 and 3 (contributing to checking the unrestricted sprawl of large built-up areas and assisting in safeguarding the countryside from encroachment) but are not considered to serve any meaningful role in meeting purposes 2, 4 and 5. The smaller area mainly comprises enclosed tennis courts to the west of Norwood Avenue which also make a limited contribution to Green Belt purposes 1 and 3.</p> <p>C1.10G However, the Council considers that there are exceptional circumstances which warrant excluding these areas from the Green Belt. Briefly, these result from Government priorities for the development of higher education and the opportunity for Bath, as a leading research-intensive university with particular strengths in the fields of science and technology, to contribute towards the aims of increasing participation, supporting growth in science, innovation and knowledge transfer.</p> <p>C1.10H The University has identified a substantial requirement for additional accommodation to meet a wide range of needs as summarised in policy GDS.1/B11. This amounts to some 43,250 sq.m. for non residential floorspace and 40,000 sq.m. of student accommodation. It is expected that this new development will need to be provided over a 10 year timescale to 2015, extending beyond the plan period. It is also considered highly desirable and more sustainable to concentrate and consolidate this growth at the</p>	<p>Accept the Inspector's recommendation and modify the Local Plan as recommended with some revisions, including an additional paragraph, as outlined below.</p> <p>The University's identified requirement for additional accommodation is estimated and therefore, the figures set out in modified paragraph C1.10H need to be qualified by the word 'approximately'. This will make it consistent with the modification to policy GDS.1/B11 (see below).</p> <p>The Inspector concluded that the University's development requirement can be accommodated on the reduced area of land to be excluded from the Green Belt and areas within the existing built up parts of the campus. Whilst the Council accepts the Inspector's recommendation detailed assessment of the capacity of the allocated campus site is necessary to determine whether the full quantum of the required development can be acceptably accommodated. Therefore, an additional paragraph referring to this assessment through the preparation of a Masterplan, which will also guide development, is necessary.</p>	M/C1/8 - M/C1/13

REC. NO.	POLICY/ PARA	INSPECTOR'S RECOMMENDATION	COUNCIL'S DECISION AND REASONS	MOD NO.
		<p>existing campus rather than seeking to disperse it across a variety of sites in the city. In any case, the main development sites in the city outside the campus are more suited to meeting other important local needs and have been allocated accordingly.</p> <p>C1.10I While a substantial amount of this development can be accommodated within the present non-Green Belt areas of the campus, not all can be met in this way without unacceptable encroachment on the important green heart of the campus or skyline views.</p> <p>C1.10J Weighing the limited harm that would be caused to Green Belt purposes against the above exceptional circumstances, the Council has concluded that the Green Belt boundary should be redrawn in two places: (a) to exclude land to the north side of The Avenue as far as the edge of the campus and then along the boundary between the campus and the adjoining land at Bushey Norwood and (b) to exclude land west of Norwood Avenue between Claverton Down Road and The Avenue.</p>		
R9.8	The Proposals Map	Modify the Proposals Map to: exclude the land north of The Avenue and west of Norwood Avenue from the Green Belt as well as from coverage by policies SR.1A and BH.15; and include the whole of the university campus within the GDS.1 allocation.	Agree with recommendation and to modify the Local Plan accordingly.	M/C1/18 M/B9/22
R9.9	Policy GDS.1/B11	<p>Modify Policy GDS.1/B11 by deleting the existing wording and inserting: "B11 University of Bath Campus, Claverton Down – site area [insert entire campus area]</p> <p>Development Requirements</p> <p>A comprehensive scheme expressed within a university-wide master plan providing for:</p>	Agree with recommendation and to modify the Local Plan accordingly.	M/B9/21

REC. NO.	POLICY/ PARA	INSPECTOR'S RECOMMENDATION	COUNCIL'S DECISION AND REASONS	MOD NO.
		<p>a. approx 43,250 sq.m. of additional university-related non-residential development for uses including learning, research and allied business incubation & knowledge transfer; conferences; university administration and IT; and sports, health, creative arts, social, recreational and catering purposes and</p> <p>b. approx 40,000sq.m (2000 bedrooms) of additional student residential accommodation.</p> <p>Precise identification of a protected green heart to the campus (also to include St John's Field which is covered by Green Belt designation) and other visually and ecologically important planted areas and landscape screens</p> <p>Adequate and suitable replacement on or off-site of any displaced existing sports pitches.</p> <p>On and off-site transport infrastructure necessary to deliver an integrated transport solution.</p> <p>High quality design and landscaping that responds positively and sensitively to the Cotswolds AONB designation and ensures that development on the campus has an appropriate and much-improved visual and landscape relationship with neighbouring land, particularly Bushey Norwood.</p>		
-	Paras C1.11 and C1.12	No change.	Agree with recommendation.	-
R9.10	Paras C1.19 and C1.20	Modify paragraphs C1.19 and C1.20 by reinstating the wording in the DDLP.	Agree with recommendation and to modify the Local Plan accordingly.	M/C1/14 - M/C1/15
R9.11	Para C1.21	Modify the plan by deleting paragraph C1.21.	Agree with recommendation and to modify the Local Plan accordingly.	M/C1/16
R9.12	Policy GDS.1/K2	Modify the Green Belt boundary to reinstate GDS.1/K2 as shown on the Proposals Map in the DDLP.	Agree with recommendation and to modify the Local Plan accordingly.	M/C1/20

CHAPTER C1 – GREEN BELT

REC. NO.	POLICY/ PARA	INSPECTOR'S RECOMMENDATION	COUNCIL'S DECISION AND REASONS	MOD NO.
R9.13	The Proposals Map	Modify the Proposals Map in accordance with PIC/C/2.	Agree with recommendation and to modify the Local Plan accordingly.	M/C1/19
-	Policy GB.1A	No change.	Agree with recommendation	-
-	Policy GB.2	No change.	Agree with recommendation	-
R9.14	Policy GB.3 & Para C1.29	The Council consider the introduction of a new policy to deal with future development of the racecourse at Bath.	Disagree. It would be contrary to Government advice in PPG2 to include a policy in the Local Plan in relation to a development proposal which would be, in essence, inappropriate development in the Green Belt. Any future development of the racecourse at Bath can still be considered in the context of the existing Local Plan policy framework. However this issue could be addressed more thoroughly through the emerging LDF.	-
R9.15	Para C1.44	Modify the plan by deleting heading "Farmborough" and paragraph C1.44.	Disagree. Investigations into the reinstatement of GDS.1/V9 Land at Brookside Drive, Farmborough (as recommended by the Inspector, see R5.17) concluded that the site is not needed to meet the housing land requirements. Therefore, it proposed that the site be retained Safeguarded Land under Policy GB.4.	-
R9.16	Policy GB.4	Modify Policy GB.4 by deleting "and Farmborough".	Disagree. Investigations into the reinstatement of GDS.1/V9 Land at Brookside Drive, Farmborough (as recommended by the Inspector, see R5.17) concluded that the site is not needed to meet the housing land requirements. Therefore, it proposed that	-

CHAPTER C1 – GREEN BELT

REC. NO.	POLICY/ PARA	INSPECTOR'S RECOMMENDATION	COUNCIL'S DECISION AND REASONS	MOD NO.
			the site be retained Safeguarded Land under Policy GB.4.	

CHAPTER C2 – NATURAL ENVIRONMENT

REC. NO.	POLICY/ PARA	INSPECTOR'S RECOMMENDATION	COUNCIL'S DECISION AND REASONS	MOD NO.
-	General	No change.	Agree with recommendation	-
R10.1	Para C2.11	Modify paragraph C2.11 to make clear that the Landscape Character Assessment SPG will be used to assess the effect of proposals on landscape character and local distinctiveness when applying Policy NE.1 to particular proposals.	Agree with recommendation and to modify the Local Plan accordingly.	M/C2/5
R10.2	Policy NE.2	Modify Policy NE.2 by: deleting the 2 nd paragraph and criteria (i)-(iii); and substituting "Major development within an AONB or outside it which would harm the designated area will be determined on the basis of the advice in PPS7."	Agree with recommendation and to modify the Local Plan accordingly. Agree with recommendation and to modify the Local Plan accordingly	M/C2/2 M/C2/2
R10.3	Policy NE.3, Paras C2.18 to C2.20 and Proposal Map	Modify the plan by deleting Policy NE.3, paragraphs C2.18 - C2.20 and the Important Hillside notation from the Proposals Map.	Disagree. Keep the policy which seeks to protect the Important Hillside in Bath and Norton Radstock, which make an important contribution to local character, but do not to show them on the proposals map. Reason: Whilst there are other policies in the Local Plan which may be used indirectly to contribute to this objective, the hillside would not have specific protection for the particular contribution that they make to local character of Bath and Norton Radstock. The Inspector is only partially correct in suggesting that there are other policies in the Plan which achieve the same objective. Development which could potentially affect the hillside may be permissible under other policies. This is of particular	M/C2/7 - M/C2/11

CHAPTER C2 – NATURAL ENVIRONMENT

REC. NO.	POLICY/ PARA	INSPECTOR'S RECOMMENDATION	COUNCIL'S DECISION AND REASONS	MOD NO.
			<p>significance in the World Heritage site of Bath. In Norton Radstock, the Inspector is only partially correct in stating that the hillsides are covered by the Landscape Character Assessment.</p> <p>The inspector's concern that this policy amounts to a local landscape designation is accepted and the policy will no longer seek to protect the landscape qualities of the hillsides.</p>	
R10.4	Quick Guide 13A	Modify the plan by deleting Quick Guide 13A.	Agree with recommendation and to modify the Local Plan accordingly	M/C2/13 M/C3/21
R10.5	Para C2.25	Modify paragraph C2.25 by inserting a reference to the protection afforded to trees in conservation areas and where further information can be found.	Agree with recommendation and to modify the Local Plan accordingly	M/C2/12
R10.6	Policy NE.5	Modify Policy NE.5 by deleting criterion ii; and substituting "ii) does not conflict with the local strategies of the Forest Plan and has regard to its aims in the layout of development, including landscaping" (or, if the Council is about to publish SPG "Planning and the Forest of Avon" - reference should be made to that document instead).	Partly agree. Amend clause (ii) along the lines recommended but without making reference to 'local strategies' as these have been superseded by the B&NES Landscape Character Assessment. Whilst the Council has now adopted the SPG "Planning and the Forest of Avon" reference to the SPG in the policy will not be made as policy formulation cannot be relegated to a SPG (PPG12, para 3.17, PPS12, para 2.42). However reference will be made to the SPG in RJ instead (Para C2.31).	M/C2/17 - M/C2/18
R10.7	Policy NE.6	Delete Policy NE.6 and amend the text of the plan to explain why a specific policy in the plan for European sites is unnecessary.	Agree with recommendation and to modify the Local Plan accordingly	M/C2/23 - M/C2/24 M/C2/26

CHAPTER C2 – NATURAL ENVIRONMENT

REC. NO.	POLICY/ PARA	INSPECTOR'S RECOMMENDATION	COUNCIL'S DECISION AND REASONS	MOD NO.
R10.8	Quick Guide 14, C2.33	Delete QG 14 and reference to it in paragraph C2.33. Refer to the B&NES Biodiversity Action Plan 2000 at the end of paragraph C2.33.	Agree with recommendation and to modify the Local Plan accordingly	M/C2/21
R10.9	Policy NE.7	Subject to the Council being satisfied that the feeding grounds and landscape features used by Bechstein's Bats overlap with those of Horseshoe Bats, delete Policy NE.7. (If not, retain the policy for Bechstein Bats only without reference to bat protection zones).	Agree with recommendation and to modify the Local Plan accordingly. Policy NE.10 affords the necessary protection to any species, internationally or nationally protected, or their habitat from the adverse affects of development.	M/C2/24
R10.10	Policy NE.7 Proposals Map	Delete the Bat Protection Zones from the Proposals Map.	Agree with recommendation and to modify the Local Plan accordingly. However a diagram will be inserted after para C2.41 to show the Bat Protection Zones within the District for information.	M/C2/25 M/C2/28 - M/C2/29
R10.11	Para C2.40A	Modify paragraph C2.40A to reflect the above changes.	Agree with recommendation and to modify the Local Plan accordingly	M/C2/23
R10.12	Reference to SPD on bats	Consider including bat protection zones and further information on the assessment of development proposals on bats in SPD (such as that on habitats and species which the Council propose to prepare).	Agree with the Inspector that preparing a SPD on bats along the lines suggested is more appropriate than including detailed information in the Local Plan. This would need to be pursued through the emerging Local Development Framework.	-
R10.13	Policy NE.8	Modify Policy NE.8 by adding "adversely" before "affect" in the first sentence.	Agree with recommendation and to modify the Local Plan accordingly	M/C2/30
R10.14	Quick Guide 15	Delete Quick Guide 15 and add to the text: an explanation of where the selection criteria and confirmation process for SNCIs is set out; where the description of each SNCI and large scale plan of their boundaries can be found; and to highlight that further SNCIs may be identified and confirmed which are not shown on the Proposals Map.	Agree with recommendation and to modify the Local Plan accordingly	M/C2/34 - M/C2/35

CHAPTER C2 – NATURAL ENVIRONMENT

REC. NO.	POLICY/ PARA	INSPECTOR'S RECOMMENDATION	COUNCIL'S DECISION AND REASONS	MOD NO.
R10.15	Policy NE.9	Modify Policy NE.9 by: inserting after "indirectly", "the nature conservation value of"; and inserting in criterion i after "biological", "geological/geomorphological".	Agree with recommendation and to modify the Local Plan accordingly	M/C2/36
R10.16	Quick Guide 15A	Delete QG 15A.	Agree with recommendation and to modify the Local Plan accordingly	M/C2/39
R10.17	Para C2.48	Modify paragraph C2.48 to explain how species of local importance will be identified and to make reference to the forthcoming SPD on Priority Species and Habitats.	Agree with recommendation and to modify the Local Plan accordingly.	M/C2/38
R10.18	Para C2.52	Modify paragraph C2.52 to refer to the proposed SPD on Priority Species and Habitats (if the Council intend to produce such SPD in the near future).	Agree with recommendation and to modify the Local Plan accordingly. The Bath & North East Somerset Local Development Scheme will be reviewed in due course to reflect new Local Development Documents.	M/C2/42
-	Policy NE.13, Paras C2.55 and C2.56A	No change.	Agree with recommendation	-
-	Policy NE.13A and Paras C2.56B – C2.56D	No change.	Agree with recommendation	-
R10.19	Para C2.58A	Modify paragraph C2.58A by reference to the importance of Flood Risk Assessments being prepared and submitted with planning applications within indicative floodplains and to the advice on the their preparation at Annex F of PPG25.	Agree with recommendation and to modify the Local Plan accordingly	M/C2/46
R10.20	Para C2.59	Modify paragraph C2.59 by the addition of IC17.	Agree with recommendation and to modify the Local Plan accordingly	M/C2/48

CHAPTER C2 – NATURAL ENVIRONMENT

REC. NO.	POLICY/ PARA	INSPECTOR'S RECOMMENDATION	COUNCIL'S DECISION AND REASONS	MOD NO.
R10.21	Policy NE.14	<p>Modify Policy NE.14 by deleting criterion ii; and adding at the end of the policy:</p> <p>“all planning applications located within an indicative floodplain shown on the Proposals Map or where there is other evidence that it is at risk from flooding should be accompanied by a Flood Risk Assessment.”</p>	Agree with recommendation and to modify the Local Plan accordingly	M/C2/49
R10.22	Policy NE.14 Proposals Map	<p>Modify the Proposals Map: in accordance with IC19 (floodplain boundaries at Bath Western Riverside) and to take account of any other revisions to the EAs indicative floodplain maps;</p> <p>by adding “indicative” before “flood plain” on the Key.</p> <p>by deleting the Protected Overland Flood Paths (PIC/C/30) (unless the plan is modified to explain their purpose and what policy criteria apply to them).</p>	<p>Agree with recommendation and to modify the Proposals Map in accordance with IC19. With regard to the recommendation to take account of any other revisions to the EAs indicative floodplain maps, the Council will update the Proposals Map accordingly prior to the adoption of the Local Plan in view of the Inspector's comments in para 10.88 of the Report. This will ensure the most up to date information is shown.</p> <p>Agree with recommendation and to modify the Local Plan accordingly.</p> <p>Add a new paragraph to explain the purpose of Protected Overland Flood Paths and that Policy NE.14 applies. Include the Protected Overland Flood Paths on the Proposals Map as set out in PIC/C/30.</p>	<p>M/C2/50</p> <p>M/C2/56</p> <p>M/C2/47 M/C2/51 - 55</p>
-	Policy NE.15, Paras C2.61 and C2.63	No change.	Agree with recommendation	-

CHAPTER C2 – NATURAL ENVIRONMENT

REC. NO.	POLICY/ PARA	INSPECTOR'S RECOMMENDATION	COUNCIL'S DECISION AND REASONS	MOD NO.
R10.23	Policy NE.16	Delete the existing wording of Policy NE.16 and substitute: "Development which would result in the loss of the best and most versatile agricultural land will not be permitted unless sustainability considerations are sufficient to override the protection afforded to the agricultural value of the land. Development should be directed towards the lowest grade agricultural land except where sustainability considerations indicate otherwise."	Agree with recommendation and to modify the Local Plan accordingly	M/C2/23
R10.24	Para C2.66	Modify paragraph 2.66 to refer to the comparative accessibility/ sustainability of land of different agricultural value as one of the factors to be taken into account in determining where necessary development on agricultural land should take place.	Agree with recommendation and to modify the Local Plan accordingly	M/C2/58

CHAPTER C3 – BUILT & HISTORIC ENVIRONMENT

REC. NO.	POLICY/ PARA	INSPECTOR'S RECOMMENDATION	COUNCIL'S DECISION AND REASONS	MOD NO.
R11.1	Para 3.6	<p>Modify paragraph 3.6:</p> <p>delete the phrase added in the RDDLP "plus a further two criteria that all sites have to full";</p> <p>delete the 2 mandatory criteria;</p> <p>add at the end: "The City also meets the two further criteria required of all WHS, namely, authenticity and legislative protection."</p>	Agree with recommendation and to modify the Local Plan accordingly	M/C3/3
R11.2	Para C3.10	Modify paragraph C3.10 by deleting the reference to DOE Circular 7/94 and substituting "Circular 02/99 Environmental Impact Assessment".	Agree with recommendation and to modify the Local Plan accordingly	M/C3/5
R11.3	Para C3.12	Modify paragraph C3.12 by explaining the position of the boundary and the importance of the local plan in defining a boundary for the WHS.	Agree with recommendation and to modify the Local Plan accordingly. However the text will make it clear that the boundary is defined by UNESCO and not the Local Plan. It has been confirmed by the Department for Culture, Media and Sport in November 2005 that UNESCO agreed that the boundary of the City of Bath World Heritage Site is the former Bath City municipal boundary as it was in 1986 at the time of its nomination.	M/C3/6
R11.4	Policy BH.1	Modify Policy BH.1 by deleting the text and substituting: "Development which would harm the qualities which justified the designation of Bath as a WHS will not be permitted."	Agree with recommendation to revise Policy BH.1 to provide a more robust policy basis but retain reference to the setting of the WHS which is in the existing policy. The Inspector has appeared to inadvertently omitted the reference to the setting in her revised policy although acknowledged in para 11.7 of the Report. The word 'designation' will be substituted	M/C3/7

CHAPTER C3 – BUILT & HISTORIC ENVIRONMENT

REC. NO.	POLICY/ PARA	INSPECTOR’S RECOMMENDATION	COUNCIL’S DECISION AND REASONS	MOD NO.
			by ‘inscription’ to accord with UNESCO terminology.	
R11.5	Para C3.17	Modify paragraph C3.17 by deleting “all original and later”.	Agree with recommendation and to modify the Local Plan accordingly	M/C3/8
R11.6	Policy BH.4	Modify Policy BH.4 by inserting after “originally designed” “(except where policy ET.2(2) – as recommended in this report - also applies)”.	Agree with recommendation and to modify the Local Plan accordingly	M/C3/10
R11.7	Policy BH.5	Modify policy BH.5 by deleting “adversely” in the first line.	Agree with recommendation and to modify the Local Plan accordingly	M/C3/13
R11.8	Quick Guide 17	Delete QG 17 and insert the selection criteria under paragraph C3.30.	Agree with recommendation and to modify the Local Plan accordingly	M/C3/11 - M/C3/12
R11.9	Para C3.40	Modify paragraph C3.40 by highlighting that conservation area appraisals will assist in the application of the policy because they identify what makes an area special and what detracts from it. Insert a cross reference to where existing and proposed appraisals are listed in the plan.	Agree with recommendation and to modify the Local Plan accordingly	M/C3/14
R11.10	Policy BH.7	Modify Policy BH.7 by inserting at the end: “or iv) the proposed development would make a significantly greater contribution to the conservation area than the building to be lost.”	Agree with recommendation and to modify the Local Plan accordingly	M/C3/17
R11.11	Quick Guide 18	Delete Quick Guide 18.	Agree with recommendation and to modify the Local Plan accordingly	M/C3/18
R11.12	Para C3.45	Modify paragraph C3.45 by deleting the last 2 sentences.	Agree with recommendation and to modify the Local Plan accordingly	M/C3/19
R11.13	Para C3.46	Modify paragraph C3.46 by deleting the last sentence.	Agree with recommendation and to modify the Local Plan accordingly	M/C3/20 M/C3/24

CHAPTER C3 – BUILT & HISTORIC ENVIRONMENT

REC. NO.	POLICY/ PARA	INSPECTOR’S RECOMMENDATION	COUNCIL’S DECISION AND REASONS	MOD NO.
R11.14	Proposals Map	Modify the Proposals Map by deleting all Parks and Gardens of Local Historic Interest.	Agree with recommendation and to modify the Local Plan accordingly	M/C3/27
R11.15	Policy BH.10	Modify the plan by deleting Policy BH.10.	Agree with recommendation and to modify the Local Plan accordingly	M/C3/26
R11.16	Policy BH.9	Modify Policy BH.9 by deleting the text and substituting: “Development which adversely affects sites on English Heritage’s Register of Historic Parks and Gardens or their settings will not be permitted”.	Agree with recommendation and to modify the Local Plan accordingly	M/C3/25
R11.17	Paras C3.54-C3.56	Modify paragraphs C3.54-C3.56 to reflect the above modifications.	Agree with recommendation and to modify the Local Plan accordingly	M/C3/22 - M/C3/23
-	Policy BH.12 and Para C3.62	No change	Agree with recommendation	-
R11.18 R11.19	Policy BH.15, Paras C3.71A and C3.72	<p>Either:</p> <p>R11.18 The Council assemble a set of defined criteria against which to evaluate undeveloped sites within built up areas and carry out an assessment of sites identified in the RDDLP as VIOS against those criteria. Sites which accord with the criteria may then be identified with explicit reasons for the inclusion of sites within the VIOS designation; and</p> <p>modify the Proposals Map in accordance with that site selection process; and</p> <p>modify Policy BH.15 to relate directly to the criteria for the selection of sites and the contribution the site makes to the character of the settlement.</p> <p>Or:</p> <p>R11.19 Delete Policy BH.15 and delete the VIOS designation from the Proposals Map.</p>	<p>The Inspector accepts that the principle of protecting open spaces which contribute to local character is valid but is concerned, inter alia, about the lack of clarity in the policy wording and the process of designation. Of her recommended alternatives, an overarching review of all sites is unfeasible at this stage in the Local Plan process but complete deletion of the policy will leave a gap in the Local Plan policy framework. PPG17 emphasises the particular value that open spaces contribute to local character and PPS1 seeks to protect the character of urban areas.</p> <p>Open spaces make an important</p>	M/B4/13 M/C3/28 - M/C3/31

CHAPTER C3 – BUILT & HISTORIC ENVIRONMENT

REC. NO.	POLICY/ PARA	INSPECTOR'S RECOMMENDATION	COUNCIL'S DECISION AND REASONS	MOD NO.
			<p>contribution to local character of settlements in Bath & North East Somerset in all settlements and especially in the World Heritage Site. Whilst other policies in the Plan provide adequate general protection for character, complete deletion of the policy will remove the very specific protection these areas have in the Local Plan. Therefore, an approach is proposed which seeks to address the Inspector's concerns but also retains specific protection for open spaces.</p> <p>Agree with the Inspector's recommendation to remove Visually Important Open Spaces from the Proposals Map but modify Policy BH.15 to offer general protection to open spaces that make a contribution to the character of the settlement or locality.</p>	
R11.20	Policy BH.16	Modify the plan by deleting paragraphs C3.73 and C3.74, Policy BH.16 and the village buffers from the Proposals Map.	The Inspector does not disagree with the objective of the policy which is to maintain the separate identity of settlements in the closely settled southern part of the District but she is only partially correct in stating that there are other policies in the Plan which contribute to the policy objective. Development may be permissible on the edge of villages under other policies and this could prejudice the separateness of these settlements. For instance the Local Plan policy framework could potentially allow recreational, employment and community facility development within the	M/C3/32 - M/C3/36

CHAPTER C3 – BUILT & HISTORIC ENVIRONMENT

REC. NO.	POLICY/ PARA	INSPECTOR'S RECOMMENDATION	COUNCIL'S DECISION AND REASONS	MOD NO.
			buffer areas. Therefore include a policy which seeks to protect the villages from development which will compromise their separateness but do not seek to define the buffers on the Proposals Maps or in Diagram 15	
R11.21	Para C3.80	Modify the plan by deleting all that part of paragraph C3.80 from "All directional signs" to the end.	Agree with recommendation and to modify the Local Plan accordingly	
-	Policy BH.19	No change	Agree with recommendation	-
-	Policy BH.21	No change	Agree with recommendation	-
-	Policy BH.22	No change	Agree with recommendation	-

REC. NO.	POLICY/ PARA	INSPECTOR'S RECOMMENDATION	COUNCIL'S DECISION AND REASONS	MOD NO.
R12.1	Policy M.1	Modify Policy M1 to accord with the proposed changes set out in the Council's response to objection 3202/B2.	Agree with recommendation and to modify the Local Plan accordingly	M/C4/2
R12.2	Paras C4.4 to C4.58, Table 4.1	<p>Paragraphs C4.5 to C4.58 be deleted and replaced with the following:</p> <p>"Limestone is the principal commercial mineral worked in the plan area. Current reserves are in the order of 600,000 tonnes, according to 2001 estimates. Fuller's Earth and coal were extracted from sites within the District up to 1979 and 1973 respectively. However, whilst reserves still exist in the area the extraction of these minerals is not considered to be economically attractive and is unlikely to resume in the District.</p> <p>There are currently three sites active in the District: two surface mineral workings and one underground mine. Stowey Quarry near Bishop Sutton, produces white lias and blue lias limestones for use as building and walling stone and also for aggregate purposes. Upper Lawn Quarry at Combe Down produces the Combe Down variety of Bath Stone for building, refurbishment, restoration and walling purposes; and Hayes Wood Mine at Limpley Stoke produces some 9-11,000 tonnes of stone each year.</p> <p>There are also a further three sites which are currently inactive but with extant planning permissions. The Table below provides a summary of the mineral reserves and registered planning permissions at the six sites."</p> <p>Table 4.1 (to be completed by the Council)</p>	Agree with recommendation and to modify the Local Plan accordingly.	M/C4/3 - M/C4/60

REC. NO.	POLICY/ PARA	INSPECTOR'S RECOMMENDATION					COUNCIL'S DECISION AND REASONS	MOD NO.
			Name	Description i.e. location, area etc.	Extent of mineral reserve and type	Planning Permissions		
		Active sites						
R12.3	PIC/C/38	PIC/C/38 be deleted.					Agree with recommendation and to modify the Local Plan accordingly	M/C4/52
-	Para C4.59	No change.					Agree with recommendation.	-
R12.4	Para C4.60 & Policy M.3	Modify the plan by deleting paragraph C4.60 and Policy M.3.					Agree with recommendation and to modify the Local Plan accordingly	M/C4/61 - M/C4/62
R12.5	Para C4.62	Modify the plan by deleting paragraph C4.62.					Agree with recommendation and to modify the Local Plan accordingly.	M/C4/63
R12.6	Policy M.4	Modify Policy M4 criterion (i) as follows: delete "satisfactorily" before "restored" and "regenerated" insert after "tip" "where it would cause significant harm" delete "of value" insert "or" after "landscape"					Agree with recommendation and to modify the Local Plan accordingly.	M/C4/64
R12.7	Policy M.5	Delete Policy M.5.					Agree with recommendation and to modify the Local Plan accordingly.	M/C4/65

CHAPTER C4 - MINERALS

REC. NO.	POLICY/ PARA	INSPECTOR'S RECOMMENDATION	COUNCIL'S DECISION AND REASONS	MOD NO.
-	Policy M.6 & Para C4.64	No change.	Agree with recommendation.	-
-	Policy M.7	No change.	Agree with recommendation.	-
-	Policy M.8 Para C4.66 Policy M.9 Paras C4.67 and C4.68	No change.	Agree with recommendation.	-
R12.8	Para C4.74	Modify the plan by deleting paragraph C4.74	Agree with recommendation and to modify the Local Plan accordingly.	M/C4/67
R12.9	Para C4.75	Modify paragraph C4.75 by deleting the second sentence and "M3" in the last sentence.	Agree with recommendation and to modify the Local Plan accordingly.	M/C4/68
R12.10	Para C4.76	Modify paragraph C4.76 by deleting the first sentence; deleting "therefore" and inserting after "forward" "from the MWALP".	Agree with recommendation and to modify the Local Plan accordingly.	M/C4/69
R12.11	Para C4.78	Modify the plan by deleting paragraph C4.78	Agree with recommendation and to modify the Local Plan accordingly.	M/C4/70
R12.12	Para C4.79	Modify paragraph C4.79 by deleting from "Proposals for further" to "rise to complaints."	Agree with recommendation and to modify the Local Plan accordingly.	M/C4/71
R12.13	Para C4.80	Modify the plan by deleting paragraph C4.80.	Agree with recommendation and to modify the Local Plan accordingly.	M/C4/72
R12.14	Para C4.83	Modify paragraph C4.83 by deleting the second sentence; deleting "will be resisted until" and inserting after "site" "should be phased to accord with the completion of"; deleting "have reached an advanced stage".	Agree with recommendation and to modify the Local Plan accordingly.	M/C4/73

CHAPTER D - ACCESS

REC. NO.	POLICY/ PARA	INSPECTOR'S RECOMMENDATION	COUNCIL'S DECISION AND REASONS	MOD NO.
-	Chap D General	No change.	Agree with recommendation	-
R13.1	Paras D1.1 and D1.4	Modify the plan by deleting paragraphs D1.1 and D1.4.	Agree with recommendation and to modify the Local Plan accordingly	M/D/1 - M/D/2
R13.2	Table 6B	Modify the plan by deleting Table 6B and all references to in the text.	Agree with recommendation and to modify the Local Plan accordingly. Para D1.5 will be modified as a result of this deletion.	M/D/3 - M/D/4
R13.3	Diagram 17A and B	Modify Diagram 17A and B by updating with 2001 census data.	Agree with recommendation and to modify the Local Plan accordingly	M/D/7 - M/D/8, M/D/10 - M/D/14
R13.4	New Diagram	Modify the plan by inserting a new Diagram to show inward commuting.	Unnecessary as Diagram 17B shows inward commuting.	-
R13.5	Para D2.3	Modify paragraph D2.3 by updating the reference to the Strategic Rail Authority.	Agree with recommendation and to modify the Local Plan accordingly	M/D/9
R13.6	Para D3.4	Modify paragraph D3.4 bullet point 6 by inserting after "school" "through the Safe Routes to Schools Scheme".	Agree with recommendation and to modify the Local Plan accordingly	M/D/15
R13.7	Policies T.3 & T.4 Paras D3.3 & D3.4	Modify the plan by deleting Policies T3 and T4 and inserting a new policy: "To promote walking and the use of public transport, the Council will seek the provision of safe, convenient and pleasant facilities for pedestrians and the mobility impaired, including the extension of a network of pedestrian routes. These requirements should be incorporated in all new developments including traffic management and transport infrastructure schemes."	Agree with recommendation and to modify the Local Plan accordingly	M/D/16 - M/D/18
R13.8	Para D3.6	Modify Paragraph D3.6 in accordance with inquiry change IC13.	Agree with recommendation and to modify the Local Plan accordingly	M/D/19
R13.9	Policy T.5	Modify Policy T.5 by deleting "or seek funding for"	Agree with recommendation and to modify the Local Plan accordingly	M/D/20

CHAPTER D - ACCESS

REC. NO.	POLICY/ PARA	INSPECTOR'S RECOMMENDATION	COUNCIL'S DECISION AND REASONS	MOD NO.
-	Policy T.6	No change.	Agree with recommendation	-
R13.10	Para D3.6	Modify the plan by incorporating Inquiry Change (IC13)	Agree with recommendation and to modify the Local Plan accordingly	M/D/19
R13.11	Policy T.8	Modify Policy T.8 by deleting "seek funding for".	Agree with recommendation and to modify the Local Plan accordingly	M/D/28
R13.12	Quick Guide 19	Modify the plan by deleting QG 19.	Agree with recommendation and to modify the Local Plan accordingly	M/D/29
R13.13	Policy T.9 Paras D5.3- D5.7	Modify the plan by deleting paragraph D5.3. (See also recommendation under Policy T.11 below.)	Disagree. Deletion of para D5.3 would result in incomplete description of the Rail Strategy. This para will therefore be retained but updated.	-
R13.14	Policy T.10	Modify Policy T.10: delete 1)	Agree with recommendation and to modify the Local Plan accordingly. If needed the site can be protected under Policy T.9 (as prejudicial to the efficient functioning of the railway network) & the sites location within Green Belt limits other development	M/D/35 - M/D/36
R13.15	Paras D6.1 to D6.3	Delete heading "Rapid Transit" and paragraphs D6.1 to D6.3.	Disagree. Rapid transit route is now a firm proposal in LTP and Bath Western Riverside SPD.	-
R13.16	Policy T.11 & Paras D6.1- D6.3	Review the Sustainable Transport Routes to ensure they do not include any former railway route which has been subject to redevelopment and is in beneficial use.	A review of the Sustainable Transport Routes has now taken place in accordance with the Inspector's recommendation and the Council can confirm that they do not include any former railway route which has been subject to redevelopment and is in beneficial use.	-
-	Policy T.12 Para D7.1	No change.	Agree with recommendation	-
-	Policy T.13 Paras D8.1 & D8.4	No change.	Agree with recommendation	-

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-	Policies Paras T.14 & T.15	No change.	Agree with recommendation	-
-	Policy T.16 Paras D9.1 & D9.2	No change.	Agree with recommendation	-
R13.17	Policy T.17 Para D9.3	Modify the plan by deleting Policy T.17 and Paragraph D9.3.	<p>The Inspector recommends that long standing widening lines be abandoned in the absence of any firm proposals to increase the width of the highway. These lines are only used as an instrument of development control when re-development proposals are submitted to the council, so no blight is caused, but adherence to them by developers in the past has enabled the Bath Transportation Package to include the provision of a bus lane in Lower Bristol Road to the west of Windsor Bridge Road. It would be unfortunate to prejudice the possible provision of additional bus or cycle lanes in this area by deleting this safeguarding measure from the local plan.</p> <p>Since the Local Plan Inquiry the Regional Assembly has recognised the importance of The Bath Package by identifying it in Table 1 of their priorities for regional funding allocations for schemes to be completed prior to 2016. These priorities have now been accepted by the Department for Transport. The Joint Local Transport Plan submitted in July 2006 also identifies the Bath Package as a priority for construction in the period to 2011, and indeed a Major Scheme Bid for the package was also submitted in July</p>	M/D/42 - M/D/46

REC. NO.	POLICY/ PARA	INSPECTOR'S RECOMMENDATION	COUNCIL'S DECISION AND REASONS	MOD NO.
			<p>2006 to central government for funding.</p> <p>Previous studies have indicated that neither of the two A37 bypasses at Whitchurch and Clutton/Temple Cloud are justified by existing traffic levels but this is likely to change as a result of the Regional Spatial Strategy proposals for south Bristol development including the proposal for an Urban Extension at south Bristol. Since the inquiry, there are new proposals for a South Bristol Ring Road in the Final Joint Local Transport Plan 2006 (JLTP) and these are recognised in the Government's Regional Funding Allocation in 2006. It is therefore inopportune to release land that has long been safeguarded for the <i>Whitchurch bypass</i> until the precise land needs of the Ring Road are known.</p> <p>In addition and since the Local Plan Inquiry, the JLTP now lists the <i>Temple Cloud/Clutton Bypass</i> as sub-regional priority requiring further work between 2011 and 2016.</p> <p>The release of land safeguarded in Policy T.17 could therefore seriously compromise the proper planning of parts of the District where considerable development is envisaged.</p> <p>Disagree with the Inspector and retain Policy T.17 as circumstances have changes since the Local Plan Inquiry. However the eastern route of the</p>	

CHAPTER D - ACCESS

REC. NO.	POLICY/ PARA	INSPECTOR'S RECOMMENDATION	COUNCIL'S DECISION AND REASONS	MOD NO.
			Clutton/Temple Cloud bypass should be deleted as set out in Pre-Inquiry Change PIC/D/8.	
R13.18	Policy T.18 Paras D10.1- D10.4	The Council to consider whether it is necessary to retain Policy T.18, or whether its wording could be used to replace much of the preceding text in paragraphs D10.1 – D10.4.	If T.18 is deleted there would be a policy about on-street parking (T.19) but not off-street parking in centre of Bath resulting in a gap in policy in the Local Plan.	-
-	Policy T.19	No change.	Agree with recommendation	-
-	Policy T.20	No change.	Agree with recommendation	-
R13.19	Policy T.21	Modify the plan by deleting Policy T.21.	Agree with recommendation and to modify the Local Plan accordingly	M/D/47
R13.20	Policy T.22	Modify Policy T.22 by inserting at beginning: "The Council will safeguard land shown on the Proposals Map for Park and Ride purposes at Lambridge, Bath, adjacent the A4.	Agree with recommendation and to modify the Local Plan accordingly	M/D/49
R13.21	Para D11.1	Modify Paragraph D11.1 by adding at the end: "This includes uses which might increase the risk of collision between aircraft and birds. Applicants should consult the Council about the current extent of the safeguarded areas because they are reviewed and amended from time to time by the CAA"	Agree with recommendation and to modify the Local Plan accordingly	M/D/51
R13.22	Policy T.23 Para D16.5	R13.22 Modify Policy T.23 deleting "shown on the Proposals Map" and inserting "as defined by the CAA".	Agree with recommendation and to modify the Local Plan accordingly	M/D/52 - M/D/53
R13.23	Policy T.24 Paras D12.1- D12.7	Modify Policy T.24 by deleting criterion 6.	Disagree. The Council does not accept that criterion 6 duplicates criterion 5. The latter applies to the development site; the former to the surrounding highway network.	-
-	Policy T.25	No change.	Agree with recommendation	-
R13.24	Policy T.26	Review the residential parking standards (C3) set down in the schedule to Policy T.26 to ensure they comply with national	Disagree. The Council believes that parking restrictions at the workplace	-

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		standards of, on average, no more than 1.5 spaces per dwelling.	rather than the home is more likely to lead to reduced commuting by car. It is unrealistic to apply a maximum standard of less than one space per unit in the least accessible parts of the District. Furthermore. The new draft PPS3 does not include the 1.5 spaces per dwelling average figure but states that parking policies should "have regard to expected car ownership".	
R13.25	Para D12.4	Modify paragraph D12.4 by deleting the final sentence.	Disagree - See response to R13.24 above.	-
R13.26	Policy T.26	Modify Policy T.26 criterion (i) by deleting after "Council".	Agree with recommendation and to modify the Local Plan accordingly	M/D/56
R13.27	Policy T.26	R13.27 Replace all references in the text to "Supplementary Planning Guidance" with Supplementary Planning Document.	Agree with recommendation and to modify the Local Plan accordingly	M/D/55

GLOSSARY

REC. NO.	POLICY/ PARA	INSPECTOR'S RECOMMENDATION	COUNCIL'S DECISION AND REASONS	MOD NO.
R13.28	Glossary	Modify the Glossary be modified in accordance with IC20.	Agree with recommendation and to modify the Local Plan accordingly	M/G/1 – M/G/2